

Los Angeles City Council, **Journal/Council Proceedings**
Wednesday, **February 2, 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: Cárdenas, Hahn, Koretz, Krekorian, LaBonge, Perry, Rosendahl, Smith, Wesson, Zine and President Garcetti (11); Absent: Alarcón, Huizar, Parks and Reyes (4)

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
JANUARY 28, 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

Items Noticed for Public Hearing - Items 1-10

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

Roll Call #11 - Adopted, Ayes (14); Absent: Parks (1)

[10-1535](#)
CD 14

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST
CONSIDERATION relative to the improvement and maintenance of the El Roble Drive and Wawona
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 January 12, 2011)

**Roll Call #6 - Adopted, Ayes (12); Absent: Alarcón, Huizar and Parks (3)
(Item Nos. 2-6)**

ITEM NO. (2) - PUBLIC HEARING CLOSED - ADOPTED

[10-1536](#)

CD 7

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Kester Avenue and Roscoe Boulevard 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 January 12, 2011)

ITEM NO. (3) - PUBLIC HEARING CLOSED - ADOPTED

[10-1678](#)

CD 2

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Van Nuys and Chandler Boulevards 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 January 12, 2011)

ITEM NO. (4) - PUBLIC HEARING CLOSED - ADOPTED

[10-1688](#)

CD 11

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Colby and Wyoming Avenues 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 January 12, 2011)

ITEM NO. (5) - PUBLIC HEARING CLOSED - ADOPTED

[08-1450-S1](#)

CD 12

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Woodley Avenue and Devonshire Street No. 1 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 January 12, 2011)

ITEM NO. (6) - PUBLIC HEARING CLOSED - ADOPTED

[10-1683](#)

CD 12

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Roscoe Boulevard and Lindley Avenue 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 January 12, 2011)

ITEM NO. (7) - PUBLIC HEARING CLOSED - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #15 - to Adopt as Amended, Ayes (14); Absent: Parks (1)

[05-2172](#)

CD 1

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

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

(Continued from Council meeting of November 3, 2010)

ADOPTED

AMENDING MOTION (REYES - ROSENDAHL)

Recommendations for Council action:

1. **AMEND** condition 4a to read “Dedicate 12 feet as a future street along the westerly side of Hoover Street.
2. **DELETE** condition 4b.
3. **AMEND** the existing conditions to read “That consent to the vacation be secured from the owner(s) of Lot 150 and 151 of Clark and Bryan’s Lone Star Tract, adjoining the area to be vacated.
4. **AMEND** the existing conditions relative to the landscape planter and the parking spaces to add to each condition the following language “The petitioner shall be required to record with the Los Angeles County Recorder covenant and agreement to ensure compliance with this condition.”

ITEM NO. (8) - CONTINUED TO FEBRUARY 16, 2011

Roll Call #1 - Adopted to Continue, Unanimous Vote (11); Absent: Alarcón, Huizar, Parks and Reyes (4)

[07-1862](#)

CD 11

CONTINUED CONSIDERATION OF HEARING PROTESTS relative to the vacation of the alley between Barrington Avenue and Stoner Avenue from Idaho Avenue to approximately 237 feet southeasterly thereof (VAC-E1401062).

(Categorical Exemption and Public Works Committee Report adopted, as amended, on December 10, 2010)

(Continued from Council meeting of January 19, 2011)

ITEM NO. (9) - CONTINUED TO FEBRUARY 4, 2011

Roll Call #2 - Adopted to Continue, Unanimous Vote (11); Absent: Alarcón, Huizar, Parks and Reyes (4)

[10-1976](#)

CD 6

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 Circle K 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 Circle K Convenience Market located at 16056 Sherman Way, Van Nuys, 91406, inasmuch as the site is located in a high crime reporting district and 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 16056 Sherman Way, based upon the above findings 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: Sherwood Mart, Inc. (Sherrie Olson, representative)

TIME LIMIT FILE - FEBRUARY 4, 2011

(LAST DAY FOR COUNCIL ACTION - FEBRUARY 4, 2011)

(Continued from Council meeting of January 19, 2011)

ITEM NO. (10) - PUBLIC HEARING CLOSED - ADOPTED - SEE FOLLOWING

Roll Call #3 - Adopted, Ayes (11); Absent: Alarcón, Huizar, Parks and Reyes (4)

[10-1959](#)

CD 2

CONTINUED CONSIDERATION OF HEARING COMMENTS relative to application for determination of "Public Convenience or Necessity" for alcohol sales for off-site consumption at CVS Pharmacy retail drug store located at 5601 and 5615 Van Nuys Boulevard, Van Nuys, 91411.

Application filed by: Dan Shultz, MileStone Management

TIME LIMIT FILE - FEBRUARY 2, 2011

(LAST DAY FOR COUNCIL ACTION - FEBRUARY 2, 2011)

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

(Continued from Council meeting of January 26, 2011)

ADOPTED

MOTION (KREKORIAN - KORETZ)

Recommendations for Council action:

1. **DETERMINE** that the issuance of a liquor license at CVS Pharmacy retail drug store located at 5601 Van Nuys Boulevard, Van Nuys, CA 91411, will serve the “Public Convenience or Necessity” will not tend to created a law enforcement problem.
2. **GRANT** the application for the Determination of “Public Convenience or Necessity” for the sale of alcoholic beverages for off-site consumption at 5601 and 5615 Van Nuys Boulevard.
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.

Items for Which Public Hearings Have Been Held - Items 11-17

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

ITEM NO. (11) - ADOPTED

[11-0042](#)

CD 12

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone and height district change for property located at 21323, 21325, 21329 West Devonshire Street.

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

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the lead agency in the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 11-0042 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 2009-2112-MND] filed on October 2, 2009.
2. ADOPT the FINDINGS of the North Valley Area Planning Commission (NVAPC) as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the NVAPC, effecting a Zone Change from RA-1 and [Q]C2-2D to [T][Q]C2-2D and a Height District Change from HD-1 to HD-2D for a portion of the subject property located at 21323, 21325, 21329 West Devonshire Street. No new construction is proposed.

Applicant: Richard Colarossi (Michael Harris, Representative)

APCNV-2009-2111-ZC-HD

4. REMOVE the "T" Tentative classification as described in detail on the sheet(s) attached to the Council file.
5. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.
6. ADVISE the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
7. ADVISE the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination filing.

Fiscal Impact Statement: The NVAPC reports that there is no General Fund impact, as administrative costs are recovered through fees.

Community Impact Statement: None submitted.

TIME LIMIT FILE - APRIL 11, 2011

(LAST DAY FOR COUNCIL ACTION - APRIL 8, 2011)

ITEM NO. (12) - ADOPTED

[11-0044](#)

CD 7

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change at 12041 West Osborne Street.

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

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the lead agency in the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 11-0044 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-2010-1566-MND] filed on July 1, 2010.
2. ADOPT the 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 A2-1 and C2-1 to (T)(Q)C2-1 for the development of a 60 unit affordable housing facility on a 100,698 square foot parcel for property located at 12041 West Osborne Street, subject to Conditions of Approval.

Applicant: The Related Companies of California

CPC-2010-1565-ZC

4. REMOVE the (T) Tentative classification as described in detail on the sheet(s) attached to the Council file.
5. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.
6. ADVISE the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
7. ADVISE the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination filing.

Fiscal Impact Statement: The CPC reports that there is no General Fund impact, as administrative costs are recovered through fees.

Community Impact Statement: None submitted.

TIME LIMIT FILE - APRIL 10, 2011

(LAST DAY FOR COUNCIL ACTION - APRIL 8, 2011)

ITEM NO. (13) - CONTINUED TO FEBRUARY 9, 2011

Roll Call #4 - Adopted to Continue, Unanimous Vote (11); Absent: Alarcón, Huizar, Parks and Reyes (4)

[11-0053](#)

CD 4

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT, and ORDINANCE FIRST CONSIDERATION relative to a general plan amendment and zone change for property located at 1352-56 North Fairfax Avenue.

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

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the lead agency in the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 11-0053 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 2009-511-MND] filed on November 13, 2009.
2. ADOPT the FINDINGS of the City Planning Commission (CPC) as the Findings of the Council.
3. DISAPPROVE, as recommended by the Mayor and CPC, the proposed General Plan Amendment to the Hollywood Community Plan, for property located at 1352-1356 North Fairfax Avenue.

Applicant: Mordechai and Ruth Gleiberman

CPC-2009-944-GPA-ZC-HD

4. PRESENT and ADOPT the accompanying ORDINANCE, approved by the CPC, effecting a Zone Change from R1-1 and R2-1XL to (T)(Q)RD1.5-1XL for the demolition of two single family dwellings and accessory structures in conjunction with the proposed construction of an eight-unit apartment building on two lots totaling about 13,100 square feet for property located at 1352-1356 North Fairfax Avenue.
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 - MARCH 27, 2011

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

ITEM NO. (14) - ADOPTED

Roll Call #5 - Adopted, Ayes (12); Absent: Alarcón, Huizar and Parks (3)

[10-1822](#)

CD 3

CONTINUED CONSIDERATION OF HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to a contract amendment with Main Street Canoga Park (MSCP) for continued management of the Canoga Park Main Street Program.

Recommendation for Council action:

INSTRUCT the Community Redevelopment Agency to:

- a. Execute a contract amendment with MSCP in the amount of \$138,500 (from \$150,000 to \$288,500) for the continued management of the Canoga Park Main Street Program which includes: 1) the MSCP Landscape and Maintenance Program (\$60,000); 2) the MSCP weekly Farmers' Market (\$58,500); and 3) related marketing and program activities within the Reseda-Canoga Park Earthquake Disaster Assistance Project Area West Valley Region (\$20,000).
- b. Work with MSCP to request the selected vendor to increase the scope of work under the Landscaping and Maintenance Program contract to include graffiti removal, shopping cart removal and dumped/bulky item removal.
- c. Work with MSCP to develop a plan that will allow the Farmers' Market to be self-sustaining beginning January 2012.

Fiscal Impact Statement: The Chief Legislative Analyst reports that there is no General Fund impact as a result of this action. The source of funds is Reseda-Canoga Park Earthquake Disaster Assistance Project Area West Valley Region Redevelopment Project Area Tax Increment Funds.

Community Impact Statement: None submitted.

(Continued from Council meeting of January 28, 2011)

ITEM NO. (15) - ADOPTED - FORTHWITH

Roll Call #18 - Adopted, Ayes (11); Absent: Cárdenas, Parks, Smith and Wesson (4)

[11-0020](#)

CD 9

CONTINUED CONSIDERATION OF TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT relative to the private management Request for Proposals (RFP) for the Los Angeles Convention Center (LACC).

Recommendation for Council action, pursuant to Motion (Hahn - Perry):

DIRECT the City Administrative Officer (CAO) and the LACC, along with the LA Inc., to report to the Trade, Commerce and Tourism Committee with an update on the private management RFP and how it may be impacted by plans for a new Downtown stadium.

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

Community Impact Statement: None submitted.

(Continued from Council meeting of January 26, 2011)

ITEM NO. (16) - ADOPTED, AS AMENDED - FORTHWITH - SEE FOLLOWING

Roll Call #19 - to Adopt as Amended, Ayes (11); Absent: Cárdenas, Parks, Smith and Wesson (4)

[11-0023](#)

CD 9

CONTINUED CONSIDERATION OF TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT relative to AEG's proposal to build a stadium at the Los Angeles Convention Center (LACC) in Downtown Los Angeles and bring a National Football League (NFL) team to Los Angeles.

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

1. INSTRUCT the Chief Legislative Analyst (CLA) to form a working group consisting of the CLA, City Administrative Officer (CAO), Mayor, Controller, LACC and any other relevant entity and engage AEG in formal discussions concerning AEG's proposal to building a stadium at the LACC in Downtown Los Angeles and to bring an NFL team to the City.
2. INSTRUCT the working group, as detailed above in Recommendation No. 1, to immediately begin to review all information in connection with AEG's proposal once it is submitted.
3. INSTRUCT the CLA to provide the Trade, Commerce, and Tourism Committee with quarterly reports in regard to the status of the AEG's proposal and related matters and conduct public hearings.
4. INSTRUCT the CLA to retain an independent outside entity to conduct a financial and economic analysis of all stages of AEG's proposal and its associated impacts with focus on the Guarantee Agreement.

5. REQUEST AEG to submit its Environmental Impact Report to the City at the earliest possible date to ensure that the City has an opportunity to review and understand all potential impacts associated with this project.

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

Community Impact Statement: None submitted.

(Continued from Council meeting of January 26, 2011)

ADOPTED

AMENDING MOTION (PERRY - SMITH)

Recommendations for Council action:

1. **INSTRUCT the Chief Legislative Analyst (CLA), with the assistance of the City Administrative Officer (CAO), LACC and any other relevant entity, to engage AEG in formal discussions concerning AEG's proposal to building a stadium at the LACC in Downtown Los Angeles and to bring an NFL team to the City.**
2. **INSTRUCT the CLA, with the assistance of the CAO, LACC and any other relevant entity, as detailed above in recommendation No. 1, to immediately begin to review all information in connection with AEG's proposal once it is submitted.**
3. **INSTRUCT the CLA, with the assistance of the CAO, LACC and any other relevant entity, to provide the Council with quarterly reports in regard to the status of the AEG's proposal and related matters and conduct public hearings.**

ITEM NO. (17) - MOTION ADOPTED IN LIEU OF ORIGINAL REPORTS

Roll Call #13 - to Adopt as Amended, Ayes (14); Absent: Parks (1)

[10-1875](#)

PUBLIC WORKS COMMITTEE REPORT and COMMUNICATION FROM VICE-CHAIR, PERSONNEL COMMITTEE and VICE-CHAIR AND MEMBER, BUDGET AND FINANCE COMMITTEE relative to the Special Events "One Stop Shop" Program Annual Report for Fiscal Year (FY) 2009-10, the unfreeze of two positions, and related actions.

REFERRED BACK TO BUDGET AND FINANCE AND PUBLIC WORKS COMMITTEES

A. PUBLIC WORKS COMMITTEE REPORT

Recommendations for Council action:

1. REQUEST the Manage Hiring Committee to expedite the unfreeze of the two remaining, critical special event positions.

2. MODIFY the Special Events Permit Procedure Ordinance to amend the LAMC Section 41.20 title from "Closure of Streets" to "Special Events."
3. MODIFY the Special Events Permit Procedure Ordinance to define a "Major" Special Event. This can be done using factors including anticipated event attendance, number of street closures required, the number of City departments affected, whether the event is an entertainment or sports awards show, and if Bureau of Street Services (BOSS) determines that the impact to the area will negatively affect public convenience and necessity.
4. MODIFY the Special Events Permit Procedure Ordinance to outline appropriate application time frames for both Special Events and Major Special Events. BOSS recommends that the minimum time required to submit an application for a Major Special Event be designated as ninety (90) days prior to the expected day of the event.
5. MODIFY the Special Events Permit Procedure Ordinance to increase the late application fee as follows:
 - a. For Special Events, there shall be a non-refundable administrative late fee of \$500 for all Special Event applications submitted within 21 days of the date of the proposed event.
 - b. For Major Special Events, there shall be a non-refundable administrative late fee of \$1,000 for all Major Special Event applications submitted within 45 days of the date of the proposed event.
6. MODIFY the Special Events Permit Procedure Ordinance to add a provision for "Untimely Applications" as follows:
 - a. For Special Events, applications submitted within 14 days of the date of the proposed event will be deemed Untimely Applications. Untimely Applications will not be processed for approval.
 - b. For Major Special Events, applications submitted within 30 days of the proposed event will not be processed for approval.
7. MODIFY the Special Events Permit Procedure Ordinance to authorize the Board of Public Works (Board) to enter into alternative payment agreements, in behalf of the City, to allow a maximum of 30 day deferral of payment for the City's Special Event fees under the following conditions:
 - a. The event is Non-Commercial.
 - b. Event sponsor is a non-profit organization.
 - c. Event sponsor submit to the Board of Public Works a written request for payment the affected Council office submits to the Board of Public Works a letter of support.
 - d. The event sponsor agrees to deposit, prior to the issuance of the permit, at least 10 percent of the City's estimated costs for services.

- e. The total estimated costs for services must exceed \$10,000.
 - f. The affected Council office submits to the Board of Public Works a letter of support for the payment deferral request.
8. MODIFY the Special Events Permit Procedure Ordinance to authorize the BOSS to account for subsidy credits prior to issuance of a Special Event permit.
 9. AUTHORIZE the Chief Legislative Analyst to develop an expedited subsidy review process for subsidies not to exceed \$1,000.
 10. INSTRUCT the BOSS to make it a standard permit condition that every Special Event sponsor, in addition to the petition notification, distribute a leave behind document with the event's logistical and street closure information. The document shall be subject to BOSS approval.
 11. INSTRUCT the BOSS to develop a Special Event Notification District (SEND) Program whereby additional notification measures will be employed within the boundaries of a specified district. For example, a Business Improvement District (BID) could, by Board of Directors' action, elect to participate in the SEND program. Additional notification measures could include:
 - a. Use of electronic message boards that provide notice of Special Event related street closures.
 - b. Use of non-electric signage that provides notice of Special Event related street closures.
 - c. Development of street detour plans for one-way commercial routes.
 12. INSTRUCT the BOSS to exempt entertainment and film premieres from notification measures beyond the standard petition requirement
 13. MODIFY the Special Events Permit Procedure Ordinance to expressly indicate whether planning cost shall be incorporated to all City department's'
 14. REQUEST the City Attorney to develop penalty and enforcement guidelines for failure to obtain a Special Event permit which will subsequently be incorporated into the Special Events Permit Procedure Ordinance.

Fiscal Impact Statement: The Board of Public Works reports that Prior to the adoption of the Special Events Ordinance, permit fees, salary costs and other City costs associated with Special Events could be waived pursuant to City Council action. Thus, by ensuring total cost recovery, the Ordinance has resulted in the reduction of the impact to the General Fund for Special Events. The General Fund reduction is a direct correlation to the amounts collected. Thus, because the Bureau of Street Services has collected approximately \$1.6 million for Special Events purposes in FY 2009-10, the impact to the General Fund was reduced by approximately \$1.6 million. There is no State or Federal fiscal impact related to this proposal.

Community Impact Statement: None submitted.

REFERRED BACK TO BUDGET AND FINANCE AND PUBLIC WORKS COMMITTEES'

B. COMMUNICATION FROM VICE-CHAIR, PERSONNEL COMMITTEE and VICE-CHAIR AND MEMBER, BUDGET AND FINANCE COMMITTEE

Recommendation for Council action:

CONCUR with the recommendations contained in the Public Works Committee report dated January 5, 2011, with an amendment to Recommendation One to REQUEST the Managed Hiring Committee prioritize and expedite the unfreeze of one Senior Street Services Investigator and to allow the Bureau of Street Services (BOSS) to back-fill for said position, if needed, from the lower ranks.

Fiscal Impact Statement: The Board of Public Works reports that prior to the adoption of the Special Events Ordinance, permit fees, salary costs and other City costs associated with Special Events could be waived pursuant to City Council action. Thus, by ensuring total cost recovery, the Ordinance has resulted in the reduction of the impact to the General Fund for Special Events. The General Fund reduction is a direct correlation to the amounts collected. Thus, because the BOSS has collected approximately \$1.6 million for Special Events purposes in FY 2009-10, the impact to the General Fund was reduced by approximately \$1.6 million. There is no State or Federal fiscal impact related to this proposal.

Community Impact Statement: None submitted.

(Continued from Council meeting of January 28, 2011)

ADOPTED

MOTION (HUIZAR - KORETZ)

Recommendations for Council action:

- 1. REQUEST the Managed Hiring Committee prioritize and expedite the unfreeze of one Senior Street Services Investigator and to allow the Bureau of Street Services (BOSS) to back-fill for said position, if needed, from the lower ranks.**
- 2. MODIFY the Special Events Permit Procedure Ordinance to authorize the BOSS to account for subsidy credits prior to issuance of a Special Event permit.**
- 3. REFER the remainder of this matter back to the Public Works and Budget and Finance Committees for further consideration.**

Items for Which Public Hearings Have Not Been Held - Items 18-26

(10 Votes Required for Consideration)

ITEM NO. (18) - ADOPTED

[11-0005-S62](#)

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 January 26, 2011:

RECEIVED AND FILED

[11-0005-S62](#)

CD 13

- a. Property at 4367 West Oakwood Avenue (Case No. 53677).
Assessor I.D. No. 5521-022-009

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 6, 2001)

Roll Call #22 - Adopted, Ayes (11); Absent: Cárdenas, Parks, Smith and Wesson (4) (Item No. 18b-18p)

[11-0005-S63](#)

CD 14

- b. Property at 815 North Blades Street aka 815 3/4 North Blades Street (Case No. 221828).
Assessor I.D. No. 5178-008-015

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 26, 2009)

[11-0005-S64](#)

CD 14

- c. Property at 815 North Blades Street aka 815 3/4 North Blades Street (Case No. 261305).
Assessor I.D. No. 5178-008-015

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

[11-0005-S65](#)

CD 1

- d. Property at 2645 East Alice Street aka 2647 East Alice Street (Case No. 140075).
Assessor I.D. No. 5453-001-025

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on September 6, 2007)

[11-0005-S66](#)

CD 1

- e. Property at 2645 East Alice Street aka 2647 East Alice Street (Case No. 230248).
Assessor I.D. No. 5453-001-025

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 1, 2009)

[11-0005-S67](#)

CD 13

- f. Property at 1516 West Ewing Street (Case No. 171210).
Assessor I.D. No. 5220-033-022

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 10, 2008)

[11-0005-S68](#)

CD 13

- g. Property at 1601 North Micheltorena Street aka 1603 North Micheltorena Street (Case No. 295955).
Assessor I.D. No. 5429-025-004

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on November 18, 2010)

[11-0005-S69](#)

CD 8

- h. Property at 6011 South 11th Avenue (Case No. 119431).
Assessor I.D. No. 4006-003-005

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 19, 2007)

[11-0005-S70](#)

CD 10

- i. Property at 1159 South Highland Avenue (Case No. 204976).
Assessor I.D. No. 5084-022-012

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 12, 2009)

[11-0005-S71](#)

CD 9

- j. Property at 200 West 87th Place (Case No. 253549).
Assessor I.D. No. 6040-020-027

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on December 29, 2009)

[11-0005-S72](#)

CD 8

- k. Property at 317 West 93rd Street aka 319 West 93rd Street (Case No. 61690).
Assessor I.D. No. 6040-038-011

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on April 5, 2007)

[11-0005-S73](#)

CD 9

- l. Property at 331 East 48th Street aka 4763 South San Pedro Street (Case No. 247953).
Assessor I.D. No. 5109-009-029

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

[11-0005-S74](#)

CD 15

- m. Property at 607 East 109th Place aka 10922 South Avalon Boulevard (Case No. 226674).
Assessor I.D. No. 6071-003-028

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on April 2, 2009)

[11-0005-S75](#)

CD 15

- n. Property at 607 East 109th Place aka 10922 South Avalon Boulevard (Case No. 252800).
Assessor I.D. No. 6071-003-028

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on September 24, 2009)

[11-0005-S76](#)

CD 8

- o. Property at 929 West 79th Street (Case No. 249426).
Assessor I.D. No. 6020-013-026

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on December 29, 2009)

[11-0005-S77](#)

CD 11

- p. Property at 767 East Sunset Avenue (Case No. 298217).
Assessor I.D. No. 4240-017-073

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on September 30, 2010)

ITEM NO. (19) - ADOPTED, AS AMENDED - SEE FOLLOWING - FORTHWITH

Roll Call #17 - to Adopt as Amended, Ayes (11); Noes: Alarcón and Cárdenas (2); Absent: Parks and Wesson (2)

[08-2595-S2](#)

CONTINUED CONSIDERATION OF COMMUNICATION FROM CHAIR, TRANSPORTATION COMMITTEE relative to supporting a 5.4 mile continuous Wilshire Boulevard peak-hour bus lane project.

Recommendations for Council action, as initiated by Motion (Rosendahl - Koretz):

1. AFFIRM support for a 5.4 mile continuous Wilshire Boulevard peak-hour bus lane project between Park View Street on the east, and San Vicente Boulevard on the west.
2. REQUEST that the Los Angeles County Metropolitan Transportation Authority (Metro) complete the necessary additional environmental review and analysis for a continuous peak-hour bus lane project on Wilshire Boulevard between Park View Street and San Vicente Boulevard.

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.

(Continued from Council meeting of January 28, 2011)

ADOPTED

AMENDING MOTION (ROSENDAHL - LABONGE)

Recommendations for Council action:

1. **REQUEST that the Los Angeles County Metropolitan Transportation Authority complete the necessary additional environmental review and analysis for a continuous peak-hour bus lane project on Wilshire Boulevard between Park View Street and San Vicente Boulevard.**
2. **REQUEST that the Los Angeles County Metropolitan Transportation Authority include the entire route, including Santa Monica and Beverly Hills, in its study.**

3. **INVITE the Mayors and Supervisors of Santa Monica and Beverly Hills to join with the City of Los Angeles relative to this matter.**
4. **DIRECT the Department of Transportation to report on the coordination and study of San Vicente, Venice, and Santa Monica Boulevards as transit corridors.**

ITEM NO. (20) - ADOPTED

Roll Call #8 - Adopted, Ayes (12); Absent: Alarcón, Huizar and Parks (3)

[08-2036](#)

COMMUNICATION FROM THE LOS ANGELES DEPARTMENT OF AGING (LADOA) relative to approval to accept New Freedom Program (NFP) and Job Access and Reverse Commute (JARC) grants for LADOA transportation projects.

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

1. AUTHORIZE the General Manager, LADOA, or designee to:
 - a. Accept from the Los Angeles County Metropolitan Transportation Authority \$3,644,000 in Federal Transit Administration JARC Program funds.
 - b. Accept from the Los Angeles County Metropolitan Transportation Authority \$2,830,879 in Federal Transit Administration NFP funds.
2. AUTHORIZE the General Manager, LADOA, or designee, to sign the Memorandum of Understanding with the Los Angeles County Metropolitan Transit Authority.
3. AUTHORIZE the General Manager, LADOA, or designee, to amend existing contracts as indicated on Attachment 1, attached to Council File.
4. AUTHORIZE and APPROVE the filling of the following resolution positions: Project Coordinator, Management Assistant, and Accounting Clerk II.
5. AUTHORIZE the General Manager, LADOA, or designee, to prepare Controller accounting instructions and any necessary technical adjustments that are consistent with the Mayor and Council actions on this matter, subject to the approval of the City Administrative Officer, and AUTHORIZE the Controller to implement those instructions.
6. AUTHORIZE the Controller to:
 - a. Establish a new Fund titled "LACMTA Grant Projects."

Establish new accounts and appropriate \$2,906,822 within the new fund titled "LACMTA Grant Projects" for the Year One operations as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
G102	Aging	\$236,038
G299	Related Costs	\$181,202
G201	Job Access Program	\$1,644,000
G300	New Freedom Program	\$1,202,311
	Total:	\$2,906,822

- b. Increase appropriations within Fund 100 - Department 02 and transfer funds on an as-needed basis as follows:

	<u>Fund</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
From:	"NEW"	G102	Aging	\$236,038
To:	100	1010	Salaries-General	\$349,908
	100	3040	Contractual Services	\$1,1341
	100	6010	Office & Admin. Exp.	\$1,008
			Total:	\$236,038

- c. Expend funds upon proper demand of the General Manager, LADOA, or designee.

7. AUTHORIZE the General Manager, LADOA, to prepare Controller instructions for any technical adjustments, subject to the approval of the City Administrative Officer, and AUTHORIZE the Controller to implement the instructions.

8. INSTRUCT the City Clerk to place on the Council agenda, as soon as possible after **JULY 1, 2011** the following:

- a. ESTABLISH new accounts and appropriate \$1,807,224 within the new fund titled "LACMTA Grant Projects" for the Year Two operations as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
H102	Aging	\$367,170
H299	Related Costs	\$281,870
H201	Job Access Program	\$708,272
H300	New Freedom Program	\$449,912
	Total:	\$1,807,224

- b. INCREASE appropriations within Fund 100 - Department 02 and transfer funds on an as-needed basis as follows:

	<u>Fund</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
From:	"NEW"	H102	Aging	\$367,170
To:	100	1010	Salaries-General	\$363,516
	100	3040	Contractual Services	\$2,086
	100	6010	Office & Admin. Exp.	\$1,568
			Total:	\$367,170

- c. TRANSFER any unexpended FY 2010-11 (\$xx,xxx) LACMTA program savings to the FY 2011-12 appropriation account within the "New" Fund titled "LACMTA Grant Projects." The \$xx,xxx savings amount to be determined based upon finalization of Year One costs as of June 30, 2011.

	<u>Account</u>	<u>Title</u>	Amount
From:	G201	Job Access Program	\$xx,xxx
	G300	New Freedom Program	\$xx,xxx
To:	H201	Job Access Program	xx,xxx
	H300	New Freedom Program	xx,xxx

- d. AUTHORIZE the General Manager, LADOA, to prepare Controller instructions for any technical adjustments, subject to the approval of the City Administrative Officer, and AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: The LADOA reports there is no impact on the City's General Fund as a result of the acceptance of \$2,830,879 in New Freedom funds and \$3,644,000 in JARC funds.

Community Impact Statement: None submitted.

(Arts, Parks, Health and Aging Committee waived consideration of the above matter)

ITEM NO. (21) - CONTINUED TO FEBRUARY 22, 2011

Roll Call #7 - Adopted to Continue, Unanimous Vote (12); Absent: Alarcón, Huizar and Parks (3)

[11-0124](#)

CD 13

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)

ITEM NO. (22) - ADOPTED, AS AMENDED - SEE FOLLOWING - TO THE MAYOR FORTHWITH

Roll Call #20 - to Adopt as Amended, Ayes (10); Noes: Krekorian (1); Absent: Cárdenas, Parks, Smith and Wesson (4)

[11-0023-S1](#)

CD 9

CONSIDERATION OF MOTION (HAHN - LABONGE) relative to authorizing the release of a Request for Qualifications (RFQ) to seek financial advisors for AEG's proposed project to attract an NFL franchise to the City of Los Angeles.

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

1. AUTHORIZE the Chief Legislative Analyst (CLA) to prepare and release an RFQ to seek and select financial advisors with expertise in stadium and convention center financing, operations, and development; general economic and fiscal analyses; and other analytical services as needed to fully evaluate the terms and impacts of the project, and to contract with selected advisors in an amount not to exceed \$250,000.
2. AUTHORIZE the CLA to accept up to \$250,000 for consultant services from the Developer, AEG and further INSTRUCT the CLA to provide instructions to the Controller for the expenditure of said funds from the Contractual Services Account 3040.

Community Impact Statement: None Submitted

(Trade, Commerce, and Tourism Committee waived consideration of the above matter)

ADOPTED

AMENDING MOTION (GARCETTI - ALARCÓN)

Recommendation for Council action:

DIRECT the Office of Economic Analysis to prepare an independent outside analysis of the economic benefits or shortcomings of the proposed Convention Center/Downtown Stadium Project.

**Roll Call #8 - Adopted, Ayes (12); Absent: Alarcón, Huizar and Parks (3)
(Item Nos. 23-25)**

ITEM NO. (23) - ADOPTED

[11-0121](#)

MOTION (PERRY - GARCETTI) relative to funding for support of Council District Nine community services efforts.

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

1. TRANSFER a total of \$12,145.23 in the Council District Nine Fiscal Year 2009-10 General City Purposes (GCP) allocations, be unencumbered, reverted to the Reserve Fund, therefrom to the Unappropriated Balance Fund No. 100/58 and be re-appropriated therefrom to the GCP Fund No. 100/56, Account No. 0709 (CD-9 Community Services) for further support of Council District Nine community services efforts.
2. AUTHORIZE the City Clerk to make any technical corrections or clarifications to the above fund transfer instructions in order to effectuate the intent of this Motion.

ITEM NO. (24) - ADOPTED

[10-0010-S6](#)

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

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

REAFFIRM Council's findings and REINSTATE the reward offer relative to the death of Cesar Garcia (Council action of January 15, 2010, Council file No. 10-0010-S6) for an additional period of 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 in this instance.

ITEM NO. (25) - ADOPTED

[11-0010-S8](#)

MOTION (PERRY - SMITH) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the deaths of Jerriell Wilborn and Sulema Wilborn on August 4, 2010.

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

1. PROVIDE an offer of reward in the amount of \$75,000 for information leading to the identification, apprehension, and conviction of the person(s) responsible for the deaths of Mr. and Mrs. Wilborn on August 4, 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. (26) - ADOPTED

Roll Call #12 - Adopted, Ayes (14); Absent: Parks (1)

[11-0123](#)

RESOLUTION (GARCETTI - PERRY) relative to declaring the month of February 2011 as Teen Dating Violence Awareness and Prevention Month in the City of Los Angeles.

Recommendation for Council action:

RESOLVE to DECLARE the month of February 2011 as Teen Dating Violence Awareness and Prevention Month in the City of Los Angeles.

Closed Sessions - Items 27-32

Roll Call #9 - Adopted in Open Session, Ayes (12); Absent: Alarcón, Huizar and Parks (3)

ITEM NO. (27) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

[10-1977](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to the case entitled Hailee Byrd v. City of Los Angeles, Los Angeles Superior Court Case No. PC047744. (This case involves a personal injury incident which occurred on October 10, 2009.)

(Budget and Finance Committee considered the above matter in Closed Session on January 24, 2011)

ADOPTED

MOTION (SMITH - HUIZAR)

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

- 1. AUTHORIZE the City Attorney to expend \$145,000 in settlement of the above entitled matter from City Attorney Fund No. 100, Department 59, Account No. 9770.**
- 2. AUTHORIZE the City Attorney to draw a demand thereon in said amount payable to Law Offices of George H. Hultman and Hailee Byrd.**
- 3. AUTHORIZE the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer, and AUTHORIZE the Controller to implement the instructions.**

This matter was approved by the Budget and Finance Committee (Parks - Smith - Huizar - Koretz "yes") at its meeting on January 24, 2010, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (28) - ACTION TAKEN IN CLOSED SESSION

[10-2467](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to the case entitled City of Los Angeles v. Petersen Automotive Museum Foundation, et al., Los Angeles Superior Court Case No. BC 427443. (This matter involves a dispute between the Office of Finance and the taxpayer regarding the taxpayer's obligation to collect and remit parking occupancy tax pursuant to Los Angeles Municipal Code Section 21.15.2.)

(Budget and Finance Committee considered the above matter in Closed Session on January 24, 2011)

**Roll Call #9 - Adopted in Open Session, Ayes (12); Absent: Alarcón, Huizar and Parks (3)
(Item Nos. 29-32)**

ITEM NO. (29) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

[11-0013](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to the case entitled Paul Waymire v. City of Los Angeles, Los Angeles Superior Court Case No. BC398970. (This case involves a gender and race discrimination matter involving the Los Angeles Police Department.)

(Budget and Finance Committee considered the above matter in Closed Session on January 24, 2011)

ADOPTED

MOTION (SMITH - HUIZAR)

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

- 1. AUTHORIZE the City Attorney to expend \$281,850.38, with interest calculated prospectively to January 31, 2011, the estimated date of payment, subject to recalculation through actual payment date, for payment of judgment in the above-entitled matter from City Attorney Fund No. 100, Department 59, Account No. 9770.**
- 2. AUTHORIZE the City Attorney to draw a demand thereon in said amount payable to Law Offices of Gregory W. Smith and Paul Waymire.**
- 3. AUTHORIZE the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer, and AUTHORIZE the Controller to implement the instructions.**

This matter was approved by the Budget and Finance Committee (Parks - Smith - Huizar - Koretz "yes") at its meeting on January 24, 2010, in Closed Session as permitted by Government Code Section 54956.9(a).

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

[11-0037](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to the case entitled Danny Jimenez v. City of Los Angeles, EAMS NO.: ADJ2358784. (Claimant alleges he sustained personal injuries during the course and scope of his employment as a Police Officer for the Los Angeles Police Department.)

(Budget and Finance Committee considered the above matter in Closed Session on January 24, 2011)

ADOPTED

MOTION (SMITH - HUIZAR)

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

1. **AUTHORIZE** the City Attorney to enter into a settlement in the above-entitled case through a Stipulated Award in the total amount of \$147,217.50, plus a life pension of approximately \$61,020.93 at the weekly rate of \$131.42 payable at the conclusion of permanent disability payments. After taking credit for \$12,960, the total new money pay-out will be an estimated \$195,278.43.
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.

This matter was approved by the Budget and Finance Committee (Parks - Smith - Huizar - Koretz "yes") at its meeting on January 24, 2010, in Closed Session as permitted by Government Code Section 54956.9(a).

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

[11-0038](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to the case entitled John Christman v. City of Los Angeles, EAMS NOS.: ADJ6798949, ADJ5833713, ADJ6798842. (Claimant alleges he sustained personal injuries during the course and scope of his employment as a Firefighter for the City of Los Angeles.)

(Budget and Finance Committee considered the above matter in Closed Session on January 24, 2011)

ADOPTED

MOTION (SMITH - HUIZAR)

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

1. **AUTHORIZE the City Attorney to enter into a settlement in the above-entitled case through a Join Stipulated Award in the total amount of \$138,577.50, plus an estimated life pension of approximately \$91,602.60 at the weekly rate of \$115.96, payable at the conclusion of permanent disability payments. After taking credit for \$29,070.15, the total new money pay-out will be an estimated \$201,109.95.**
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.**

This matter was approved by the Budget and Finance Committee (Parks - Smith - Huizar - Koretz "yes") at its meeting on January 24, 2010, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (32) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

[11-0039](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to the case entitled Kenneth Wiseman v. City of Los Angeles, EAMS No.: ADJ6907884. (Claimant alleges he sustained personal injuries during the course and scope of his employment as a Police Officer with the Los Angeles Police Department.)

(Budget and Finance Committee considered the above matter in Closed Session on January 24, 2011)

ADOPTED

MOTION (SMITH - HUIZAR)

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

1. **AUTHORIZE the City Attorney to enter into a settlement in the above-entitled case through a Stipulated Award in the total amount of \$227,534.28 based on 78 percent permanent disability, which is equivalent to \$151,537.50 plus a life pension of approximately \$75,996.78 payable at the weekly rate of \$139.15 at the conclusion of permanent disability payments. After taking credit for \$7,360 in indemnity advances, the total new money pay-out will be \$220,174.28.**
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.**

This matter was approved by the Budget and Finance Committee (Parks - Smith - Huizar - Koretz "yes") at its meeting on January 24, 2010, in Closed Session as permitted by Government Code Section 54956.9(a).

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

[11-0186](#)

MOTION (GARCETTI - PERRY - ZINE - ET AL.) relative to requesting the City Council to create an Ad Hoc Committee on the Downtown Stadium.

[11-0011-S3](#)

MOTION (HUIZAR - REYES) relative to funding for services in connection with the installation of bike racks at York and Avenue 50 in Council District 14.

[10-0010-S31](#)

MOTION (WESSON - ZINE) relative to reinstating the reward offer in the death of Otto Paiz for an additional six months.

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

[11-0181](#)

RESOLUTION (CARDENAS - ALARCON) relative to declaring February 2011 as Spay and Neuter Month in the City of Los Angeles.

[11-0182](#)

RESOLUTION (GARCETTI - PERRY) relative to declaring January 2011 as National Mentoring Month in the City of Los Angeles.

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

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL

Regular Meeting Recessed at 10:33

Special Meeting Convened at 10:33

Special Meeting Adjourned at 10:35

Regular Meeting Reconvened at 10:35