

Los Angeles City Council, **Journal/Council Proceedings**  
Wednesday, **December 15, 2010**  
John Ferraro Council Chamber, Room 340, City Hall - 10 am

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

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

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF  
DECEMBER 10, 2010

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 40

## **ALL ITEMS FORTHWITH**

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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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### **Mayor's Veto Message - Item 1**

**ITEM NO. (1) - CONTINUE TO DECEMBER 17, 2010**

**Roll Call #10 - Failed of Adoption, Ayes (8); Noes: Koretz, Parks, Perry, Reyes, Rosendahl, Smith and President Garcetti (7)**

[11-1100-S9](#)

CONTINUED CONSIDERATION MAYOR'S VETO MESSAGE disapproving the Ordinance adopted by the Council on December 7, 2010 regarding submitting to the voters proposed Charter amendments concerning the Department of Water and Power removal of Commissioners and the General Manager and calling a Special Election and consolidating it with the City's Primary Nominating Election to be held on March 8, 2011.

TIME LIMIT FILE - JANUARY 21, 2011  
PURSUANT TO CHARTER SECTION 250 (C)

(LAST DAY FOR COUNCIL ACTION - JANUARY 7, 2011)  
(TO COMPLY WITH ELECTION CODE)

10 VOTES REQUIRED TO OVERRIDE MAYOR'S VETO

(Continued from Council meeting of December 10, 2010)

**Items Noticed for Public Hearing - Items 2-19**

**Roll Call #7 - Adopted, Ayes (12); Absent: Hahn, Parks and Wesson (3)  
(Item Nos. 2-10)**

**ITEM NO. (2) - ADOPTED**

[08-0578](#)

CD 2

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Valmont Street and Marcus Avenue (Reballot) Lighting District.

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

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing held November 17, 2010)

**ITEM NO. (3) - ADOPTED**

[10-0989](#)

CD 6

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Telfair Avenue and Tuxford Street Lighting District.

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

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing held November 17, 2010)

**ITEM NO. (4) - ADOPTED**

[10-1044](#)

CD 9

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Main and Fourth Streets Lighting District.

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

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing held November 17, 2010)

**ITEM NO. (5) - ADOPTED**

[10-1045](#)

CD 8

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the St. Andrews Place and 60th Street Lighting District.

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

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing held November 17, 2010)

**ITEM NO. (6) - ADOPTED**

[10-1070](#)

CD 11

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Veteran Avenue and Charnock Road Lighting District.

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

1. DENY the protests and confirm the assessments.

2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing held November 17, 2010)

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

[10-1105](#)

CD 11

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Dorothy Street and Westgate Avenue No. 2 Lighting District.

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

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing held November 17, 2010)

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

[10-1119](#)

CD 9

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Fremont Avenue and Temple Street Lighting District.

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

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing held November 17, 2010)

**ITEM NO. (9) - ADOPTED**

[10-1043](#)

CD 7

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Roxford Street and Borden Avenue No. 2 Lighting District.

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

1. FIND that a majority protest exists in the Street Lighting Maintenance Assessment District and therefore the assessment cannot be enacted.
2. PRESENT and ADOPT the accompanying ORDINANCE abandoning all proceedings relating to the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).
3. INSTRUCT the Director, Bureau of Street Lighting, to assure that the streetlights are not installed or are removed from service if previously installed.

(Public Hearing held November 17, 2010)

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

[10-1069](#)

CD 5

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Sepulveda and National Boulevards Lighting District.

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

1. FIND that a majority protest exists in the Street Lighting Maintenance Assessment District and therefore the assessment cannot be enacted.
2. PRESENT and ADOPT the accompanying ORDINANCE abandoning all proceedings relating to the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).
3. INSTRUCT the Director, Bureau of Street Lighting, to assure that the streetlights are not installed or are removed from service if previously installed.

(Public Hearing held November 17, 2010)

**Roll Call #1 - Adopted to Continue, Ayes (10); Absent: Hahn, Parks, Perry, Rosendahl and Wesson (5)  
(Item Nos. 11-17)**

**ITEM NO. (11) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED  
ON JANUARY 12, 2011**

[08-3176](#)

CD 14

HEARING PROTESTS against the proposed improvement and maintenance of the Eagle Rock Boulevard and Avenue 45 No. 1 (Re-Ballot) Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Eagle Rock Boulevard and Avenue 45 No. 1 (Re-ballot) Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on October 6, 2010 - Continue hearing and present Ordinance on JANUARY 12, 2011 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**ITEM NO. (12) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED  
ON JANUARY 12, 2011**

[09-1492-S1](#)

CD 4

HEARING PROTESTS against the proposed improvement and maintenance of the Satsuma Avenue and Magnolia Boulevard No. 2 Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Satsuma Avenue and Magnolia Boulevard No. 2 Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on October 6, 2010 - Continue hearing and present Ordinance on JANUARY 12, 2011 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**ITEM NO. (13) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED  
ON JANUARY 12, 2011**

[10-0386](#)

CD 4

HEARING PROTESTS against the proposed improvement and maintenance of the Killion Street and Lankershim Boulevard (Re-ballot) Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Killion Street and Lankershim Boulevard (Re-ballot) Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on October 6, 2010 - Continue hearing and present Ordinance on JANUARY 12, 2011 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**ITEM NO. (14) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED  
ON JANUARY 12, 2011**

[10-1410](#)

CD 11

HEARING PROTESTS against the proposed improvement and maintenance of the Mississippi Avenue and Sawtelle Boulevard Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Mississippi Avenue and Sawtelle 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 October 6, 2010 - Continue hearing and present Ordinance on JANUARY 12, 2011 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**ITEM NO. (15) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED  
ON JANUARY 12, 2011**

[10-1411](#)

CD 11

HEARING PROTESTS against the proposed improvement and maintenance of the Washington Boulevard and Wilson Avenue Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Washington Boulevard and Wilson Avenue Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on October 6, 2010 - Continue hearing and present Ordinance on JANUARY 12, 2011 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**ITEM NO. (16) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED  
ON JANUARY 12, 2011**

[10-1412](#)  
CD 11

HEARING PROTESTS against the proposed improvement and maintenance of the Sunset Boulevard and Amalfi Drive Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Sunset Boulevard and Amalfi Drive Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on October 6, 2010 - Continue hearing and present Ordinance on JANUARY 12, 2011 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**ITEM NO. (17) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED  
ON JANUARY 12, 2011**

[10-1413](#)  
CD 11

HEARING PROTESTS against the proposed improvement and maintenance of the Chenault Street and Barrington Avenue Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Chenault Street and Barrington Avenue Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on October 6, 2010 - Continue hearing and present Ordinance on JANUARY 12, 2011 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**ITEM NO. (18) - PUBLIC HEARING CLOSED - MOTION ADOPTED TO GRANT APPLICATION AS  
AMENDED - SEE FOLLOWING**

**Roll Call #14 - Adopted, Ayes (15)**

[10-1792](#)  
CD 3

HEARING COMMENTS relative to application for determination of "Public Convenience or Necessity" for alcohol sales for off-site consumption at Canoga Park Mini Market located at 7218 Canoga Avenue, Canoga Park, 91303.

Application filed by: Eskander Verdi (Veronica Becerra, representative)



TIME LIMIT FILE - JANUARY 3, 2011

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

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

**ADOPTED**

**MOTION (ZINE - SMITH)**

**Recommendation for Council action:**

1. **DETERMINE** that the issuance of a liquor license at Canoga Park Mini Market located at 7218 Canoga Avenue, Canoga Park, 91303, will serve the “Public Convenience or Necessity” and will not tend to create a law enforcement problem.
2. **GRANT** the Application for Determination of “Public Convenience or Necessity” for the sale of alcoholic beverages for off-site consumption at 7218 Canoga Avenue, Canoga Park, 91303.
3. **INSTRUCT** the City Clerk to transmit this determination to the State Department of Alcoholic Beverage Control as the required findings under Business and Professions Code Section 23958.4.

**ITEM NO. (19) - PUBLIC HEARING CLOSED - NO APPEALS - LIEN CONFIRMED**

**Roll Call #1 - Adopted, Ayes (10); Absent: Hahn, Parks, Perry, Rosendahl and Wesson (5)**

[09-1462](#)  
CD 10

CONTINUED CONSIDERATION OF HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the cost of cleaning of the lot at 3939 South Wellington Road. (Lien: \$524.79)

(Continued from Council meeting of September 14, 2010)

**Items for Which Public Hearings Have Been Held - Items 20-33**

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

**Roll Call #16 - Adopted, Ayes (15)**

[10-1727](#)

CONTINUED CONSIDERATION OF PERSONNEL COMMITTEE REPORT relative to the appointment of Mr. Michael Prihar to the Employee Relations Board.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. Michael Prihar to the Employee Relations Board for the term ending June 30, 2015 to fill the vacancy created by Mr. Joseph Gentiles, who has declined reappointment, is APPROVED and CONFIRMED. Mr. Prihar resides in Council District 12. (Current Board gender composition: M=3; F=1; Vacancy=1).

Ethics Commission Review: Pending.

Background Check Review: Pending.

Community Impact Statement: None submitted.

TIME LIMIT FILE - DECEMBER 18, 2010

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

(Continued from Council meeting of December 7, 2010)

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

**Roll Call #7 - Adopted, Ayes (12); Absent: Hahn, Parks and Wesson (3)**

[10-1740](#)

CDs 2 & 5

MITIGATED NEGATIVE DECLARATION AND ADDENDUM and ORDINANCE FIRST CONSIDERATION effecting a zone change from C2-1VL and P-1VL to [T][Q]C2-1VL over the entire site and APPEAL FILED BY JAY C. WEITZLER (Sherman Oaks Homeowners Association, Representative) from the determination of the City Planning Commission in approving: 1) Conditional Use, to permit a commercial corner development to: a) operate between the hours of 11:00 p.m. and 7:00 a.m. for 24-hour operation; b) maintain deliveries between the hours of 7:00 a.m. to 10:00 p.m. Monday through Sunday; c) permit a projecting sign; d) provide less than 50 percent transparent windows along the ground floor portions of the project which front adjacent streets, and e) exceed a height of 45 feet to permit a maximum height of 48 feet; 2) Conditional Use to permit the sale of a full line of alcoholic beverages, including beer and wine, for off-site consumption in conjunction with the operation of a retail grocery store; 3) Specific Plan Exceptions from the following requirements of the Ventura - Cahuenga Boulevard Corridor Specific Plan: a) Section 7-A,3(b) to permit a variable side yard along the easterly property line which varies from 34-feet along the majority of the easterly property line at the northern end and approximately 80-feet along the southern end; b) Section 7-E,1(b) to permit a height of 48 feet in lieu of the maximum allowable height of 30 feet; c) Section 8-B,1(a)(1) to permit three wall signs in lieu of the two signs permitted, and d) Section 8-B,1(c)(2) to permit a projecting sign of 160 square-feet in lieu of the maximum allowable projecting sign of 16 square-feet; 4) Specific Plan Adjustment from Section 7-B,2 of the Ventura - Cahuenga Boulevard Corridor Specific Plan, to permit a 62 percent lot coverage, in lieu of the maximum allowable 60 percent; 5) Project Permit Compliance with the Ventura - Cahuenga Boulevard Corridor Specific Plan; 6) Site Plan Review for development projects which creates, or results in an increase of 50,000 gross square feet or more of nonresidential floor area; and 7) waiving the street widening requirements along Hazeltine Avenue and Moorpark Street and limited the street widening requirements for Ventura Boulevard to 2 feet to complete a 37 foot half street width and a 20 foot sidewalk, for the proposed demolition of an existing grocery store, surface parking lot and commercial retail buildings and construction of approximately 80,270 square feet of new commercial floor area to include an approximately 65,000 square-foot grocery store on a

podium above two levels of parking, operating 24 hours a day, 7 days a week, a 6,270 square-foot lobby, approximately 2,500 square-feet of storage and approximately 4,000 square-feet of neighborhood serving retail and a 2,000 square-foot covered loading dock area for property located at 14037-79 West Ventura Boulevard, subject to Conditions of Approval.

CPC-2009-3462-ZC-CUB-CU-SPR-SPE-SPPA-SPP

Applicant: Kendra Doyel, Kroger/Ralph's Grocery Company  
Representative: Alex Irvine, Craig Lawson and Co., LLC

(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**

**MITIGATED NEGATIVE DECLARATION AND ADDENDUM, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change and an appeal of Conditional Uses, Specific Plan Exceptions, Specific Plan Adjustment, Project Permit Compliance, Site Plan Review, and Street Widening.**

**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. 10-1740 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-2009-3463-MND-REC] May 21, 2010.**
- 2. ADOPT FINDINGS of the City Planning Commission (CPC) as the Findings of the Council.**
- 3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the CPC, effecting a zone change from C2-1VL and P-1VL to [T][Q]C2-1VL over the entire site, for the proposed demolition of an existing grocery store, surface parking lot and commercial retail buildings and construction of approximately 80,270 square feet of new commercial floor area to include an approximately 65,000 square-foot grocery store on a podium above two levels of parking, operating 24 hours a day, 7 days a week, a 6,270 square-foot lobby, approximately 2,500 square-feet of storage and approximately 4,000 square-feet of neighborhood serving retail and a 2,000 square-foot covered loading dock area for property located at 14037-79 West Ventura Boulevard, subject to Conditions of Approval.**
- 4. RESOLVE TO GRANT IN PART/ DENY IN PART THE APPEAL filed by Jay Weitzler (Sherman Oaks Homeowners Association, Representative) from part of the determination of the CPC, and THEREBY APPROVE: 1) Conditional Use, to permit a commercial corner development to: a) operate between the hours of 11:00 p.m. and 7:00 a.m. for 24-hour operation; b) maintain deliveries between the hours of 7:00 a.m. to 10:00 p.m. Monday**

through Sunday; c) permit a projecting sign; d) provide less than 50 percent transparent windows along the ground floor portions of the project which front adjacent streets, and e) exceed a height of 45 feet to permit a maximum height of 48 feet; 2) Conditional Use to permit the sale of a full line of alcoholic beverages, including beer and wine, for off-site consumption in conjunction with the operation of a retail grocery store; 3) Specific Plan Exceptions from the following requirements of the Ventura - Cahuenga Boulevard Corridor Specific Plan: a) Section 7-A,3(b) to permit a variable side yard along the easterly property line which varies from 34-feet along the majority of the easterly property line at the northern end and approximately 80-feet along the southern end; b) Section 7-E,1(b) to permit a height of 48 feet in lieu of the maximum allowable height of 30 feet; c) Section 8-B,1(a)(1) to permit three wall signs in lieu of the two signs permitted, and d) Section 8-B,1(c)(2) to permit a projecting sign of 160 square-feet in lieu of the maximum allowable projecting sign of 16 square-feet; 4) Specific Plan Adjustment from Section 7-B,2 of the Ventura - Cahuenga Boulevard Corridor Specific Plan, to permit a 62 percent lot coverage, in lieu of the maximum allowable 60 percent; 5) Project Permit Compliance with the Ventura - Cahuenga Boulevard Corridor Specific Plan; 6) Site Plan Review for development projects which creates, or results in an increase of 50,000 gross square feet or more of nonresidential floor area; and 7) waiving the street widening requirements along Hazeltine Avenue and Moorpark Street and limited the street widening requirements for Ventura Boulevard to 2 feet to complete a 37 foot half street width and a 20 foot sidewalk, for property located at 14037-79 West Ventura Boulevard, subject to Conditions of Approval as modified by the Planning and Land Use Management Committee.

**Applicant:** Kendra Doyel, Kroger/Ralph's Grocery Company

**Representative:** Alex Irvine, Craig Lawson & Co., LLC

**CPC-2009-3462-ZC-CUB-CU-SPR-SPE-SPPA-SPP**

5. **REMOVE (T) Tentative classification as described in detail on the sheet(s) attached to the Council file.**
6. **ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.**
7. **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.**
8. **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 - JANUARY 22, 2011**

**(LAST DAY FOR COUNCIL ACTION - JANUARY 21, 2011)**

**ITEM NO. (22) - ADOPTED AS AMENDED - SEE FOLLOWING**

**Roll Call #23 - Adopt as Amended, Ayes (10); Absent: Cárdenas, Krekorian, LaBonge, Rosendahl and President Garcetti (5)**

**[10-0600-S48](#)**

BUDGET AND FINANCE COMMITTEE REPORT relative to a 2010-11 Operational Plan that details current departmental deficits and proposed solutions to reduce or eliminate the deficits.

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

1. APPROVE the service level and reductions as amended in Committee and identified in the City Administrative Officer (CAO)'s revised 2010-11 Operational Plan (Attachment 1 and 2), attached to Committee report.
2. INSTRUCT the CAO to include Controller and other technical instructions necessary to implement the Operational Plan in future Financial Status Reports including the transfer of \$9.61 million from the UB to address the reduction of furlough days for EAA-represented employees.
3. INSTRUCT the CAO to account for up to \$23.64 million in additional potential transfers from the UB to address the remaining budget gap with said transfers to occur in future Financial Status Reports.
4. INSTRUCT the Los Angeles Fire Department to report to Council on its plan to reduce Constant Staffing Overtime expense by implementing an expanded Modified Coverage Plan.
5. INSTRUCT the Los Angeles Police Department to report to Council on a plan to provide the difference between its November 16, 2010 operational plan and its current financial status.
6. INSTRUCT the CAO to report back with their review and analysis of the draft Ordinance relative to the City Attorney's Administrative Citation Enforcement (ACE) program.
7. INSTRUCT the Chief Legislative Analyst to report back with options for changing the Office of Finance' budget to an off-line budget.
8. INSTRUCT the CAO and Controller, with assistance of the City Attorney, to report back on settlement monies from "17200" cases.
9. INSTRUCT the Department of General Services to report back on Citywide fleet operations.
10. INSTRUCT the Information Technology Agency and CAO to report back with a public access budget.

Fiscal Impact Statement: The CAO reports that adoption of the above recommendations will eliminate the estimated departmental deficits of \$87.84 million for 2010-11. The solutions identified in the Operational Plan total \$64.20 million which will partially offset the potential \$87.84 million in expenditure deficit, reducing the remaining deficit to approximately \$23.64 million after counting identified savings and reductions, and additional revenue. Subsequent transfers of funds from the UB and other accounts totaling \$23.64 million will eliminate this remaining gap.

Community Impact Statement: None submitted.

**ADOPTED**

**AMENDING MOTION (WESSON - ALARCÓN)**

**Recommendations for Council action:**

- a. Describe the role, function, and responsibilities of the LAFD Staff Assistant Position, including the capacity that Staff Assistants serve as drivers for the Fire Chief. This report should include the position description and employment qualifications as defined by the Personnel Department.
- b. How does the Staff Assistant Position in LAFD compare to other Fire Departments throughout the State and Country?
- c. During an emergency situation in Los Angeles, can an EMS Captain, or other LAFD position perform the same function in the absence of Staff Assistants?
- d. How do other Fire Departments staff their Chief at an emergency?

**ADOPTED**

**AMENDING MOTION (ALARCÓN - HAHN)**

**Recommendations for Council action:**

- 4a) INSTRUCT the City Administrative Officer (CAO) and Chief Legislative Analyst (CLA) to report to the Council with information on the following question regarding the Los Angeles Fire Department (LAFD) Staff Assistant position:
  - Describe the role, function, and responsibilities of the LAFD Staff Assistant position, including the capacity that Staff Assistants serve as drivers for the Fire Chief. This report should include the position description and employment qualifications as defined by the Personnel Department.
  - How does the Staff Assistant Position in LAFD compare to other Fire Departments throughout the State and Country.

- During an emergency situation in Los Angeles, can an EMS Captain, or other LAFD position perform the same function in the absence of Staff Assistants?
  - How do other Fire Departments staff their chief at an emergency?
- 4b) INSTRUCT the LAFD to maintain all currently assigned EMS District Captain positions until the Council receives and considers the CAO and CLA report.

**ITEM NO. (23) - ADOPTED - SEE FOLLOWING**

**Roll Call #24 - Adopted, Ayes (10); Absent: Cárdenas, Krekorian, LaBonge, Rosendahl and President Garcetti (5)**

[10-0600-S51](#)

COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER relative to the Second Financial Status Report for Fiscal Year 2010-11.

(Budget and Finance Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)

(Click on the above hyperlink or go to <http://cityclerk.lacity.org/lacityclerkconnect/index.cfm> for background documents.)

**ADOPTED**

**COMMUNICATION FROM CHAIR, BUDGET AND FINANCE (BF) COMMITTEE relative to the Second Financial Status Report for Fiscal Year (FY) 2010-11.**

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

1. **APPROVE** the recommendations of the City Administrative Officer (CAO) contained in the Second Financial Status Report, dated December 10, 2010, attached to the Committee report (Attachment A).
2. **INSTRUCT** CAO to report on debt service for the purchase of 32 replacement ambulances for the Los Angeles Fire Department (LAFD).
3. **TRANSFER** \$3,500,000 between accounts within the Bureau of Sanitation as specified in Attachment B, attached to the Committee report.
4. **INSTRUCT** all General Managers to implement their departmental budgets as adopted for FY 2010-11 including any items that are still pending and propose solutions for any projected budget deficits.
5. **REQUEST** the City Attorney to submit by January 2011 all outstanding ordinances needed for revenue generation as adopted in the Budget for 2010-11.
6. **REQUEST** the City Attorney to report in January 2011 with an update on all outstanding litigation and potential exposure for the City.

7. **INSTRUCT** the CAO and Chief Legislative Analyst to report with an action plan in January 2011 including an update on revenue projections noting significant shortfalls and providing options to address any budget deficits projected for the next six months.
8. **INSTRUCT** the Los Angeles Fire Department (LAFD) and **REQUEST** the Mayor's Office to report to Council relative to the delay in implementing its adopted budget and on its plan to reduce Constant Staffing Overtime expense by implementing an expanded Modified Coverage Plan using Adam software analysis.
9. **INSTRUCT** the CAO, with assistance from the Los Angeles Police Department (LAPD), to provide a chart to Council identifying the savings proposed by the LAPD to provide the difference between its November 16, 2010 operational plan and its current financial status.
10. **INSTRUCT** the CAO to report to BF Committee in January 2011 on Cost Allocation Plan (CAP) rates.
11. **INSTRUCT** the Planning Department to report back with an update on the existing Community Plan.
12. **INSTRUCT** the Emergency Management Department to report back with options that identify funds to offset the proposed use of funds from the Emergency Operations Fund and Sewer Construction and Maintenance Fund.
13. **DIRECT** the Library Department to report back on its volunteer program.
14. **INSTRUCT** the CAO to report back on the City Attorney's proposal to appropriate funds from the Consumer Protection Trust Fund and the funding of consumer protection litigation.
15. **INSTRUCT** the Los Angeles Department of Transportation to report back on the revenue shortfall for parking fines.

**Fiscal Impact Statement:** The CAO reports that a total departmental deficit of \$33.14 million exists across all departments. This deficit reflects: 1) the \$23.64 million total departmental deficit-after excluding \$3 million in savings from layoffs-reported in the pending 2010-11 Operational Plan report (C.F No. 10-0600-S48); and, 2) a new liability of \$9.5 million for the Police Department. No adjustment to budgeted revenue, including revenue from the P3 concession agreement, is recommended at this time. Transfers, appropriations and other adjustments totaling approximately \$58.9 million are recommended in Sections 1 and 2 of this report. Of these transactions, \$17.4 million consists of solutions proposed by departmental operational plans. Transactions totaling \$4.6 million are transfers to address the total departmental deficit, which, if approved, reduces the remaining departmental deficit to \$28.5 million.

**Community Impact Statement:** None submitted.



**ITEM NO. (24) - CONTINUED TO DECEMBER 17, 2010**

**Roll Call #2 - Adopted to Continue, Unanimous Vote (15)**

[10-1692](#)

COMMUNICATION FROM THE BOARD OF PUBLIC WORKS relative to authority to accept grant funding from the South Coast Air Quality Management District in an amount not to exceed \$37,500 for outreach and education of owners of older drayage trucks to replace with liquefied natural gas trucks and the Port of Los Angeles.

Fiscal Impact Statement: None submitted.

Community Impact Statement: None submitted.

(Energy and Environment Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)

(Click on the above hyperlink or go to <http://cityclerk.lacity.org/lacityclerkconnect/index.cfm> for background documents.)

**Roll Call #3 - Adopted, Ayes (10); Absent: Hahn, Parks, Perry, Rosendahl and Wesson (5)  
(Item Nos. 25-26)**

**ITEM NO. (25) - ADOPTED - SEE FOLLOWING**

[07-3118-S2](#)

MOTION (PERRY - REYES) and COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER relative to a request for approval of a Supplemental Fee Agreement with the Los Angeles Arena Land Company, Inc. for the Los Angeles Sports and Entertainment District.

(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** relative to a request for approval of a Supplemental Fee Agreement with the Los Angeles Arena Land Company, Inc. for the Los Angeles Sports and Entertainment District (LASED), in response to Motion (Perry - Reyes).

**Recommendations for Council action, pursuant to Motion (Perry - Reyes) SUBJECT TO THE APPROVAL OF THE MAYOR:**

1. **AUTHORIZE** the Department of City Planning to receive funds from the Developer for services provided and to deposit those funds into the Major Projects Review Trust Fund No. 524 in accordance with the Supplemental Fee Agreement as soon as the Agreement has been executed;
2. **AUTHORIZE** the transfer of the reimbursement amount and appropriate as needed, upon the demand of the Director of Planning, or designee, subject to the approval of the City Administrative Officer (CAO), from the Major Projects Review Trust Fund No. 524 to the General Fund No. 100 for the other departments to fully reimburse the City for the expenditures incurred in the Agreement for the LASED;
3. **INSTRUCT** the Department of City Planning to reimburse the General Fund for all costs related to the LASED project with funds received in the Agreement for the LASED project;
4. **AUTHORIZE** the CAO to prepare instructions for the Controller and/or make any technical adjustments that may be required and are consistent with this action, and instruct the Controller to implement these instructions.

**Fiscal Impact Statement:** There is no additional impact to the General Fund. The cost will be fully reimbursed by standard processing fees and supplemental fees paid by the Los Angeles Arena Land Company, Inc. into the Major Projects Review Trust Fund. This action complies with the City's Financial Policies in that the work performed by City departments for this project will be reimbursed by a private developer.

**Community Impact Statement:** None submitted.

#### ITEM NO. (26) - ADOPTED

#### Roll Call #18 - Adopted, Ayes (15)

#### [08-3386-S1](#)

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the impact to the City's sign laws of the just issued ruling by the U.S. Ninth Circuit Court of Appeals in the case of World Wide Rush LLC v. City of Los Angeles, which upheld the City's ban on supergraphic signs and billboards near freeways.

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

1. **NOTE AND FILE** the City Attorney report relative to the Ninth Circuit Decision in World Wide Rush v. City of Los Angeles, United States District Court Case No. CV 07-238 ABC (JWJx) inasmuch as the court's decision is final.
2. **INSTRUCT** the Planning Department, in consultation with the City Attorney, to prepare an ordinance within three months that incorporates sign districts and the "consensus" sign code revisions proposed in the Planning Department report, and an ordinance to regulate mural signs without granting special size allowances.
3. **REQUEST** the City Attorney to finalize the Administrative Code Enforcement Ordinance to increase penalties for violations of the sign ordinance.

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. (27) - ADOPTED - SEE FOLLOWING**

**Roll Call #27 - Adopted, Ayes (10); Absent: Cárdenas, Krekorian, LaBonge, Rosendahl and President Garcetti (5)**

[10-1813](#)

CD 5

APPEAL FILED BY WOLFGANG VEITH, brought under the California Public Resource Code, Section 21151(c) of the California Environmental Quality Act, from the determination of the City Planning Commission in adopting Mitigated Negative Declaration No. ENV-2009-904-MND-REC1 for the proposed construction of a six-story multi-family residential apartment building comprised of 31-apartment units, including three restricted affordable units for very low-income households for property at 11024 Strathmore Drive.

DIR-2009-1010-DRB-SPP-DB-GB-1A

Applicant: Ben Brosseau, PPC Land Venture

(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**

**MITIGATED NEGATIVE DECLARATION and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT** relative to appeals of the Mitigated Negative Declaration for property at 11024 Strathmore Drive.

**Recommendations for Council action:**

- 1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the 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. 10-1813 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-2009-904-MND-REC1] July 17, 2009.**
- 2. ADOPT the FINDINGS of the Planning and Land Use Management as the Findings of the Council.**

3. **RESOLVE TO GRANT IN PART/DENY IN PART THE APPEAL** filed by Wolfgang Veith, brought under California Public Resources Code, Section 21151c of the California Environmental Quality Act, from part of the determination of the CPC, and **THEREBY ADOPT Mitigated Negative Declaration No. ENV-2009-904-MND-REC1** in connection with the proposed construction of a multi-family residential apartment building comprised of 29 residential dwelling units, including 2 very low-income household units, for property at 11024 Strathmore Drive. (The CPC also reduced the approved height to 55 feet and approved a Density Bonus Compliance Review, subject to modified Conditions of Approval, for this project.)

**Applicant: Ben Brousseau, PPC Land Ventures, Inc.**

**DIR-2009-1010-DRB-SPP-DB-GB-1A**

**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.

**Roll Call #3 - Adopted, Ayes (10); Absent: Hahn, Parks, Perry, Rosendahl and Wesson (5)  
(Item Nos. 28-33)**

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

[10-0006-S19](#)

CD 2

COMMUNICATION FROM THE CHIEF OF POLICE relative to the payment of a Graffiti Apprehension Reward for a vandalism incident that occurred at 6600 Laurel Canyon Boulevard on September 13, 2010.

(Public Safety 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**

**PUBLIC SAFETY COMMITTEE REPORT** relative to the payment of a Graffiti Apprehension Reward for a vandalism incident that occurred at 6600 Laurel Canyon Boulevard.

**Recommendations for Council action:**

1. **APPROVE** the \$1,000 Graffiti Apprehension Reward payment for the incident that occurred at 6600 Laurel Canyon Boulevard on September 13, 2010.
2. **AUTHORIZE** the City Clerk to pay this claim from the Vandalism and Graffiti Trust Fund No. 870.

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

**Community Impact Statement: None submitted.**

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

[08-2939-S1](#)

TRANSPORTATION COMMITTEE REPORT relative to banning vehicles with for sale signs parking on City streets.

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

REQUEST the City Attorney to prepare and present an ordinance to ban vehicles with for sale signs parking on Los Feliz Boulevard from Vermont Avenue to the Los Angeles River, and on Franklin Avenue between Western and Normandie Avenues.

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

**Community Impact Statement:** None submitted.

**ITEM NO. (30) - ADOPTED**

[09-0600-S173](#)

TRANSPORTATION COMMITTEE REPORT relative to expanding the Los Angeles Department of Transportation's (LADOT) Card and Coin Parking Meter lease with IPS Group, Inc.

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

1. AUTHORIZE the LADOT to:
  - a. Amend the existing lease agreement (C-117382) with IPS Group, Inc. to include an additional 10,000 parking meters.
  - b. Extend the Pay to Park Policy, requiring payment to park unless legally exempt, to all Card and Coin Meters.
2. AUTHORIZE the reallocation of \$150,000 from savings in the Contractual Services Account No. 0050 (Fiscal Year 2010) in the Special Parking Revenue Fund (Fund 363/94) for the purpose of expanding the Card and Coin Meter lease agreement.
3. AUTHORIZE the City Administrative Officer to make technical adjustments as necessary to implement the intent of the actions of the Mayor and Council.

4. DIRECT the LADOT to report relative to parking meter and parking violation revenue by geographic area; and, in consultation with Council Offices and local business districts, to identify areas to expand and implement new parking meter zones, in particular in areas located in Council District 12.

Fiscal Impact Statement: The LADOT reports that this action will not impact the general Fund inasmuch as the costs associated with parking meter maintenance are borne by the Special Parking Revenue Fund. However, additional citation revenue, resulting from improved parking meter operability, may moderately increase revenue to the General Fund, depending upon future usage and compliance.

The expansion of the lease agreement during the current fiscal year is expected to cost approximately \$850,000. The Fourth Financial Status Report in Fiscal Year 2010 included \$700,000 for the parking meter lease, but was not expended due to delays resulting from the availability of electronic components for the meters. An additional \$150,000 in prior year savings in the SPRF Contractual Services Account No. 0050 (Fiscal Year 2010) has been identified as available for this purpose. Additional meter revenue will be generated from the new parking meters to entirely offset these expenses. A provision of the lease agreement guarantees that costs will never exceed the additional revenue generated.

LADOT expects a net increase in meter revenue to the SPRF of approximately \$500,000 annually as a result of the expansion of the Card and Coin Meter lease agreement.

Community Impact Statement: None submitted.

## ITEM NO. (31) - ADOPTED

[09-2777](#)

TRANSPORTATION COMMITTEE REPORT relative to the 2010-11 private ambulance service fee rate adjustment.

Recommendations for Council action:

1. APPROVE the 2010-11 private ambulance service rate adjustment, as approved by the Board of Transportation Commissioners at its meeting held October 14, 2010.
2. REQUEST the City Attorney to prepare and present an ordinance approving resolution of the Board of Transportation Commissioners, designated as Board Order No. 596, fixing rates and charges for private ambulance service in the city of Los Angeles.

Fiscal Impact Statement: The Los Angeles Department of Transportation reports that this action will not impact the General Fund. The rates and charges proposed by the Department are those charged to customers. They do not affect the fees paid to the City for permitting private ambulance vehicles.

Community Impact Statement: None submitted.

**ITEM NO. (32) - ADOPTED**

10-0600-S49

TRANSPORTATION COMMITTEE REPORT relative to expenditure guidelines and the 2010-11 Adopted Budget for the City's Measure R Local Return Fund.

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

1. ADOPT the following uses of Unallocated Measure R Local Return Funds for the amounts specified:

<u>Project/Use</u>	<u>Amount</u>
ARRA - Transit Priority System	\$ 575,000
ARRA - Railroad Grade Panel Project	945,000
ATSAC Harbor Gateway 2 Project Shortfall	1,947,000
Transportation Contingency (modified)	<u>500,000</u>
Total	\$3,967,000

2. REFER back to the Transportation Committee the recommendations of the City Administrative Officer (CAO) relative to the remaining proposed uses of Unallocated Measure R Local Return Funds as specified in Attachment 1 of the CAO's report to Council dated December 3, 2010 (attached to the Council file), and related actions.
3. DIRECT the Los Angeles Department of Transportation to report to the Transportation Committee at its meeting to be held January 26, 2011, relative to the elements of the proposed pedestrian safety program, and funding for bicycle and pedestrian projects for areas of the city such as South Los Angeles that have been historically underserved.
4. CONTINUE to defer the Haskell Avenue widening project as listed in Attachment 2 of the CAO report to Council dated December 3, 2010.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. The 2010-11 Adopted Budget for the Measure R Local Return Fund includes an unallocated balance of \$12,674,450. This CAO's report includes recommendations for allocating these funds to the projects listed in Attachment 1 of the December 3, 2010 report.

Community Impact Statement: None submitted.

**ITEM NO. (33) - ADOPTED**

10-1851

CD 11

CATEGORICAL EXEMPTION, TRANSPORTATION COMMITTEE REPORT and RESOLUTION relative to the establishment of Overnight Parking District (OPD) No. 547.

Recommendations for Council action:

1. FIND that the establishment of OPD No. 547, pursuant to Los Angeles Municipal Code (LAMC) Section 80.54, is exempt from the California Environmental Quality Act (CEQA) as a Class 1 Categorical Exemption, under III.1.a.3 of the 2002 Los Angeles City CEQA Guidelines.

2. FIND that the west side of Penmar Avenue between Lake Street and Indiana Avenue, and Penmar between Indiana and Rose Avenues is developed with single-family residential dwelling units which lack adequate off-street parking, where the residents depend upon being able to park on the street adjacent to their homes and where residents are unable to find overnight parking on the block due to the overnight parking of nonresidents on their blocks.
3. ADOPT the accompanying RESOLUTION establishing OPD No. 547, pursuant to LAMC Section 80.54 to include a 400-foot long stretch of the western side of the following street segments:
  - a. Penmar Avenue between Rose and Indiana Avenues
  - b. Penmar Avenue between Indiana Avenue and Lake Street
4. AUTHORIZE the Los Angeles Department of Transportation (LADOT) to immediately post signs upon adoption of the Resolution which state: "No Parking, 2 AM to 6 AM, District No. 547 Permits Exempt" parking restriction on the western side both street segments comprising this district unless otherwise set forth below or except for areas where parking is currently prohibited at all times in the interest of traffic flow or safety.
5. AUTHORIZE the posting of "No Parking, 2 AM to 6 AM; District No. 547 Permits Exempt" parking restriction on all non-posted residential street segments within OPD 547, upon receipt by LADOT of written request from the Councilmember representing the specific street segment.
6. FIND that the Los Angeles Police Department should have the primary responsibility for the enforcement of the authorized overnight parking restriction in OPD No. 547, with support from LADOT Parking Enforcement, since the reported problems involve criminal activity.
7. INSTRUCT the LADOT to initiate the necessary procedures to prepare, issue, and collect payments for Overnight Parking Permits from the residents of OPD No. 547 in accordance with LAMC Section 80.54, where the following permit conditions will apply:
  - a. Maximum of 3 Resident Permits per dwelling unit at \$15 each per year
  - b. Maximum of 2 Visitor Permits per dwelling unit at \$10 each per four months
  - c. Maximum of 25 Guest Permits per dwelling unit per day at \$1 each per day
  - d. Sales of Guest Permits in excess of 25 per dwelling unit per day require written approval of Council District 11.
8. DIRECT the LADOT to remove the authorized OPD NO. 547 parking restrictions for any of the street segments within OPD No. 547 in accordance with the criteria set forth in Recommendation Nos. 3, 4, and 5, except for areas where parking is currently prohibited at all times in the interest of traffic flow or safety, upon receiving written instructions from the Council Office representing the specific street segment (11th District) requesting the removal of such signs.

Fiscal Impact Statement: The LADOT reports that OPDs with permits for residents and their guests are considered a special service, and the City is entitled to fully recover the costs of administering, posting, maintaining, and enforcing OPDs through the fees charged for permits. In addition to recovering the full cost of the Overnight Parking Program from permit fees, the City may gain additional General Fund revenue from the issuance of parking citations to violators of the OPD's parking restrictions.

Community Impact Statement: None submitted.



## Items for Which Public Hearings Have Not Been Held - Items 34-50

(10 Votes Required for Consideration)

Roll Call #4 - Adopted, Ayes (12); Absent: Hahn, Parks and Wesson (3)  
(Item Nos. 34-36)

### ITEM NO. (34) - ADOPTED

[10-1888](#)

CD 15

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Gaffey and Gatun Streets 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 December 1, 2010.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **FEBRUARY 16, 2011** as the hearing date for the maintenance of the Gaffey and Gatun Streets 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, \$6,086.80 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: February 9, 2011)

### ITEM NO. (35) - ADOPTED

[10-0005-S881](#)

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 December 8, 2010:

[10-0005-S881](#)

CD 15

- a. Property at 637 East 111th Place a.k.a. 637 1/2 East 111th Place (Case No. 219479). Assessor I.D. No. 6071-006-015

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on January 8, 2009)

[10-0005-S882](#)

CD 8

- b. Property at 8851 South Hoover Street (Case No. 75921).  
Assessor I.D. No. 6038-015-026

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on January 25, 2007)

[10-0005-S883](#)

CD 10

- c. Property at 2001 South West Boulevard a.k.a. 2003 1/2 South West Boulevard (Case No. 294170).  
Assessor I.D. No. 5061-009-013

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 23, 2010)

[10-0005-S884](#)

CD 1

- d. Property at 1255 West Bellevue Avenue (Case No. 8598).  
Assessor I.D. No. 5405-024-009

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 25, 2005)

[10-0005-S885](#)

CD 8

- e. Property at 1818 West Jefferson Boulevard a.k.a. 1818 1/2 West Jefferson Boulevard (Case No. 141624).  
Assessor I.D. No. 5041-005-003

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

[10-0005-S886](#)

CD 9

- f. Property at 205 West 54th Street a.k.a. 205 1/2 West 54th Street (Case No. 222107).  
Assessor I.D. No. 5101-033-028

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

[10-0005-S887](#)

CD 10

- g. Property at 2101 South Marvin Avenue (Case No. 127257).  
Assessor I.D. No. 5064-017-013

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 12, 2008)

[10-0005-S888](#)

CD 1

- h. Property at 2401 West 10th Street a.k.a. 2401 1/2 West 10th Street (Case No. 296980).  
Assessor I.D. No. 5136-002-011

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on September 9, 2010)

[10-0005-S889](#)

CD 1

- i. Property at 3100 East Division Street (Case No. 3230).  
Assessor I.D. No. 5455-002-012

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on October 17, 2000)

[10-0005-S890](#)

CD 1

- j. Property at 3100 East Division Street (Case No. 6905).  
Assessor I.D. No. 5455-002-012

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 13, 2003)

[10-0005-S891](#)

CD 14

- k. Property at 3811 North Monterey Road a.k.a. 3811 1/2 North Monterey Road (Case No. 263363).  
Assessor I.D. No. 5302-028-030

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 15, 2010)

[10-0005-S892](#)

CD 14

- l. Property at 5150 East Ithaca Avenue (Case No. 256434).  
Assessor I.D. No. 5216-021-010

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on December 22, 2009)

[10-0005-S893](#)

CD 14

- m. Property at 531 South Bernal Avenue (Case No. 211755).  
Assessor I.D. No. 5186-007-054

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

[10-0005-S894](#)

CD 4

- n. Property at 7317 West Hawthorn Avenue a.k.a. 1600 North Martel Avenue (Case No. 231070).  
Assessor I.D. No. 5550-016-010

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on October 8, 2009)

[10-0005-S895](#)

CD 1

- o. Property at 800 North Laguna Avenue a.k.a. 808 North Laguna Avenue (Case No. 278284).  
Assessor I.D. No. 5404-022-030

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on October 28, 2010)

**ITEM NO. (36) - ADOPTED - SEE FOLLOWING**

[10-1856](#)

COMMUNICATION FROM THE CITY TREASURER relative to unclaimed checks drawn from active bank account.

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

AUTHORIZE the City Treasurer to transfer \$3,957.84 from the Registered Bond Interest Account to the General Fund, in accordance with the authority of the State Government Code and City of Los Angeles Administrative Code.

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

Community Impact Statement: None submitted.

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

**ADOPTED**

**MOTION (PARKS - SMITH)**

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

**AUTHORIZE the City Treasurer to transfer \$3,957.84 from the Registered Bond Interest Account to the General Fund, in accordance with the authority of the State Government Code and City of Los Angeles Administrative Code.**

**ITEM NO. (37) - RECEIVE AND FILE - SEE FOLLOWING**

**Roll Call #25 - Adopted to Receive and File, Ayes (10); Absent: Cárdenas, Krekorian, LaBonge, Rosendahl and President Garcetti (5)**

[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 December 7, 2010)

## RECEIVE AND FILE

### MOTION (PARKS - SMITH)

**Recommendation for Council action:**

**RECEIVE and FILE reports from the City Administrative Officer, Chief Legislative Analyst, and Mayor relative to the feasibility of ending the Modified Coverage Plan for the Los Angeles Fire Department through various budgetary savings and increased revenues.**

## ITEM NO. (38) - ADOPTED

**Roll Call #17 - Adopted, Ayes (15)**

### [10-0708-S2](#)

COMMUNICATION FROM THE BOARD OF WATER AND POWER COMMISSIONERS relative to extending the appointment of Mr. Austin Beutner as temporary General Manager, Los Angeles Department of Water and Power (LADWP), for up to an additional four months.

Recommendation for Council action:

CONCUR with the Board of Water and Power Commissioners' (Board) action of October 19, 2010, Resolution No. 011-110, to extend the appointment of Mr. Austin Beutner as temporary General Manager of the LADWP for up to an additional two months pending the appointment of a permanent General Manager as detailed in the November 19, 2010 Board report and attached to the Council file.

Community Impact Statement: None submitted.

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

**ITEM NO. (39) - RECEIVE AND FILE - SEE FOLLOWING**

**Roll Call #28 - Adopted to Receive and File, Ayes (10); Absent: Cárdenas, Krekorian, LaBonge, Rosendahl and President Garcetti (5)**

[10-1160](#)

COMMUNICATION FROM THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF LOS ANGELES (CRA/LA) relative to amending the CRA/LA Early Retirement Incentive Program (ERIP) Side Letter.

Recommendation for Council action:

AUTHORIZE the Chief Executive Officer, CRA/LA, to execute an Amendment to the CRA/LA ERIP Side Letter, allowing for an additional ten employees to retire under ERIP beyond the amount necessary to achieve the original salary savings goal of \$6.4 million.

Fiscal Impact Statement: CRA/LA reports that there is no fiscal impact to the City's General Fund as a result of this action.

Community Impact Statement: None submitted.

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

**RECEIVE AND FILE**

**MOTION (WESSON - REYES)**

**Recommendation for Council action:**

**RECEIVE and FILE the Community Redevelopment Agency (CRA/LA) report relative to amending the CRA/LA Early Retirement Incentive Program Side Letter.**

**Roll Call #4 - Adopted, Ayes (12); Absent: Hahn, Parks and Wesson (3)  
(Item Nos. 40-42)**

**ITEM NO. (40) - ADOPTED**

[10-1862](#)

COMMUNICATION FROM THE DEPARTMENT OF GENERAL SERVICES (GSD) relative to a new lease for a food service business in Suite 210, City Hall, with Homeboy Industries, Inc., doing business as Homeboy General Store.

Recommendation for Council action:

AUTHORIZE the GSD to negotiate and execute a new lease with Homeboy Industries, Inc., under the terms and conditions substantially as outlined in the GSD report dated November 18, 2010, attached to the Council file.

Fiscal Impact Statement: The GSD reports that the fixed minimum rent will add \$900.00 per month or \$10,800.00 annually to the General Fund.

Community Impact Statement: None submitted.

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

## **ITEM NO. (41) - ADOPTED**

[10-1863](#)

COMMUNICATION FROM THE DEPARTMENT OF GENERAL SERVICES (GSD) relative to a new lease for a food service business in Space 11 on the first floor of City Hall East with High Rise Goodies Restaurant Group, Inc. (HRG), doing business as Café Trimana.

Recommendations for Council action:

1. FIND that the City has under the facts complied with its obligation to obtain competitive proposals as far as reasonably practicable and compatible with the City's interests.
2. WAIVE the timeliness aspect/late submission of the Affidavit of Non-Collusion.
3. APPROVE the subject lease with HRG 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 the fixed minimum rent will add \$822.50 per month or \$9,870.00 annually to the General Fund.

Community Impact Statement: None submitted.

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

## **ITEM NO. (42) - ADOPTED**

[10-1864](#)

COMMUNICATION FROM THE DEPARTMENT OF GENERAL SERVICES (GSD) relative to an amendment to the lease agreement with Watts Civic Center in order to add the Community Redevelopment Agency (CRA) as a sub-tenant.

Recommendations for Council action:

1. AUTHORIZE the GSD to negotiate and execute an amendment to the City's lease agreement with Watts Civic Center in order to provide office space at 10221 South Compton Avenue, Los Angeles, CA 90002 to the CRA for its Watts Regional Office and extend the lease term an additional three years.
2. AUTHORIZE the GSD to enter into a sublease with the CRA for office space at the Watts Civic Center.

Fiscal Impact Statement: The GSD reports that the lease cost for the total office spaces is estimated to be \$163,075.80 for the initial year of tenancy. The CRA will reimburse the City leasing account for the cost of its office space of 1,221 square feet, estimated to be \$2,332.11 monthly for an estimated amount of \$27,985.32 for the first year of its tenancy. The GSD will pay the cost associated with the relocation of Finance to the first floor and improvements to its suite that is estimated to be \$9,284, including installation of an impact resistant glass partition over the existing counter, and construction costs for improvements to the Council District 15 offices estimated at \$7,291. Sufficient funds are budgeted in leasing account 6030 Fiscal Year 2010-11 to cover the estimated costs. The CRA will pay for any tenant improvements and costs associated with occupancy of its new premises on the second floor.

Community Impact Statement: None submitted.

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

#### **ITEM NO. (43) - RECEIVE AND FILE**

**Roll Call #26 - Adopted to Receive and File, Ayes (10); Absent: Cárdenas, Krekorian, LaBonge, Rosendahl and President Garcetti (5)**

##### [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 December 7, 2010)

**Roll Call #4 - Adopted, Ayes (12); Absent: Hahn, Parks and Wesson (3)  
(Item Nos. 44-47)**

#### **ITEM NO. (44) - ADOPTED**

##### [10-1894](#)

CD 13

MOTION (PERRY for GARCETTI - PARKS) relative to funding for the necessary hazard removal work, on damages caused by the 2010 storms, located at Sunset Boulevard near Coronado Terrace in Council District 13.

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



1. AUTHORIZE and INSTRUCT the Department of Public Works, Bureau of Engineering, to conduct the necessary hazard removal work, on damages caused by the 2010 storms, located at Sunset Boulevard near Coronado Terrace in Council District 13 including, but not limited to, the following storm related work: removal of tree stump at top of face of the cut slope, scale loose jointed bedrock from face of the cut using specialized equipment, and remove pile of debris and clean area free of dirt and dust.
2. AUTHORIZE the Controller to TRANSFER/APPROPRIATE \$37,000 within the Special Gas Tax Street Improvement Fund No. 206/50 from Emergency Repairs, Account No. G202 (storm damage related work) to a new account entitled, Sunset Boulevard Emergency Repairs, Account XXX.
3. AUTHORIZE the City Administrative Officer to make technical corrections as necessary to implement the intentions set forth above.

**ITEM NO. (45) - ADOPTED**

[10-1643-S1](#)

CD 9

MOTION (PERRY - SMITH) relative to funding for services in connection with the November 5, 6, and 13, 2010 Collage Dance Theatre Council District Nine Governing Bodies in the City Hall Tom Bradley Room.

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

APPROPRIATE \$3,287 from the Unappropriated Balance Fund No. 100/58 to the General Services Fund No. 100/40, as follows: \$667 to Account No. 1070 (Salaries - As Needed - Parking), \$345 to Account No. 1090 (Salaries - Overtime - custodial) and \$2,275 to Account No. 1090 (Salaries - Overtime - security) for services in connection with the November 5, 6, and 13, 2010 Collage Dance Theatre Council District Nine Governing Bodies in the Tom Bradley Room and Third Floor of City Hall - said funds to be reimbursed to the General Fund by Collage Dance Theatre.

**ITEM NO. (46) - RECEIVE AND FILE**

[10-1895](#)

MOTION (PERRY - SMITH) relative to the Los Angeles Police Department (LAPD) reporting to Council on a Public Services Announcement.

Recommendation for Council action:

DIRECT the LAPD to report to Council at its meeting of December 15, 2010, relative to the "Everyone Has Choices" Public Service Announcement.

**ITEM NO. (47) - ADOPTED**

[09-2729-S1](#)

MOTION (CÁRDENAS - KREKORIAN) relative to the Information Technology Agency (ITA) negotiating and executing an amendment to Contract No. 114340.

Recommendation for Council action:

AUTHORIZE the General Manager, ITA, or designee, to negotiate and execute an amendment to Contract No. 114340 for an amount not to exceed \$86,400 to allow the City's Financial Management System (FMS) project vendor, CGI Technologies and Solutions, Inc., to complete a Citywide Resources Impact/Skills Analysis with select City departments that will help to ensure a smooth transition from Financial Management Information System to FMS by the go-live date of July 5, 2011, subject to the approval of the City Attorney as to form.

**ITEM NO. (48) - CONTINUED TO JANUARY 5, 2011**

**Roll Call #5 - Adopted to Continue, Ayes (12); Absent: Hahn, Parks and Wesson (3)**

[10-0010-S47](#)

MOTION (ALARCÓN - CÁRDENAS) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Armando Sanchez Velazquez on October 18, 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 Armando Sanchez Velazquez on October 18, 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.

**ITEM NO. (49) - ADOPTED**

**Roll Call #19 - Adopted, Ayes (15)**

[10-0002-S103](#)

RESOLUTION (CÁRDENAS - PARKS) relative to the City's position in connection with Islamaphobia and repudiate random acts of violence against Muslim Americans.

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

1. RESOLVE to include in the City's 2011-12 State and Federal Legislative Program SUPPORT and SPONSORSHIP of legislation which would OPPOSE Islamaphobia and Repudiate random acts of violence against Muslim Americans.
2. REQUEST the Commission for Community and Family Services to report to Council on the status of the Muslim American Task Force and any other initiatives impacting the Ecumenical Affairs of the City of Los Angeles and its constituents.

**Roll Call #4 - Adopted, Ayes (12); Absent: Hahn, Parks and Wesson (3)  
(Item Nos. 50a-50d)**

**ITEM NO. (50) - MAPS AND BONDS APPROVED - CITY ENGINEER REPORTS ADOPTED**

10-1917

et al. FINAL MAPS in the various Council Districts.

Recommendation for Council action:

APPROVE the Final Maps and ADOPT the City Engineer Reports as detailed in the various listed Council files, including bonds, agreements, contracts and other related issues as specified:

10-1917

CD 14

- a. FINAL MAP OF TRACT NO. 62471 for property located at 214 West Fifth Street easterly of Broadway.  
(Bond No. C-118213)  
(Quimby Fee: \$138,578.88)  
Applicants: Fifth Street Funding, Inc.  
Land Design Consultants

10-1918

CD 11

- b. FINAL MAP OF TRACT NO. 63052 for property located at 1411-19 South Main Street lying northerly of Market Street.  
(Bond No. C-118214)  
(Quimby Fee: \$36,462)  
(Less Dwelling Unit Construction Tax: \$1,200)  
Applicants: Venice Beach Townhome  
Harvey Goodman

10-1923

CD 11

- c. FINAL MAP OF TRACT NO. 54168 for property located at 7100 Alvern Street lying easterly of Thornburn Street.  
(Bond No. C-118215)  
(Quimby Fee: \$182,000)  
Applicants: Pacific Northstar, Westchester, LLC  
Iacobellis & Associates

10-1922

CD 11

- d. PARCEL MAP L.A. NO. 2007-4165 for property located at 11-15 East Union Jack Street southerly of Alley commonly known as Speedway.  
(Bond No. C-118216)  
Applicants: Highland Capital, Inc.  
RS Engineering Co.

## Closed Sessions - Items 51-56

### ITEM NO. (51) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Roll Call #9 - Adopted in Open Session, Ayes (13); Absent: Parks and Wesson (2)  
(Item Nos. 51-54)

#### [10-1795](#)

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 Samuel Booker v. City of Los Angeles, Workers' Compensation Appeals Board EAMS No.: ADJ6749231. (Claimant alleges he sustained personal injuries during the course and scope of his employment as a Security Officer for the Los Angeles Police Department.)

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

### ADOPTED

#### MOTION (SMITH - HUIZAR)

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

1. **AUTHORIZE** the City Attorney to enter into a settlement in the case entitled Samuel Booker v. City of Los Angeles, EAMS No.: ADJ6749231 through a Stipulated Award in the total amount of \$142,897.50. After taking credit for permanent disability payments, the total new money pay-out will be \$120,778.73.
2. **AUTHORIZE** the City Attorney to execute the Stipulated Award with all appropriate parties for submission to the Workers' Compensation Appeals Board for its award of payment.

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

### ITEM NO. (52) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

#### [10-1820](#)

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 City of Los Angeles v. Unified Parking Service, Inc., Los Angeles Superior Court Case No. BC415775. (This matter involves an offer of settlement made by Unified Parking Service, Inc. to resolve three of the City's actions against it for delinquent Parking Occupancy and Business Taxes.)

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

### ADOPTED

#### MOTION (SMITH - HUIZAR)

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

1. **AUTHORIZE** the City Attorney and Office of Finance to enter into a settlement in the above-entitled matter and **APPROVE** an offer in compromise relating to Unified Parking Service, Inc. (Unified), in which Unified agrees to pay to the City the sum of \$850,000 over three years and to dismiss its Cross-Complaint against the City. In return, the City agrees to dismiss with prejudice three Complaints it has filed against Unified for delinquent Parking Occupancy and Business Taxes.
2. **AUTHORIZE** the following payment schedule for the \$850,000 from Unified:

Unified's payments would be made over 36 months, with the first payment beginning on the first of the month following Council approval. The payments for the first year would be \$32,500 per month, followed by \$22,500 per month for the second year, and \$15,833.33 per month for the third year. Since the payments are heavily weighted in the beginning, the City would be receiving nearly half of the settlement amount by the end of the first year. Additionally, the City would receive interest at 7 percent during the last twelve months, and in the event of any late payment, the City would receive interest from the beginning of the second year.

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

**ITEM NO. (53) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING**

[10-1873](#)

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 John Cota v. City of Los Angeles, Workers' Compensation Appeals Board EAMS No.: ADJ2820211. (Claimant alleges he sustained personal injuries during the course and scope of his employment as a Detective for the Los Angeles Police Department.)

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

**ADOPTED**

**MOTION (SMITH - HUIZAR)**

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

1. **AUTHORIZE** the City Attorney to enter into a settlement in the case entitled John Cota v. City of Los Angeles, EAMS No.: ADJ2820211 through a Stipulated Award at 72 percent in the amount of \$125,617.50, plus a life pension of approximately \$61,093.68 at the weekly rate of \$92.77 payable at the conclusion of permanent disability payments. After taking credit for \$12,086.21, the total new money pay-out will be an estimated \$174,624.97.
2. **AUTHORIZE** the City Attorney to execute the Stipulated Award with all appropriate parties for submission to the Workers' Compensation Appeals Board for its award of payment.

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

**ITEM NO. (54) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING**

[10-1874](#)

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 Alex Johnson v. City of Los Angeles, Workers' Compensation Appeals Board EAMS Nos.: ADJ3173251, ADJ3915234, ADJ906399, ADJ1224504, ADJ4448043. (Claimant alleges he sustained personal injuries during the course and scope of his employment as a Service Sanitation Truck Operator for the City of Los Angeles.)

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

**ADOPTED**

**MOTION (SMITH - HUIZAR)**

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

1. **AUTHORIZE the City Attorney to enter into a settlement in the case entitled Alex Johnson v. City of Los Angeles, EAMS Nos.: ADJ3173251, ADJ3915234, ADJ906399, ADJ1224504, ADJ4448043 through a Stipulated Award for 80 percent permanent disability in the amount of \$118,795, plus a life pension with an actuarial value estimated at \$54,271.62 at the weekly rate of \$77.31 payable at the conclusion of permanent disability payments. After taking credit for \$46,622.50, the total new money pay-out will be \$126,444.12.**
2. **AUTHORIZE the City Attorney to execute the Stipulated Award with all appropriate parties for submission to the Workers' Compensation Appeals Board for its award of payment.**

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

**ITEM NO. (55) - REFERRED TO BUDGET AND FINANCE and INFORMATION TECHNOLOGY GOVERNMENT AFFAIRS COMMITTEES**

**Roll Call #8 - Adopted to Refer, Unanimous Vote (15)**

[10-0830](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to pending litigation in the case entitled The Latino Museum of History, Art and Culture v. The Latino Theater Company, et al., Declaratory Relief and Damages from Lease Dispute Los Angeles Theater Center, Los Angeles Superior Court Case No. BC 415241. (This case involves a dispute between the tenants at the Los Angeles Theatre Center.)

(Information Technology and Government Affairs and Budget and Finance Committees to consider the above matter in Closed Session on December 14, 2010.)

**ITEM NO. (56) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING**

**Roll Call #29 - Adopted in Open Session, Ayes (10); Absent: Cárdenas, Krekorian, LaBonge, Rosendahl and President Garcetti (5)**

[09-0670](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to pending litigation in the case entitled City of Gardena v. City of Los Angeles, et al., Wespac Pipelines – LAX Real Party in Interest BS 121134 (This matter relates to a Wespac Jet Fuel pipeline franchise – Council District 15).

(Transportation Committee waived consideration of the above matter)

**ADOPTED**

**MOTION (ALARCÓN - KORETZ)**

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

**DIRECT the City Attorney not to appeal the judgment and to accept the offer from WESPAC Pipelines Los Angeles LLC with regard to indemnity in the case entitled City of Gardena v. City of Los Angeles, et al., Wespac Pipelines - LAX Real Party in Interest BS 121134.**

(Transportation 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, DECEMBER 15, 2010 PURSUANT TO GOVERNMENT CODE SECTION 54954.2(b)(2) AND COUNCIL RULE 23**

**ADOPTED - FORTHWITH**

**Roll Call #30 - Motion (Parks - Perry) Findings on Need to Act - Adopted, Ayes (10); Absent: Cárdenas, Krekorian, LaBonge, Rosendahl and President Garcetti (5)**

**Roll Call #31 - Motion (Parks - Perry) Adopted, Ayes (10); Absent: Cárdenas, Krekorian, LaBonge, Rosendahl and President Garcetti (5)**

[07-0010-S16](#)

**MOTION (PARKS - PERRY) relative to reinstating the reward offer in the death of Jose Ramiro Garcia for an additional six months.**

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

**REINSTATE for an additional six months from the publication of the offer of reward by the Office of the City Clerk and, further that the sum of \$50,000 shall be the aggregate maximum sum of any payment or payments of a City reward instance.**

**ADOPTED - FORTHWITH**

**Roll Call #32 - Motion (Wesson - Perry) Findings on Need to Act - Adopted, Ayes (10); Absent: Cárdenas, Krekorian, LaBonge, Rosendahl and President Garcetti (5)**

**Roll Call #33 - Motion (Wesson - Perry) Adopted, Ayes (10); Absent: Cárdenas, Krekorian, LaBonge, Rosendahl and President Garcetti (5)**

**10-0613**

**MOTION (WESSON - PERRY) relative to the study of the impact of Rent Stabilization Ordinance on the mobile home parks.**

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

- 1. INSTRUCT Los Angeles Housing Department (LAHD) to conduct further research on key issues that stakeholders have raised.**
- 2. AUTHORIZE the General Manager, LAHD to negotiate and execute a contract with the Economic Roundtable in the amount of \$25,000 from the Rent Stabilization Trust Fund to conduct a study of the impact of RSO on the mobile home parks and provide recommendations which focus on the unique financial characteristics of mobile homeowners and park owners.**
- 3. INSTRUCT the LAHD to work with the Western Manufactured Housing Communities Association and the law firm of Gilchrist & Rutter during this study.**

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

**10-1942**

**MOTION (HUIZAR - LABONGE) relative to initiating street vacation proceedings to vacate the alley westerly of Vine Street between Santa Monica Boulevard and Eleanor Avenue.**

**COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:**

**10-0004-S3 - Detective Il Federico Sicard**

**(Garcetti - All Councilmembers)**

**At the conclusion of this day's Council Session**

**ADJOURNING MOTIONS WERE ADOPTED in tribute to the memory of:**

**10-0003-S3 - Richard Gene Osorio**

**(Hahn - All Councilmembers)**

**Lucy Delgado**

**(Huizar)**

**Lee McClain**

**(Wesson)**



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

**Whereupon the Council did adjourn.**

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL

\*\*\*\*\*  
Regular meeting recessed at 12:31 p.m.  
Special meeting convened at 12:31 p.m.  
Special meeting recessed at 3:55 p.m.  
Regular meeting convened at 3:55 p.m.