

Los Angeles City Council, **Journal/Council Proceedings**  
Wednesday, **July 28, 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, Huizar, Koretz, Krekorian, Parks, Perry, Reyes, Wesson, Zine and President Garcetti (10); Absent: Alarcón, Hahn, LaBonge, Rosendahl and Smith (5)**

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF  
JULY 23, 2010

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 23

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

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

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## **Items Noticed for Public Hearing - Items 1-5**

**ITEM NO. (1) - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED ON AUGUST 18, 2010**

**Roll Call #1 - Adopted to Continue, Unanimous Vote (10); Absent: Alarcón, Hahn, LaBonge, Rosendahl and Smith (5)**

[10-0751](#)  
CD 8

HEARING PROTESTS against the proposed improvement and maintenance of the Foshay / Dorsey Exposition Boulevard Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Foshay / Dorsey Exposition Boulevard Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on May 26, 2010 - Continue hearing and present Ordinance on August 18, 2010 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**Roll Call #2 - Adopted to Confirm Lien, Ayes (10); Absent: Alarcón, Hahn, LaBonge, Rosendahl and Smith (5)  
(Item Nos. 2-3)**

**ITEM NO. (2) - PUBLIC HEARING CLOSED - NO APPEALS - LIEN CONFIRMED**

[08-1307](#)

CD 5

HEARING APPEALS against the annual confirmation of assessments for the maintenance of the sidewalks for Ventura Boulevard (Kester Avenue to Beverly Glen Boulevard) Sidewalk Maintenance District - W.O. E6000067.

**ITEM NO. (3) - PUBLIC HEARING CLOSED - NO APPEALS - LIEN CONFIRMED**

[08-1308](#)

CD 4

HEARING APPEALS against the annual confirmation of assessments for the maintenance of the sidewalks for Wilshire Miracle Mile Sidewalk Maintenance District - W.O. E6000022.

**ITEM NO. (4) - PUBLIC HEARING CLOSED - NO APPEALS - LIEN CONFIRMED**

**Roll Call #7 - Adopted, Ayes (10); Absent: Alarcón, Hahn, LaBonge, Rosendahl and Smith (5)**

[10-1192](#)

CD 5

HEARING APPEALS against the annual confirmation of assessments for the maintenance of the sidewalks for Westwood Village Sidewalk Maintenance District - W.O. EXX71375.

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

**Roll Call #2 - Adopted to Confirm Lien, Ayes (10); Absent: Alarcón, Hahn, LaBonge, Rosendahl and Smith (5)**

[10-1193](#)

CD 6

HEARING APPEALS against the annual confirmation of assessments for the maintenance of the sidewalks for Van Nuys and Victory Boulevards (and other streets) Sidewalk Maintenance District - W.O. EXX71822.

## Items for Which Public Hearings Have Been Held - Items 6-14

Roll Call #11 - Adopted, Ayes (12); Absent: Hahn, LaBonge and Smith (3)  
(Item Nos. 6-7)

### ITEM NO. (6) - ADOPTED - SEE FOLLOWING

[08-2199](#)

COMMUNICATION FROM THE MAYOR relative to the reappointment of Ms. Lucelia K. Hooper to the Housing Authority of the City of Los Angeles.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Ms. Lucelia K. Hooper to the Housing Authority of the City of Los Angeles for the new term ending June 6, 2012 is APPROVED and CONFIRMED. (Current commission gender composition: M = 1; F = 6)

Ethics Commission Review: Pending.

Background Check Review: Pending.

Community Impact Statement: None submitted.

TIME LIMIT FILE - AUGUST 12, 2010

(LAST DAY FOR COUNCIL ACTION - AUGUST 11, 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

**HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT** relative to the reappointment of Ms. Lucelia K. Hooper to the Housing Authority of the City of Los Angeles.

Recommendation for Council action:

**RESOLVE** that the Mayor's reappointment of Ms. Lucelia K. Hooper to the Housing Authority of the City of Los Angeles for the new term ending June 6, 2012 is **APPROVED** and **CONFIRMED**. (Current commission gender composition: M = 1; F = 6)

Ethics Commission Review: Completed.

Background Check Review: Pending.

Community Impact Statement: None submitted.

**TIME LIMIT FILE - AUGUST 12, 2010**

**(LAST DAY FOR COUNCIL ACTION - AUGUST 11, 2010)**

**ITEM NO. (7) - ADOPTED - SEE FOLLOWING**

[10-1137](#)

COMMUNICATION FROM THE MAYOR relative to the reappointment of Ms. Rayman Mathoda to the Housing Authority of the City of Los Angeles.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Ms. Rayman Mathoda to the Housing Authority of the City of Los Angeles for the new term ending June 6, 2014 is APPROVED and CONFIRMED. Ms. Mathoda resides in Council District Four. (Current commission gender composition: M = 1; F = 6)

Ethics Commission Review: Pending.

Background Check Review: Pending.

Community Impact Statement: None submitted.

TIME LIMIT FILE - AUGUST 12, 2010

(LAST DAY FOR COUNCIL ACTION - AUGUST 11, 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**

**HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT** relative to the reappointment of Ms. Rayman Mathoda to the Housing Authority of the City of Los Angeles.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Ms. Rayman Mathoda to the Housing Authority of the City of Los Angeles for the new term ending June 6, 2014 is APPROVED and CONFIRMED. Ms. Mathoda resides in Council District Four. (Current commission gender composition: M = 1; F = 6)

Ethics Commission Review: Completed.

Background Check Review: Pending.

**Community Impact Statement: None submitted.**

**TIME LIMIT FILE - AUGUST 12, 2010**

**(LAST DAY FOR COUNCIL ACTION - AUGUST 11, 2010)**

**ITEM NO. (8) - ADOPTED**

**Roll Call #10 - Adopted, Ayes (12); Absent: Hahn, LaBonge and Smith (3)**

[10-0919](#)  
CD 12

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change for property at 8322 North Lurline 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. 10-0919 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 2008-3204-MND] filed on December 12, 2008.
2. ADOPT the FINDINGS of the North Valley Area Planning Commission (NVAPC) as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the NVAPC, effecting a zone change from RA-1 to (T)(Q)RD3-1 for the proposed construction of two new single-family dwelling units, two-stories high, with two-car garages, to be built on each of the newly subdivided parcels, with the existing one-story single-family dwelling to remain (with a new two-car garage), on a 13,680 square-foot site for property at 8322 North Lurline Avenue, subject to Modified Conditions of Approval.

Applicant: Karig McCloskey (Westcon Engineering, Inc., Representative)

APCNV-2008-3203-ZC-ZV

4. REMOVE the (T) Tentative classification as described in detail on the sheet(s) attached to the Council file.
5. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.
6. ADVISE the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.

7. 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 NVAPC reports that there is no General Fund impact, as administrative costs are recovered through fees.

Community Impact Statement: None submitted.

TIME LIMIT FILE - AUGUST 25, 2010

(LAST DAY FOR COUNCIL ACTION - AUGUST 20, 2010)

## ITEM NO. (9) - ADOPTED

**Roll Call #9 - Adopted, Ayes (12); Absent: Hahn, LaBonge and Smith (3)**

[10-0703](#)  
CD 13

ENVIRONMENTAL IMPACT REPORT, STATEMENT OF OVERRIDING CONSIDERATIONS, MITIGATION MONITORING AND REPORTING PROGRAM, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT, RESOLUTION and ORDINANCE FIRST CONSIDERATION relative to a General Plan Amendment, Vesting zone change, Height District Change, Development Agreement, and appeal of Conditional Uses and Site Plan Review for property at 6101-25 West Sunset Boulevard, 6100-34 West Selma Avenue, 1521-81 North Gower Street and 1526-46 North El Centro Avenue.

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

1. CERTIFY that the Environmental Impact Report (EIR No. 2007-819-EIR; State Clearing House No. 2007041112) has been completed in compliance with the California Environmental Quality Act, the State Guidelines and the City Guidelines and that the City Council has reviewed the information contained therein and considered it along with other factors related to this project; that this determination reflects the independent judgment of the lead agency, City of Los Angeles; and that the documents constituting the record of proceedings in this matter are located in Council file No. 10-0703 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Environmental Impact Report.
2. ADOPT the FINDINGS made pursuant to and in accordance with Section 21081 of the Public Resources Code and the Statement of Overriding Considerations prepared by the City Planning Department and ADOPT the Statement of Overriding Considerations.
3. ADOPT the FINDINGS pursuant to and in accordance with Section 21081.6 of the California State Public Resources Code, the Mitigation Monitoring and Reporting Program as the Findings of Council and ADOPT the Mitigation Monitoring and Reporting Program.
4. ADOPT the FINDINGS of the City Planning Commission (CPC), including the Environmental Findings, as the Findings of the Council.

5. ADOPT the accompanying RESOLUTION as recommended by the Mayor, the Director of Planning and the CPC APPROVING the proposed General Plan Amendment to the Hollywood Community Plan from Commercial Manufacturing to Regional Center Commercial for the construction of 189 new residential condominiums, 11 townhomes, and 442,610 square feet of office floor area and 41,300 square feet of retail, restaurant, and bar floor area at 6101-25 West Sunset Boulevard, 6100-34 West Selma Avenue, 1521-81 North Gower Street and 1526-46 North El Centro Avenue.

CPC-2007-9911-GPA-VZC-HD-CUB-CUX-VCU-SPR-DA

Applicant: PDD Gower I, LLC

Representatives: Mitchell Menzer and Edgar Khalatian, Paul Hastings, Janofsky & Walker, LLC

6. PRESENT and ADOPT the accompanying ORDINANCE, approved by the Director of Planning, effecting a Vesting zone change from [Q]C4-1VL-SN to (T)(Q)C4-2-SN, and changing the height from 1VL to 2 which permits a floor area ratio (FAR) of 6:1 and unlimited height in lieu of a FAR of 1.5:1 and a 3-story or 45-foot height limit currently permitted for property at 6101-25 West Sunset Boulevard, 6100-34 West Selma Avenue, 1521-81 North Gower Street and 1526-46 North El Centro Avenue, subject to Conditions of Approval.
7. RESOLVE TO DENY APPEALS filed by: Brian Curan and Robert Blue on behalf of Hollywood Heritage, Inc., and Citizens Coalition of Los Angeles (Robert Silverstein, Representative) from part of the decision of the City Planning Commission, and THEREBY APPROVE: 1) a Conditional Use to permit the on- and off-site sales, dispensing and consumption of a full line of alcoholic beverages in nine establishments; 2) a Conditional Use to permit live entertainment and dancing at three venues; 3) a Vesting Conditional Use to permit a motion picture/ television studio use and related incidental uses in the C4 zone; 4) a Vesting Conditional Use to permit a hotel within 500 feet of a R Zone; and 4) Site Plan Review Findings for a development which creates 50,000 square feet or more of nonresidential floor area, 50 or more dwelling units, and creates a change of use that results in a net increase of 1,000 or more average daily vehicle trips, for property at 6101-25 West Sunset Boulevard, 6100-34 West Selma Avenue, 1521-81 North Gower Street and 1526-46 North El Centro Avenue, subject to Conditions of Approval.
8. REQUEST the City Attorney to prepare and present a final draft Ordinance authorizing the execution of a Development Agreement by and between the City of Los Angeles and PDD Gower I, LLC relating to the property located at 6101-25 West Sunset Boulevard, 6100-34 West Selma Avenue, 1521-81 North Gower Street and 1526-46 North El Centro Avenue.
9. REMOVE (T) Tentative classification as described in detail on the sheet(s) attached to the Council file.
10. INSTRUCT the Planning Department to update the General Plan and appropriate maps pursuant to this action.
11. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.
12. 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.

13. 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 - JULY 28, 2010

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

**Roll Call #10 - Adopted, Ayes (12); Absent: Hahn, LaBonge and Smith (3)  
(Item Nos. 10-11)**

**ITEM NO. (10) - ADOPTED**

[10-0935](#)

AD HOC COMMITTEE ON ECONOMIC RECOVERY AND REINVESTMENT and ENERGY AND ENVIRONMENT COMMITTEE REPORT, RESOLUTION and ORDINANCE FIRST CONSIDERATION relative to the Smart Grid Demonstration Cooperative Project Agreement and the Smart Grid Regional Demonstration Project Intellectual Property Agreement.

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

1. ADOPT the accompanying RESOLUTION authorizing the Los Angeles Department of Water and Power (LADWP) to: 1) enter into a Smart Grid Demonstration Cooperative Project Agreement with the National Aeronautics and Space Administration (NASA), the University of California Los Angeles (UCLA) and the University of Southern California (USC); and 2) enter into the Smart Grid Regional Demonstration Project Intellectual Property Agreement with the California Institute of Technology, UCLA, and USC.
2. PRESENT and ADOPT the accompanying ORDINANCE approving: 1) the Smart Grid Demonstration Cooperative Project Agreement among NASA, UCLA, USC, and LADWP; 2) the Smart Grid Demonstration Project Intellectual Property Agreement among the California Institute of Technology, UCLA, USC, and LADWP; and 3) advance payment under those agreements.

Fiscal Impact Statement: The City Administrative Officer reports there is no impact to the General Fund. The LADWP plans to expend \$43 Million of its own funds on the Smart Grid Project. However, LADWP may voluntarily cease participation and financial obligation at any time by sixty days notice to the Participants.

Community Impact Statement: None submitted.

TIME LIMIT FILE - AUGUST 3, 2010

(LAST DAY FOR COUNCIL ACTION - AUGUST 3, 2010)



**ITEM NO. (11) - ADOPTED**

[08-1356](#)

INFORMATION TECHNOLOGY AND GOVERNMENT AFFAIRS COMMITTEE REPORT, COMMUNICATION FROM CHAIR AND MEMBER, ENERGY AND ENVIRONMENT COMMITTEE and ORDINANCE FIRST CONSIDERATION relative to the sale of real property rights to the Los Angeles County Metropolitan Transportation Authority for commuter light rail purposes.

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

1. CONSIDER, pursuant to California Environmental Quality Act (CEQA) Guidelines section 15096, the Los Angeles Corridor Final Supplemental Environmental Impact Statement/Subsequent Environmental Impact Report which considered the impacts associated with the Gold Line light rail project.
2. PRESENT and ADOPT the accompanying ORDINANCE authorizing the direct sale of a narrow strip of property consisting of 10,616 square foot strip of property owned by the Los Angeles Department of Water and Power along Alameda Boulevard to accommodate the construction of the extension east of the Gold Line light rail system.

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.

**ITEM NO. (12) - ADOPTED**

**Roll Call #14 - Adopted, Ayes (9); Noes: Koretz, Krekorian and Rosendahl (3); Absent: Hahn, LaBonge and Smith (3)**

[10-0127](#)

ORDINANCE SECOND CONSIDERATION to repeal the Los Angeles Municipal Code Section 49.7.26.2, Limits on Certain Expenditures by Corporate or Union Treasuries, to comply with a recent Supreme Court ruling in Citizens United v. FEC (Federal Election Commission).

(Information Technology and Governmental Affairs Committee report and Communication from Chair, Rules and Elections Committee adopted as amended on July 21, 2010)

**ITEM NO. (13) - ADOPTED**

**Roll Call #17 - Adopted, Ayes (12); Absent: Hahn, LaBonge and Smith (3)**

[10-0910](#)

CD 9

CONTINUED CONSIDERATION OF HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION relative to the status of the Concerto Project located at Ninth and Figueroa Streets.

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

1. ADOPT the accompanying RESOLUTION to include in the City's 2009-10 Federal Legislative Program support of administrative actions to request the Federal Deposit Insurance Corporation to provide an explanation of the ongoing financing issues that have resulted from the Corus portfolio sale to Starwood Group Capital that have delayed the completion of the Concerto Project, a 629 unit mixed-use development project in downtown Los Angeles.
2. INSTRUCT the Chief Legislative Analyst (CLA) to continue to monitor the delays in the Concerto Project and report to Council with alternatives that may become available to the City.

Fiscal Impact Statement: The CLA reports that there is no impact to the General Fund as a result of these actions.

Community Impact Statement: None submitted.

(Continued from Council meeting of July 21, 2010)

#### **ITEM NO. (14) - ADOPTED**

**Roll Call #3 - Adopted, Ayes (10); Absent: Alarcón, Hahn, LaBonge, Rosendahl and Smith (5)**

[10-0556](#)

CD 10

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an application for a hardship exemption from provisions of the City's Country Club Park Interim Control Ordinance (ICO) for the property at 1184 1/4 South Norton Boulevard.

Recommendations for Council action:

1. GRANT hardship exemption from the City's Country Club Park ICO (Ordinance No. 180912) as noted and as described in the application attached to Council file No. 10-0556 for the proposed conversion of a storage room (699.31 square feet) into a third unit attached to a one-story duplex with an one hour fire wall to create three units with attached four car garage for property at 1184 1/4 South Norton Boulevard.
2. ADVISE the applicant that this hardship exemption, if granted by the City Council, is not a permit or license and that any other approvals, permits and licenses required by law must be obtained from the proper agencies.

Applicant: Frank Romero (Alejandro Rivera, Representative)

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

Community Impact Statement: None submitted.

## Items for Which Public Hearings Have Not Been Held - Items 15-29

(10 Votes Required for Consideration)

### ITEM NO. (15) - ADOPTED

Roll Call #19 - Adopted, Ayes (12); Absent: Hahn, LaBonge and Smith (3)

[04-0683-S4](#)

CD 11

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Darlington and Westgate Avenues No. 4 Lighting District.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated March 25, 2010.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of SEPTEMBER 29, 2010 as the hearing date for the maintenance of the Darlington and Westgate Avenues No. 4 Lighting District, in accordance with Proposition 218, Articles XIII C and XIII D of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$486.29 will be collected annually starting with tax year 2010-11 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: September 22, 2010)

Roll Call #10 - Adopted, Ayes (12); Absent: Hahn, LaBonge and Smith (3)  
(Item Nos. 16-19)

### ITEM NO. (16) - ADOPTED

[10-0447](#)

CD 11

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

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated March 22, 2010.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of SEPTEMBER 29, 2010 as the hearing date for the maintenance of the Centinela Avenue and Sepulveda Boulevard Lighting District, in accordance with Proposition 218, Articles XIII C and XIII D of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$1,826.04 will be collected annually starting with tax year 2010-11 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: September 22, 2010)

**ITEM NO. (17) - ADOPTED**

[10-0448](#)

CD 2

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Sherman Grove Avenue and Apperson Street Lighting District.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated March 19, 2010.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of SEPTEMBER 29, 2010 as the hearing date for the maintenance of the Sherman Grove Avenue and Apperson Street Lighting District, in accordance with Proposition 218, Articles XIII C and XIII D of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$123.70 will be collected annually starting with tax year 2010-11 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: September 22, 2010)

**ITEM NO. (18) - ADOPTED**

[10-0469](#)

CD 11

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

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated March 17, 2010.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of SEPTEMBER 29, 2010 as the hearing date for the maintenance of the Westgate Avenue and Dorothy Street Lighting District, in accordance with Proposition 218, Articles XIII C and XIII D of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$423.15 will be collected annually starting with tax year 2010-11 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: September 22, 2010)

**ITEM NO. (19) - ADOPTED**

[10-0527](#)  
CD 14

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

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated March 31, 2010.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of SEPTEMBER 29, 2010 as the hearing date for the maintenance of the Sixth Street and Factory Place Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$4,213.20 will be collected annually starting with tax year 2010-11 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: September 22, 2010)

**Roll Call #5 - Adopted, Ayes (10); Absent: Alarcón, Hahn, LaBonge, Rosendahl and Smith (5)  
(Item Nos. 20a-20h)**

**ITEM NO. (20) - ADOPTED**

[10-0005-S550](#)

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 July 21, 2010:

[10-0005-S550](#)

CD 13

- a. Property at 831 North Alexandria Avenue aka 833 North Alexandria Avenue (Case No. 277221).  
Assessor I.D. No. 5538-006-025

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 23, 2006)

[10-0005-S551](#)

CD 15

- b. Property at 11808 South Vermont Avenue (Case No. 242318).  
Assessor I.D. No. 6088-019-033

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 23 , 2006)

[10-0005-S552](#)

CD 9

- c. Property at 1189 East Vernon Avenue aka 1191 East Vernon Avenue (Case No. 266694).  
Assessor I.D. No. 5115-034-016

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 23, 2006)

[10-0005-S553](#)

CD 10

- d. Property at 2636 South Wellington Road (Case No. 172362).  
Assessor I.D. No. 5050-002-031

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 23, 2006)

[10-0005-S554](#)

CD 9

- e. Property at 4220 South Wall Street aka 4222 1/2 South Wall Street (Case No. 127189).  
Assessor I.D. No. 5113-034-014

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 23, 2006)

[10-0005-S555](#)

CD 2

- f. Property at 4375 North Ventura Canyon Avenue (Case No. 278204).  
Assessor I.D. No. 2360-006-014

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 23, 2006)

[10-0005-S556](#)

CD 9

- g. Property at 1667 East 50th Place (Case No. 246437).  
Assessor I.D. No. 5106-024-011

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 23, 2006)

[10-0005-S557](#)

CD 8

- h. Property at 8909 South Normandie Avenue (Case No. 104080).  
Assessor I.D. No. 6037-019-015

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 23, 2006)

**ITEM NO. (21) - ADOPTED**

**Roll Call #20 - Adopted, Ayes (12); Absent: Hahn, LaBonge and Smith (3)**

[10-0398](#)

COMMUNICATION FROM CHAIR AND MEMBER, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE relative to an inter-agency agreement with the Housing Authority of the City of Los Angeles (HACLA) for review of environmental documents.

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

1. AUTHORIZE Community Development Department (CDD) General Manager, or designee, to:
  - a. Execute an inter-agency agreement with HACLA in an amount not to exceed \$90,000 annually, for the period retroactive from July 1, 2010 through June 1, 2011, with options to renew for two additional one-year periods, subject to review and approval by the City Attorney as to form.
  - b. Expend funds in an amount not to exceed \$90,000 annually for environmental documentation services for HACLA to be reimbursed by HACLA (Department of Housing and Urban Development, Capital Grant Fund, CA16P004-501-10) upon proper demand from the CDD General Manager, or designee.
  - c. Prepare other Controller instructions and/or make any technical adjustments that may be required and are consistent with the Mayor and Council action on this matter, subject to the approval of the City Administrative Officer (CAO), and authorize the Controller to implement these instructions.
2. INSTRUCT the CDD General Manager, or designee, to report back to Council on a bi-annual basis through the Financial Status Report on the reimbursements from HACLA.

Fiscal Impact Statement: The CAO reports that there is no impact to the General Fund. Funding in the amount of up to \$90,000 annually is provided through HACLA federal grant funds to reimburse the City for staff costs and expenses related to environmental documentation services for HACLA projects. The recommendations in the CAO report are in compliance with City Financial Policies in that expenditures will be reimbursed by federal grant funds.

Community Impact Statement: None submitted.

**ITEM NO. (22) - ADOPTED**

**Roll Call #21 - Adopted, Ayes (12); Absent: Hahn, LaBonge and Smith (3)**

[10-0867](#)

CD 9

COMMUNICATION FROM CHAIR, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE relative to affordability covenants for the Simone Hotel.

Recommendation for Council action:

AUTHORIZE the Community Redevelopment Agency (CRA) Chief Executive Officer, or designee, to record new 55-year covenants against 113 units at the Simone Hotel located at 520 South San Julian Street to replace the existing covenants against 121 units.

Fiscal Impact Statement: The Chief Legislative Analyst reports that no City or CRA funds are required for this action.

Community Impact Statement: None submitted.

**ITEM NO. (23) - CONTINUED TO AUGUST 4, 2010**

**Roll Call #15 - Adopted to Continue, Unanimous Vote (12); Absent: Hahn, LaBonge, and Smith (3)**

[10-1094](#)

CD 15

COMMUNICATION FROM CHAIR, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE and RESOLUTION relative to acquisition of City property located at the southeast corner of L Street and Lecouvreur Avenue for development of affordable housing.

Recommendations for Council action:

1. AUTHORIZE the Community Redevelopment Agency (CRA) Chief Executive Officer, or designee, to purchase a vacant City-owned property at the southeast corner of L Street and Lecouvreur Avenue (Property) in Wilmington for an adjusted fair market value of \$937,500, which represents an appraised value of \$1,060,000 minus CRA costs incurred for environmental remediation (\$83,000), technical oversight (\$28,000), and land survey expenses (\$11,500).
2. ADOPT the accompanying JOINT RESOLUTION [Attachment A in the Chief Legislative Analyst (CLA) report dated July 20, 2010] pursuant to Section 33334.2 of the Health and Safety Code finding that: 1) the expenditure of \$960,000, for the purchase of the Property (\$937,500) plus closing and future CRA maintenance costs (\$22,500), is of benefit to the Los Angeles Harbor Industrial Center Redevelopment Project Area (Project Area) and 2) the expenditure of such funds to create new sites for residential development in the Wilmington community will:
  - a. Increase the supply and improve the quality of housing especially for lower income households who may be employed or seek employment in the Project Area.



- b. Develop new housing on underutilized land through removal of soil contamination of past oil drilling operations to improve the general health, safety and welfare of the community.
  - c. Increase homeownership opportunities, especially for first-time homebuyers of lower household income levels who may be employed or seek employment in the Project Area.
3. AUTHORIZE the CRA to execute a purchase and sale agreement and take other actions as necessary to carry out the transaction.

Fiscal Impact Statement: The CLA reports that there is no fiscal impact to the City's General Fund as a result of this action as the source of funds are Los Angeles Harbor Low and Moderate Income Housing Funds identified in the Fiscal Year 2010 Budget and Work Program for the Los Angeles Harbor Industrial Center Redevelopment Project Area.

Community Impact Statement: None submitted.

#### **ITEM NO. (24) - ADOPTED**

**Roll Call #22 - Adopted, Ayes (12); Absent: Hahn, LaBonge and Smith (3)**

[09-1901](#)

COMMUNICATION FROM CHAIR AND MEMBER, PUBLIC SAFETY COMMITTEE relative to the Los Angeles Police Department (LAPD) DNA evidence kit status reports for the months of March, April, and May, 2010.

Recommendation for Council action:

NOTE and FILE Board of Police Commissioners reports to Council dated June 10, 22, and 29, 2010 (attached to the Council file), relative to the LAPD DNA evidence kit status reports for the months of March, April, and May, 2010.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

#### **ITEM NO. (25) - ADOPTED, AS AMENDED - SEE FOLLOWING**

**Roll Call #23 - Adopted, Ayes (12); Absent: Hahn, LaBonge and Smith (3)**

[10-0600-S14](#)

COMMUNICATION FROM CHAIR AND MEMBER, PUBLIC SAFETY COMMITTEE relative to the reprogramming of feral cat sterilization fees.

Recommendation for Council action:

DIRECT the Department of Animal Services to report to the Board of Animal Services Commissioners and to Council with policy recommendations for the reprogramming of feral cat sterilization fees.

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

Community Impact Statement: None submitted.

**ADOPTED**

**AMENDING MOTION (KORETZ - PERRY)**

**Recommendation for Council action:**

**INSTRUCT the Department of Animal Services not to make any final decisions regarding reprogramming of feral cat sterilization fees until the new General Manager is on board and up to date on the issue.**

**ITEM NO. (26) - CONTINUED TO AUGUST 3, 2010**

**Roll Call #4 - Adopted to Continue, Unanimous Vote (10); Absent: Alarcón, Hahn, LaBonge, Rosendahl and Smith (5)**

[10-1250](#)

CONTINUED CONSIDERATION OF MOTION (ROSENDAHL - PARKS) relative to requesting recommendations on the feasibility and applicability of using hybrid pension systems for Los Angeles.

Recommendation for Council action:

DIRECT the City Administrative Officer, in consultation with the City's three pension systems, the Personnel Department and the Chief Legislative Analyst, to report with recommendations relative to the feasibility and applicability of using hybrid pension systems for Los Angeles.

Community Impact Statement: None submitted.

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

(Continued from Council meeting of July 23, 2010)

**ITEM NO. (27) - SUBSTITUTE MOTION ADOPTED IN LIEU OF ORIGINAL - SEE FOLLOWING**

**Roll Call #24 - Adopt Substitute Motion, Ayes (12); Absent: Hahn, LaBonge and Smith (3)**

[10-0011-S23](#)

CD 14

MOTION (HUIZAR - ALARCÓN) relative to funding for several street beautification programs in Boyle Heights.

Recommendations for Council action:

1. ALLOCATE \$36,640 from the Council District 14 portion of the Street Furniture Revenue Fund No. 43D/50 to the named organizations or programs indicated below, in the amounts and for the purposed listed.
2. AUTHORIZE the Board of Public Works, Office of Accounting, to make any payment(s) to the below named organizations, or any other agency or organization, in the indicated amounts, and that they be requested to prepare and process any other document(s) as may be required for these purposes.

**ADOPTED**

**SUBSTITUTE MOTION (HUIZAR - KREKORIAN)**

**Recommendations for Council action:**

1. **ALLOCATE \$34,640 from the Council District 14 portion of the Street Furniture Revenue Fund No. 43D/50 to the named organizations or programs indicated below, in the amounts and for the purpose listed:**

**Northeast Graffiti Busters - Trash Collection in CD14 \$10,500**

**Gang Alternatives Program - Trash and Bulky Item Pickup in Boyle Heights \$24,140**

2. **AUTHORIZE the Board of Public Works, Office of Accounting, to make any payment(s) to the named organizations, or any other agency or organization, in the indicated amounts, and that they be requested to prepare and process any other document(s) as may be required for these purposes.**

**ITEM NO. (28) - ADOPTED**

**Roll Call #25 - Adopted, Ayes (12); Absent: Hahn, LaBonge and Smith (3)**

[10-1284](#)

CDs 5 & 10

MOTION (WESSON - KORETZ - LABONGE) relative to installing street banners announcing the South Robertson Neighborhood Council.

**Recommendations for Council action:**

1. APPROVE the street banner program announcing the South Robertson Neighborhood Council, as a City of Los Angeles Non-Event Street Banner Program.
2. APPROVE the content of the street banners for the above specified event.

**ITEM NO. (29) - ADOPTED**

**Roll Call #26 - Adopted, Ayes (12); Absent: Hahn, LaBonge and Smith 3)**

[10-1285](#)

RESOLUTION (KORETZ - ROSENDAHL - ALARCÓN) relative to declaring July 27, 2010 as Lupita Tovar Day in the City of Los Angeles.

Recommendation for Council action:

RESOLVE to DECLARE July 27, 2010 as Lupita Tovar Day in the City of Los Angeles.

**Closed Sessions - Items 30-31**

**ITEM NO. (30) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING**

**Roll Call #8 - Adopted in Open Session, Ayes (10); Absent: Alarcón, Hahn, Huizar, LaBonge and Smith (5)**

[10-1183](#)

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 Pawel Rajtar v. City of Los Angeles, Los Angeles Superior Court Case No. BC 417655. (This matter involves an alleged dangerous condition which occurred in the southbound number two lane of Sepulveda Boulevard at the intersection of Bel Air Crest Road, adjacent to the Mountaingate Estate area south of Mulholland on July 11, 2008 at 7:00 p.m.)

(Budget and Finance Committee considered the above matter in Closed Session on July 19, 2010)

**ADOPTED**

**MOTION (PARKS - ZINE)**

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

- 1. AUTHORIZE the City Attorney to pay a total of \$225,000 in settlement of the above-entitled matter from City Attorney Fund 100/59, Account No. 9770.**
- 2. AUTHORIZE the City Attorney to draw a demand on said fund in the amount of \$225,000 made payable to Keith A. Fink & Associates and Pawel Rajtar.**
- 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.**

**ITEM NO. (31) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING**

**Roll Call #6 - Adopted in Open Session, Ayes (10); Absent: Alarcón, Hahn, Huizar, LaBonge and Smith (5)**

**10-1195**

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to a proposed bankruptcy plan of reorganization of Chapter 11 debtor Re/Max Marquee Partners, Inc., and related debtors (collectively, "Debtors"), which would provide for partial payment of the City's claim against Debtors for unpaid business taxes, including interest and penalties.

(Budget and Finance Committee waived consideration of the above matter)

**ADOPTED**

**MOTION (PARKS - ZINE)**

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

- 1. APPROVE the proposed bankruptcy plan of liquidation in the Chapter 11 bankruptcy case of Re/Max Marquee Partners, Inc. (Debtor), which would resolve the City's claims in the total amount of \$685,043.73 against Debtor. The proposed plan of liquidation, if voted on by the City and confirmed by the Bankruptcy Court, would provide for payment of approximately 66 percent of the City's claims within approximately one month of the effective date of the Plan.**
- 2. AUTHORIZE the City Attorney to execute the above referenced bankruptcy plan.**

**MOTIONS ADOPTED UPON FINDINGS BY COUNCIL THAT THE NEED TO TAKE ACTION AROSE SUBSEQUENT TO THE POSTING OF THE COUNCIL AGENDA FOR WEDNESDAY, JULY 28, 2010, PURSUANT TO GOVERNMENT CODE SECTION 54954.2(b)(2) AND COUNCIL RULE 23**

**ADOPTED - FORTHWITH**

**Roll Call #27 - Motion (Krekorian - Koretz) Findings on Need to Act - Adopted, Ayes (12); Absent: Hahn, LaBonge and Smith (3)**

**Roll Call #28 - Motion (Krekorian - Koretz) Adopted, Ayes (12); Absent: Hahn, LaBonge and Smith (3)**

**10-0010-S32**

**MOTION (KREKORIAN - KORETZ) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Cheree Osmanhodzic on July 24, 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 Cheree Osmanhodzic on July 24, 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.

**ADOPTED FORTHWITH**

**Roll Call #29 - Motion (Reyes - Zine) Findings on Need to Act - Adopted, Ayes (12); Absent: Hahn, LaBonge and Smith (3)**

**Roll Call #30 - Motion (Reyes - Zine) Adopted, Ayes (12); Absent: Hahn, LaBonge and Smith (3)**

**[10-0010-S33](#)**

**MOTION (REYES - ZINE - GARCETTI)** relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Matthew Butcher on June 24, 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 Matthew Butcher on June 24, 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**

**[10-1350](#)**

**MOTION (HUIZAR - REYES)** relative to the sale of surplus City equipment at below market value to the Soledad Enrichment Action, Inc.

[10-0011-S26](#)

MOTION (WESSON - KORETZ) relative to funding for enhanced efforts for transit related projects, sidewalk projects, curb/sidewalk improvements, beautification projects needed to improve conditions for public transit patron, and all expenses relating to incidental thereto in Council District 10.

[10-0576-S1](#)

MOTION (ROSENDAHL - REYES) funding for the Los Angeles Police Department (LAPD) Pacific Sub-Station systems upgrade and alarm system installation.

**COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:**

- [10-0004-S2](#) - Commander Dan Finkelstein (Zine - All Councilmembers)
- Deputy Ilene Finkelstein (Zine - All Councilmembers)
- Jerilyn Lopez Mendoza (Hahn - All Councilmembers)

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

- [10-0003-S2](#) - Kenneth Kim (Garcetti - All Councilmembers)
- Art Burgos (Rosendahl)
- Joyce Madkins Sumbi (Parks)

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

**Whereupon the Council did adjourn.**

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL