

Los Angeles City Council, **Journal/Council Proceedings**
Tuesday, **February 22, 2011**
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: Hahn, Koretz, LaBonge, Perry, Reyes, Rosendahl, Smith, Wesson, Zine and President Garcetti (10); Absent: Alarcón, Cárdenas, Huizar, Krekorian and Parks (5)

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
FEBRUARY 16, 2011

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 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

Item Noticed for Public Hearing - Item 1

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

Roll Call #7 - Adopted, Ayes (13); Absent: Huizar and Parks (2)

[10-1958](#)
CD 9

CONTINUED CONSIDERATION OF HEARING PROTESTS and COMMENTS relative to the proposed levy of assessment of the Little Tokyo Business Improvement District, pursuant to the provisions of Section 54954.6 of the Government Code and Section 36500 et seq. of the Streets and Highways Code.

Recommendations for Council action:

1. FIND that the assessments imposed by the Little Tokyo Business Improvement District for the 2011 fiscal year (FY) provide services that directly benefit each of the businesses which pay the assessments.
2. FIND that the services funded by the assessment are provided only to each of the assessed businesses within the boundaries of the District.
3. FIND that the assessment imposed does not exceed the reasonable cost of conferring the benefits.

4. FIND that the assessments imposed by the Little Tokyo Business Improvement District for the 2011 FY are not a tax and are exempt under Proposition 26 pursuant to Article XIII C Section 1(e)(1).
5. CONTINUE the Public Hearing to **MARCH 22, 2011**.

(Final Hearing scheduled for March 22, 2011, pursuant to adoption of Ordinance of Intention No. 181536 by the City Council on January 26, 2011)

(Continued from Council meeting of February 15, 2011)

Items for Which Public Hearings Have Been Held - Items 2-20

ITEM NO. (2) - ADOPTED - SEE FOLLOWING

Roll Call #11 - Adopted, Ayes (13); Absent: Huizar and Parks (2)

11-0105

COMMUNICATION FROM THE MAYOR relative to the appointment of Ms. Jann Whetstone to the Commission on the Status of Women.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Jann Whetstone to the Commission on the Status of Women for the term ending June 30, 2012 is APPROVED and CONFIRMED. (Current Commission Gender Composition: M = 0; F = 6; Vacant = 1)

Ethics Commission Review: Complete.

Background Check Review: Complete.

Community Impact Statement: None submitted.

(Arts, Parks, Health and Aging 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, ARTS, PARKS, HEALTH AND AGING COMMITTEE relative to the appointment of Ms. Jann Whetstone to the Commission on the Status of Women.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Jann Whetstone to the Commission on the Status of Women for the term ending June 30, 2012 is APPROVED and CONFIRMED. Ms. Whetstone resides in Council District 8. (Current Commission gender composition: M=0; F=6; Vacant=1)

Ethics Commission Review: Complete.

Background Check Review: Complete.

Community Impact Statement: None submitted.

ITEM NO. (3) - ADOPTED

Roll Call #6 - Adopted, Ayes (12); Absent: Alarcon, Huizar and Parks (3)

10-2421

ENERGY AND ENVIRONMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to proposed First Amendment to Agreement Nos. 10196 and 10191 with the City of Riverside for Base and Additional Capacity Transmission Service in connection with the Intermountain Power Project (IPP).

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

1. CONCUR with the Board of Water and Power Commissioners' action of September 7, 2010, Resolution No. 011-067, authorizing First Amendments to Agreement Nos. 10196 and 10191 with the City of Riverside for Base and Additional Capacity Transmission Service as detailed in the Board of Water and Power Commissioner's September 8, 2010 report, attached to the Council file.
2. PRESENT and ADOPT the accompanying ORDINANCE approving the execution of the First Amendments to Los Angeles-Riverside IPP Base Capacity Transmission Service Agreement, the Los Angeles Department of Water and Power (LADWP) Agreement No. 10196 and Los Angeles-Riverside IPP Additional Capacity Transmission Service Agreement, the LADWP Agreement No. 10191 with the City of Riverside, which provides transmission service to the Adelanto Switching Station.

Fiscal Impact Statement: The City Administrative Officer reports that approval of the First Amendment to Agreement Nos. 10196 and 10191 with the City of Riverside will have no impact on the City's General Fund. The increase in annual revenue to the LADWP for the Riverside increased capacity of 49 megawatts is \$178,752.

Community Impact Statement: None submitted.

ITEM NO. (4) - ADOPTED

Roll Call #8 - Adopted, Ayes (13); Absent: Huizar and Parks (2)

[10-1892](#)

CD 15

ADMINISTRATIVE EXEMPTION, TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to amending Port of Los Angeles Tariff No. 4 Section Five, "Wharfage" Item Nos. 550-097 and 550-098, allowing for the Wharfage Reduction of 15 percent on Zero Emission Vehicles.

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

1. FIND that these actions, as described in the December 2, 2010 Board of Harbor Commissioners (Board) report, attached to the Council file, are exempt from the California Environmental Quality Act (CEQA) pursuant to Article II Section 2(f) of the Los Angeles City CEQA Guidelines.
2. APPROVE the amendment to Port of Los Angeles Tariff No. 4 Section Five, "Wharfage" Item Nos. 550-097 and 550-098, allowing for the Wharfage Reduction of 15 percent on Zero Emission Vehicles.
3. ADOPT Permanent Order No. 10-7061 to amend Port of Los Angeles Tariff No. 4 Section Five, "Wharfage" Item Nos. 550-097 and 550-098, allowing for the Wharfage Reduction of 15 percent on Zero Emission Vehicles.
4. PRESENT and ADOPT the accompanying ORDINANCE approving Permanent Order No. 10-7061 amending Port of Los Angeles Tariff No. 4 Section Five, "Wharfage" Item Nos. 550-097 and 550-098.

Fiscal Impact Statement: The Board reports that approval of Recommendation Nos. 1 through 4 will result in the transfer of Harbor Department assets valued at \$232,589 to the County of Los Angeles per terms of the March 2010 settlement between the Alameda Corridor Transportation Authority (ACTA) and the County. In exchange, the County will continue to bear the cost of maintaining and operating the Pump Station Project. These cost savings flow directly to ACTA and indirectly to the Port of Los Angeles as increased reliability of cargo movement and strengthened ACTA financial independence.

Community Impact Statement: None submitted.

ITEM NO. (5) - ADOPTED

Roll Call #6 - Adopted, Ayes (12); Absent: Alarcon, Huizar and Parks (3)

[11-0085](#)

CD 15

ADMINISTRATIVE EXEMPTION, TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT and ORDINANCES FIRST CONSIDERATION relative to proposed conveyance and easement deeds among the Los Angeles Harbor Department (LAHD), Port of Long Beach (POLB), and the County of Los Angeles (LAHD No. 70061).

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

1. FIND that these actions, as described in the January 11, 2011 Board of Harbor Commissioners (Board) report, attached to the Council file, are exempt from the California Environmental Quality Act (CEQA) pursuant to Article II Section 2(i) of the Los Angeles City CEQA Guidelines.
2. PRESENT and ADOPT the accompanying ORDINANCES approving the following Orders:
 - a. Order No. 10-7064 which approves and authorizes the execution of the Grant Deed for the Anaheim Street Drain and Pump Station Parcel 1F, by the LAHD to the Los Angeles County Flood Control District - LAHD No. 70061.
 - b. Order No. 10-7065 which approves and authorizes the execution of the Easement Deed for the Anaheim Street Drain and Pump Station Parcel 3DA, by the LAHD to the Los Angeles County Flood Control District - LAHD No. 70061.
 - c. Order No. 10-7066 which approves and authorizes the Easement Deed for the Anaheim Street Drain and Pump Station Parcel 4DA, by the LAHD to the Los Angeles County Flood Control District - LAHD No. 70061.
3. AUTHORIZE the Executive Director to execute and the Board Secretary to attest to the Grant and Easement Deeds upon approval by City Council.
4. ADOPT Order Nos. 10-7064, 10-7065 and 10-7066.

Fiscal Impact Statement: The Board reports that approval of Recommendation Nos. 1 through 4 will result in the transfer of Harbor Department assets valued at \$232,589 to the County of Los Angeles per terms of the March 2010 settlement between the Alameda Corridor Transportation Authority (ACTA) and the County. In exchange, the County will continue to bear the cost of maintaining and operating the Pump Station Project. These cost savings flow directly to ACTA and indirectly to the POLB as increased reliability of cargo movement and strengthened ACTA financial independence.

Community Impact Statement: None submitted.

**Roll Call #1 - Adopted, Ayes (11); Absent: Alarcon, Huizar, Krekorian and Parks (4)
(Item Nos. 6-20)**

ITEM NO. (6) - ADOPTED

[09-0406-S18](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to the City Treasurer's Investment and Cash Management Report for the month ending September 30, 2010.

Recommendation for Council action:

NOTE and FILE the City Treasurer's Investment and Cash Management Report for the month ending September 30, 2010.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (7) - ADOPTED

09-0406-S19

BUDGET AND FINANCE COMMITTEE REPORT relative to the City Treasurer's Investment and Cash Management Report for the month ending October 31, 2010.

Recommendation for Council action:

NOTE and FILE the City Treasurer's Investment and Cash Management Report for the month ending October 31, 2010.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (8) - ADOPTED

10-1928

ENERGY AND ENVIRONMENT COMMITTEE REPORT relative to approval of a Grant of Right to the Board of Public Works for street widening purposes in connection with the construction of Distributing Station No. 145.

Recommendation for Council action:

CONCUR with the Board of Water and Power Commissioners' (Board) action of December 7, 2010, Resolution No. 011-153, approving a Grant of Right to the Board of Public Works (BPW) for street widening purposes in connection with the construction of Distributing Station No. 145 as detailed in the Board's December 8, 2010 report, attached to the Council file.

Fiscal Impact Statement: The City Administrative Officer reports that the proposed action will have no impact on the City's General Fund. The Grant of Right will be conveyed at no cost to the Los Angeles Department of Water and Power and the BPW.

Community Impact Statement: None submitted.

ITEM NO. (9) - ADOPTED

11-0036

ENERGY AND ENVIRONMENT COMMITTEE REPORT relative to proposed contract with On-Site Truck Washing, Inc. (On-Site) for mobile washing services for the Bureau of Sanitation (BOS) Solid Resources Collection Truck Fleet.

Recommendations for Council action:

1. AUTHORIZE the Board of Public Works (Board) to execute a personal services contract with On-Site for mobile washing services for the BOS Solid Resources collection truck fleet with a term of five years, with one option to renew for three additional years, and a pre-determined price of \$10.99 per wash.
2. AUTHORIZE, upon approval by City Council, the Board President or two members of the Board to execute the contract, as described above in Recommendation No. 1.

Fiscal Impact Statement: The City Administrative Officer (CAO) reports that there is no General Fund impact. Funding in the amount of \$156,000 for the current fiscal year is available from the Solid Waste Resources Revenue Fund. The recommendations contained in the October 25, 2010 CAO report are consistent with the City's Financial Policies in that sufficient revenue funds are available for this purpose, and the continuation of this contract will be subject to the availability of funding appropriated in each fiscal year.

Community Impact Statement: None submitted.

ITEM NO. (10) - ADOPTED

[07-0010-S41](#)

PUBLIC SAFETY COMMITTEE REPORT relative to request for payment of reward offer for information leading to the arrest and conviction of the perpetrator sentenced for a series of burglaries in the hillside residential areas north of Sunset Boulevard.

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

APPROVE the \$50,000 Special Reward Payment for information leading to the apprehension and conviction of the perpetrator sentenced for a series of burglaries in the hillside areas north of Sunset Boulevard, as detailed in the February 1, 2011 Los Angeles Police Commission report, attached to the Council file.

Fiscal Impact Statement: Neither the City Administrative Officer or the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

ITEM NO. (11) - ADOPTED

[09-0235](#)

PUBLIC SAFETY COMMITTEE REPORT relative to offering rewards for information leading to the arrest and conviction of individuals who assault or shoot off-duty police officers.

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

REQUEST the City Attorney to prepare and present an ordinance amending the Los Angeles Administrative Code to offer rewards for information leading to the arrest and conviction of individuals who assault or shoot off-duty police officers.

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. (12) - ADOPTED

[09-3075](#)

PUBLIC SAFETY COMMITTEE REPORT relative to the 2010 Human Trafficking Task Force Initiative Program grant award for use by the Police Department.

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

APPROVE the recommendations of the City Administrative Officer (CAO) in the February 11, 2011, report to Council (attached to the Public Safety Committee Report) relative to retroactively authorizing the Police Department to apply for and accept a 2010 Human Trafficking Task Force Initiative Program grant award in the amount of \$170,000, from the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, for the period October 1, 2010, through September 30, 2011; executing a Memorandum of Agreement with the City of Long Beach to conduct human trafficking investigations; and, related actions.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. The above recommendations comply with City financial policies as one-time revenues are used to fund one-time expenses. The 2010 Human Trafficking Task Force Initiative Program costs are fully reimbursable and require a local match totaling \$56,667, which would be met using resources already budgeted within the Police Department's General Fund salary base.

Community Impact Statement: None submitted.

ITEM NO. (13) - ADOPTED

[10-0892](#)

PUBLIC SAFETY COMMITTEE REPORT relative to a supplemental grant award for the Los Angeles Police Department's (LAPD) Valley Crisis and Recovery Services (Valley CARES) Program.

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

1. AUTHORIZE the Chief of Police or designee to:
 - a. Accept the Law Enforcement Specialized Units Program (LESUP) supplemental grant award in the amount of \$25,366 from the State California Emergency Management Agency for the LAPD's Valley CARES Program for the period January 1, 2010, to December 31, 2010.
 - b. Execute the 2010 LESUP grant award agreement on behalf of the City and submit all necessary documents relative to the grant award and to negotiate, execute, and submit any other necessary agreements and documents relative to the grant, subject to the approval of the City Attorney as to form and legality.

2. AUTHORIZE the Controller to:

- a. Set up a grant receivable of \$25,366 and increase appropriation in Account No. G410, within the Police Department Grant Trust Fund No. 339/70, for the receipt and disbursement of grant funds.
- b. Increase appropriations as needed from Fund 339/70, Account No. G410 to Fund 100/70, Account No. 1092 Sworn Overtime by an amount not to exceed \$25,366.

3. AUTHORIZE the LAPD to:

- a. Submit grant reimbursement requests to the grantor and deposit grant receipts in the Police Department Grant Trust Fund No. 339/70.
- b. Prepare Controller's instructions for any technical adjustments consistent with this action, subject to the approval of the City Administrative Officer (CAO); and, authorize the Controller to implement the instructions.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. The above recommendations comply with City financial policies as one-time revenues are used to fund one-time expenses. An \$8,455 in-kind match is required for this grant which is provided in the form of original officers salaries. The cost of officers' salaries is included in the 2010-11 Adopted Budget since these positions are filled with existing LAPD personnel.

Community Impact Statement: None submitted.

ITEM NO. (14) - ADOPTED - TO THE MAYOR FORTHWITH

[10-1571](#)

PUBLIC SAFETY COMMITTEE REPORT relative to the 2009 Congressionally Selected Grant Program grant award for the Boyle Heights Gang Reduction and Youth Development (GRYD) Zone.

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

APPROVE the recommendations of the City Administrative Officer (CAO) in the January 26, 2011, report to the Mayor and Council (attached to the Public Safety Committee Report) relative to the 2009 Congressionally Selected Grant Program grant award in the amount of \$550,000, from the U.S. Department of Justice (DOJ), Bureau of Justice Assistance for the Boyle Heights GRYD Zone for the period July 1, 2009, through June 30 2011; amending contracts with Alma Family Services and Homeboy Industries to increase their contract amounts; and, related actions, as amended to reflect the following modification of the CAO's recommendation No. 4:

AUTHORIZE the Controller to:

- a. Establish a new fund entitled Boyle Heights Gang Reduction and Youth Development Zone Fund No. XXX/46; recognize a receivable in the amount of \$550,000; expend funds upon presentation and proper demand from the Mayor, or designee; and, establish appropriation accounts as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
G146	Salaries - Mayor's GRYD Office	\$ 59,393
G299	Related Costs - Fringe Benefits	12,607
G501	Contractual Services	<u>\$478,000</u>
	Total:	\$550,000

- b. Upon submission of proper documentation, transfer up to \$72,000 from 2009 Boyle Heights Gang Reduction and Youth Development Zone Grant Fund No. XXX/46, as follows:

	<u>Fund/Dept</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
From:	XXX/46	G146	Salaries - Mayor's GRYD Office	\$59,393
	XXX/46	G299	Related Costs - Fringe Benefits	<u>12,607</u>
			Total:	\$72,000

	<u>Fund/Dept</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
To:	XXX/46	1020	Salaries - Mayor's GRYD Office	\$59,393
	XXX/46	4681	Related Costs - Fringe Benefits	<u>12,607</u>
			Total:	\$72,000

Fiscal Impact Statement: Approving the CAO's recommendations will result in the continued implementation of gang intervention and prevention services in the Boyle Heights GRYD Zone. The CAO reports that this grant provides funding for contractual services and part of the Mayor's GRYD Office salaries and fringe benefits. The portion not paid by the grant is approximately \$282,319 and is included in the Mayor's Adopted Budget, so no additional appropriation is necessary. This action is in compliance with City financial policies in that General Fund and grant revenues are available to support the cost of the programs. Funding to continue the programs beyond the performance period depends on receipt of additional grant funds or General Fund appropriations.

Community Impact Statement: None submitted.

ITEM NO. (15) - ADOPTED - TO THE MAYOR FORTHWITH

[10-1937](#)

PUBLIC SAFETY COMMITTEE REPORT relative to the 2009 State Homeland Security Grant Program (SHSGP) grant award.

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

1. AUTHORIZE the Mayor, or designee, to:
 - a. Accept, on behalf of the City, the Fiscal Year 2009 SHSGP grant award in the amount of \$227,154 for the period October 1, 2009, through April 30, 2012, for Los Angeles Fire Department (LAFD) projects.
 - b. Negotiate and execute an agreement with the County of Los Angeles for a term of up to 30 months commencing October 1, 2009, consistent with the grant budget and in accordance with the pro-forma agreement, accompanying the Mayor's report to Council dated December 9, 2010 (attached to the Council file), subject to the approval of the City Attorney as to form and legality.

- c. Receive, deposit into, and disburse from a new SHSGP 09 Grant Fund the grant funds from the 2009 SHSGP grant award.
- d. Submit to the grantor, on behalf of the City, requests for drawdown of funds or reimbursements of City funds expended for eligible grant purposes.

2. AUTHORIZE the Controller to:

- a. Establish a new, interest-bearing Fund, titled "SHSGP 09 Grant Fund," create a receivable in the new Fund in the amount of \$227,154 for the 2009 SHSGP grant, and create appropriation accounts in the new Fund, Department 46, as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
G138	LAFD TLO/CBRNE	\$ 154,115
G505	LAFD Equipment	<u>73,039</u>
	Total:	\$ 227,154

- b. Expend and receive funds upon presentation of documentation and proper demand by the Mayor's Office to reimburse the LAFD for approved 2009 SHSGP purchases.
- c. Transfer 2009 SHSGP funds to the LAFD's operating budget, for a total amount up to \$154,115, upon presentation of proper documentation from the LAFD, as follows:

	<u>Fund/Dept</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
From:	XXX/46	G138	LAFD TLO/CBRNE	\$154,115
To:	100/38	1098	Sworn Overtime	\$154,115

- 3. AUTHORIZE the Mayor, or designee, to prepare Controller instructions for any necessary technical adjustments consistent with this action, subject to approval of the City Administrative Officer (CAO); and, AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: The CAO reports that acceptance of the 2009 SHSGP grant award will provide an allocation of \$227,154 to the LAFD for three Homeland Security projects. No matching funds are required. Acceptance of the grant and approving the above recommendations is in compliance with City financial policies as all associated expenses are fully reimbursed by grant funds.

Community Impact Statement: None submitted.

ITEM NO. (16) - ADOPTED - TO THE MAYOR FORTHWITH

[10-1952](#)

PUBLIC SAFETY COMMITTEE REPORT and RESOLUTION relative to the 2010-11 Juvenile Accountability Block Grant (JAG) award.

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

APPROVE the recommendations of the City Administrative Officer (CAO) in the January 28, 2011, report to the Mayor and Council (attached to the Public Safety Committee Report) relative to authorizing the Mayor to accept the 2010-11 JAG grant award in the amount of \$167,758, from the California Department of Corrections and Rehabilitation, Corrections Standards Authority, to be used to support the City's Community Law Enforcement and Recovery (CLEAR) sites for the period July 1, 2010, through June 30, 2011, and related actions.

Fiscal Impact Statement: The CAO reports that acceptance of the 2010-11 JAG grant award will provide support for nine CLEAR sites. A cash match of \$16,776 will be provided from the California State Supplemental Law Enforcement Services Fund. Acceptance of the grant and approving the CAO's recommendations are in compliance with City financial policies in that one-time revenues will support one-time expenditures.

Community Impact Statement: None submitted.

ITEM NO. (17) - ADOPTED

10-1955

PUBLIC SAFETY COMMITTEE REPORT relative to the 2008 Port Security Program grant award from the Department of Homeland Security in the amount of \$312,000 for the period from October 1, 2010 through February 28, 2011.

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

1. AUTHORIZE the Chief of Police or designee to accept the award of the 2008 Port Security Grant Program funds in the amount of \$312,000 from the Department of Homeland Security for the period of October 1, 2010 through February 28, 2011.
2. AUTHORIZE the Chief of Police or designee to negotiate and execute the award agreement and submit any necessary documents in connection with the grant award, subject to the approval of the City Attorney as to form and legality.
3. AUTHORIZE the Chief of Police to negotiate and execute a Memorandum of Agreement on behalf of the City, with the Port of Long Beach to receive reimbursement for equipment purchased through this grant for the period of October 1, 2010 through February 28, 2011, for a sum not to exceed \$312,000, subject to the review and approval of the City Attorney as to form and legality.
4. AUTHORIZE the Controller to set up a grant receivable in the amount of \$312,000 and establish an appropriation account, account number to be determined, within Fund No. 339/70 for the disbursements of Port Security grant funds.
5. AUTHORIZE the Los Angeles Police Department (LAPD) to submit grant reimbursement requests to the grantor and deposit grant receipts in Fund No. 339/70.
6. AUTHORIZE the LAPD to spend up to grant amount of \$312,000 in accordance with the grant award agreement.

7. AUTHORIZE the LAPD to prepare Controller instructions for any technical adjustments, subject to the approval of the City Administrative Officer (CAO), and further AUTHORIZE and INSTRUCT the Controller to implement the instructions.

Fiscal Impact Statement: The CAO reports that the 2008 Port Security Grant Program costs are fully reimbursable. The grant requires a 25 percent cost share which will be met by existing budgeted resources within the Harbor Department. There is no impact to the City's General Fund. The recommendations in this report comply with City's Financial Policies as one-time revenue is used for one-time expenses.

Community Impact Statement: None submitted.

ITEM NO. (18) - ADOPTED

[11-0055](#)

PUBLIC SAFETY COMMITTEE REPORT relative to a Privacy and Piracy Fund Disbursement grant award for use by the City Attorney.

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

1. AUTHORIZE the City Attorney, or designee, to:
 - a. Approve the Privacy and Piracy Fund Disbursement grant award in the amount of \$25,942 between the City and the California Attorney General's Office for Fiscal Year 2010-11, subject to the approval of the City Attorney as to form and legality.
 - b. Accept and execute the grant amount of \$25,942 from the California Attorney General's Office to be used for technical equipment and software.
2. AUTHORIZE the Controller to:
 - a. Establish a receivable within Fund 368 in the amount of \$25,942 from the California Attorney General's Office.
 - b. Establish a new appropriation account within Fund 368 and appropriate as follows:

Account G903 - Operating expenses	\$25,942
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3. AUTHORIZE the City Attorney or designee to prepare Controller's instructions for any necessary technical adjustments consistent with this action.

Fiscal Impact Statement: The City Administrative Officer report that this action will not impact the General Fund. The above recommendations comply with City financial policies as one-time revenues are used to fund one-time expenses. These funds have been set aside within the California Attorney General's Office, Privacy and Piracy Fund and may be disbursed to authorized prosecutors that they can more effectively combat violations of the public's privacy rights and violations of intellectual property rights. The grant funds will be used to purchase new computer equipment and software within the Office of the City Attorney.

Community Impact Statement: None submitted.

ITEM NO. (19) - ADOPTED

[11-0134](#)

ADMINISTRATIVE EXEMPTION and TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT relative to proposed First Amendment to Contract No. DA-4237 with Hunt, Ortmann, Palfry, Nieves, Lubka, Darling and Mah, Inc. to extend the term an additional year and increase the contract amount by \$250,000 for legal services in connection with public contracting and construction-related litigation involving the modernization of Los Angeles International Airport (LAX).

Recommendations for Council action:

1. FIND that this action, as described in the January 27, 2011 Board of Airport Commissioners (Board) report, attached to the Council file, is exempt from the California Environmental Quality Act (CEQA) pursuant to Article II Section 2(f) of the Los Angeles City CEQA Guidelines.
2. APPROVE the First Amendment to Contract No. DA-4237 with Hunt, Ortmann, Palfry, Nieves, Lubka, Darling and Mah, Inc. to extend the term an additional year and increase the contract amount by \$250,000, for a total of \$750,000, for legal services in connection with public contracting and construction-related litigation involving the modernization of LAX.
3. CONCUR with the Board's action of November 15, 2010 by Resolution No. 24284 authorizing the Executive Director to execute the contract with Hunt, Ortmann, Palfry, Nieves, Lubka, Darling and Mah, Inc.

Fiscal Impact Statement: The City Administrative Officer reports that Approval of proposed First Amendment to Contract No. DA-4237 with Hunt, Ortmann, Palfry, Nieves, Lubka, Darling and Mah, Inc. will have no impact on the General Fund. Funding for the First Amendment is available in the Fiscal Year 2010-11 Los Angeles World Airports Operating Budget in Cost Center 1110004 - Legal Services Division, Commitment Item 520 - Contractual Services. Future funding, if needed, will be requested as part of the annual budget process. Since the Los Angeles World Airports is bound only by the City Debt Management Policies, the City Financial Policies are not applicable.

Community Impact Statement: None submitted.

TIME LIMIT FILE - MARCH 28, 2011

(LAST DAY FOR COUNCIL ACTION - MARCH 25, 2011)

ITEM NO. (20) - ADOPTED

[11-0135](#)

ADMINISTRATIVE EXEMPTION and TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT relative to proposed First Amendment to Contract No. DA-4238 with Atkinson, Andelson, Loya, Ruud and Romo to extend the term an additional year for legal services in connection with public contracting and construction-related litigation involving the modernization of Los Angeles International Airport (LAX).

Recommendations for Council action:

1. FIND that this action, as described in the January 27, 2011 Board of Airport Commissioners (Board) report, attached to the Council file, is exempt from the California Environmental Quality Act (CEQA) pursuant to Article II Section 2(f) of the Los Angeles City CEQA Guidelines.
2. APPROVE the First Amendment to Contract No. DA-4238 with Atkinson, Andelson, Loya, Ruud and Romo to extend the term an additional year for legal services in connection with public contracting and construction-related litigation involving the modernization of LAX.
3. CONCUR with the Board's action of November 1, 2010 by Resolution No. 24278 authorizing the Executive Director to execute the contract with Atkinson, Andelson, Loya, Ruud and Romo.

Fiscal Impact Statement: The City Administrative Officer reports that Approval of proposed First Amendment to Contract No. DA-4238 with Atkinson, Andelson, Loya, Ruud and Romo will have no impact on the General Fund. Funding for the First Amendment is available in the Fiscal Year 2010-11 Los Angeles World Airports Operating Budget in Cost Center 1110004 - Legal Services Division, Commitment Item 520 - Contractual Services. Future funding, if needed, will be requested as part of the annual budget process. Since the Los Angeles World Airports is bound only by the City Debt Management Policies, the City Financial Policies are not applicable.

Community Impact Statement: None submitted.

TIME LIMIT FILE - MARCH 28, 2011

(LAST DAY FOR COUNCIL ACTION - MARCH 25, 2011)

Items for Which Public Hearings Have Not Been Held - Items 21-27

(10 Votes Required for Consideration)

ITEM NO. (21) - ADOPTED

Roll Call #7 - Adopted, Ayes (13); Absent: Huizar and Parks (2)

[10-1058-S3](#)

EXEMPTION, COMMUNICATION FROM THE CITY ATTORNEY, RESOLUTION and ORDINANCE FIRST CONSIDERATION relative to eliminating Section 21 which imposes a two-year sunset provision in the Baseline Mansionization Ordinance.

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

1. FIND under the California Public Resources Code, section 21166 and the State's Environmental Quality Act Guidelines section 15162, on the basis of substantial evidence contained in the whole record, that since adoption of Mitigated Negative Declaration No. ENV-2007-107-ND, on May 6, 2008, there have been no changes to the Project, changes with respect to the circumstances under which the Project is being undertaken, or new information of substantial importance concerning the Project, which cause new significant environmental effects or a substantial increase in the severity of previously identified effects, and therefore no subsequent negative declaration, addendum, or further environmental documentation is necessary.

2. ADOPT the FINDINGS of the Director of Planning as the Findings of the Council.
3. ADOPT the accompanying RESOLUTION pursuant to Section 21 of Ordinance No. 179,883, the Council of the City of Los Angeles hereby extends the sunset date of the Baseline Mansionization Ordinance (Ordinance No. 179,883) for an additional period of ninety (90) days, to a new sunset date of the close of business May 24th, 2011, with the understanding that this date may be further extended by Resolution as provided in Section 21 of the ordinance.
4. PRESENT and ADOPT the accompanying ORDINANCE amending Ordinance No. 179883 to eliminate Section 21 imposing a two-year sunset provision.

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)

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

Roll Call #9 - to Adopt as Amended, Ayes (13); Absent: Huizar and Parks (2)

[11-0025](#)

COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCES FIRST CONSIDERATION relative to the issuance of badges to all regular sworn officers honorably retired from the Los Angeles Police Department (LAPD).

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

1. PRESENT and ADOPT the accompanying ORDINANCE dated February 2, 2011, amending Subsection 52.27.1 of the Los Angeles Municipal Code to authorize the issuance of badges to all regular sworn officers honorably retired from the LAPD.
2. NOT PRESENT and ORDER FILED Ordinance dated January 4, 2011, rendered moot by the above recommendation.

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

Community Impact Statement: None submitted.

(Public Safety Committee waived consideration of the above matter)

ADOPTED

AMENDING MOTION (ZINE - SMITH)

Recommendation for Council action:

3. **REQUEST the City Attorney to report back on extending the issuance of badges to Reserve Officers who serve 20 or more years with the Los Angeles Police Department.**

**Roll Call #2 - Adopted, Ayes (11); Absent: Alarcon, Huizar, Krekorian and Parks (4)
(Item Nos. 23b-23d)**

ITEM NO. (23) - ADOPTED

[11-0005-S121](#)

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 February 15, 2011:

CONTINUED TO MARCH 1, 2011

Roll Call #4 - Adopted to Continue, Unanimous Vote (12); Absent: Alarcon, Huizar, Parks (3)

[11-0005-S121](#)

CD 1

- a. Property at 232 South Avenue 19 (Case No. 250372).
Assessor I.D. No. 5447-024-017

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

[11-0005-S122](#)

CD 5

- b. Property at 453 North Curson Avenue (Case No. 184597).
Assessor I.D. No. 5526-029-003

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 26, 2008)

[11-0005-S123](#)

CD 5

- c. Property at 439 North Ogden Drive (Case No. 282808).
Assessor I.D. No. 5527-029-007

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 17, 2010)

[11-0005-S124](#)

CD 13

- d. Property at 3227 West Madera Avenue (Case No. 312486).
Assessor I.D. No. 5437-004-019

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

ITEM NO. (24) - CONTINUED TO MARCH 1, 2011

Roll Call #5 - Adopted to Continue, Unanimous Vote (12); Absent: Alarcon, Huizar and Parks (3)

[11-0124](#)

CD 13

CONTINUED CONSIDERATION OF MOTION (GARCETTI - LABONGE) relative to ensuring the integrity of the Hollywood Walk of Fame as an historical cultural landmark.

Recommendations for Council action:

1. DIRECT the Bureau of Engineering (BOE), City Planning Department, and the Los Angeles Department of Transportation to formally adopt the specifications and Preservation Plan requirements developed by the Hollywood Walk of Fame Task Force to guide all future work on the Hollywood Walk of Fame.
2. DIRECT the BOE to include the specifications and Preservation Plan requirements as part of the standard documents in the Department of Public Works specifications for all work on the Hollywood Walk of Fame including requirements for temporary use and special use permits.
3. PROVIDE that the specifications, as detailed above in Recommendation Nos. 1 and 2, shall be the standards for the BOE to guide all rehabilitation work and impacts by future development adjacent to the Hollywood Walk of Fame.

Community Impact Statement: None submitted.

(Public Works Committee waived consideration of the above matter)

(Continued from Council meeting of February 2, 2011)

ITEM NO. (25) - ADOPTED

Roll Call #7 - Adopted, Ayes (13); Absent: Huizar and Parks (2)

[11-0011-S6](#)

CD 1

MOTION (REYES - ZINE) relative to funding for street, alleyway, and stairway improvements in Council District One.

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

1. ALLOCATE \$50,000 in the Council District One portion of the Street Furniture Revenue Fund No. 43D/50 to the below listed organizations and in the amounts specified, for street, alleyway, and stairway improvements in Council District One:

<u>Name</u>	<u>Amount</u>
Angelino Heights Community Organization	\$10,000
B.L.E.N.D.	\$25,000
Historic Lincoln Heights Industrial Zone EDC	<u>\$15,000</u>
Total	\$50,000

2. DIRECT the Bureau of Street Services to prepare the necessary document(s) with, and/or payment(s) to the above organizations, in the above listed amounts, from the above source, and for the above purposes, subject to the approval of the City Attorney as to form, if needed; and AUTHORIZE the Councilmember of the First District to execute any such documents on behalf of the City.
3. AUTHORIZE the Bureau of Street Services to make any technical corrections or clarification as necessary to the above instructions in order to effectuate the intent of this Motion.

**Roll Call #2 - Adopted, Ayes (11); Absent: Alarcon, Huizar, Krekorian and Parks (4)
(Item Nos. 26-27)**

ITEM NO. (26) - ADOPTED

11-0254
CD 11

MOTION (ROSENDAHL - SMITH) relative to the Office of the Treasurer requesting an increase in appropriations to its Bank Service Fees Account.

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

1. RECOGNIZE additional receipts in the amount of \$509,987.64 from the Special Parking Revenue Fund No. 363/94, Account 0050 (FY 11), Contractual Services, and INSTRUCT the Treasurer to deposit these funds in Treasurer Fund No. 100/96, Revenue Source Code 4610, Reimbursements from Other Funds/Departments.
2. INCREASE appropriations to the Treasurer Fund No. 100/96, Account 4040, Bank Service Fees in the amount of \$509,987.64.
3. AUTHORIZE the City Administrative Officer to make technical corrections as necessary to the above transactions to implement the Mayor and Council's intentions.

ITEM NO. (27) - ADOPTED

[09-3064-S1](#)

CD 8

MOTION (PERRY for PARKS - SMITH) relative to amending prior Council action of February 9, 2011, regarding funding for regional public improvements in Council District Eight.

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

AMEND prior Council action of February 9, 2011 (Council file No. 09-3064-S1), relative to funding for regional public improvements in and adjacent to the Broadway Manchester, Crenshaw, Crenshaw Slauson, Normandie Five, Exposition/University Park, Vermont Manchester, and Western Slauson Redevelopment Project Areas to ADOPT the following additional recommendations:

- 4. AUTHORIZE the Director, Department of Public Works, Bureau of Street Services (BSS), or designee, to expend the funds in accordance with the existing cooperation agreement.
- 5. AUTHORIZE the Director, BSS, or designee, to deposit an amount not to exceed \$1,164,995 in Council District Eight AB 1290 funds from the Community Redevelopment Agency (CRA) into Subventions and Grants Fund 305/50, Revenue Source Code 3741, Reimbursement from CRA, and appropriate therefrom to BSS Fund 100/86, into the following account:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1010	Salaries, General	\$ 684,995
1090	Salaries, Overtime	20,000
3030	Construction Expense	380,000
3040	Contractual Services	45,000
6010	Office and Administration	35,000
6020	Operating Supplies	<u>30,000</u>
	Total	\$ 1,164,995

- 6. AUTHORIZE the Director, BSS, or designee, to prepare Controller instructions and make any technical adjustments that may be required and are consistent with this action subject to the approval of the Chief Legislative Analyst, and AUTHORIZE the Controller to implement the instructions.

Item Noticed for Public Hearing - Item 28

ITEM NO. (28) - MOTION ADOPTED TO APPROVE APPLICATION - SEE FOLLOWING

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

[10-1960](#)

CD 7

CONTINUED CONSIDERATION OF HEARING COMMENTS relative to an Application for Determination of "Public Convenience or Necessity" for the sale of alcoholic beverages for off-site consumption at Roha Investments, Inc., convenience market.

Recommendations for Council action:

1. DETERMINE that the “Public Convenience or Necessity” WILL NOT be served by the sale of alcoholic beverages for off-site consumption at Roha Investments, Inc., convenience market located at 12737 Glenoaks Boulevard, Units 9 and 10, Sylmar, 91342, inasmuch as the site is located in a census tract with an undue concentration of alcoholic beverage sales licenses.
2. DENY the application for Determination of “Public Convenience or Necessity” for the sale of alcoholic beverages for off-site consumption at 12737 Glenoaks Boulevard, Units 9 and 10, based upon the above finding and the negative influence associated with the sale of alcohol in the concerned community.
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.

Application filed by: Roha Investments, Inc. (Sherrie Olson, representative)

TIME LIMIT FILE - MARCH 17, 2011

(LAST DAY FOR COUNCIL ACTION - MARCH 16, 2011)

(Continued from Council meeting of February 18, 2011)

ADOPTED

MOTION (ALARCON - CARDENAS)

Recommendations for Council action:

1. **DETERMINE** that the “Public Convenience or Necessity” will be served by the sale of beer and wine for off-site consumption at Roha Investments, Inc., convenience market located at 12737 Glenoaks Boulevard, Units 9 and 10, Sylmar, 91342, and conditionally approve with 13 conditions as set forth by the Los Angeles Police Department, Mission Area Vice Unit, as attached to the Council file.
2. **GRANT** the application for Determination of “Public Convenience or Necessity” for the sale of beer and wine for off-site consumption at 12737 Glenoaks Boulevard, Units 9 and 10, based upon the above finding.
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.

Application filed by: Roha Investments, Inc. (Sherrie Olson, representative)

Items for Which Public Hearings Have Not Been Held - Items 29-30

(10 Votes Required for Consideration)

ITEM NO. (29) - ADOPTED

Roll Call #3 - Adopted, Ayes (12); Absent: Alarcon, Huizar and Parks (3)

[11-0270](#)

CD 14

MOTION (HUIZAR - KORETZ) relative to asserting jurisdiction over the February 9, 2011 action of the East Los Angeles Area Planning Commission.

Recommendations for Council action:

1. ASSERT jurisdiction, pursuant to Charter Section 245, over the February 9, 2011 action of the East Los Angeles Area Planning Commission, Case No. ZA-2010-2038-ZA1-1A relative to denying the appeal and affirming the Zoning Administrator's Interpretation.
2. REFER the matter, upon assertion of jurisdiction, to the Planning and Land Use Management Committee.

Community Impact Statement: None submitted.

TIME LIMIT FILE - FEBRUARY 22, 2011

(LAST DAY FOR COUNCIL ACTION - FEBRUARY 22, 2011)

10 VOTES REQUIRED

ITEM NO. (30) - ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #7 - Adopted, Ayes (13); Absent: Huizar and Parks (2)

[10-1140-S1](#)

MOTION (WESSON - GARCETTI) relative to authorizing the Los Angeles Housing Department (LAHD) to accept a \$4.5 million in U.S. Department of Housing and Urban Development (HUD) Lead Hazard Reduction Demonstration Program Grant.

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

1. AUTHORIZE the General Manager, LAHD, or designee, to accept a \$4.5 million HUD Lead Hazard Reduction Demonstration Program Grant on behalf of the City and to execute the new grant agreements, including all certifications and other required documents.
2. INSTRUCT the LAHD to report to Council with the grant agreement, details on the program design, staffing needs, Controller's instructions, and other relevant information for Council review and approval, within 45 days.

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

[11-0284](#)

MOTION (WESSON - SMITH) relative to funding for urgent pot hole and street repair in Council District 10.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon her request, and without objections, Councilmember Hahn was excused from Council sessions of Tuesday, May 3, 2011 and Wednesday, May 4, 2011 due to City business.

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

[11-0003](#) - Tiffany Alcala

(Alarcon)

Esther Davila

(Hahn)

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

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL