

Los Angeles City Council, **Journal/Council Proceedings**
Wednesday, **November 3, 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, Krekorian, LaBonge, Parks, Reyes, Rosendahl, Smith, Wesson and President Garcetti (10); Absent: Alarcón, Huizar, Koretz, Perry and Zine (5)

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
OCTOBER 29, 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 Hearings - Items 1-3

ITEM NO. (1) - CONTINUED TO FEBRUARY 2, 2011

Roll Call #1 - Adopted to Continue, Unanimous Vote (10); Absent: Alarcón, Huizar, Koretz, Perry and Zine (5)

[05-2172](#)
CD 1

HEARING PROTESTS relative to the vacation of 12th Street from Hoover Street to the alley
westerly thereof. (VAC E1400965)

(Categorical Exemption, Communication from the City Engineer and Findings adopted, as amended
on September 24, 2010)

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

Roll Call #10 - Adopted, Ayes (13); Absent: Koretz and Zine (2)

[03-1183](#)
CD 1

HEARING PROTESTS relative to the vacating Bunker Hill Avenue and Boston Street.
(VAC E1400860)

(Mitigated Negative Declaration, Communication from Chair, Public Works Committee and Findings adopted on October 5, 2010)

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

Roll Call #2 - Adopted, Ayes (10); Absent: Alarcón, Huizar, Koretz, Perry and Zine (5)

[09-0856](#)

CD 2

HEARING PROTESTS relative to the vacation of Vantage Avenue from Archwood Street to the alley of Vanowen Street. (VAC E1401145)

(Communication from Chair, Public Works Committee and Findings adopted on October 5, 2010)

Items for Which Public Hearings Have Been Held - Items 4-19

ITEM NO. (4) - REFERRED TO TRADE, COMMERCE AND TOURISM COMMITTEE

Roll Call #11 - Adopted to Refer, Unanimous Vote (13); Absent: Koretz and Zine (2)

[10-1532](#)

CD 15

INFORMATION TECHNOLOGY AND GOVERNMENT AFFAIRS COMMITTEE REPORT relative to a new 50-year ground lease for the continued use of the property located at 445 Ferry Street in San Pedro as a wastewater treatment plant and sewer outfall.

Recommendations for Council action:

1. AUTHORIZE the Department of General Services (GSD) to negotiate and execute a new 50-year ground lease with the Harbor Department for the continued use by the Bureau of Sanitation (BOS) of the property located at 445 Ferry Street in San Pedro as a wastewater treatment plant and sewer outfall, under the terms and conditions substantially as outlined in the GSD report dated September 30, 2010, attached to the Council file.
2. AUTHORIZE the GSD to amend the lease agreement to eliminate the reference to an Early Termination clause, inasmuch as the Harbor Department and the BOS have agreed to eliminate said clause from the proposed lease.

Fiscal Impact Statement: The GSD reports that the BOS pays directly to the Harbor Department from Fund 760/50, Account No. 240. The Director of BOS has approved the lease costs.

Community Impact Statement: None submitted.

**Roll Call #3 - Adopted, Ayes (10); Absent: Alarcón, Huizar, Koretz, Perry and Zine (5)
(Item Nos. 5-9)**

ITEM NO. (5) - ADOPTED

[10-1533](#)

INFORMATION TECHNOLOGY AND GOVERNMENT AFFAIRS COMMITTEE REPORT relative to a new lease agreement with the League of California Cities (LCC) for the Office of the Mayor at 1400 K Street, Suite No. 208, Sacramento, California.

Recommendation for Council action:

AUTHORIZE the Department of General Services (GSD) to negotiate and execute a new lease agreement with the LCC for the Office of the Mayor at 1400 K Street, Suite No. 208, Sacramento, California, under the terms and conditions substantially as outlined in the GSD report dated September 30, 2010, attached to the Council file.

Fiscal Impact Statement: The GSD reports that since 2004, the monthly rental rate at this location has remained constant at \$2.00 per usable square foot, \$3,718 per month, or \$44,616 annually. In addition to rent, a proportional share of the building's operating expenses was charged annually. The proposed new lease rental rate is \$2.30 per usable square foot during the first two years (July 1, 2010 through June 30, 2012) for a monthly rate of \$4,276, or \$51,312 annually. The base rent will increase ten cents per usable square foot for each of the remaining three years of the lease (July 1, 2012 through June 30, 2015). In addition to rent, the cost for four parking spaces will be charged, as well as a proportional share of the building's operating expenses. GSD has sufficient funds in the 6030 Leasing Account to cover the cost of this lease.

Community Impact Statement: None submitted.

ITEM NO. (6) - ADOPTED

[10-2443](#)

INFORMATION TECHNOLOGY AND GOVERNMENT AFFAIRS COMMITTEE REPORT and RESOLUTION relative to authorization to destroy certain obsolete records from the Los Angeles Department of Water and Power (LADWP) for the period of 1921 through 1988.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION to authorize the destruction of certain obsolete records from the LADWP, Accounting Division, (LADWP/11 - 826 boxes) for the period of 1921 through 1988.

Fiscal Impact Statement: The City Clerk reports that the retention of 826 records boxes beyond the required retention time period, based on industry commercial standard rates, will continue to cost the City the equivalent of a minimum of \$128.86 per month, or \$1,546.32 per year.

[These records will be retained for a period of 60 days after the City Council's action to authorize their destruction to allow for public inspection. Contact the Records Management Division at (213) 473-8449 or via email at Todd.Gaydowski@lacity.org to arrange for inspection of records.]

Community Impact Statement: None submitted.

ITEM NO. (7) - ADOPTED

[10-2444](#)

INFORMATION TECHNOLOGY AND GOVERNMENT AFFAIRS COMMITTEE REPORT and RESOLUTION relative to authorization to destroy certain obsolete records from the Los Angeles Department of Water and Power (LADWP) for the period of 1908 through 1994.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION to authorize the destruction of certain obsolete records from the LADWP, Accounting Division, (DWP/11 - 669 boxes) for the period of 1908 through 1994.

Fiscal Impact Statement: The City Clerk reports that the retention of 669 records boxes beyond the required retention time period, based on industry commercial standard rates, will continue to cost the City the equivalent of a minimum of \$104.36 per month, or \$1,252.32 per year.

[These records will be retained for a period of 60 days after the City Council's action to authorize their destruction to allow for public inspection. Contact the Records Management Division at (213) 473-8449 or via email at Todd.Gaydowski@lacity.org to arrange for inspection of records.]

Community Impact Statement: None submitted.

ITEM NO. (8) - ADOPTED

[10-2445](#)

INFORMATION TECHNOLOGY AND GOVERNMENT AFFAIRS COMMITTEE REPORT and RESOLUTION relative to authorization to destroy certain obsolete records from the Los Angeles Department of Water and Power (LADWP) for the period of 1911 through 1999.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION to authorize the destruction of certain obsolete records from the LADWP, Accounting Division, (DWP/11 - 848 boxes) for the period of 1911 through 1999.

Fiscal Impact Statement: The City Clerk reports that the retention of 848 records boxes beyond the required retention time period, based on industry commercial standard rates, will continue to cost the City the equivalent of a minimum of \$132.29 per month, or \$1,587.48 per year.

[These records will be retained for a period of 60 days after the City Council's action to authorize their destruction to allow for public inspection. Contact the Records Management Division at (213) 473-8449 or via email at Todd.Gaydowski@lacity.org to arrange for inspection of records.]

Community Impact Statement: None submitted.

ITEM NO. (9) - ADOPTED

[10-2446](#)

INFORMATION TECHNOLOGY AND GOVERNMENT AFFAIRS COMMITTEE REPORT and RESOLUTION relative to authorization to destroy certain obsolete records from the Los Angeles Department of Water and Power (LADWP) for the period of 1915 through 1993.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION to authorize the destruction of certain obsolete records from the LADWP, Accounting Division, (DWP/11 - 850 boxes) for the period of 1915 through 1993.

Fiscal Impact Statement: The City Clerk reports that the retention of 850 records boxes beyond the required retention time period, based on industry commercial standard rates, will continue to cost the City the equivalent of a minimum of \$132.60 per month, or \$1,591.20 per year.

[These records will be retained for a period of 60 days after the City Council's action to authorize their destruction to allow for public inspection. Contact the Records Management Division at (213) 473-8449 or via email at Todd.Gaydowski@lacity.org to arrange for inspection of records.]

Community Impact Statement: None submitted.

ITEM NO. (10) - ADOPTED, *AS AMENDED - SEE FOLLOWING

Roll Call #12 - to Adopt as Amended, Ayes (11); Noes: Alarcón and Cárdenas (2); Absent: Koretz and Zine (2)

Roll Call #22 - Adopted to Refer, Unanimous Vote (11); Noes: Alarcón and Cárdenas (2); Absent: Koretz and Zine (2)

[10-2414-S1](#)

JOBS AND BUSINESS DEVELOPMENT COMMITTEE REPORT relative to the "eight percent Local Preference Initiative" incentive for businesses located in the City that bid on low-bid contracts or Requests for Proposals (RFP).

Recommendation for Council action, pursuant to Motion (Krekorian - Parks):

REQUEST the City Attorney to prepare an ordinance to establish a local preference with following provisions:

- a. Grant an eight percent local preference incentive to any qualifying business, as defined in section (2) of this report that responds to any request for a low-bid contract or RFP issued by the City.
 - 1) In the case of low-bid contracts, the eight percent local preference incentive should be applied to the bid price.
 - 2) In the case of RFPs, the eight percent local preference incentive should be allocated in the form of additional evaluation points on the RFP respondent's final score.

- b. A qualifying business must:
- 1) Occupy building space in Los Angeles, consistent with City Charter Section 10.15(f), and provide evidence of its occupancy by either a lease or deed.
 - 2) Have filed and maintained a Business Tax Registration Certificate for the prior (6) months
 - 3) Meet one of the following conditions for maintenance of a workforce in Los Angeles:
 - a. The business has 50 of its full-time employees working in Los Angeles, consistent with City Charter Section 10.15(f).
 - b. The business has 50 percent of its full-time employees working 60 percent of the time in Los Angeles; consistent with City Charter Section 10.15(f).
- *c. The business be headquartered in Los Angeles (*Alarcón - Krekorian).**
- 4) Be certified as a "local business" by the Bureau of Contract Administration.

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

Community Impact Statement: None submitted.

REFERRED TO JOB AND BUSINESS DEVELOPMENT AND BUDGET AND FINANCE COMMITTEES'

AMENDING MOTION (ALARCON - HAHN)

Recommendations for Council action:

Recommendation 2(c)i as follows: The business must commit to create 50 new full-time employee positions in Los Angeles, consistent with City Charter Section 10.15 (f).

Recommendation 2(c)ii as follows: The business has 50 percent of its full-time employees working 60 percent of the time in Los Angeles, consistent with City Charter Section 10.15 (f).

**Roll Call #3 - Adopted, Ayes (10); Absent: Alarcón, Huizar, Koretz, Perry and Zine (5)
(Item Nos. 11-12)**

ITEM NO. (11) - ADOPTED

[09-3049](#)

PERSONNEL COMMITTEE REPORT relative to consolidated reasonable accommodations for employees with temporary and permanent work restrictions as a result of industrial or non-industrial injuries or illnesses for the fourth quarter of Fiscal Year (FY) 2009-10.

Recommendation for Council action:

NOTE and FILE the September 23, 2010 Personnel Department report relative to consolidated reasonable accommodations for employees with temporary and permanent work restrictions as a result of industrial or non-industrial injuries or illnesses for the fourth quarter of FY 2009-10.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (12) - ADOPTED

[08-2223](#)

CD 14

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to redesignating and downgrading a segment of Cesar E. Chavez Avenue from a Secondary Highway to a Modified-Standard Secondary Highway.

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

1. DIRECT the Department of City Planning (DCP), in coordination with the Los Angeles Department of Transportation (LADOT), and the Bureau of Engineering (BOE), to analyze, prepare and present the necessary documents and plan amendments to the Streets and Highways Designation Map of the Transportation Element of the General Plan and to the Boyle Heights Community Plan, to redesignate and downgrade a segment of Cesar E. Chavez Avenue, between Warren Street and Evergreen Avenue, from its current classification of Secondary Highway to a Modified-Standard Secondary Highway.
2. DIRECT the DCP, BOE and LADOT to, in anticipation of the approval of this General Plan Amendment, refrain from requiring dedications or street improvements to Secondary Highway standards in connection with any proposed private or public improvements on Chavez Avenue between Warren Street and Evergreen Avenue.

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.

ITEM NO. (13) - ADOPTED - SEE FOLLOWING

Roll Call #13 - Adopted, Ayes (13); Absent: Koretz and Zine (2)

[10-1651](#)

COMMUNICATION FROM THE CULTURAL HERITAGE COMMISSION and RESOLUTION relative to expressing support to the California State Office of Historic Preservation regarding listing of the Arroyo Seco Parkway (State Route 110) to the National Register of Historic Places.

Applicant: California Department of Transportation

Owner: California Department of Transportation/City of Los Angeles

(Planning and Land Use Management 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

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and RESOLUTION relative to expressing support to the California State Office of Historic Preservation regarding listing of the Arroyo Seco Parkway (State Route 110) to the National Register of Historic Places.

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

- 1. ADOPT the FINDINGS of the Cultural Heritage Commission (CHC) as the Findings of the Council.**
- 2. ADOPT the accompanying RESOLUTION to support the proposed listing of the Arroyo Seco Parkway to the National Register of Historic Places.**

Applicant: California Department of Transportation CHC 2010-2698-NR

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

Community Impact Statement: None submitted.

**Roll Call #3 - Adopted, Ayes (10); Absent: Alarcón, Huizar, Koretz, Perry and Zine (5)
(Item Nos. 14-18)**

ITEM NO. (14) - ADOPTED

[09-1068](#)

TRANSPORTATION COMMITTEE REPORT relative to claiming Transportation Development Act (TDA) Article 3 Fund allocations for bicycle and pedestrian facilities.

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

APPROVE the recommendations of the City Administrative Officer (CAO) in the report to the Mayor dated August 26, 2010 (attached to the Transportation Committee report) authorizing the Los Angeles Department of Transportation to claim approximately \$5.3 million in TDA Article 3 Fund allocations for bicycle and pedestrian facilities for Fiscal Years 2006-07 and 2007-08, and related actions.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. The CAO's recommendations are for TDA funds allocated to the City by the Los Angeles County Metropolitan Transportation Authority for the implementation of bicycle and pedestrian facilities. City costs are covered by the TDA funds.

Community Impact Statement: None submitted.

ITEM NO. (15) - ADOPTED

[09-2318](#)

CD 4

CATEGORICAL EXEMPTION, TRANSPORTATION COMMITTEE REPORT and RESOLUTION relative to the renewal of Temporary Preferential Parking District (PPD) No. 120.

Recommendations for Council action:

1. FIND that the renewal of Temporary PPD No. 120, pursuant to Los Angeles Municipal Code (LAMC) Section 80.58.d, is exempt from the California Environmental Quality Act as a Class 1 Categorical Exemption, under III.1.a.3 of the City's environmental guidelines.
2. FIND that the parking problems that led to the establishment of Temporary PPD No. 120 located along Aberdeen Avenue near the Griffith Observatory and the Greek Theatre in Council District Four still exist and that no permanent solution is available to be implemented at this time.
3. ADOPT the accompanying RESOLUTION renewing Temporary PPD No. 120 for 12 more months, until October 17, 2011, pursuant to LAMC Section 80.58.d.

Fiscal Impact Statement: The Los Angeles Department of Transportation reports that revenue from the sale of permits will cover the cost of implementing, administering, and enforcing temporary PPD No. 120. Furthermore, the City may gain additional General Fund revenue from the issuance of parking citations to violators of the district's parking restrictions.

Community Impact Statement: None submitted.

ITEM NO. (16) - ADOPTED

[10-1570](#)

CD 5

CATEGORICAL EXEMPTION, TRANSPORTATION COMMITTEE REPORT and RESOLUTION relative to the renewal of Temporary Preferential Parking District (PPD) No. 132.

Recommendations for Council action:

1. FIND that the renewal of Temporary PPD No. 132, pursuant to Los Angeles Municipal Code (LAMC) Section 80.58.d, is exempt from the California Environmental Quality Act as a Class 1 Categorical Exemption, under III.1.a.3 of the City's environmental guidelines.
2. FIND that the parking problems that led to the establishment of Temporary PPD No. 132 located on Curson Avenue and Sierra Bonita Avenue north of Beverly Boulevard, near "The Grove" shopping complex in Council District Five still exist, and that no permanent solution is available to be implemented at this time.
3. ADOPT the accompanying RESOLUTION renewing Temporary PPD No. 132 until such time as the streets within Temporary PPD No. 132 are incorporated into a larger permanent district currently under review for establishment in the area, but not for more than 12 months, until October 30, 2011, pursuant to LAMC Section 80.58.d.

Fiscal Impact Statement: The Los Angeles Department of Transportation reports that revenue from the sale of permits will cover the cost of implementing, administering, and enforcing temporary PPD No. 132. Furthermore, the City may gain additional General Fund revenue from the issuance of parking citations to violators of the district's parking restrictions.

Community Impact Statement: None submitted.

ITEM NO. (17) - ADOPTED

[09-2729](#)

BUDGET AND FINANCE and INFORMATION TECHNOLOGY AND GOVERNMENT AFFAIRS COMMITTEES' REPORT relative to fund transfers, staffing and contract amendments for Supply Management System (SMS) and Financial Management System (FMS) Integration.

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

1. APPROPRIATE \$1,721,760 from the Unappropriated Balance, Budget Balancing Bridge Account No. 0254, Fund 100/58, as follows:

<u>Fund/Dept/Acct</u>	<u>Amount</u>	<u>Purpose</u>	<u>Details</u>
100/32/3040	\$1,513,260	ITA Contractual Svcs	Funding for agreements with CGI, Oracle, Metaformers and/or IT contract programmers.
100/26/1010	\$112,500	Controller's Office Salaries	Funding for salaries of 1 Fiscal Systems Specialist I and 2 Fiscal Systems Specialist II on 90-day authority.
100/40/1010	\$96,000	GSD Salaries	Funding for salaries of 1 Fiscal Systems Specialist I resolution authority and 1 Sr. Accountant II on 90-day authority.

2. AUTHORIZE the General Manager, Information Technology Agency (ITA), or designee, to negotiate and execute agreements or amendments in a total amount not to exceed \$1,513,260, and provide the flexibility of executing agreements and amendments in an expedited process but within the scope of work as defined in Attachment B, in order to assemble support staff to meet the requirements of the FMS implementation, subject to full compliance with the City's contracting requirements and approval of the City Attorney, as follows:

- a. Amendment to Contract No. C-111284 with Metaformers, Inc., for the analysis, coding, and testing of changes to the SMS.
- b. Agreement or Amendment to Contract No. C-114341 with CGI, Inc., for the analysis, coding, and testing of changes to SMS.
- c. Agreement with Oracle, Inc. to provide contractors for the analysis, coding, and testing of changes to SMS.

3. FIND, in accordance with Charter Section 1022, that it is more feasible to contract for this service because there is insufficient existing City staff to perform the work proposed to be contracted and additional staff cannot be employed and trained in a timely manner to meet the City's needs.
4. RESOLVE that one Fiscal Systems Specialist I (1555-1) position BE APPROVED in GSD through June 30, 2011, subject to allocation by the Civil Service Commission, to support the development of interfaces between the FMS and SMS.
5. INSTRUCT the FMS Project Oversight Committee with GSD to report back to Council no later than 60 days from the adoption of this report with a life-of-project status of FMS, including current and projected expenditures, funding, and timeline and an update on SMS: the personnel and contracting actions taken to date, the status of the actions taken to correct deficits in SMS, the status of the system integration, and a plan for cost effective management of SMS into the future.

Fiscal Impact Statement: The FMS Project Oversight Committee and GSD report that approving the recommendations in this report will result in a General Fund expenditure totaling \$1,721,760. This expenditure was not included in the 2010-11 Budget for this purpose. Available funds have been identified in the Unappropriated Balance line item for the Budget Balancing Bridge that can be used for this purpose. The City's Financial Policies state that new General Fund requests will only be considered outside the Budget process in extreme circumstances. Due to the severe operational impacts of failing to build effective interfaces between the SMS and the new FMS, providing funding for this purpose at this time is consistent with the City's Financial Policies.

Community Impact Statement: None submitted.

ITEM NO. (18) - ADOPTED

[10-2498](#)

INFORMATION TECHNOLOGY AND GOVERNMENT AFFAIRS and BUDGET AND FINANCE COMMITTEES' REPORTS relative to the First Construction Projects Report for Fiscal Year (FY) 2010-11.

ADOPTED

A. INFORMATION TECHNOLOGY AND GOVERNMENT AFFAIRS COMMITTEE

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

1. TRANSFER \$5,289,375 between departments and funds as specified in Attachment 1, attached to the Council file.
2. TRANSFER \$5,505,457 between funds and other financings, including MICLA, as specified in Attachment 2, attached to the Council file.
3. TRANSFER \$650,000 between departments and funds from General Obligation Bond Funds as specified in Attachment 3, attached to the Council file.
4. TRANSFER \$161,159 between accounts within departments and funds as specified in Attachment 4, attached to the Council file.

5. AUTHORIZE the Controller, in accordance with Attachment 2, to transfer cash from the appropriate MICLEA Funds, Proposition K and Other Special Funds to reimburse the General Fund on an as-needed basis upon proper documentation from the departments and approval of the Program Managers and the City Administrative Officer (CAO).
6. AUTHORIZE the Controller, in accordance with Attachment 3, to transfer cash from the appropriate General Obligation Bond Funds to reimburse the General Fund on an as-needed basis upon proper documentation from the departments and approval of the Bureau of Engineering Program Managers and the CAO.
7. AUTHORIZE the Controller to increase appropriations to various departments as delineated in Attachment 5, in the amount of \$4,316,164 for estimated project and construction management staff costs related to the Seismic Bridge Improvement Program.
8. AUTHORIZE the Controller to deposit funds received from the J. Paul Getty Trust to the Capital Improvement Expenditure Program Fund No. 100, Department 54, new account entitled, "Siqueiros Mural Project/Getty Foundation."
9. AUTHORIZE the CAO to make technical corrections, as necessary, to those transactions included in this report to implement the Mayor and Council's intentions.

Fiscal Impact Statement: The CAO reports that transfers, appropriations and expenditure authority totaling \$15,922,155 are recommended in this report. Of this amount, \$5,716,616 is for transfers and appropriations to the General Services Department, \$5,889,375 to other City Funds, and \$4,316,164 for staff cost reimbursements. All transfers and appropriations are based on existing funds, reimbursements or revenues. The estimated annual impact due to operations and maintenance costs is approximately \$266,419.

Community Impact Statement: None submitted.

ADOPTED

B. BUDGET AND FINANCE COMMITTEE

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

1. CONCUR with the recommendations contained in the Information Technology and Government Affairs Committee report dated October 6, 2010 relative to the First Construction Projects Report for FY 2010-11.
2. AUTHORIZE the Controller to transfer \$200,000 in expenditures from the General Services Trust Fund, Fund 843/40, Account 154F entitled CD 14 NCH to the Community Development Trust Fund, Fund 424/22, Account G700 entitled Boyle Heights - Chicago Building.
3. AUTHORIZE the Controller to release and transfer funds totaling \$200,000 from the General Services Trust Fund, Fund 843/40, Account 154F entitled CD 14 NCH to the Board of Public Works, Fund 100/74, Account 3040 entitled Contractual Services for planning work to be done on the Huntington Drive/York Boulevard Bicycle and Pedestrian Improvement Plan Project.

Fiscal Impact Statement: The City Administrative Officer reports that there will be an operations and maintenance impact to the General Fund in future fiscal years when these projects are completed.

Community Impact Statement: None submitted.

ITEM NO. (19) - REFERRED TO RULES AND ELECTIONS COMMITTEE

Roll Call #18 - Adopted to Refer, Unanimous Vote (11); Absent: Koretz, LaBonge, Wesson and Zine (4)

[10-0627](#)

CONTINUED CONSIDERATION OF RULES AND ELECTIONS COMMITTEE REPORT and AMENDING MOTION (HUIZAR - GARCETTI) relative to Ranked Choice Voting (RCV).

A. RULES AND ELECTIONS COMMITTEE REPORT

SUBMITS WITHOUT RECOMMENDATION the recommendation of the Chief Legislative Analyst:

INSTRUCT the City Clerk to monitor certification efforts of Ranked Choice Voting systems, to work with the County of Los Angeles in exploring the possibility of moving to a county-wide Ranked Choice Voting system and to report back in 90 days with the status of those efforts.

Fiscal Impact Statement: The City Clerk reports that the current voting system is antiquated and replacement is imminent. A new voting system is estimated at \$40 million. The Ranked Choice component of the new system is estimated to be 1 or 2 percent of the total cost which can be defrayed if the County and City collaborate on the new system.

Community Impact Statement: None submitted.

B. AMENDING MOTION (HUIZAR - GARCETTI)

Recommendations for Council action:

REQUEST the City Attorney to prepare and present a ballot title and resolution that would allow for the use of Ranked Choice Voting (RCV) elections for single-district special City and LAUSD elections, with the following conditions:

- a. The City Clerk be authorized to send formal correspondence to the County Registrar Recorder/County Clerk (RR/CC) on behalf of the City requesting that RCV equipment be included in the design of a new voting system and that the City Clerk work closely with RR/CC in the development of the new system.
- b. The County first implement a new voting system that is RCV compatible before the City approve any election using this technology.
- c. The City Clerk be required to also prepare an implementation plan that would include significant community outreach to educate the public about this process.

- d. The City Administrative Officer be instructed to update their October 18, 2010 report on the costs for the City of implementing RCV, as well as a new voting system. This report should also make clear what the short and long-term savings would be.
- e. The savings from first two elections using RCV, minus any cost recovery for including this technology in the County's new election system that the City may wish to pursue, should be dedicated entirely toward voter education, with an emphasis on partnering with community organizations, as has been done in San Francisco.
- f. Following the use of RCV in at least and no more than three special elections the City Clerk report back to Council with a recommendation on whether to seek a future ballot measure applying RCV to all City elections.

(Continued from Council meeting of October 29, 2010)

Items for Which Public Hearings Have Not Been Held - Items 20-38

(10 Votes Required for Consideration)

Roll Call #6 - Adopted, Ayes (13); Absent: Koretz and Zine (2)
(Item Nos. 20-23)

ITEM NO. (20) - ADOPTED

[08-1450-S1](#)

CD 12

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Woodley Avenue and Devonshire Street No. 1 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 October 27, 2010.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **JANUARY 12, 2011** as the hearing date for the maintenance of the Woodley Avenue and Devonshire Street No. 1 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, \$13,520.38 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: January 5, 2011)

ITEM NO. (21) - ADOPTED

[10-1683](#)

CD 12

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Roscoe Boulevard and Lindley Avenue 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 October 27, 2010.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **JANUARY 12, 2011** as the hearing date for the maintenance of the Roscoe Boulevard and Lindley Avenue Lighting District, in accordance with Proposition 218, Articles XIIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$27,278.42 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: January 5, 2011)

ITEM NO. (22) - ADOPTED

[10-1678](#)

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 Van Nuys and Chandler Boulevards 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 October 26, 2010.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **JANUARY 12, 2011** as the hearing date for the maintenance of the Van Nuys and Chandler Boulevards Lighting District, in accordance with Proposition 218, Articles XIIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$3,283.07 will be collected annually starting with tax year 2011-12 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: January 5, 2011)

ITEM NO. (23) - ADOPTED

[10-1688](#)

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 Colby and Wyoming Avenues 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 October 26, 2010.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **JANUARY 12, 2011** as the hearing date for the maintenance of the Colby and Wyoming Avenues 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, \$588.65 will be collected annually starting with tax year 2011-12 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: January 5, 2011)

ITEM NO. (24) - ADOPTED

Roll Call #14 - Adopted, Ayes (13); Absent: Koretz and Zine (2)

[10-1507](#)

CD 7

MITIGATED NEGATIVE DECLARATION, COMMUNICATION FROM VICE CHAIR, PLANNING AND LAND USE MANAGEMENT COMMITTEE and ORDINANCE FIRST CONSIDERATION relative to a zone change at 13211 West Hubbard Street.

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. 10-1507 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-2009-1609-MND] filed on March 5, 2010.
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)RD1.5-1 for the proposed construction of a new residential development with 30 dwelling units, one story, height of 25 feet for property at 13211 West Hubbard Street, subject to Conditions of Approval.

Applicant: Grupo Glemka LLC, Manuel Alvarez

APCNV-2009-1608-ZC-DB

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 - DECEMBER 30, 2010

(LAST DAY FOR COUNCIL ACTION - DECEMBER 17, 2010)

**Roll Call #6 - Adopted, Ayes (13); Absent: Koretz and Zine (2)
(Item Nos. 25-26d)**

ITEM NO. (25) - ADOPTED

[10-1531](#)

CD 1

COMMUNICATION FROM VICE CHAIR, PLANNING AND LAND USE MANAGEMENT COMMITTEE, RESOLUTION and ORDINANCE FIRST CONSIDERATION relative to a plan amendment and zone change correction for a portion of subarea 7090; 3880 North Mission Road.

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

1. ADOPT the March 11, 1999 FINDINGS of the City Planning Commission as the Findings of the Council.

2. ADOPT the accompanying RESOLUTION as recommended by the Mayor and the Director of Planning on behalf of the City Planning Commission (CPC) APPROVING the Land Use Designation correction from Public Facilities to Commercial Manufacturing; Community Plan Revision - Northeast Los Angeles Community Plan, Ordinance No. 173,141 (portion of subarea 7090, 3880 North Mission Road, Los Angeles, CA 90031, APN 2511-019-026).

CPC 22490, CPC 87-0242-CPR

3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the Director of Planning on behalf of the CPC, effecting a zone change correction from PF-1 to CM-1 for a portion of subarea 7090, 3880 North Mission Road, Los Angeles, CA 90031, APN 2511-019-026.
4. INSTRUCT the Planning Department to update the General Plan and appropriate maps pursuant to this action.

(Environmental Impact Report was certified by the City Council on June 15, 1999.)

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

Community Impact Statement: None submitted.

ITEM NO. (26) - ADOPTED

10-0005-S808

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 October 27, 2010:

10-0005-S808

CD 8

- a. Property at 846 West Century Boulevard (Case No. 51589).
Assessor I.D. No. 6054-002-027

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 3, 2007)

[10-0005-S809](#)

CD 9

- b. Property at 1056 West 42nd Place (Case No. 205108).
Assessor I.D. No. 5020-026-023

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

[10-0005-S810](#)

CD 1

- c. Property at 2612 North Vallejo Street (Case No. 240215).
Assessor I.D. No. 5204-009-006

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 30, 2009)

[10-0005-S811](#)

CD 9

- d. Property at 831 West 43rd Street (Case No. 268960).
Assessor I.D. No. 5019-006-013

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

ITEM NO. (27) - ADOPTED

Roll Call #15 - Adopted, Ayes (13); Absent: Koretz and Zine (2)

[10-0909](#)

CD 1

COMMUNICATION FROM CHAIR, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE relative to funding for the establishment of the MacArthur Park Business Improvement District.

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

1. AUTHORIZE the Community Redevelopment Agency (CRA) Chief Executive Officer, or designee, to enter into a contract with the City of Los Angeles Office of the City Clerk, Administration Services Division to provide up to \$60,000 to help fund costs relating to the feasibility determination and establishment of the MacArthur Park Business Improvement District (BID) within the Westlake Recovery Redevelopment Project Area.
2. ACCEPT \$60,000 from the CRA and transfer the funds to the City Clerk BID Trust Fund No. 659, transfer and appropriate the amount to Appropriate Account No. F001 for the formation of the new consultant contract MacArthur Park and authorize the City Clerk to make any technical corrections or clarifications to the fund transfer instructions in order to effectuate the intent of this action.

Fiscal Impact Statement: The Chief Legislative Analyst reports that there is no impact to the General Fund as funds will be derived from the Westlake Recovery Redevelopment Project Area tax increment.

Community Impact Statement: None submitted.

ITEM NO. (28) - ADOPTED

Roll Call #16 - Adopted, Ayes (13); Absent: Koretz and Zine (2)

[10-1609](#)

COMMUNICATION FROM CHAIR, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE relative to authority to release a Request for Proposals for the Domestic Violence Shelter Operations Program.

Recommendations for Council action:

1. AUTHORIZE the General Manager, Community Development Department (CDD), or designee, to prepare a Request for Proposals (RFP) for the Domestic Violence Shelter Operations Program (DVSO) to be effective April 1, 2011 and to release the RFP document subject to approval by the City Attorney as to form and legality.
2. DIRECT the General Manager, CDD, or designee, subsequent to completing the DVSO proposal evaluation process, to submit recommendations to the Mayor and City Council for DVSO contractor selection and funding for the 12 month period of April 1, 2011 through March 31, 2012.

Fiscal Impact Statement: The CDD reports that the recommendations do not impact the General Fund.

Community Impact Statement: None submitted.

**Roll Call #6 - Adopted, Ayes (13); Absent: Koretz and Zine (2)
(Item Nos. 29-30)**

ITEM NO. (29) - ADOPTED

[10-1610](#)

COMMUNICATION FROM CHAIR, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE relative to authority to release a Request for Proposals for the Day Laborer Program.

Recommendations for Council action:

1. AUTHORIZE the General Manager, Community Development Department (CDD), or designee, to prepare a Request for Proposals (RFP) for the Day Laborer Program (DLP) to be effective April 1, 2011 and to release the RFP document subject to approval by the City Attorney as to form and legality.
2. DIRECT the General Manager, CDD, or designee, subsequent to completing the DLP proposal evaluation process, to submit recommendations to the Mayor and City Council for DLP contractor selection and funding for the 12 month period of April 1, 2011 through March 31, 2012.

Fiscal Impact Statement: The CDD reports that the recommendations do not impact the General Fund.

Community Impact Statement: None submitted.

ITEM NO. (30) - ADOPTED

[10-2429](#)

COMMUNICATION FROM CHAIR, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE relative to a request to establish and implement the East Valley Region Business Assistance Program.

Recommendations for Council action:

1. ESTABLISH and AUTHORIZE the Community Redevelopment Agency (CRA) Chief Executive Officer, or designee, to implement the East Valley Region Business Assistance Program (BAP), in accordance with the administrative guidelines outlined in the attachment to the CRA's report dated September 16, 2010 (attached to the Council file), in order to provide conditional loans to commercial property owners and commercial tenants located in, or who plan to establish a business within, the North Hollywood, Laurel Canyon Commercial Corridor, and/or the Pacoima/Panorama City Redevelopment Project Areas in a cumulative amount not to exceed \$4,258,697.
2. AUTHORIZE the CRA's East Valley Regional Administrator, or designee, to negotiate and execute all:
 - a. East Valley Region BAP documents, consistent with the Easy Valley Region BAP Administrative Guidelines, subject to the review and approval of the City Attorney as to form and the Department of Public Works, Bureau of Contract Administration as to compliance with certain CRA contracting requirements.
 - b. Necessary agreements to subordinate the CRA Deed of Trust and related loan documents to subsequent lenders, subject to the review and approval of the City Attorney as to form.

Fiscal Impact Statement: The City Administrative Officer reports that there is no impact to the General Fund. Approval of the recommendations will result in the expenditure of up to \$4,258,697 in tax increment funds generated from the CRA's North Hollywood, Laurel Canyon Commercial Corridor, and Pacoima/Panorama City Redevelopment Project Areas. The recommendations are in compliance with the CRA's Financial Policies in that they are consistent with the Budget and Work Programs for the Project Areas. The City's Financial Policies are not applicable to the CRA. The CRA is bound only by the disclosure provisions of the City's Debt Management Policies.

Community Impact Statement: None submitted.

ITEM NO. (31) - ADOPTED

Roll Call #17 - Adopted, Ayes (12); Absent: Koretz, Wesson and Zine (3)

[10-2452](#)

COMMUNICATION FROM CHAIR, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE relative to a request to execute contracts and/or purchase orders for fiscal and financial consulting services.

Recommendation for Council action:

AUTHORIZE the Community Redevelopment Agency (CRA) Chief Executive Officer, or designee, to negotiate and execute contracts and/or purchase orders with the 11 firms listed below in its approved vendor pool for fiscal and financial consulting services on an as-needed basis in an aggregate amount not to exceed \$2,500,000 for a three-year period, effective the date of Council action, with two one-year extension options, subject to the review and approval of the City Attorney as to form and the Department of Public Works, Bureau of Contract Administration for compliance with CRA contracting requirements.

Bay Area Economics
Capital Partnerships Inc.
Economic & Planning Systems, Inc.
HdL Coren & Cone
Katz Hollis
Keyser Marston Associates
Kosmont Companies
MuniServices, LLC
Rosenow Spevacek Group, Inc.
Tierra West Advisors
Urban One

Fiscal Impact Statement: The City Administrative Officer reports that there is no impact to the City General Fund. The \$2,500,000 for fiscal and financial consulting services will be financed by various redevelopment project tax increment funds; bonds, notes and/or certificates of participation proceeds; grant and loan proceeds; program income; and CRA special revenue funds. The use of these funds is in compliance with the CRA's Financial Policies in that the recommended action is consistent with the Fiscal Year 2010-11 Budget and Work Program. Since the contracts and/or

purchase orders are to provide services over a three-year period with two one-year extension options, additional funds will be subject to future CRA Board of Commissioners and Council budget actions. The City's Financial Policies are not applicable to the CRA. The CRA is bound only by the disclosure provisions of the City's Debt Management Policies.

Community Impact Statement: None submitted.

**Roll Call #6 - Adopted, Ayes (13); Absent: Koretz and Zine (2)
(Item Nos. 32-33)**

ITEM NO. (32) - ADOPTED

[09-2924](#)

CD 2

COMMUNICATION FROM VICE CHAIR, PLANNING AND LAND USE MANAGEMENT COMMITTEE relative to initiating consideration of the Cross of San Ysidro, located at 7570 McGroarty Terrace in Council District Two, as a City Historic Cultural Monument.

Recommendations for Council action, pursuant to Motion (Krekorian - Koretz):

1. REQUEST the Cultural Heritage Commission to initiate consideration of the Cross of San Ysidro, located at 7570 McGroarty Terrace in Council District Two, as a City Historic Cultural Monument and prepare a report which delineates the historic cultural significance of this site.
2. DIRECT the Department of City Planning to present its findings within 90 days to the Planning and Land Use Management Committee for its review and consideration.

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.

ITEM NO. (33) - ADOPTED

[10-1506](#)

CD 1

COMMUNICATION FROM VICE CHAIR, PLANNING AND LAND USE MANAGEMENT COMMITTEE relative to the inclusion of the Lucy E. Wheeler/Martin E. Weil House located at 2175 Cambridge Street in the list of Historic-Cultural Monuments.

Recommendations for Council action:

1. ADOPT the FINDINGS of the Cultural Heritage Commission (CHC) as the Findings of the Council.
2. APPROVE the recommendation of the CHC relative to the inclusion of the Lucy E. Wheeler/Martin E. Weil House located at 2175 Cambridge Street in the list of Historic-Cultural Monuments.

Applicant: Laura Meyers

Owner: Martin Eli Weil (estate of) - Jesse Weil, Executor

CHC 2010-1837-HCM

Fiscal Impact Statement: The CHC reports that such designation in and of itself has no fiscal impact. Future applications for permits may cause minimal administrative costs.

Community Impact Statement: None submitted.

ITEM NO. (34) - CONTINUED TO DECEMBER 7, 2010

Roll Call #4 - Adopted to Continue, Unanimous Vote (13); Absent: Koretz and Zine (2)

[10-0600-S43](#)

CONTINUED CONSIDERATION OF COMMUNICATIONS FROM THE CITY ADMINISTRATIVE OFFICER (CAO), CHIEF LEGISLATIVE ANALYST (CLA) AND MAYOR relative to the feasibility of ending the Modified Coverage Plan for the Los Angeles Fire Department (LAFD) through various budgetary savings and increased revenues.

Recommendation for Council action, as initiated by Motion (Garcetti - Smith - Zine):

INSTRUCT the Fire Chief to address the current year \$13.4 million departmental budget deficit by implementing budget reductions from the options listed in the joint CAO/CLA report, attached to the Council file; and should the Mayor and Council decide to cancel the Modified Coverage Plan, a corresponding resource reduction or other identified savings sufficient to fully fund the offset would be required.

Fiscal Impact Statement: The CAO/CLA report that elimination of the projected current year \$13.4 million LAFD budget deficit will require a corresponding amount of resource reductions to be implemented at the direction of the Fire Chief. Cancellation of the Modified Coverage Plan for a portion or the remainder of the fiscal year will require a corresponding resource reduction or other identified savings sufficient to fully fund the offset.

Community Impact Statement: None submitted.

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

(Continued from Council meeting of October 19, 2010)

**Roll Call #6 - Adopted, Ayes (13); Absent: Koretz and Zine (2)
(Item Nos. 35-36)**

ITEM NO. (35) - ADOPTED

[10-1280](#)

CD 2

COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER (CAO) and RESOLUTION relative to Resolution and Minutes of the Tax Equity and Fiscal Responsibility Act hearing for the issuance of tax-exempt bonds for the Campbell Hall School Project.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION and Minutes (attached to the Council file) from the public hearing held in accordance with Section 142 of the Internal Revenue Code of 1986, as amended, and Section 147(f) of the Code for the California Municipal Finance Authority to issue up to \$30 million in tax-exempt bonds for the Campbell Hall School, located at 4533 Laurel Canyon Boulevard, Los Angeles, California.

Fiscal Impact Statement: The CAO reports that the issuance of tax-exempt bonds by the California Municipal Finance Authority for the Campbell Hall School will not result in any fiscal impact on the City. These bonds will be fully repaid by the Campbell Hall School.

Community Impact Statement: None submitted.

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

ITEM NO. (36) - ADOPTED

[10-2291](#)

CD 5

COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER (CAO) and RESOLUTION relative to Resolution and Minutes of the Tax Equity and Fiscal Responsibility Act hearing for the issuance of tax-exempt bonds for the Buckley School Project.

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

ADOPT the accompanying RESOLUTION and Minutes (attached to the Council file) from the public hearing held in accordance with Section 142 of the Internal Revenue Code of 1986, as amended, and Section 147(f) of the Code for the California Municipal Finance Authority to issue up to \$22 million in tax-exempt bonds for the Buckley School, located at 3900 Stansbury Avenue, Sherman Oaks, California, 91423.

Fiscal Impact Statement: The CAO reports that the issuance of tax-exempt bonds by the California Municipal Finance Authority for the Buckley School will not result in any fiscal impact on the City. These bonds will be fully repaid by the Buckley School.

Community Impact Statement: None submitted.

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

ITEM NO. (37) - CONTINUED TO NOVEMBER 10, 2010

Roll Call #5 - Adopted to Continue, Unanimous Vote (13); Absent: Koretz and Zine (2)

[10-2410](#)

CD 1

COMMUNICATION FROM THE LOS ANGELES FIRE DEPARTMENT relative to a solar photovoltaic systems being installed at property located at 4570 Griffin Avenue in Montecito Heights.

(Scheduled pursuant to Council action on September 22, 2010.)

ITEM NO. (38) - CONTINUED TO DECEMBER 7, 2010

Roll Call #4 - Adopted to Continue, Unanimous Vote (13); Absent: Koretz and Zine (2)

[10-0600-S44](#)

CONTINUED CONSIDERATION OF MOTION (LABONGE - PARKS) relative to suspending the Los Angeles Fire Department's (LAFD) Modified Coverage Plan (MCP) on a fluctuating basis.

Recommendations for Council action, as initiated by Motion (LaBonge - Parks):

DIRECT the LAFD to report with recommendations for suspending the LAFD's MCP on a fluctuating basis in response to changing weather conditions, when dangerous fire conditions exist, or when the City has non-anticipated events.

Community Impact Statement: None submitted.

(Public Safety and Budget and Finance Committees' waived consideration of the above matter)

(Continued from Council meeting of October 19, 2010)

Closed Sessions - Items 39-40

ITEM NO. (39) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Roll Call #7 - Adopted in Open Session, Ayes (13); Absent: Koretz and Zine (2)

[10-1509](#)

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 Creators Syndicate, Inc. v. City of Los Angeles, Los Angeles Superior Court Case No. BC 418416. (This matter involves a claim for refund of Los Angeles Business Tax in the amount of \$105,404.28.)

(Budget and Finance Committee considered the above matter in Closed Session on October 25, 2010).

ADOPTED

MOTION (PARKS - SMITH)

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

APPROVE the Creators Syndicate proposal that the City settle this case by refunding the additional tax paid in the amount of \$105,404.28 and that the City continue to tax Creators Syndicate under retail sales Los Angeles Municipal Code Section 21.67, unless there is a change in their business model or the applicable law.

ITEM NO. (40) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION

Roll Call #21 - Adopted in Open Session, Ayes (11); Absent: Koretz, LaBonge, Wesson and Zine (4)

[10-2470](#)

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 Brian Sorenson v. City of Los Angeles, Los Angeles Superior Court Case No. BC 428967. [This matter arises from a Los Angeles Police Department (LAPD) officer's claims of sexual harassment against the City and a supervisor within the LAPD.]

(Budget and Finance Committee to consider the above matter in Closed Session on October 25, 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 \$350,000 in settlement of the above-entitled matter from City Attorney Fund 100, Department 59, Account No. 9770.
2. **AUTHORIZE** the City Attorney to draw a demand on said fund in the amount of \$350,000 made payable to Law Offices of Gregory W. Smith and Brian Sorenson.
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 for Which Public Hearing Has Been Held - Item 42

ITEM NO. (42) - RECEIVED AND FILED

Roll Call #8 - Adopted to Receive and File, Unanimous Vote (13); Absent: Koretz and Zine (2)

[08-0923-S9](#)

CONTINUED CONSIDERATION OF RULES AND ELECTIONS COMMITTEE REPORT relative to placing on the March 2011 ballot a measure that establishes a new business license tax on recreational marijuana businesses, if Proposition 19 is approved by voters.

Recommendation for Council action, as initiated by Motion (Hahn - Rosendahl):

REQUEST the City Attorney to prepare and present an ordinance to present to the voters a measure to establish a tax on recreational marijuana businesses of \$100 per \$1,000 in gross receipts and to exempt all such businesses from any businesses tax incentive programs that could result in the reduction of principal tax owed.

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.

(Planning and Land Use Management 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, NOVEMBER 3, 2010 PURSUANT TO GOVERNMENT CODE SECTION 54954.2(b)(2) AND COUNCIL RULE 23

ADOPTED - FORTHWITH

Roll Call #19 - Findings on Need to Act - Adopted, Ayes (11); Absent: Koretz, LaBonge, Wesson and Zine (4)

Roll Call #20 - Adopted, Ayes (11); Absent: Koretz, LaBonge, Wesson and Zine (4)

10-0010-S44

MOTION (WESSON - PARKS) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person or persons responsible for the rape and battery of a female victim on August 11, 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 rape and battery of a female victim on August 11, 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

10-0010-S43

MOTION (PERRY - REYES) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the assault of Marchay Blankeney on October 31, 2010.

[10-1685-S1](#)

MOTION (ALARCÓN - HAHN) relative to requesting the President and CEO of the Housing Authority of the City of Los Angeles (HACLA) to report to Council on recent evictions.

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

[10-1721](#)

RESOLUTION (CÁRDENAS - ALARCÓN - SMITH) relative to declaring November 20, 2010 as Children's Day, A Salute to Kids in the City of Los Angeles.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon his request, and without objections, Councilmember Smith was excused from Council sessions of Friday, February 4, 2011, Tuesday, February 8, 2011, Wednesday, February 9, 2011 and Friday, February 11, 2011 all due to Personal business.

Upon his request, and without objections, Councilmember Parks was excused to arrive at 12:00 p.m. for Wednesday, November 17, 2010 due to City business.

Upon his request, and without objections, Councilmember Zine was excused to leave at 12:15 p.m. from Council session of Tuesday, November 16, 2010 due to City business.

Upon his request, and without objections, Councilmember Reyes was excused to leave at 2:00 p.m. from Council session of Wednesday, November 3, 2010 and excused from Council sessions of Wednesday, November 17, 2010 and Tuesday, December 7, 2010 all due to City business.

Upon his request, and without objections, Councilmember Alarcón was excused from Council sessions of Tuesday, April 19, 2011, Wednesday, April 20, 2011 and Friday, April 22, 2011 all 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-S3](#) - Edwin Hughes

(Hahn)

Earlene Shelton

(Perry)

Alarcón, Cárdenas, Hahn, Huizar, Krekorian, Parks, Perry, Reyes, Rosendahl, Smith, and President Garcetti (11); Absent: Koretz, LaBonge, Wesson and Zine (4)

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL