Los Angeles City Council, Journal/Council Proceedings
Friday, November 12, 2010
John Ferraro Council Chamber, Room 340, City Hall - 10 am

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

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

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF NOVEMBER 9, 2010

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - NONE

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

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

Items for Which Public Hearings Have Been Held - Items 1-3

ITEM NO. (1) - ADOPTED

Roll Call #5 - Adopted, Ayes (13); Absent: Perry and Smith (2)

10-2333
CD 7

ORDINANCE SECOND CONSIDERATION, disapproved by the Director of Planning, effecting a zone change from C2-1 and RA-1 to (T)(Q)C2-1 for the proposed construction of a new five story mixed use development with 140 units by-right and 10 additional units per a density bonus request for a total of 150 units on approximately 137,022 square feet, 72 feet in height, and 22,645 square feet of medical offices at ground level for property at 12415 San Fernando Road, subject to modified Conditions of Approval as modified by the Planning and Land Use Management Committee.

(Mitigated Negative Declaration, Planning and Land Use Management Committee and Findings adopted on November 5, 2010)
ITEM NO. (2) - ADOPTED - SEE FOLLOWING

10-1706

MOTION (GARCETTI - WESSON - PARKS) relative to amending Los Angeles Municipal Code Article 14.1 to extend the sunset date of the Foreclosure Eviction Ordinance No. 181032.

(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 amending Los Angeles Municipal Code (LAMC) Article 14.1 to extend the sunset date of the Foreclosure Eviction Ordinance No. 181032.

Recommendation for Council action, as initiated by Motion (Garcetti - Wesson - Parks):

REQUEST the City Attorney, with the assistance of the Los Angeles Housing Department, to prepare and present an ordinance amending LAMC Article 14.1 to extend the sunset date of the Foreclosure Eviction Ordinance (No. 181032) from December 31, 2010 to December 31, 2011.

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. (3) - ADOPTED - SEE FOLLOWING

10-1722 CD 13

MOTION (GARCETTI - ROSEDAHL) relative to a Mutual Release Agreement and funding for the Bonnie Brae Village Project.

(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 a Mutual Release Agreement and funding for the Bonnie Brae Village Project.
Recommendations for Council action, pursuant to Motion (Garcetti - Rosendahl):

1. RATIFY the Mutual Release Agreement between the Los Angeles Housing Department (LAHD), and Bonnie Brae Village Management, LLC and Enhanced Affordable Development Company.

2. AUTHORIZE the Controller to:
   a. Establish new Account No. G340 (Bonnie Brae) and appropriate $678,000 within the Housing Production Revolving Fund No. 240/43.
   b. Expend funds not to exceed $678,000 in the available cash balance within the Housing Production Revolving Fund upon proper written demand from the General Manager, LAHD or designee.

3. AUTHORIZE the General Manager, LAHD or designee, to prepare Controller instructions and make any necessary technical adjustments 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 the instructions.

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

Community Impact Statement: None submitted.

Items for Which Public Hearings Have Not Been Held - Items 4-11
(10 Votes Required for Consideration)

Roll Call #2 - Adopted, Ayes (12); Absent: Huizar, Perry and Smith (3)
(Item Nos. 4a-5)

ITEM NO. (4) - ADOPTED

10-0005-S828 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 November 5, 2010:

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a. Property at 1033 South Burlington Avenue (Case No. 296123). Assessor I.D. No. 5136-010-025
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 3, 2010)

b. Property at 10018 South Hoover Street (Case No. 275422). Assessor I.D. No. 6054-019-014
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 15, 2010)

c. Property at 1452 West 60th Place (Case No. 287310). Assessor I.D. No. 6002-020-003
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on September 9, 2010)

d. Property at 18541 West Bryant Street (Case No. 213090). Assessor I.D. No. 2785-004-019
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on April 2, 2009)

e. Property at 220 West 48th Street aka 222 West 48th Street (Case No. 296182). Assessor I.D. No. 5110-017-022
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 12, 2010)

f. Property at 220 West 48th Street aka 222 West 48th Street (Case No. 217367). Assessor I.D. No. 5110-017-022
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 26, 2009)

g. Property at 228 East 51st Street aka 230 East 51st Street (Case No. 276075). Assessor I.D. No. 5109-007-008
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 23, 2010)
h. Property at 240 West 47th Street aka 242 West 47th Street (Case No. 7990).
   Assessor I.D. No. 5110-011-012
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on December 15, 2005)

i. Property at 3428 South Second Avenue (Case No. 271653).
   Assessor I.D. No. 5042-003-033
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 18, 2010)

j. Property at 3570 Jasmine Avenue (Case No. 260600).
   Assessor I.D. No. 4313-002-012
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 11, 2010)

k. Property at 758 East 85th Street aka 8505 South McKinley Avenue (Case No. 245517).
   Assessor I.D. No. 6029-031-028
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on October 1, 2009)

ITEM NO. (5) - ADOPTED

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and
RESOLUTION TO VACATE relative to the vacation of the alley northeasterly of Jefferson Boulevard
from Griffith Avenue to approximately 400 feet southeasterly thereof (VAC E1401053).

Recommendations for Council action:

1. REAFFIRM the FINDINGS of March 14, 2008, that the vacation of the alley northeasterly of
   Jefferson Boulevard from Griffith Avenue to approximately 400 feet southeasterly thereof,
   pursuant to the City of Los Angeles Environmental Guidelines, is exempt from the California
   Environmental Quality Act of 1970, pursuant to Article III, Class 5(3) of the City of Los Angeles
   Environmental Guidelines.
2. REAFFIRM the FINDINGS of March 14, 2008, that this vacation is in substantial conformance with the General Plan pursuant to Section 556 of the Los Angeles City Charter.

3. ADOPT the accompanying RESOLUTION TO VACATE No. 10-1401053 for the vacation of the alley northeasterly of Jefferson Boulevard from Griffith Avenue to approximately 400 feet southeasterly thereof.

4. INSTRUCT the City Clerk to transmit, following Council adoption, Resolution to Vacate No. 10-1401053 to the Land Development Group of the Bureau of Engineering for recordation of said Resolution with the Los Angeles County Recorder.

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

ENVIRONMENTAL WORK COMPLETED FOR THIS PROJECT

ITEM NO. (6) - REFERRED BACK TO CITY CLERK FOR RESCHEDULING

Roll Call #3 - Adopted to Refer, Unanimous Vote (13); Absent: Perry and Smith (2)

07-3585
CD 11

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION TO VACATE relative to the vacation of the alley northeasterly of Jefferson Boulevard from Griffith Avenue to approximately 400 feet southeasterly thereof (VAC E1401088).

Recommendations for Council action:

1. REAFFIRM the FINDINGS of July 22, 2009, that the vacation of the alley southeasterly of the intersection of Chautauqua Boulevard with Berea Place from Chautauqua Boulevard to its southwesterly terminus, pursuant to the City of Los Angeles Environmental Guidelines, is exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(3) of the City of Los Angeles Environmental Guidelines.

2. REAFFIRM the FINDINGS of July 22, 2009, that this vacation is in substantial conformance with the General Plan pursuant to Section 556 of the Los Angeles City Charter.

3. ADOPT the accompanying RESOLUTION TO VACATE No. 10-1401088 for the vacation of the alley northeasterly of Jefferson Boulevard from Griffith Avenue to approximately 400 feet southeasterly thereof.

4. INSTRUCT the City Clerk to transmit, following Council adoption, Resolution to Vacate No. 10-1401088 to the Land Development Group of the Bureau of Engineering for recordation of said Resolution with the Los Angeles County Recorder.

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

ENVIRONMENTAL WORK COMPLETED FOR THIS PROJECT
ITEM NO. (7) - ADOPTED

Roll Call #2 - Adopted, Ayes (12); Absent: Huizar, Perry and Smith (3)

10-2405
CD 13

CATEGORICAL EXEMPTION and COMMUNICATION FROM THE CITY ENGINEER relative to an offer to dedicate an easement for street purposes on the south side of Lexington Avenue west of Westmoreland Avenue and the west side of Westmoreland Avenue south of Lexington Avenue (Right of Way No. 36000-1829).

Recommendations for Council action:

1. FIND that the offer to dedicate an easement for street purposes on the south side of Lexington Avenue west of Westmoreland Avenue and the west side of Westmoreland Avenue south of Lexington Avenue (Right of Way No. 36000-1829) is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(19) of the City’s Environmental Guidelines.

2. AUTHORIZE the Board of Public Works to acquire the easement for street purposes on the south side of Lexington Avenue west of Westmoreland Avenue and the west side of Westmoreland Avenue south of Lexington Avenue (Right of Way No. 36000-1829), as depicted on the Exhibit Map in the September 8, 2010 City Engineer report and attached to the Council file.

3. INSTRUCT the City Clerk to forward a copy of the Council action on this project be forwarded to the Real Estate Division of the Bureau of Engineering for processing.

Fiscal Impact Statement: The City Engineer reports that a fee of $2,461 was paid for the processing of this action pursuant to Los Angeles Administrative Code Sections 7.3 and 7.41.1. No additional City funds are needed.

ITEM NO. (8) - REFERRED TO ENERGY AND ENVIRONMENT COMMITTEE

Roll Call #4 - Adopted to Refer, Unanimous Vote (13); Absent: Perry and Smith (2)

10-2421
CD 9

COMMUNICATIONS FROM THE BOARD OF WATER AND POWER COMMISSIONERS AND CITY ADMINISTRATIVE OFFICER (CAO) relative to proposed First Amendments to Agreement Nos. 10196 and 10191 with the City of Riverside for Base and Additional Capacity transmission service in connection with the Intermountain Power Project (IPP).

Recommendation for Council action:
CONCUR with the Board of Water and Power Commissioners’ (Board) action of September 7, 2010, Resolution No. 011-067, authorizing the First Amendment to Agreement No. 10196, IPP Base Capacity Transmission Service Agreement, and Agreement No. 10191, IPP Additional Capacity Transmission Service Agreement, with the City of Riverside as detailed in the September 8, 2010 Board report and attached to the Council file.

Fiscal Impact Statement: The CAO reports that the proposed First Amendments to Agreement Nos. 10196 and 10191 with the City of Riverside will have no impact on the City’s General Fund. The increase in annual revenue to the Los Angeles Department of Water and Power for the Riverside increased capacity of 49 MegaWatts is $178,752.

Community Impact Statement: None submitted.

TIME LIMIT FILE - NOVEMBER 12, 2010
(LAST DAY FOR COUNCIL ACTION - NOVEMBER 12, 2010)

(Energy and Environment Committee waived consideration of the above matter)

ITEM NO. (9) - ADOPTED

Roll Call #2 - Adopted, Ayes (12); Absent: Huizar, Perry and Smith (3)

10-1742

MOTION (GARCETTI for REYES - HUIZAR) relative to grant funding to complete SurveyLA.

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

1. AUTHORIZE the Director of Planning, or designee, to enter into a project agreement (contract) with the Western Region Office of the National Trust for Historic Preservation, subject to the approval of the City Attorney as to form and legality, to accept a grant in the amount of $5,000 which will be used to implement the Public Participation and Outreach Program for SurveyLA, the Los Angeles Historic Resources Survey project, requiring that all expenses for work to be performed must be incurred within the period of October 1, 2010 through September 30, 2011.

2. AUTHORIZE the Department of City Planning to deposit the grant and appropriate a like amount to Account G205, Public Outreach, in the City Planning Grants Trust Fund No. 46Y/68 for the disbursement of funds for the project.

3. AUTHORIZE the City Administrative Officer to make any technical corrections to the above fund transfer instructions in order to effectuate the intent of this Motion.
ITEM NO. (10) - ADOPTED

Roll Call #9 - Adopted, Ayes (13); Absent: LaBonge and Smith (2)

10-1741
CD 15
MOTION (HAHN - KREKORIAN) relative to installing street banners to help identify the Port of Los Angeles.

Recommendations for Council action:

1. APPROVE the street banner program identifying the Port of Los Angeles, as a City of Los Angeles Non-Event Street Banner Program for the period of January 2011 to December 2011.

2. APPROVE the content of the basic street banner and seasonal banner for the above specified event.

3. APPROVE the continuation of the street banner installation program, as described above, should unforeseen circumstances change the actual period of the street banner installation.

ITEM NO. (11) - ADOPTED

Roll Call #2 - Adopted, Ayes (12); Absent: Huizar, Perry and Smith (3)

10-1743
RESOLUTION (GARCETTI - ROSENDahl) relative to declaring November 2010 as the First Annual California Runaway and Homeless Youth Month in the City of Los Angeles.

Recommendation for Council action:

RESOLVE to DECLARE November 2010 as the First Annual California Runaway and Homeless Youth Month in the City of Los Angeles.

Item for Which Public Hearing Has Not Been Held - Item 12
(10 Votes Required for Consideration)

ITEM NO. (12) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #10 - to Adopt as Amended, Ayes (11); Noes: Parks and Perry (2); Absent: LaBonge and Smith (2)

08-0923-S7
CONTINUED CONSIDERATION OF MOTION (KORETZ - HAHn) relative to amending the Los Angeles Municipal Code (LAMC) Section 45.19.6.2(B)(2)(3) of the Registration Section regarding Medical Marijuana Collectives.

Recommendations for Council action:
1. AMEND LAMC Section 45.19.6.2(B)(2)(3) of the Registration Section as follows: “has substantially the same ownership and management as it identified in its registration with the City Clerk’s Office.”

2. DEFINE “substantially the same ownership and management” in the Definitions Sections of Final Ordinance No. 181069 as “any pre-ICO Medical Marijuana Collective that has identical ownership and management from their initial ICO filings, or any pre-ICO Medical Marijuana Collective that has added, deleted, or substituted management from their original application, but still maintains at least one primary owner and/or manager from the initial Pre-ICO application.”

3. DIRECT the City Clerk to review all pre-ICO Medical Marijuana Collectives that re-registered with the City in June 2010 and, for those that were excluded on the basis of LAMC Section 45.19.6.2(B)(2)(3), that the City Clerk be required to reapply this amended Ordinance as to those operators.

4. DIRECT the City Clerk to grant priority status to any pre-ICO Medical Marijuana Collective that was previously refused priority status, but should be granted priority status under the aforementioned clarified definition.

Community Impact Statement: None submitted.

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

ADOPTED

AMENDING MOTION (KORETZ - HAHN) relative to amending the Los Angeles Municipal Code (LAMC) Section 45.19.6.2 (B)(2)(3) or the Registration Section regarding Medical Marijuana Collectives.

Recommendations for Council action:

DELETE LAMC Section 45.19.6.2 B.2(3) of the Registration Section and insert the following:

“identifies in its notice to the City Clerk pursuant to Subsection C.1 below that it is still owned, in whole or in part, by at least one of the owners it identified in its registration under Interim Control Ordinance No. 179,027, or meets all of the following: (a) registered as a California non-profit corporation prior to June 7, 2010, (b) has been in good standing since its incorporation, and (c) had an officer or board member as of June 7, 2010 who was identified as an owner in its registration under Interim Control Ordinance No. 179,027.”

ADOPTED

AMENDING MOTION (KORETZ - HAHN)

Recommendation for Council action:

INSTRUCT the City Clerk to schedule this matter in Council on Wednesday, November 17, 2010.
MOTIONS ADOPTED UPON FINDINGS BY COUNCIL THAT THE NEED TO TAKE ACTION AROSE SUBSEQUENT TO THE POSTING OF THE COUNCIL AGENDA FOR FRIDAY, NOVEMBER 12, 2010, PURSUANT TO GOVERNMENT CODE SECTION 54954.2(b)(2) AND COUNCIL RULE 23

ADOPTED - FORTHWITH

Roll Call #6 - Findings on Need to Act - Adopted, Ayes (13); Absent: Perry and Smith (2)
Roll Call #7 - Adopted, Ayes (12); Absent: Krekorian, Perry and Smith (3)

09-2665-S3

MOTION (WESSON for PERRY - PARKS) relative to the purchase of a seven-acre industrial site in the Council District Nine Corridors South of Santa Monica Freeway Recovery Redevelopment Project.

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

1. APPROVE the use of $1,170,300 in CRA/LA carryover resources from the CD 9 Project Area to be used for the Slauson Wall payment.

2. AMEND the Fiscal Year (FY) 2011 Budget and Work Program from the CD 9 Project Area to recognize $1,170,300 in carryover resources to be used for the Slauson Wall.

3. INSTRUCT the CRA/LA to utilize any proceeds from a future sale of any portion or the Seven-acre Slauson and Wall property to backfill the tax increment sources in the FY 2011 budget used to make this final note payment.

4. INSTRUCT the CAO to include the identified carryover funds for Slauson Wall in their report to Council.

ADOPTED

Roll Call #11 - Findings on Need to Act - Adopted, Ayes (13); Absent: LaBonge and Smith (2)
Roll Call #12 - Adopted, Ayes (11); Noes: Zine (1); Absent: Reyes, Smith and Wesson (3)

10-1789

MOTION (KORETZ - KREKORIAN) relative to asserting jurisdiction over the action of the Board of Water and Power Commissioners on November 2, 2010.

Recommendation for Council action:

1. ASSERT jurisdiction, pursuant to Charter Section 245, over the action on November 2, 2010 of the Board of Water and Power Commissioners relative to a Resolution implementing modifications to the current Department of Water and Power’s Solar Incentive Program.
2. REFER this matter, upon assertion of jurisdiction, to the Energy and Environment Committee for review.

TIME LIMIT FILE - NOVEMBER 12, 2010

(LAST DAY FOR COUNCIL ACTION - NOVEMBER 12, 2010)

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

10-0011-S35
MOTION (LABONGE - KORETZ) relative to funding to provide sweeping services for a neighborhood clean-up event in the Hollywood Heights community.

10-1786
MOTION (ZINE - ROSENDAHL) relative to installing street banners announcing the Reseda Neighborhood Council.

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

10-0003-S3 - Eduardo Ornelas (Cardenas - Huizar)
Lory Oberg (Krekorian)
Pastor M. Andrew Robinson-Gaither (Parks)
John Theodore Stevens Sr. (Parks)
Raymond Gutierrez (Zine)
Officer Ryan Bonaminio (Zine - All Councilmembers)

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

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By
Council Clerk PRESIDENT OF THE CITY COUNCIL