

Los Angeles City Council, **Journal/Council Proceedings**  
Wednesday, **February 23, 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, Huizar, Koretz, Krekorian, LaBonge, Parks, Perry, Rosendahl, Zine and President Garcetti (10); Absent: Alarcón, Cárdenas, Reyes, Smith and Wesson (5)**

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF  
FEBRUARY 18, 2011

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 20

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

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

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## **Items Noticed for Public Hearing - Items 1-11**

**ITEM NO. (1) - RECEIVED AND FILED - IN AS MUCH AS LIEN HAS BEEN PAID**

**Roll Call #10 - Adopted to Receive and File, Ayes (13); Absent: Krekorian and Smith (2)**

[10-1702](#)  
CD 15

CONTINUED CONSIDERATION OF HEARING PROTESTS relative to Department of Building and Safety report and confirmation of lien against property located at 114 North Pacific Avenue (Unit #B) aka 114-30 North Pacific Avenue aka 470 West First Street, APN 7449-022-007. (Lien: \$6,544.20)

Recommendations for Council action:

1. HEAR PROTESTS relative to non-compliance of code violation and proposed lien to recover the costs of inspection invoices, recorded against property located at 114 North Pacific Avenue (Unit #B) aka 114-30 North Pacific Avenue aka 470 West First Street, plus appropriate fees and fines, as authorized by the Los Angeles Municipal Code Sections 91.103, 98.0411(a) 98.0402(e), and Sections 7.35.3 and 7.35.5 of the Los Angeles Administrative Code, as described in the Building and Safety report, attached to the Council file; and, CONFIRM said lien.

2. INSTRUCT the Department of Building and Safety to deposit to Department 08/48R, Balance Sheet Account 2200, any payment received against this lien in the amount of \$6,544.20 on the above referenced property.

(Continued from Council meeting of February 16, 2011)

**Roll Call #1 - Adopted, Ayes (10); Absent: Alarcón, Cárdenas, Reyes, Smith and Wesson (5)  
(Item Nos. 2-6)**

**ITEM NO. (2) - PUBLIC HEARING CLOSED - LIEN CONFIRMED**

[10-1343](#)

CD 3

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of cleaning of the lot at 21901 West Dumetz Road. (Lien: \$583.80)

**ITEM NO. (3) - PUBLIC HEARING CLOSED - LIEN CONFIRMED**

[10-1844](#)

CD 7

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the cost of barricading of all openings and the cleaning and fencing of the lot at 10965 North Oneida Avenue. (Lien: \$4,700.14)

**ITEM NO. (4) - PUBLIC HEARING CLOSED - LIEN CONFIRMED**

[10-1845](#)

CD 5

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the cost of barricading of all openings and cleaning of the lot at 4189 North Hayvenhurst Avenue. (Lien: \$4,192)

**ITEM NO. (5) - PUBLIC HEARING CLOSED - LIEN CONFIRMED**

[10-1846](#)

CD 7

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the cost of barricading of all openings and the cleaning and fencing of the lot at 12407 North Edgecliff Avenue. (Lien: \$8,007.03)

**ITEM NO. (6) - PUBLIC HEARING CLOSED - LIEN CONFIRMED**

[10-1847](#)

CD 6

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the cost of barricading of all openings and cleaning and fencing of the lot at 8600 North Cayuga Avenue. (Lien: \$4,897)

**ITEM NO. (7) - RECEIVED AND FILED - IN AS MUCH AS LIEN HAS BEEN PAID**

**Roll Call #8 - Adopted to Receive and File, Unanimous Vote (10); Absent: Alarcón, Cárdenas, Reyes, Smith and Wesson (5)**

[10-1848](#)

CD 3

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of cleaning of the lot at 4761 North Burgundy Road. (Lien: \$583.80)

**ITEM NO. (8) - PUBLIC HEARING CLOSED - LIEN CONFIRMED**

**Roll Call #1 - Adopted, Ayes (10); Absent: Alarcón, Cárdenas, Reyes, Smith and Wesson (5)**

[10-1849](#)

CD 8

HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the cost of cleaning and fencing of the lot at 1421 West 46th Street. (Lien: \$12,832.51)

**ITEM NO. (9) - PUBLIC HEARING CLOSED - CITY ENGINEER INSTRUCTED TO PROCEED**

**Roll Call #11 - Adopted, Ayes (13); Absent: Krekorian and Smith (2)**

[04-0157](#)

CD 2

HEARING PROTESTS relative to vacation of Bellingham Avenue from Hamlin Street to approximately 288 feet northerly thereof and the alley westerly of Laurel Canyon Boulevard between Kittridge Street and Hamlin Street (VAC E1400891).

(Categorical Exemption, Public Works Committee Report and Findings adopted on January 18, 2011)

**Roll Call #1 - Adopted, Ayes (10); Absent: Alarcón, Cárdenas, Reyes, Smith and Wesson (5)  
(Item Nos. 10-11)**

**ITEM NO. (10) - PUBLIC HEARING CLOSED - CITY ENGINEER INSTRUCTED TO PROCEED**

[08-2518](#)

CD 14

HEARING PROTESTS relative to the vacation of the alley northerly of 12th Street between Birch Street and Hemlock Street (VAC E1401104).

(Categorical Exemption, Public Works Committee Report and Findings adopted on February 9, 2011)

**ITEM NO. (11) - PUBLIC HEARING CLOSED - CITY ENGINEER INSTRUCTED TO PROCEED**

[10-0224](#)

CD 14

HEARING PROTESTS relative to the vacation of the alley southwesterly of La Loma Road from 233 feet southerly of Genevieve Avenue to its southeasterly terminus (VAC E1401152).

(Categorical Exemption, Public Works Committee Report and Findings adopted on January 18, 2011)

**Items for Which Public Hearings Have Been Held - Items 12-18**

**Roll Call #3 - Adopted, Ayes (11); Absent: Alarcón, Reyes, Smith and Wesson (4)  
(Item Nos. 12-13)**

**ITEM NO. (12) - ADOPTED - FORTHWITH - SEE FOLLOWING**

[11-0241](#)

COMMUNICATION FROM THE BOARD OF RECREATION AND PARK COMMISSIONERS relative to the proposed First and Second Amendments to the Operating Agreement between the State of California and the Department of Recreation and Parks, for the use of Science Center-owned property known as the Playfields.

(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**

**ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT** relative to the proposed first and second amendments to the Operating Agreement between the State of California and the Department of Recreation and Parks (RAP), for the use of Science Center-owned property known as the Playfields.

**Recommendations for Council action:**

1. **APPROVE** the proposed First and Second Amendments to the Operating Agreement with the State of California, acting through the Sixth District Agricultural Association, also known as the California Science Center (Science Center) for the use of Science Center-owned property commonly known as the Playfields, for sports-related and EXPO Center-related uses, subject to the approval of the City Attorney as to form.
2. **AUTHORIZE** the Recreation and Park Commissioners Board President and Secretary to execute the Amendments upon receipt of the necessary approvals.

**Fiscal Impact Statement:** The Department of Recreation and Parks reports that approval of the proposed Amendments will not have any additional impacts on the General Fund other than those already considered in the original Operating Agreement. However, the City may be obligated to provide reimbursement to the Science Center should the City fail to prepare the Playfields for scheduled events. RAP staff will identify potential sources of funds to pay this obligation should this occur.

**Community Impact Statement:** None submitted.

**ITEM NO. (13) - ADOPTED**

[10-0600-S54](#)

**BUDGET AND FINANCE COMMITTEE REPORT** relative to the status of the General Fund liability accounts as of December 31, 2010.

**Recommendation for Council action:**

**NOTE and FILE** the City Attorney's report relative to the status of the General Fund liability accounts as of December 31, 2010.

**Fiscal Impact Statement:** Not applicable.

**Community Impact Statement:** None submitted.

(Council may recess to Closed Session, pursuant to Government Code Section 54956.9(a) and/or (b) to confer with its legal counsel relative to the above matter)

**ITEM NO. (14) - CONTINUED TO MARCH 1, 2011**

**Roll Call #2 - Adopted to Continue, Unanimous Vote (10); Absent: Alarcón, Cárdenas, Reyes, Smith and Wesson (5)**

[11-0218](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to proposed reductions in the number of cell phones issued by the City and proprietary departments.

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

1. INSTRUCT the City Administrative Officer (CAO) to report prior to implementation of any cuts in cell phone issuance, to ensure that penalties (if any) and any other charges for early termination of service will not exceed the projected savings.
2. INSTRUCT the CAO and the Information Technology Agency to report on whether savings can be realized through renegotiation on cell phone contracts or plans.
3. INSTRUCT the CAO, with the assistance of any relevant departments, to report prior to implementation of any cuts in cell phone issuance, on the following issues:
  - a. Overview of the number of cell phones and amount of usage in dollars over a several year period
  - b. Explore whether shared costs is an option with employees as opposed to the loss of the cell phone
  - c. Review any employee relation issues relating to the use of cell phones especially in relation to job assignment
  - d. Incorporate information and findings from the Controller's ongoing audit on cell phone usage
  - e. Impact on City's utility tax if a sudden significant drop in usage of cell phones occurs

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

Community Impact Statement: None submitted.

**Roll Call #3 - Adopted, Ayes (11); Absent: Alarcón, Reyes, Smith and Wesson (4)  
(Item Nos. 15-18)**

**ITEM NO. (15) - ADOPTED**

[11-0172](#)

PUBLIC SAFETY COMMITTEE REPORT relative to the renewal of a contract with United Road Towing, Inc., for towing and storage services for the Los Angeles Police Department's (LAPD) Official Police Garage (OPG) Service Area No. 9.

Recommendation for Council action:

AUTHORIZE the President, Board of Police Commissioners, or designee, to negotiate and execute a renewal agreement with United Road Towing, Inc., for the period January 25, 2011, through April 5, 2015, for towing and storage services for the LAPD's OPG Service Area No. 9.

Fiscal Impact Statement: None submitted by the LAPD. 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. (16) - ADOPTED

[11-0194](#)

PUBLIC SAFETY COMMITTEE REPORT relative to the donation of a vehicle, fuel, and related maintenance for use by the Los Angeles Police Department (LAPD).

Recommendation for Council action:

ACCEPT donation of a vehicle, fuel, and maintenance, valued at \$31,000, from the United States Department of Justice for use by the LAPD, and THANK the donor for this generous donation.

Fiscal Impact Statement: None submitted by the LAPD. 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. (17) - ADOPTED

[11-0195](#)

PUBLIC SAFETY COMMITTEE REPORT relative to the donation of training and one trained dog for use by the Los Angeles Police Department's (LAPD) Emergency Services Division.

Recommendation for Council action:

ACCEPT donation of training and one trained dog, valued at \$42,580, from the Los Angeles Police Foundation, for use by the LAPD's Emergency Services Division, and THANK the donor for this generous donation.

Fiscal Impact Statement: None submitted by the LAPD. 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. (18) - ADOPTED**

[11-0196](#)

PUBLIC SAFETY COMMITTEE REPORT relative to the donation of professional services to conduct a follow-up project of the Safer Cities Initiative for the Los Angeles Police Department (LAPD).

Recommendation for Council action:

ACCEPT the donation of professional services of Dr. George Kelling to conduct a follow-up project of the Safer Cities Initiative, valued at \$14,760, from the Los Angeles Police Foundation for use by the LAPD, and THANK the donor for this generous donation.

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

Community Impact Statement: None submitted.

**Items for Which Public Hearings Have Not Been Held - Items 19-24**

(10 Votes Required for Consideration)

**Roll Call #7 - Adopted, Ayes (12); Absent: Reyes, Smith and Wesson (3)  
(Item Nos. 19a-19c, 20)**

**ITEM NO. (19) - ADOPTED**

[11-0005-S125](#)

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 23, 2011:

[11-0005-S125](#)

CD 8

- a. Property at 2915 West Hyde Park Boulevard aka 6436 South Madden Avenue (Case No. 133842).  
Assessor I.D. No. 4007-018-027

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on January 3, 2008)



[11-0005-S126](#)

CD 15

- b. Property at 200 West 113th Street (Case No. 139900).  
Assessor I.D. No. 6074-025-014

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on October 4, 2007)

[11-0005-S127](#)

CD 7

- c. Property at 8503 North Tobias Avenue (Case No. 291665).  
Assessor I.D. No. 2653-017-006

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 12, 2010)

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

[10-1953](#)

CD 14

CATEGORICAL EXEMPTION and COMMUNICATION FROM VICE CHAIR, PLANNING AND LAND USE MANAGEMENT COMMITTEE relative to appeal of corrective Conditions imposed on the operation of the business known as Ken's Market located at 1123 East Seventh Street.

Recommendations for Council action:

1. FIND that this action is categorically exempt from the California Environmental Quality Act pursuant to Article VII, Section 1, Class 21(2) of the City's Environmental Guidelines.
2. ADOPT the FINDINGS of the Zoning Administrator, acting on behalf of the Director of Planning, as the Findings of Council.
3. RESOLVE TO DENY APPEALS filed by Michael Kim (Baret C. Fink, Esq., Perelman and Fink, Representative), from part of the determination of the Zoning Administrator, and THEREBY IMPOSE conditions on the operation of a market/liquor store known as Ken's Market located at 1123 East Seventh Street, inasmuch as the business was found to be a public nuisance and required modification of its operation to mitigate adverse impacts on persons and properties in the surrounding area.

Applicant: City of Los Angeles, Office of Zoning Administration DIR 2010-1361 (RV)

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - MARCH 2, 2011

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

**ITEM NO. (21) - CONTINUED TO FEBRUARY 25, 2011**

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

[11-0223](#)

COMMUNICATION FROM THE LOS ANGELES HOUSING DEPARTMENT (LAHD) relative to authority to submit an application to the US Department of Housing and Urban Development for \$9,875,577 in Neighborhood Stabilization Program Three (NSP3) funding, make a Substantial Amendment to the City 2010-11 (36th Program Year) Action Plan, and amend the NSP1 to allow for additional eligible uses.

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

1. AUTHORIZE the General Manager, LAHD, or designee, to:
  - a. Execute Application for Federal Assistance SF 424, required certifications and any amendments thereto, and any other required documents between the U.S. Department of Housing and Urban Development (HUD) and the City of Los Angeles for the receipt and disbursement of a NSP3 grant in the amount of \$9,875,577 upon notification of grant award from HUD.
  - b. Submit the NSP3 Substantial Amendment to HUD before the deadline of March 1, 2011.
  - c. Utilize standardized loan documents for the single-family mortgage assistance and the down payment and rehabilitation assistance programs, as proposed by the City Attorney, to eliminate loan-by-loan review by City Attorney as to "form" in order to expedite the loan closing process.
  - d. Shift funds, in accordance with the HUD's recommendation, among the Eligible Uses in the NSP3 Substantial Amendment as long as the goals and outcomes of the approved NSP3 program are met.
  - e. Add to the NSP1 Amendment Eligible Use D, Demolish Blighted Properties, and Eligible Use E, Redevelopment of Vacant and Demolished Properties, and submit the amendment to HUD, transfer from Eligible Use B, Purchase and Rehabilitate Homes, \$285,000 to Eligible Use D and \$6,415,000, into Eligible Use E, Redevelopment of Vacant and Demolished Properties.
  - f. Shift funds among Eligible Uses in the City's approved NSP1 Amendment in accordance with the HUD's recommendation, as long as the goals and outcomes of the approved NSP1 program are met.
  - g. Shift funds among Eligible Uses in the City's approved NSP2 Application (Council file No. 10-0799), in accordance with the HUD's recommendation, as long as the goals and outcomes of the approved NSP2 program are met.

- h. Increase the current LAHD loan to Restore Neighborhoods LA, Inc (RNLA) from the Municipal Housing Finance Fund (MHFF) by \$450,000 to be deposited into an interest bearing account that is used to pay for expenses incurred by RNLA in implementing the NSP1, NSP2, and NSP3 grants, creating a total loan amount of \$700,000. Such amount shall be repaid in full, including interest earned on the account, at the end of the term of RNLA's contract with the City.
- i. Use the MHFF to repay up to \$55,000 in origination fees and interest on the line of credit obtained by RNLA to pay NSP expenditures prior to reimbursement by LAHD.
- j. Prepare Controller instructions and make any necessary technical adjustments consistent with the Mayor and Council actions, subject to the approval of the City Administrative Officer and authorize the Controller to implement the instructions.

2. AUTHORIZE the Controller to:

- a. Establish new Account No. G112, City Attorney, within Fund No. 52J/43.
- b. Transfer funds within Fund No. 52J/43 as follows:

From:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
F304	NSP2/ARRA-Admin Reserve LAHD	\$57,470

To:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
G112	City Attorney	\$19,419
G299	Related Costs	\$13,051
G245	NSP Professional Svcs. Contr.	\$25,000

- c. Expend funds not to exceed \$57,470 from the above fund and accounts upon proper written demand of the General Manager, or designee, on an as-needed basis.
- d. Transfer appropriation within Fund No. 440/43 as follows:

From:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
G201	Rent Stabilization Reserve	\$16,235

To:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
G112	City Attorney	\$9,709
G299	Related Costs	\$6,526

- e. Expend funds not to exceed \$16,235 from the above fund and accounts upon proper written demand of the General Manager, or designee, on an as-needed basis.
- f. Transfer appropriation within Fund No. 41 M/43 as follows:

From:		
<u>Account</u>	<u>Title</u>	<u>Amount</u>
G301	Code Enforcement Reserve	\$16,235

To:		
<u>Account</u>	<u>Title</u>	<u>Amount</u>
G112	City Attorney	\$9,709
G299	Related Costs	\$6,526

- g. Expend funds not to exceed \$16,235 from the above fund and accounts upon proper written demand of the General Manager, or designee, on an as-needed basis.
- h. Establish new Account No. G818, RNLA NSP2, within Fund No. 815/43.
- i. Transfer funds within Fund No. 815/43 as follows:

From:		
<u>Account</u>	<u>Title</u>	<u>Amount</u>
W223	Moderate Inc Home Buyer Prog	\$184,261.67
A223	Moderate Inc Home Buyer Prog	\$265,738.33

To:		
<u>Account</u>	<u>Title</u>	<u>Amount</u>
G818	RNLA NSP2	\$450,000

- j. Expend funds not to exceed \$450,000 from the above fund and accounts upon proper written demand of the General Manager, or designee, to pay for the loan to RNLA.
- k. Transfer remaining cash balance of \$9,733.53 in State Home Disaster Relief Trust Fund No. 40G to Municipal Housing Finance Fund No. 815 and appropriate to Fund No. 815, Account No. G005 for future use.
- l. Increase Fiscal Year 2010-11 appropriations for City Attorney Fund No. 100/12, from NSP2 Grant Fund No. 52J/43, Code Enforcement Fund No. 41M/43, Rent Stabilization Trust Fund No. 440/43 as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1010	Salaries - General	\$38,837

- m. Transfer cash from NSP2 Grant Fund No. 52J/43, Code Enforcement Fund No. 41M/43, Rent Stabilization Trust Fund No. 440/43 to reimburse the City Attorney General Fund No. 100/12 upon presentation of proper documentation from City Attorney in the amount of \$64,940.
3. INSTRUCT the General Manager, LAHD, or designee, to return to Council and Mayor to request authority to execute the grant agreement and prepare Controller's instructions to establish a special fund and related accounts.

Fiscal Impact Statement: The LAHD reports that there will be no fiscal impact on the General

Fund.

Community Impact Statement: None submitted.

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

**ITEM NO. (22) - CONTINUED TO MARCH 1, 2011**

**Roll Call #5 - Adopted to Continue, Unanimous Vote (11); Absent: Alarcón, Reyes, Smith and Wesson (4)**

[11-0086](#)

CONTINUED CONSIDERATION OF COMMUNICATIONS FROM THE COMMUNITY REDEVELOPMENT AGENCY (CRA) and RESOLUTIONS relative to a cooperative agreement with the City of Los Angeles for payment of approximately \$930,000,000 for costs associated with certain CRA funded capital improvement, public improvement and affordable housing projects located within the currently designated 31 redevelopment project areas.

Recommendations for Council action:

1. AUTHORIZE the CRA Chief Executive Officer (CEO), or designee, to negotiate and enter into a cooperation agreement (Agreement) in an amount up to \$930,000,000 with the City of Los Angeles (the City) for the implementation of capital and public improvements, affordable housing and other redevelopment projects (including program delivery costs) in the currently designated CRA redevelopment project areas, subject to the review and approval of the City Attorney.
2. AUTHORIZE the CRA CEO, or designee, to negotiate and execute an amendment to the Agreement to supplement the list of capital and public improvements, affordable housing and other redevelopment projects listed on Attachment A (including program delivery costs) previously approved by the CRA Board of Commissioners.
3. ADOPT the accompanying RESOLUTIONS under the California Health and Safety Code Sections 33421.1 and 33445 finding that the use of CRA funds to pay for the construction of certain capital and public improvements are of benefit to the affected project areas by eliminating blight within the project area, that there are no other reasonable means of financing available to the City for the improvements, and that the construction of the improvements is consistent with the Redevelopment Plan and the Five-Year Implementation Plan for each project area and effectuates the relevant Redevelopment Plan.
4. INSTRUCT the CRA CEO, or designee, to increase the amount of the available funds under the Agreement by Five percent (\$45 million) or \$930,000,000 in order to ensure that the work program of all regions and corresponding project areas are reflected in the list of projects (Attachment A of the CRA report dated January 14, 2011).
5. INSTRUCT the CEO to negotiate within the cooperation agreement the designation of a Successor Entity to implement the work program on behalf of the City upon the conclusion of CRA's statutory authority; and that such Entity be either a non-profit organization or development corporation approved by the City Council and managed by the CEO, with support from

designated members of the management team and staff.

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

Community Impact Statement: None submitted.

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

(Continued from Council meeting of February 16, 2011)

**ITEM NO. (23) - CONTINUED MARCH 2, 2011**

**Roll Call #6 - Adopted to Continue, Unanimous Vote (11); Absent: Alarcón, Reyes, Smith and Wesson (4)**

[08-3343](#)

CD 13

CONTINUED CONSIDERATION OF CATEGORICAL EXEMPTION and COMMUNICATION FROM THE CITY ENGINEER relative to vacating the Lake Shore Avenue southerly of Montana Street (VAC E1401134).

Recommendations for Council action:

1. FIND that the vacation of the Lake Shore Avenue southerly of Montana Street is exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(3) of the City of Los Angeles Environmental Guidelines.
2. FIND that the street vacation proceedings pursuant to the Public Streets, Highways and Service Easements Vacation Law be instituted for the vacation of the public right-of-way indicated below and shown colored blue on Exhibit B of the August 27, 2010 City Engineer report and attached to the Council file:

A portion of the northwesterly side of Lake Shore Avenue from Montana Street to approximately 190 feet southwesterly thereof.

3. ADOPT the FINDINGS of the City Engineer dated August 27, 2010, as the Findings of the Council.
4. ADOPT the accompanying City Engineer report dated August 27, 2010 to approve the vacation.
5. INSTRUCT the City Clerk to set a public hearing date for **MARCH 9, 2011**.

Fiscal Impact Statement: The City Engineer reports that to date, the petitioner has paid a fee of \$10,700.00 for the investigation of this request pursuant to Section 7.42 of the Administrative Code. Any deficit fee to recover the cost pursuant to Section 7.44 of the Administrative Code may be required of the petitioner. Maintenance of the public easement by City Forces will be eliminated.

Community Impact Statement: None submitted.

**(Public Works Committee waived consideration of the above matter)**

(Continued from Council meeting of February 9, 2011)

**ITEM NO. (24) - ADOPTED**

**Roll Call #11 - Adopted, Ayes (13); Absent: Krekorian and Smith (2)**

[11-0264](#)

CD 12

MOTION (SMITH - ZINE) relative to funding for additional graffiti and weed abatement service in Council District 12.

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

1. TRANSFER \$85,000 in the Sunshine Canyon Community Amenities Trust Fund No. 699 to the Department of Public Works Fund 100/74, Account 3040 (Contractual Services) to fund additional graffiti and weed abatement service solely for the benefit of Council District 12.
2. AUTHORIZE the City Clerk to make any technical corrections or clarifications to the above instructions in order to effectuate the intent of this Motion.

**Closed Sessions - Items 25-29**

**ITEM NO. (25) - NO ACTION TAKEN**

[10-0866](#)

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 Lincoln Place Tenants Association, et al. v. City of Los Angeles, et al., Los Angeles Superior Court (LASC) Case No. BS103560 and Sassoon, et al. v. AIMCO Venezia LLC et al., LASC Case No. BC390164.

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

**ITEM NO. (26) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING**

**Roll Call #11 - Adopted in Open Session, Ayes (13); Absent: Krekorian and Smith (2)**

[11-0133](#)

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 Mighty Net, Inc. v. City of Los Angeles, Los Angeles Superior Court Case No. BC429698. (This case arises from the collection of business taxes owed by the defendant.)

(Budget and Finance Committee considered the above matter in Closed Session on February 14, 2011)

**ADOPTED**

**MOTION (PARKS - ROSENDAHL)**

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

**APPROVE** an offer in compromise in the above-entitled case relating to business taxes paid by Mighty Net, Inc. (Taxpayer). In the settlement, the Taxpayer would agree to pay the City \$250,000 to settle all amounts owed to the City by the Taxpayer for business tax liabilities.

This matter was approved by the Budget and Finance Committee (Parks - Smith - Rosendahl - Huizar - Koretz "yes") at its meeting on February 14, 2011, in Closed Session as permitted by Government Code Section 54956.9(a).

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

**Roll Call #12 - Adopted in Open Session, As Amended, Ayes (10); Absent: Cárdenas, LaBonge, Parks, Smith and Zine (5)**

[11-0146](#)

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 Ryan Farhand v. City of Los Angeles, Los Angeles Superior Court Case No. NC043201. (This case involves an auto vs. motorcycle incident in San Pedro on October 22, 2008.)

(Budget and Finance Committee considered the above matter in Closed Session on February 14, 2011)

**ADOPTED**

**MOTION (KORETZ - HUIZAR)**

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

- 1. AUTHORIZE** the City Attorney to expend a total of \$5,000,000 in settlement of the above entitled matter.
- 2. AUTHORIZE** the City Attorney to draw six demands totaling the amount of \$5,000,000 from City Attorney, Fund 100, Department 59, Account No. 9770 and be payable as follows:
  - a. \$1,032,218.76** made payable to the Law Offices of David Wood (Plaintiffs' attorney's partial fees)
  - b. \$900,000** made payable to New York Life Insurance and Annuity Corp. (Plaintiffs'



attorney fees in structure)

- c. \$912,159.37 made payable to Prudential Assigned Settlement Services Corp. (Minor, Nicholas Farhand, Minor's Compromise structured settlement)
  - d. \$999,835 made payable to Prudential Assigned Settlement Services Corp. (Decedent's wife, Monique Farhand's structured settlement)
  - e. \$405,786.87 made payable to American General Annuity Service Corporation (Decedent's wife, Monique Farhand's additional structured settlement)
  - f. \$750,000 made payable to Rawlings & Associates (Decedent's Kaiser Medical expenses negotiated down from \$3 million)
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.
  4. INSTRUCT the City Attorney, Los Angeles Department of Transportation, and Los Angeles Police Department to report back with a list of intersections that have a history of accidents and expose the City to increased liability.

Recommendations 1 through 3 were approved by the Budget and Finance Committee (Parks - Smith - Huizar - Koretz "yes") at its meeting on February 14, 2011, in Closed Session as permitted by Government Code Section 54956.9(a).

**ITEM NO. (28) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING**

**Roll Call #13 - Adopted in Open Session, Ayes (10); Absent: Cárdenas, LaBonge, Parks, Smith and Zine (5)**

[11-0147](#)

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 cases entitled Martha Awe and Sheheen Awe v. City of Los Angeles, Los Angeles Superior Court (LASC) Case No. BC411959; Mark Cosham and Emely Cooper v. City of Los Angeles, LASC Case No. BC412070 and Cristin Escobar v. City of Los Angeles, LASC Case No. BC414363. (This matter involves a dangerous condition of public property, which allegedly caused a double-fatality/brain damage accident which occurred on Crescent Drive in the Hollywood Hills above the Sunset Strip.)

(Budget and Finance Committee considered the above matter in Closed Session on February 14, 2011)

**ADOPTED**

**MOTION (ROSENDAHL - HUIZAR)**

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

1. **AUTHORIZE** the City Attorney to pay plaintiffs in these consolidated matters a total of \$1,750,000 in settlement of the above entitled matter from City Attorney Fund 100, Department 59, Account No. 9770.
2. **AUTHORIZE** the City Attorney to draw a demand thereon in said amount payable to the Law Offices of Otto L. Haselhoff, P.C., the Law Offices of Michael P. Ehline, P.C., Mark Cosham and Emely Cooper, Plaintiffs; and the Law Offices of Yuhl, Stoner and Carr, LLP and Martha Awe and Sheheen Awe, Plaintiffs; and the Law Offices of Raymond Hovsepian, Esq. and Cristin Escobar, Plaintiff.
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.
4. **ESTABLISH** a task force or working group consisting of all relevant City departments and Council offices to develop options pertaining to roads that have been withdrawn from public use that will reduce and/or limit City liability.

Recommendations 1 through 4 were approved by the Budget and Finance Committee (Parks - Smith - Rosendahl - Huizar - Koretz "yes") at its meeting on February 14, 2011, in Closed Session as permitted by Government Code Section 54956.9(a).

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

**Roll Call #14 - Adopted in Open Session, As Amended, Ayes (10); Absent: Cárdenas, LaBonge, Parks, Smith and Wesson (5)**

[11-0150](#)

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 Hector Birman, M.D. v. City of Los Angeles, Los Angeles Superior Court Case No. BC428949. (This case concerns 1922 and 1936 East First Street in Council District 1.)

(Budget and Finance Committee considered the above matter in Closed Session on February 14, 2011)

**ADOPTED**

**MOTION (ROSENDAHL - HUIZAR)**

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

1. **APPROVE** the proposed settlement in the above entitled matter for a total amount of \$839,000.
2. **AUTHORIZE** the City Attorney to execute a Settlement and Release Agreement and all other documents necessary to implement the settlement.

3. **AUTHORIZE** the City Attorney to draw a demand in the amount of \$839,000 from the City Attorney Liability Claims Account Fund 100, Department 59, Account No. 9760 payable to the Law Offices of Jonathan D. Winters Client Trust Account upon execution of the Settlement and Release Agreement by the parties.
4. **REIMBURSE** the City Attorney Liability Claims Account Fund as follows:
  - a. \$287,500 from Proposition Q funds.
  - b. \$100,000 from the Los Angeles Police Department.
  - c. \$100,000 from the Department of General Services.
  - d. \$351,500 from the General Fund.
5. **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.

Recommendations 1-3 and 5 were approved by the Budget and Finance Committee (Parks - Rosendahl - Huizar - Koretz "yes") at its meeting on February 14, 2011, in Closed Session as permitted by Government Code Section 54956.9(a).

**MOTION ADOPTED UPON FINDINGS BY COUNCIL THAT THE NEED TO TAKE ACTION AROSE SUBSEQUENT TO THE POSTING OF THE COUNCIL AGENDA FOR WEDNESDAY, FEBRUARY 23, 2011, PURSUANT TO GOVERNMENT CODE SECTION 54954.2(b)(2) AND COUNCIL RULE 23**

**ADOPTED - FORTHWITH**

**Roll Call #15 - Motion (Hahn - Koretz - Garcetti) Findings on Need to Act - Adopted, Ayes (10); Absent: Cárdenas, LaBonge, Parks, Smith and Zine (5)**

**Roll Call #16 - Motion (Hahn - Koretz - Garcetti) Adopted, Ayes (10); Absent: Cárdenas, LaBonge, Parks, Smith and Zine (5)**

**[11-0002-S18](#)**

**RESOLUTION (HAHN - KORETZ - GARCETTI) relative to the City's position on any reductions to Planned Parenthood.**

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

**ADOPT the accompanying RESOLUTION to include in its 2011-12 Federal Legislative Program OPPOSITION to any reductions to Planned Parenthood.**

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

[11-0011-S7](#)

MOTION (ZINE - REYES) relative to funding for maintaining and enhancing various street and public infrastructure projects in Council District Three.

[11-0290](#)

MOTION (GARCETTI - REYES) relative to requesting the City Attorney to discuss with the City Council, in Closed Session if needed, the matter of the City's involvement with Advanced Development & Investment Inc. (ADI).

[11-0291](#)

MOTION (LABONGE - GARCETTI) relative to funding for services in connection with the Mayor's special reception for the Los Angeles City College 10,000 Small Businesses Program in the City Hall Tom Bradley Room on February 22, 2011.

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

[11-0002-S19](#)

RESOLUTION (GARCETTI - ROSENDAHL - ZINE - ET AL.) relative to the City's position in connection with legislation or administrative action which would uphold the collective bargaining rights of workers in the State of Wisconsin.

**COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS**

Upon his request, and without objections, Councilmember Zine was excused from Council Session of Friday, March 18, 2011 due to City Business.

**COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:**

<a href="#">11-0004</a>	Richard Carlton Barnett	LaBonge - Garcetti
	Latham and Watkins	Hahn - All Councilmembers

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

<a href="#">11-0003</a>	Ferenc "Frank" Veres	Alarcon
	Josephine "Jo" Jabuka	Hahn

Robert Gjetley

Hahn

Glenn L. Allen

Krekorian - All Councilmembers

Audrey Jean Quarles

Perry - Wesson - Parks - Hahn

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

**Whereupon the Council did adjourn.**

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL

\*\*\*\*\*

Regular meeting recessed at 10:20 am  
Special meeting convened at 10:20 am  
Special meeting adjourned at 10:33 am  
Regular meeting convened at 10:33 am