

Los Angeles City Council, **Journal/Council Proceedings**
Wednesday, **March 9, 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: Alarcón, Cárdenas, Hahn, Koretz, Krekorian, Parks, Perry, Rosendahl, Wesson and President Garcetti (10); Absent: Huizar, LaBonge, Reyes, Smith and Zine (5)

ALL ITEMS FORTHWITH

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
MARCH 4, 2011

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 46

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 1-2

Roll Call #2 - Adopted, Ayes (10); Absent: Huizar, LaBonge, Reyes, Smith and Zine (5)
(Item Nos. 1-2)

ITEM NO. (1) - PUBLIC HEARING CLOSED - ORDINANCE OVER TO MARCH 18, 2011

[10-1888](#)
CD 15

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

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

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

(Public Hearing held February 16, 2011)

ITEM NO. (2) - PUBLIC HEARING CLOSED - MOTION ADOPTED TO GRANT APPLICATION

[11-0190](#)

CD 12

HEARING COMMENTS relative to application for determination of "Public Convenience or Necessity" for alcohol sales for off-site consumption at Walgreen's Neighborhood Pharmacy located at 17010 West Chatsworth Street.

Recommendations for Council action:

1. DETERMINE that the issuance of a liquor license at Walgreen's Neighborhood Pharmacy located at 17010 West Chatsworth Street, Granada Hills, 91344, will serve the "Public Convenience or Necessity" and will not tend to create a law enforcement problem.
2. GRANT the Application for Determination of "Public Convenience or Necessity" for the sale of alcoholic beverages for off-site consumption at 17010 West Chatsworth Street.
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.

Applicant: Walgreen Company, c/o Robert Silverman (Matt Dzurec, Armbruster, Goldsmith, & Delvac, representative)

TIME LIMIT FILE - MARCH 21, 2011

(LAST DAY FOR COUNCIL ACTION - MARCH 18, 2011)

Items for Which Public Hearings Have Been Held - Items 3-19

ITEM NO. (3) - ADOPTED - ORDINANCE OVER TO MARCH 18, 2011

Roll Call #17 - Adopted, Ordinance Over to March 18, 2011, Ayes (11); Absent: Huizar, Reyes, Smith and Zine (4)

[11-0166](#)

CD 6

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change at 12940 Montague 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. 11-0166 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-2007-434-MND] filed on October 5, 2007.
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 RS-1 to (T)(Q)RS-1 for the proposed construction of two new single-family dwelling units, two-stories high, with two-car garages, to be built on each of the newly subdivided parcels, with the existing one-story single-family dwelling to remain on Parcel A on a 45,630 square-foot site located at 12940 Montague Street, subject to Conditions of Approval.

Applicant: Walter J. Peck

APCNAV-2008-1811-ZC-ZV-SM

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 - MAY 2, 2011

(LAST DAY FOR COUNCIL ACTION - APRIL 29, 2011)

ITEM NO. (4) - ADOPTED

Roll Call #5 - Adopted, Ayes (10); Absent: Huizar, LaBonge, Reyes, Smith and Zine (5)

[09-0235](#)

ORDINANCE SECOND CONSIDERATION amending Sections 19.121 and 19.123 of Article 1 of Chapter 12 of the Los Angeles Administrative Code to provide for reward offers for information leading to the arrest and conviction of individuals who assault or shoot off-duty City of Los Angeles police officers, and to establish the maximum sum of \$100,000 for reward offers when the victims are Public Safety personnel of the City of Los Angeles.

(Communication from the City Attorney adopted on March 2, 2011)

ITEM NO. (5) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #18 - Adopt as Amended, Ayes (11); Noes: Krekorian (1); Absent: Huizar, Reyes and Zine (3)

[08-3458](#)

[08-3458-S1](#)

[08-3458-S2](#)

CD 13

CONTINUED CONSIDERATION OF ENVIRONMENTAL IMPACT REPORT, STATEMENT OF OVERRIDING CONSIDERATIONS and HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION relative to a Disposition and Development Agreement (DDA) for the sale of Community Redevelopment Agency (CRA)-owned property at 1601 North Vine Street (Site) to 1601 North Vine, LLC (Developer) for \$825,000 for the development of a commercial office building (Project), information regarding the Final Environmental Impact Report for the 1601 and 1605 Vine Street Project, and authorization for a budget amendment for the CRA to receive \$250,000 in reimbursement from the Developer pursuant to the Settlement Agreement with Mr. James Yi and Ms. Kwok Yi, doing business as Molly's Hamburgers, upon the occurrence of certain conditions thereby reducing the CRA's contribution to the settlement from \$650,000 to \$400,000.

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

1. HOLD a Public Hearing and ADOPT the accompanying Joint RESOLUTION (attached to the CRA report dated April 1, 2010) making findings pursuant to California Health and Safety Code Section 33433 for the sale of the Site to the Developer at the reuse value of \$825,000 and under the terms and conditions in the DDA with the Developer for the development of the Project located in the Hollywood Redevelopment Project Area.
2. AUTHORIZE the Chief Executive Officer, CRA, or designee, to:
 - a. Execute a DDA between the CRA and the Developer for the sale of CRA-owned parcels and the development of the proposed Project, subject to the review of the City Attorney as to form and legality and the Department of Public Works, Bureau of Contract Administration, for compliance with CRA contracting requirements.

- b. Execute the documents attached to the DDA and take other actions as contemplated by the DDA, subject to the review and approval of the City Attorney as to form and legality.
3. AMEND the CRA Budget and Work Program for the fiscal year in which the proceeds of sale are received to include \$825,000 of the Project Developer's funds as payment for the CRA-owned parcels; and create a new Work Program Objective, Developer Contribution, Account Code to be established.
4. CERTIFY, prior to reaching a decision on a project to develop the site at 1601 and 1605 North Vine Street, Hollywood, CA 90028, with an eight-story office building, including a ground floor divided into lobby and common areas and retail space (Project), that it has reviewed and considered the environmental effects of the Project as shown in the Environmental Impact Report (EIR).
5. CONCUR and ADOPT the findings submitted during the Housing, Community and Economic Development Committee meeting on February 23, 2011. (Attached to Council file Nos. 08-3458, 08-3458-S1, and 08-3458-S2.)
6. DETERMINE, based on the Council's review and consideration of the EIR, and based on the whole of the record before it, including matters added to the record following CRA approval of the Project, and accordance with CEQA Guidelines Section 15162, that no subsequent environmental document is required in that:
 - a. No revisions to the EIR are required due to the involvement of new significant environmental effects or substantial increase in the severity of previously identified significant effects.
 - b. No substantial changes have occurred with respect to the circumstances under which the Project is being undertaken which will require major revisions of the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
 - c. No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the EIR was certified, shows that:
 - 1) The Project will have one or more significant effects not discussed in the EIR.
 - 2) Significant effects previously examined will be substantially more severe than shown in the EIR.
 - 3) Mitigation measures or alternative previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the project proponents decline to adopt the mitigation measures or alternative.
 - 4) Mitigation measures or alternatives which are considerably different from those analyzed in the EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.
7. MITIGATE or AVOID the environmental effects of those parts of the Project that it is approving by concurring with and hereby adopting the Mitigation Monitoring Program adopted by the CRA/LA in connection with the Project.

8. CONCUR and ADOPT the Statement of Overriding Considerations approved by the CRA/LA in connection with the Project.
9. INSTRUCT staff to prepare and file a Notice of Determination with respect to the Council's findings and approval of the Project.
10. SPECIFY that the record of the proceedings upon which its decision is based is located in the City Clerk's Office, Room 395 City Hall, 200 North Spring Street, Los Angeles, CA 90012, and in the offices of the CRA located at 354 South Spring Street, Suite 800, Los Angeles, CA 90013.
11. AUTHORIZE a budget amendment in order for CRA to receive \$250,000 in reimbursement from the Developer pursuant to the Settlement Agreement, upon occurrence of certain condition, thus reducing CRA's settlement contribution from \$650,000 to \$400,000.

Fiscal Impact Statement: The City Administrative Officer reports that there is no impact on the City General Fund. The CRA is bound only by the City Debt Management Policies; the City Financial Policies are not applicable to the CRA. Approval of the recommendations will allow the CRA to execute a DDA with the Developer for the Project located in the Hollywood Redevelopment Area. The \$825,000 in proceeds from the sale of the Project Site will be returned to the CRA Budget. Additional funds of approximately \$120,000 from the Hollywood Project Area, Commercial and Industrial Projects are required to complete relocation of an existing business on the Project Site.

The CRA reports that the proposed action is consistent with the Fiscal Year (FY) 2011 Budget and Work Program relating to the Hollywood Redevelopment Project Area. Following the approval of this Project, \$17,218,595 of \$19,779,500 will remain for Economic Development Opportunities. Sufficient funds exist to make any legally-required State ERAF payments in FY 2011. There is no impact to the City's General Fund.

Community Impact Statement: None submitted.

(Continued from Council meeting of March 4, 2011)

ADOPTED

AMENDING MOTION (GARCETTI - WESSON)

Recommendations for Council action:

REPLACING the text at action Item No. 8 with the following (new language is underlined):

8. CONCUR and ADOPT the CEQA Findings and Statement of Overriding Considerations approved by the CRA/LA in connection with the Project including without limitation CRA/LA's findings pursuant to CEQA Guidelines Sections 15091 and 15093.

ITEM NO. (6) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #20 - Adopt as Amended, Ayes (10); Absent: Cárdenas, Hahn, Huizar, Reyes and Zine (5)

[11-0068](#)

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to cooperative agreements between the Community Redevelopment Agency (CRA) and the Bureau of Street Services (BOSS) and the Los Angeles Department of Transportation (LADOT) for receipt of grant funds and Proposition C and Measure R funding allocations.

Recommendations for Council action:

1. AUTHORIZE the CRA Chief Executive Officer, or designee, to:
 - a. Execute a cooperative agreement with the Department of Public Works, BOSS, for the purpose of authorizing the transfer of federal and state transportation grant award reimbursements from the City to the CRA for the projects listed in Attachment A of the City Administrative Officer (CAO) report dated March 1, 2011, for a term not to exceed three years with two additional one-year renewal options, subject to the review and approval of the City Attorney as to form.
 - b. Execute a cooperative agreement with the LADOT, for the purpose of authorizing the transfer of City's budgeted Proposition C and/or Measure R Local Return Funds set aside for the Transportation Grant Fund Annual Work Program from the LADOT to the CRA for the projects listed in Attachment A of the CAO report dated March 1, 2011, for a term not to exceed three years with two additional one-year renewal options, subject to the review and approval of the City Attorney as to form.
2. AUTHORIZE the Director, BOSS, or designee, to execute the cooperative agreement referenced above, subject to the review and approval of the City Attorney as to form.
3. AUTHORIZE the General Manager, LADOT, or designee, to execute the cooperative agreement referenced above, subject to the review and approval of the City Attorney as to form.

Fiscal Impact Statement: The CAO reports that there is no impact to the General Fund. Approval of the recommendations will result in the execution of two cooperative agreements between the City and the CRA that will allow the CRA to receive approved grant award and special fund reimbursements in support of transportation projects. The recommendations are in compliance with the City's Financial Policies inasmuch as the special fund reimbursements to be provided to the CRA will be made in accordance with the approved budgets for these special funds. The City's Financial Policies are not applicable to the CRA; the CRA is bound only by the disclosure provisions of the City's Debt Management Policies. The recommendations are also in compliance with the CRA's Financial Policies in that the recommended actions will allow for reimbursements to the CRA in a manner consistent with the Budgets and Work Programs for the Project Areas.

Community Impact Statement: None submitted.

ADOPTED

AMENDING MOTION (WESSON for REYES - GARCETTI)

Recommendations for Council action:

1. **INCLUDE** the following grant-funded project, the Visual and Performing Arts High School Pedestrian Safety Streetscape Improvements, Project I.D. No. 09-07-036 (as detailed in Motion) on the list of projects detailed in Attachment A to the City Administrative Officer's report dated March 1, 2011.
2. **AUTHORIZE** the Community Redevelopment Agency to incorporate this new project within the Cooperative Agreement with Bureau of Street Services.

**Roll Call #5 - Adopted, Ayes (10); Absent: Huizar, LaBonge, Reyes, Smith and Zine (5)
(Item Nos. 7-11)**

ITEM NO. (7) - ADOPTED

[11-0137](#)

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to a report back regarding proposed reductions to Community Services Block Grant, Community Development Block Grant and Workforce Investment Act funding.

Recommendation for Council action:

RECEIVE and FILE the Community Development Department report dated February 23, 2011 relative to a report back regarding proposed reductions to Community Services Block Grant, Community Development Block Grant and Workforce Investment Act funding, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (8) - ADOPTED

[11-0214](#)

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION relative to authorization to apply for mortgage credit certificates.

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

1. ADOPT the accompanying RESOLUTION [attached to the Los Angeles Housing Department (LAHD) report dated January 26, 2011] approving the Mortgage Credit Certificates (MCC) Program and authorizing the General Manager, LAHD, or designee, to apply for allocations of MCC from the State of California Debt Limit Allocation Committee for a cumulative total not to exceed \$30 million.

2. AUTHORIZE the Controller to:
 - a. Establish new Account No. G201, MCC Program, within Mortgage Credit Certificate Fee (MCCF) Fund No. 643/43 and appropriate \$115,000.
 - b. Expend funds not to exceed \$115,000 from MCCF Fund No. 643/43, Account No. G201 upon proper demand of the General Manager, LAHD, or designee, on an as-needed basis for costs associated with the MCC Program.
 - c. Decrease appropriations within MCCF Fund No. 643/43, Account No. H201 in the amount of \$12,048.70 insomuch as the prior year appropriation is no longer needed.
3. AUTHORIZE the General Manager, LAHD, or designee, to prepare Controller instructions and make any necessary technical adjustments consistent with the Mayor and Council action in this matter, subject to the approval of the City Administrative Officer (CAO), and AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: The CAO reports that there is no General Fund impact. The recommendations comply with City Financial Policies in that the proposed allocation of \$115,000 in MCCF Fund monies will fully fund program expenses incurred by the City in administering the issuance of State Mortgage Credit Certificates.

Community Impact Statement: None submitted.

ITEM NO. (9) - ADOPTED

[11-0220](#)

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to authorization to pay Fiscal Year 2010-11 membership dues to the California Redevelopment Association.

Recommendations for Council action:

1. AUTHORIZE the Community Redevelopment Agency (CRA) Chief Executive Officer, or designee, to pay the California Redevelopment Association in an amount not to exceed \$27,220 for the period covering December 1, 2010 through November 30, 2011.
2. REQUEST the California Redevelopment Association to report on its relationship with the law firm, Best, Best and Krieger, the length of time the law firm has represented the California Redevelopment Association, the fees paid to the law firm, and the law firm's past and present ties to the City of Bell.

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.

ITEM NO. (10) - ADOPTED

[10-1938](#)

INFORMATION TECHNOLOGY AND GOVERNMENT AFFAIRS COMMITTEE REPORT and RESOLUTION relative to authorization to destroy certain obsolete records from the Los Angeles Fire Department (LAFD) for the period of January 1997 through December 2004.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION to authorize the destruction of certain obsolete records from the LAFD, Fire Prevention and Public Safety, (FIR/500 - 48 boxes) for the period of January 1997 through December 2004.

Fiscal Impact Statement: The City Clerk reports that the retention of 48 records boxes beyond the required retention time period, based on industry commercial standard rates, will continue to cost the City the equivalent of a minimum of \$7.49 per month, or \$89.86 per year.

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

Community Impact Statement: None submitted.

ITEM NO. (11) - ADOPTED

[11-0122](#)

CD 9

INFORMATION TECHNOLOGY AND GOVERNMENT AFFAIRS COMMITTEE REPORT relative to authorization for the Department of General Services (GSD) to issue a Right of Entry Permit to Heal the Bay.

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

AUTHORIZE the GSD to issue a Right of Entry Permit to Heal the Bay and to work in consultation with Council District Nine to negotiate and execute a lease agreement.

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

Community Impact Statement: None submitted.

ITEM NO. (12) - CONTINUED TO MARCH 23, 2011

Roll Call #3 - Adopted to Continue, Unanimous Vote (10); Absent: Huizar, LaBonge, Reyes, Smith and Zine (5)

[11-0171](#)

INFORMATION TECHNOLOGY AND GOVERNMENT AFFAIRS COMMITTEE REPORT relative to restricting the sale and use of bath salts containing the synthetic drugs (mephedrone and methylenedioxypyrovalerone or MDPV) which are being used as legal alternatives to cocaine and meth.

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

1. DIRECT the Chief Legislative Analyst (CLA) to report regarding legislation in other jurisdictions restricting the sale of these bath salts completely and/or based upon age, manner of sale and/or other reasons.
2. REQUEST the City Attorney to draft an ordinance based on the consideration of these facts to outlaw and/or restrict the sale and use of these designer drugs in the City of Los Angeles.

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

Community Impact Statement: None submitted.

**Roll Call #5 - Adopted, Ayes (10); Absent: Huizar, LaBonge, Reyes, Smith and Zine (5)
(Item Nos. 13-14)**

ITEM NO. (13) - ADOPTED

[11-0212](#)

PERSONNEL COMMITTEE REPORT relative to the feasibility of permitting the Los Angeles Airport Police Athletics and Activities League (LAAPAAL) to receive payroll deductions from current and retired City employees.

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

REQUEST the City Attorney to prepare and present an ordinance within 30 days amending Section 4.203 of the Los Angeles Administrative Code to authorize voluntary payroll deductions from all current and former City personnel to contribute to the LAAPAAL.

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

Community Impact Statement: None submitted.

ITEM NO. (14) - ADOPTED

[11-0048](#)

CD 4

CONTINUED CONSIDERATION OF CATEGORICAL EXEMPTION and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to a Variance appeal for property at 1037 North Sycamore Street.

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

1. FIND that this action is categorically exempt from California Environmental Quality Act (CEQA) pursuant to Article III, Section 3, Class 13(5) of the City's CEQA Guidelines.
2. ADOPT the FINDINGS of the Zoning Administrator as the Findings of Council.
3. RESOLVE TO DENY APPEAL filed by J.H. McQuiston from the entire determination of the Central Los Angeles Area Planning Commission (CLAAPC), in sustaining the Zoning Administrator's decision, THEREBY APPROVING 1) a Variance from Los Angeles Municipal Code Section 12.17.5-B to permit the continued use and maintenance of an adult entertainment business (private club/sexual encounter establishment) in the MR1-1 Zone; and 2) a Variance from Los Angeles Municipal Code section 12.70-C to permit continued use and maintenance of an adult entertainment business (private club/sexual encounter establishment) within 500 feet of residentially zoned property for property at 1037 North Sycamore Street, subject to Conditions of Approval.

Applicant: Shaun Butler, Community Investment Holdings, Inc.

ZA-2009-2396-ZV-1A

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - MARCH 22, 2011

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

(Continued from Council meeting of March 2, 2011)

ITEM NO. (15) - CONTINUED TO MARCH 18, 2011

Roll Call #28 - Adopted to Continue, Unanimous Vote (10); Absent: Cárdenas, Hahn, Huizar, Reyes and Zine (5)

[10-1733](#)

CD 13

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to a Haul Route appeal for property at 6201 West Hollywood Boulevard.

Recommendations for Council action:

1. FIND that there are no additional environmental effects other than those identified in the Final Environmental Report and further that those effects will not result in a substantial adverse change in the environment as a result of the hauling and there is no evidence in the record that any of the conditions in the CEQA Guidelines 15162 are met.
2. ADOPT the FINDINGS of the Board of Building and Safety Commissioners, as the Findings of the Council.
3. DENY APPEAL filed by Margarita Allen, (Robert Silverstein, The Silverstein Law Firm, Representative) from the determination of the Board of Building and Safety Commissioners, THEREBY APPROVE an application to export 220,000 cubic yards of earth from property at 6201 West Hollywood Boulevard, subject to Conditions of Approval.

Applicant: Dominic Hong

BF 100054

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

Community Impact Statement: None submitted.

(The Environmental Impact Report was certified by Council on July 17, 2007)

**Roll Call #5 - Adopted, Ayes (10); Absent: Huizar, LaBonge, Reyes, Smith and Zine (5)
(Item Nos. 16-17)**

ITEM NO. (16) - ADOPTED

[11-0205](#)
CD 12

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the inclusion of the T.R. Craig Residence "Peppergate Ranch" located at 8431 Pinelake Drive in the list of Historic-Cultural Monuments.

Recommendations for Council action:

1. ADOPT the FINDINGS of the Cultural Heritage Commission (CHC) as the Findings of the Council.
2. APPROVE the recommendation of the CHC relative to the inclusion of the T.R. Craig Residence "Peppergate Ranch" located at 8431 Pinelake Drive in the list of Historic-Cultural Monuments.

Applicant/Owner: Dodd J. Harris and Dr. Elizabeth Harris
Representative: Charles J. Fisher

CHC-2010-3042-HCM

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - APRIL 13, 2011

(LAST DAY FOR COUNCIL ACTION - APRIL 13, 2011)

ITEM NO. (17) - ADOPTED

[11-0206](#)

CD 2

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the inclusion of the Cross of San Ysidro located at 7570 McGroarty Terrace in the list of Historic-Cultural Monuments.

Recommendations for Council action:

1. ADOPT the FINDINGS of the Cultural Heritage Commission (CHC) as the Findings of the Council.
2. APPROVE the recommendation of the CHC relative to the inclusion of the Cross of San Ysidro located at 7570 McGroarty Terrace in the list of Historic-Cultural Monuments.

Applicant/Owner: City of Los Angeles

CHC-2010-3056-HCM

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - APRIL 13, 2011

(LAST DAY FOR COUNCIL ACTION - APRIL 13, 2011)

ITEM NO. (18) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #15 - Adopted, As Amended, Ayes (11); Absent: Huizar, Reyes, Smith and Zine (4)

[11-0106](#)

CD 9

ENVIRONMENTAL IMPACT REPORT, MITIGATION MEASURES, MITIGATION MONITORING AND REPORTING PROGRAM, STATEMENT OF OVERRIDING CONSIDERATIONS and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to Transfer of Floor Area Rights and an appeal of the Sign Supplemental Use District Ordinance, Conditional Uses, and Site Plan Review, for property at 916, 925 and 937 West Seventh Street; 655, 685, 695, and 699 Figueroa Street; and 900 and 930 West Wilshire Boulevard.

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

1. CERTIFY that the Environmental Impact Report (EIR No. 2009-1577-EIR-GB; State Clearing House No. 2009071035) has been completed in compliance with the California Environmental Quality Act, the State Guidelines and the City Guidelines and that the City Council has reviewed the information contained therein and considered it along with other factors related to this

project; that this determination reflects the independent judgment of the lead agency City of Los Angeles; and that the documents constituting the record of proceedings in this matter are located in Council file 11-0106 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 Environmental Impact Report.

2. ADOPT the FINDINGS made pursuant to and in accordance with Section 21081 of the Public Resources Code and the Statement of Overriding Considerations prepared by the City Planning Department and ADOPT the Statement of Overriding Considerations.
3. ADOPT the FINDINGS pursuant to and in accordance with Section 21081.6 of the California State Public Resources Code, the Mitigation Monitoring and Reporting Program as the Findings of Council and ADOPT the Mitigation Monitoring and Reporting Program.
4. ADOPT the FINDINGS of the Planning and Land Use Management Committee (PLUM), dated February 22, 2011, as the Findings of the Council, as attached to Council File No. 11-0106.
5. APPROVE the Development Agreement between the City and Hanjin International Corporation for a term of 20 years, and REQUEST the City Attorney to prepare and present the final Development Agreement as to form and legality, to be modified to include an estoppel clause and funding for the sign district.
6. APPROVE the Transfer of Floor Area Rights from the Los Angeles Convention Center Site at 1201 South Figueroa Street, a City-owned property, to the subject property, for an amount not to exceed 1,485,458 square feet, and REQUEST the City Attorney and the Planning Department to prepare any necessary documents needed to effectuate this transfer.
7. DIRECT the Department of Transportation to continue to evaluate the feasibility of installing a triple left turn from Wilshire Boulevard to Figueroa Street, prior to the Council date.
8. RESOLVE TO GRANT IN PART/ DENY IN PART the APPEAL filed by Hanjin International Corporation by Thomas Properties Group (Joel Miller, Psomas, Representative) from part of the decision of the City Planning Commission (CPC) and THEREBY APPROVE the Sign Supplemental Use District Ordinance (SUD) Ordinance as amended.
9. REQUEST the City Attorney to prepare and present the SUD Ordinance, as amended, subject to Conditions of Approval, as modified by PLUM, to set forth sign regulations, procedures, guidelines and standards for the project site, as significantly amended and with the inclusion of off-site and on-site parameters; and REQUEST the Planning Department to prepare any necessary revised findings.
10. RESOLVE TO GRANT IN PART/ DENY IN PART the APPEAL filed by Brookfield Office Properties (Ryan Leaderman, DLA Piper, LLP, Representative) from part of the decision of the CPC, and THEREBY APPROVE a) Environmental Impact Report, Statement of Overriding Considerations and Mitigation Monitoring Program; b) Master Conditional Use Permit to permit the sale of a full-line of alcoholic beverages for on-site and off-site consumption in conjunction with the operation of a maximum of 21 establishments; c) Conditional Use to permit a "Major" development project that creates a maximum of 2,397,304 square feet of development on a 3.2 acre site; d) Conditional Use to permit a heliport incidental to an office building, on the roof of the maximum 1,250 feet tall building, with landing frequency not to exceed an average of two per day; e) Conditional Use to permit a maximum of 10 wireless telecommunication facilities to be

located on the rooftop of the proposed buildings; f) Determination to permit shared parking between hotel, office and other non-residential uses, and residential guest spaces within the project site; g) Determination to permit a Reduced On-Site Parking/Transportation Alternatives Authorization for a proposed 20 percent reduction on parking spaces, providing 1,900 spaces in lieu of approximately 2,375 spaces required by code; and h) and Site Plan Review for the demolition of an existing hotel, and the development of a hotel and mixed use project totaling not more than 2,543,437 square feet, on a 3.2 acre site, for property at 916, 925 and 937 West Seventh Street; 655, 685, 695, and 699 Figueroa Street; and 900 and 930 West Wilshire Boulevard, subject to Conditions of Approval, as modified by the PLUM Committee.

11. 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.
12. 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.

ADOPTED

AMENDING MOTION (PERRY - PARKS)

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

1. **ADOPT the attached additional conditions of Approval, which have been reviewed by Planning Department staff.**
2. **REQUEST the City Attorney, with the assistance of the Planning Department, to prepare and present the Supplemental Use District Ordinance, subject to the attached additional SUD/Signage Conditions of Approval relative to Lighting Orientation, Building I.D. Sign Level 4 Restrictions, and Architectural Lighting.**

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

Roll Call #22 - Adopt as Amended, Ayes (10); Absent: Cárdenas, Hahn, Huizar, Reyes and Zine (5)

09-0632

TRANSPORTATION AND PUBLIC SAFETY COMMITTEES' REPORTS relative to banning the illegal sale and purchase of live animals by street vendors, and posting signs providing notice of said ban at locations in the Santee Alley area of the Downtown Fashion District.

A. TRANSPORTATION COMMITTEE REPORT

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

1. REQUEST the City Attorney to prepare and present an ordinance amending Los Angeles Municipal Code (LAMC) Section 53.42 to augment all current prohibitions on the sale or giving away of animals on public streets and/or sidewalks with a prohibition on purchasing, or receiving without cost, animals under the same circumstances currently enumerated in Section 53.42; and, to incorporate an administrative citation program for the remedying of citations issued for violations of the ban on the illegal sale and purchase of animals, and for the collection of fines.
2. DIRECT the Los Angeles Department of Transportation, with the assistance of the City Attorney, to prepare recommendations for the actions necessary to post signs providing notice of said ban at locations in the Santee Alley area of the Downtown Fashion District.

B. PUBLIC SAFETY COMMITTEE REPORT

Recommendation for Council action:

REQUEST City Attorney to prepare and present an ordinance amending the Los Angeles Municipal Code Section 53.42 to augment all current prohibitions on the sale of giving away of animals on public streets and/or sidewalks with a prohibition on purchasing or receiving without cost, animal under the same circumstances currently enumerated in Section 53.42.

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

Community Impact Statement: None submitted.

ADOPTED

AMENDING MOTION (ROSENDAHL - PERRY)

Recommendations for Council action:

REVISE Recommendation No. 2 as follows:

2. **DIRECT the Los Angeles Department Transportation, with the assistance of the City Attorney, to prepare recommendations for the actions necessary to post signs providing notice of said ban at locations in the Santee Alley area of the Downtown Fashion District, on the Ocean Front Walk at Venice Beach in Council District 11 and any other appropriate locations in the City, working in consultation with the affected Council District.**

Items for Which Public Hearings Have Not Been Held - Items 20-41

(10 Votes Required for Consideration)

**Roll Call #7 - Adopted, Ayes Vote (10); Absent: Huizar, LaBonge, Reyes, Smith and Zine (5)
(Item Nos. 20-21h)**

ITEM NO. (20) - ADOPTED - ORDINANCE OVER TO MARCH 18, 2011

[11-0249](#)

CD 2

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Sunland Boulevard and Wheatland Avenue Lighting District.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated February 10, 2011.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **MAY 11, 2011** as the hearing date for the maintenance of the Sunland Boulevard and Wheatland Avenue Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$471.49 will be collected annually starting with tax year 2011-12 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: May 4, 2011)

ITEM NO. (21) - ADOPTED

[11-0005-S144](#)

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 March 2, 2011:

[11-0005-S144](#)

CD 10

- a. Property at 5614 West Carlin Street (Case No. 195380).
Assessor I.D. No. 5048-026-009

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

[11-0005-S145](#)

CD 10

- b. Property at 5614 West Carlin Street (Case No. 254557).
Assessor I.D. No. 5048-026-009

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on November 17, 2009)

[11-0005-S146](#)

CD 8

- c. Property at 8714 South Baring Cross Street (Case No. 277489).
Assessor I.D. No. 6038-017-020

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 10, 2010)

[11-0005-S147](#)

CD 2

- d. Property at 5706 North Kester Avenue (Case No. 310650).
Assessor I.D. No. 2244-013-017

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on January 13, 2011)

[11-0005-S148](#)

CD 10

- e. Property at 1026 South Orange Drive (Case No. 184406).
Assessor I.D. No.5084-011-025

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 19, 2008)

[11-0005-S149](#)

CD 15

- f. Property at 1434 West Plaza Del Amo (Case No. 240244).
Assessor I.D. No. 7347-012-038

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 6, 2009)

[11-0005-S150](#)

CD 9

- g. Property at 1443 East 51st Street (Case No. 295506).
Assessor I.D. No. 5107-031-027

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on October 14, 2010)

[11-0005-S151](#)

CD 9

- h. Property at 874 East 52nd Place (Case No. 257758).
Assessor I.D. No. 5103-025-031

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

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

Roll Call #6 - Adopted to Continue, Unanimous Vote (15); Absent: Huizar, LaBonge, Reyes, Smith and Zine (5)

[09-3011-S1](#)

COMMUNICATION FROM CHAIR AND MEMBER, BUDGET AND FINANCE COMMITTEE relative to travel expenses and restrictions for Fiscal Year (FY) 2009-10 and 2010-11.

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

1. INSTRUCT the City Administrative Officer (CAO) to submit within 30 days a final itemization analysis of actual travel expenditures and related expenses for FY 2009-10 with a full comparison with those of FY 2010-11 to determine if travel continues to be limited as instructed.
2. IMPOSE a moratorium on all non-reimbursable General Fund City travel with the following exceptions: (1) travel to Sacramento and Washington, D.C. to participate in City advocacy; (2) travel by members of the Los Angeles Police Department for investigations, warrants, and extraditions; and (3) travel related to prevention of liabilities or fiscal degradation.
3. INSTRUCT the CAO to report back in the Mid Year Financial Status Report and include the following additional items: (1) any other exceptions which should be considered to the moratorium; (2) the travel policies and any restrictions for proprietary departments; and (3) an analysis of whether reimbursed travel should also be limited to reduce the impact of travel expenses on Special Funds.

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 #7 - Adopted, Ayes (10); Absent: Huizar, LaBonge, Reyes, Smith and Zine (5)
(Item Nos. 23-26)**

ITEM NO. (23) - ADOPTED

[11-0239-S1](#)

COMMUNICATION FROM CHAIR AND MEMBER, BUDGET AND FINANCE COMMITTEE relative to a proposed consolidation of the Office of Treasurer into the Office of Finance.

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

DIRECT the Office of Finance, with the assistance of the City Treasurer and City Administrative Officer (CAO), to report with recommendations relative to the consolidation of the Office of Treasurer into the Office of Finance, including any personnel actions that may be necessary as well as an estimation of the cost savings that would accrue to the City by such a consolidation and to submit the report in time for consideration during the deliberations on the 2011-12 Proposed Budget.

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

Community Impact Statement: None submitted.

ITEM NO. (24) - ADOPTED

[10-0752-S1](#)

COMMUNICATION FROM THE BOARD OF WATER AND POWER COMMISSIONERS relative to proposed Agreement No. 47997 with Kiewit Power Constructors Co. (Kiewit) in connection with the Haynes Units 5 and 6 Repowering Project.

Recommendation for Council action:

CONCUR with the Board of Water and Power Commissioners' (Board) action of January 4, 2011, Resolution No. 011-172, authorizing execution of Agreement No. 47997 with Kiewit to engineer, procure, and construct the balance of plant facilities and install the combustion turbine generator units for the Haynes Units 5 and 6 Repowering Project as detailed in the Board's January 5, 2011 report and attached to the Council file.

Fiscal Impact Statement: None submitted by the Board. 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 13, 2011

(LAST DAY FOR COUNCIL ACTION - MARCH 9, 2011)

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

ITEM NO. (25) - ADOPTED

[11-0299](#)

COMMUNICATION FROM BOARD OF PUBLIC WORKS and RESOLUTION relative to authority to submit application to the California Department of Resources Recycling and Recovery (CalRecycle) for grant funding for the cleanup of illegal solid waste disposal sites.

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

1. APPROVE the February 11, 2011 Bureau of Sanitation (BOS) report, attached to the Council file.
2. AUTHORIZE the Director, BOS, or designee, to submit an application to CalRecycle to seek grant funding up to \$500,000 for the cleanup of illegal solid waste disposal sites and if awarded fund, further AUTHORIZE the Director, BOS, or designee, to accept, negotiate, and execute all necessary agreements with CalRecycle to implement and carry out the purposed specified in said application.

3. ADOPT the accompanying RESOLUTION authorizing the submitted of the grant application as described above in Recommendation No. 2 and the February 11, 2011 BOS report, attached to the Council file.

Fiscal Impact Statement Submitted: The Board reports there is no fiscal impact to the City of Los Angeles' General Fund as a result of this action. Grant awards will be announced on May 15, 2011 and funds will be available on a reimbursement basis.

Community Impact Statement: None submitted.

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

ITEM NO. (26) - ADOPTED

[11-0326](#)

COMMUNICATION FROM BOARD OF PUBLIC WORKS and RESOLUTION relative to approval of application for grant funds from the California Department of Resources Recycling and Recovery (CalRecycle) for the Local Government Waste Tire Cleanup and Amnesty Event Grant Programs TCA8 Cycle - Fiscal Year (FY) 2010-11.

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

1. APPROVE the February 28, 2011 Board of Public Works (Board) report, attached to the Council file.
2. ADOPT the accompanying RESOLUTION, attached to the Council file.

Fiscal Impact Statement Submitted: The Board reports that the receipt of grant funds will maintain and enhance the existing used tire collection and recycling programs. Failure to apply for funds from CalRecycle will eliminate potential funding available to the City of Los Angeles to enhance its used tire collection and recycling programs. There is no fiscal impact on the General Fund, as the General Fund does not fund this program.

Community Impact Statement: None submitted.

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

ITEM NO. (27) - ADOPTED

Roll Call #23 - Adopted, Ayes (10); Absent: Cárdenas, Hahn, Huizar, Reyes and Zine (5)

[09-2841](#)

COMMUNICATION FROM THE LOS ANGELES HOUSING DEPARTMENT (LAHD) relative to authority to expand the current Multi-family Retrofit Program, in the 2010 Round Three Notice of Funding Availability (NOFA) - Energy Efficiency and Conservation Block Grant (EEBG), to include Phase: II: The Gateway to Green Program.

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

1. AUTHORIZE the LAHD General Manager, or designee, to:
 - a. Expand the scope of the Multifamily Retrofit Program to include the development and implementation of a Phase II: Gateway to Green Program.
 - b. 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 accounts within American Recovery and Reinvestment Act (ARRA) -EECBG Fund No. 52P/43 as follows:

<u>Account</u>	<u>Title</u>
G212	Housing Environmental Study
G245	Professional Services Contractor

- b. Transfer appropriations within Fund No. 52P/43 as follows:

From:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
G818	EECBG/Multifamily Housing Retr	435,463.20
G844	Technical Services	17,600.00
F143	Housing	2,497.60

To:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
G143	LAHD	60,070
G212	Housing Environmental Study	11,325
G245	Professional Services Contractor	224,000
G299	Related Costs	13,997.80
G304	EECBG/Admin Res for 2 years	126,168.00

- c. Increase appropriations within Fund No. 100/43 as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1010	Salaries - General	34,585
1070	Salaries - As-Needed	4,650
1090	Overtime General	13,835
2130	Travel	1,000
6010	Office and Administrative	6,000

3. INSTRUCT the City Clerk to place on the agenda for the first regular Council meeting after **JULY 1, 2011**, or shortly thereafter, the following:

AUTHORIZE the Controller to:

- a. Transfer appropriations within ARRA-EECBG Fund No. 52P/43, for budget Fiscal Year 2011-12 as follows:

From:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
G304	EECBG/Admin Res for 2 years	200,865

To:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
X143	LAHD	151,784
X299	Related Costs	49,081

- b. Increase appropriations within General Fund No. 100/43 as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1010	Salaries - General	96,939
1070	Salaries - As-Needed	30,345
2120	Printing	15,000
2130	Travel	2,000
6010	Office and Administrative	7,500

- c. Expend funds in the accounts mentioned above upon the proper written demand by the LAHD General Manager, or designee.

Fiscal Impact Statement: The LAHD reports that there will be no fiscal impact on the General Fund. The Department of Energy will be providing the Energy Efficiency and Conservation Block Grant as the only source of funding.

Community Impact Statement: None submitted.

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

ITEM NO. (28) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #25 - Adopt as Amended, Ayes (10); Absent: Cárdenas, Hahn, Huizar, Reyes and Zine (5)

[10-1869](#)

COMMUNICATION FROM THE LOS ANGELES HOUSING DEPARTMENT (LAHD) relative to the issuance of Letters of Commitment for Round One of the 2011 Affordable Housing Trust Fund (AHTF) and various actions related to the AHTF.

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

1. AUTHORIZE the LAHD General Manager, or designee, to:

- a. Issue Letters of Commitment in the amounts identified in the Affordable Housing Trust Fund Tables 1 and 2 (contained in the LAHD report dated February 22, 2011), subject to the condition that the project sponsors apply to the proposed leveraging source in the next available funding round and receive the full amount requested therein, if applicable.

Recommended Homeless Housing Projects

<u>Project Name</u>	<u>Type</u>	<u>Units</u>	<u>Council District</u>	<u>AHTF Amount</u>
Caroline Severance Manor	Special Needs	85	One	891,000
Star Apartments	Special Needs	102	Nine	3,000,000
Gateways Apartments	SRO	108	Nine	9,161,904

Recommended Affordable Housing Projects

<u>Project Name</u>	<u>Type</u>	<u>Units</u>	<u>Council District</u>	<u>AHTF Amount</u>
The Gordon	Family	21	13	1,650,000
Taylor Yard Apartments	Lg Family	68	One	3,860,064
Jefferson Blvd and Fifth Avenue	Lg Family	40	10	3,250,000

Combined Total - Homeless and Affordable Projects

<u>Number of Projects</u>	<u>Units</u>	<u>AHTF Amount</u>
6	424	21,812,968

- b. Negotiate and execute an acquisition/predevelopment/construction/permanent loan agreement for each project identified in Tables 1 and 2 that receive a funding award from their respective leveraging source (if applicable), subject to the satisfaction of all conditions and criteria stated in the AHTF application, the LAHD report dated February 22, 2011, and the LAHD Letter of Commitment; and subject to approval by the City Attorney as to form.
- c. Execute subordination agreements wherein the City loan and regulatory agreements on all projects recommended are subordinated to their respective conventional construction and permanent loans.
- d. Execute agreements allowing the transfer to and/or execution of the City loans by a limited partnership, to enable admittance of tax credit investors.
- e. Allow the project sponsor of the Tres Lomas project to return a portion of the AHTF loan, which will be disbursed at a later date, in order to bring the project into compliance with the expenditure requirements of the tax-exempt bond program.

- f. Amend the AHTF commitment for the Sherman Village project to include an additional \$200,000 in Los Angeles Department of Water and Power (LADWP) Sustainable Building Guideline funds.
 - g. Enter into an Exclusive Right to Negotiate and execute a Disposition and Development Agreement with Abode Communities, subject to approval as to form by the City Attorney and approval by the Mayor and City Council.
 - h. Proceed with the necessary entitlements required for the proposed development of the Villa San Pedro property.
 - i. 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.
 - j. Use uncommitted funds from prior years' accounts within Fund No. 561 first, before current year funds and accounts, as needed, to close out old accounts for projects related to the LAHD report dated February 22, 2011.
2. APPROVE the LAHD's selection of Abode Communities as the developer of the Villa San Pedro property, located at 819 West Fourth Street in San Pedro.
3. AUTHORIZE the Controller to:
- a. Allocate and expend funds from the following funds and accounts for the 2011 Round One projects:

<u>Project</u>	<u>Fund</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
Caroline Severance Manor	44G	G214	CRA TI 09-10	674,557
Caroline Severance Manor	44G	A615	DWP-PSHP	216,443
Star Apartments	44G	G214	CRA TI 10-11	256,517
Star Apartments	44G	Y340	PSHP	219,165
Star Apartments	44G	A615	DWP-PSHP	980,272
Star Apartments	48G	G219	LHTF-AHTF	650,000
Star Apartments	561	G212	AHTF	894,046
Gateway Apartments	569	G302	HOPWA Hsg Dev	1,001,933
Gateway Apartments	44G	A615	DWP-PSHP	980,272

Apartments Gateway	44G	G219	LHTF-AHTF	2,000,000
Apartments Gateway	44G	F214	CRA TI 09-10	188,189
Apartments Gateway	44G	G214	CRA TI 10-11	1,006,271
Apartments Gateway	561	E212	AHTF	2,000,000
Apartments Gateway	561	G212	AHTF	1,985,239

<u>Project</u>	<u>Fund</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
The Gordon	44G	G214	CRA TI 10-11	1,232,726
The Gordon	561	G212	AHTF	417,274

<u>Project</u>	<u>Fund</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
Taylor Yard Apartments	561	G212	AHTF	3,860,064

<u>Project</u>	<u>Fund</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
Jefferson Blvd and Fifth	44G	F214	CRA TI 09-10	412,322
Jefferson Blvd and Fifth	44G	G21	CRA TI 101	676,032
Jefferson Blvd and Fifth	561	G212	AHTF	2,161,646

- b. Allocate and expend funds from the following fund and account for the 2010 Round Two project below:

<u>Project</u>	<u>Fund</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
Sherman Village	44G	F215	LADWP	85,000
Sherman Village	44G	G215	LADWP	115,000

- c. Reallocate and expend funds for previously approved projects as follows:

From:

<u>Project</u>	<u>Fund</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
505 Bonnie Brae Apt Homes	44G	E214	CRA TI 08-09	798,000

To:

<u>Project</u>	<u>Fund</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
505 Bonnie Brae Apt Homes	44G	E214	CRA TI 08-09	562,465
505 Bonnie	44G	F214	CRA TI 09-10	235,535

Brae Apt
Homes

From:

<u>Project</u>	<u>Fund</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
PH & D Apts. LP	44G	E214	CRA TI 08-09	980,000

To:

<u>Project</u>	<u>Fund</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
PH & D Apts. LP	44G	E214	CRA TI 08-09	357,967
PH & D Apts. LP	44G	F214	CRA TI 09-10	622,033

From:

<u>Project</u>	<u>Fund</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
Boyle Hotel	44G	E214	CRA TI 08-09	232,941
Boyle Hotel	44G	F214	CRA TI 09-10	386,000

To:

<u>Project</u>	<u>Fund</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
Boyle Hotel	44G	E214	CRA TI 08-09	431,674
Boyle Hotel	44G	F214	CRA TI 09-10	187,267

From:

<u>Project</u>	<u>Fund</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
Yale St Family	44G	F214	CRA TI 09-10	290,000

To:

<u>Project</u>	<u>Fund</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
Yale St Family	44G	F214	CRA TI 09-10	223,066
Yale St Family	44G	G214	CRA TI 10-11	66,934

From:

<u>Project</u>	<u>Fund</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
LAHSA PY 08-09	44G	C714	CRA TI 06-07	887,420

To:

<u>Project</u>	<u>Fund</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
LAHSA PY 08-09	44G	C714	CRA TI 06-07	887,237
LAHSA PY 08-09	44G	E214	CRA TI 08-09	183

From:

<u>Project</u>	<u>Fund</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
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Menlo Park	44G	E214	CRA TI 08-09	744,264
To:				
<u>Project</u>	<u>Fund</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
Menlo Park	44G	E214	CRA TI 08-09	738,108
Menlo Park	44G	F214	CRA TI 09-10	6,156
From:				
<u>Project</u>	<u>Fund</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
Sunrise Apts	44G	F214	CRA TI 09-10	265,500
To:				
<u>Project</u>	<u>Fund</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
Sunrise Apts	44G	E214	CRA TI 08-09	122,559
Sunrise Apts	44G	F214	CRA TI 09-10	
				142,941
From:				
<u>Project</u>	<u>Fund</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
North Hollywood Sr Villas	44G	F214	CRA TI 09-10	705,000
To:				
<u>Project</u>	<u>Fund</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
North Hollywood Sr Villas	44G	F214	CRA TI 09-10	630,077
North Hollywood Sr Villas	44G	G214	CRA TI 10-11	74,923
From:				
<u>Project</u>	<u>Fund</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
La Coruna	44G	F214	CRA TI 09-10	567,000
To:				
<u>Project</u>	<u>Fund</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
La Coruna	44G	F214	CRA TI 09-10	251,890
La Coruna	44G	G214	CRA TI 10-11	315,110
From:				
<u>Project</u>	<u>Fund</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
Canby Woods	44G	F214	CRA TI 09-10	1,144,000
To:				
<u>Project</u>	<u>Fund</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
Canby Woods	44G	F214	CRA TI 09-10	784,625
Canby Woods	44G	G214	CRA TI 10-11	335,902

Canby Woods	561	G212	AHTF	23,473
From:				
<u>Project</u>	<u>Fund</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
5555	44G	F214	CRA TI 09-10	1,304,000
Hollywood				

To:				
<u>Project</u>	<u>Fund</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
5555	44G	F214	CRA TI 09-10	1,185,766
Hollywood				
5555	44G	G214	CRA TI 10-11	118,234
Hollywood				

From:				
<u>Project</u>	<u>Fund</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
Sherman	561	G212	AHTF	561,866
Village				

To:				
<u>Project</u>	<u>Fund</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
Sherman	561	G212	AHTF	218,961
Village				
Sherman	44G	G214	CRA TI 10-11	342,905
Village				

From:				
<u>Project</u>	<u>Fund</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
Cantabria	561	Y211	Hsg Dvlpmnt	7,561,160

To:				
<u>Project</u>	<u>Fund</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
Cantabria	561	Y211	Housing	3,516,160
			Dvlpmnt	
Cantabria	424	V211	Hsg Dev -	2,000,000
			New Const	
Cantabria	424	W211	Hsg Dev -	2,045,000
			New Const	

d. Decrease appropriations within Affordable Housing Trust Fund No. 44G/43, F214 Community Redevelopment Agency (CRA) Tax Increment 09-10 in the amount of \$1,674,840 to reflect adjusted revenue as reported by the CRA.

e. Transfer appropriations within Fund No. 561/43, HOME as follows:

From:			
<u>Account</u>	<u>Title</u>	<u>Amount</u>	
Y210	Citywide Rehab M/F\$	351.37	
N211	Hsg Dev-Acq/Rehab	2,485	
R211	Hsg Dev	69,506	
Y211	Hsg Dev	1,000,000	

To:		
<u>Account</u>	<u>Title</u>	<u>Amount</u>
G212	AHTF	1,072,342.37

Fiscal Impact Statement: The LAHD reports that the proposed actions will allocate a total of \$15,189,367 in HOME and other LAHD funds, and \$4,446,614 in CRA funds for the development of six 2011 Round One projects consisting of 424 affordable housing units. In addition, \$200,000 in LADWP-AHTF funds were allocated for an existing project meeting Sustainable Building Guideline standards. The six projects will create a total of 1,202 jobs. There is no impact on the General Fund.

Community Impact Statement: None submitted.

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

ADOPTED

AMENDING MOTION (PERRY - ALARCON)

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

Relative the Gateways Apartments (CD9):

- 2A. AUTHORIZE the Los Angeles Housing Department to increase the commitment to the Gateways Apartments projected by \$250,000 for a total award of \$9,411,904 using 37th Program Year Consolidated Plan funds.**

- B. AUTHORIZE the Chief Executive Officer of the Community Redevelopment Agency/LA to execute a Construction and Permanent Loan Agreement with Single Room Occupancy Housing Corporation to provide gap financing in the amount of \$1,000,000 of City Center Low and Moderate Income Housing Funds in Budget Line Item Affordable Housing Trust Fund (Objective CT1090) for development of the Gateways Apartments Project located at 505 at S. San Pedro Street, as recommended by the Board of Commissioners on March 31, 2011.**

Relative to the Osborne Apartments (CD7):

- 3. INCLUDE in the following project the list of recommended affordable housing projects (Table 2):**

<u>Project Name</u>	<u>Type</u>	<u>Units</u>	<u>CD</u>	<u>AHTF Amount</u>
Osborne Apartments	Lg. Family	60	7	\$3,805,976

- 3A. ADD the following project to the list for Controller's Instructions in recommendation 3a:**

<u>Project</u>	<u>Fund</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
Osborne Family	44G	F214	CRA/LA TI	\$74,808
	44G	G214	CRA/LA TI	\$1,034,515

			Total	\$1,109, 323
44G	G211	Housing Development		\$434,787
561	H212	AHTF 37th Yr. Con. Plan		861,866
561	C340	Pshp (Renato)		1,400,000
			Total	3,805,976

4. **AUTHORIZE the LAHD and City Administrative Officer to make any technical adjustments as necessary to effectuate the intent of this motion.**

**Roll Call #7 - Adopted (10); Absent: Huizar, LaBonge, Reyes, Smith and Zine (5)
(Item Nos. 29-35)**

ITEM NO. (29) - ADOPTED

[11-0215](#)
CD 6

CATEGORICAL EXEMPTION and COMMUNICATION FROM THE CITY ENGINEER relative to approving the 62 percent Majority Petition for a street lighting project on Ottoman Street (Near Arleta Avenue) between Arleta and Stanwin Avenues.

Recommendations for Council action:

1. FIND this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Section 1, Class 3(10) of the City’s Environmental Guidelines.
2. APPROVE granting Ms. Adelita Ceja’s Majority Petition for the initiation of street lighting improvements under the Improvement Act of 1911 for the project Ottoman Street (Near Arleta Avenue) Lighting District A’11-L1170048 (Assessment Street Lighting Project).
3. INSTRUCT the Board of Public Works and the Bureau of Street Lighting to proceed with this project.

Fiscal Impact Statement: the City Engineer report that the estimated cost of the project is \$46,700 including incidental expenses which will be assessed to the proposed district.

ITEM NO. (30) - ADOPTED

[11-0216](#)
CD 3

CATEGORICAL EXEMPTION and COMMUNICATION FROM THE CITY ENGINEER relative to approving the 70 percent Majority Petition for a street lighting project on Delano Street (Near Etiwanda Avenue) between Etiwanda and Canby Avenues.

Recommendations for Council action:

1. FIND this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Section 1, Class 3(10) of the City’s Environmental Guidelines.

2. APPROVE granting Mr. George Mobasseri's Majority Petition for the initiation of street lighting improvements under the Improvement Act of 1911 for the project Delano Street (Near Etiwanda Avenue) Lighting District A'11-L1170047 (Assessment Street Lighting Project).
3. INSTRUCT the Board of Public Works and the Bureau of Street Lighting to proceed with this project.

Fiscal Impact Statement: the City Engineer report that the estimated cost of the project is \$91,700 including incidental expenses which will be assessed to the proposed district.

ITEM NO. (31) - ADOPTED

[10-1519](#)
CD 5

CATEGORICAL EXEMPTION and COMMUNICATION FROM THE CITY ENGINEER relative to the vacation of Angelo Drive northwesterly of Davies Drive from its northerly terminus to approximately 300 feet southerly thereof (VAC E1400931).

Recommendations for Council action:

1. FIND that the vacation of Angelo Drive northwesterly of Davies Drive from its northerly terminus to approximately 300 feet southerly thereof, 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 November 17, 2010 City Engineer report and attached to the Council file:

Angelo Drive northwesterly of Davies Drive from its northerly terminus to approximately 300 feet southerly thereof.

3. FIND that the City Engineer report dated October 19, 2010 and attached to the Council file not be considered.
4. ADOPT the FINDINGS of the City Engineer dated November 17, 2010, as the Findings of the Council.
5. ADOPT the accompanying City Engineer report dated November 17, 2010, to approve the vacation.
6. INSTRUCT the City Clerk to set a public hearing date for **APRIL 13, 2011**.

Financial Impact Statement: The City Engineer reports that to date, the petitioner has paid a fee of \$24,047.19 for the investigation of this request pursuant to Section 7.42 of the Administrative Code. Any deficit fee to recover any 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)

ITEM NO. (32) - ADOPTED

[07-1485](#)

CD 7

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to vacating Brand Boulevard (turnaround) southwesterly of Bromont Avenue and southeasterly of Maclay Street (VAC E1401058).

Recommendations for Council action:

1. REAFFIRM the FINDINGS of December 10, 2008, that the vacation of Brand Boulevard (turnaround) southwesterly of Bromont Avenue and southeasterly of Maclay Street, pursuant to the City of Los Angeles Environmental Guidelines, 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. REAFFIRM the FINDINGS of December 10, 2008, that this vacation is in substantial conformance with the General Plan pursuant to Section 556 of the Los Angeles City Charter.
3. ADOPT the accompanying RESOLUTION TO VACATE No.10-1401058 for the vacation of Brand Boulevard (turnaround) southwesterly of Bromont Avenue and southeasterly of Maclay Street.
4. INSTRUCT the City Clerk to transmit, following Council adoption, Resolution to Vacate No. 10-1401058 to the Land Development Group of the Bureau of Engineering for recordation of said Resolution with the Los Angeles County Recorder.

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

ITEM NO. (33) - ADOPTED

[09-0429](#)

CD 8

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to vacating the alley easterly of Main Street between 87th Place and 88th Street (VAC E1400908).

Recommendations for Council action:

1. REAFFIRM the FINDINGS of April 9, 2010, that the vacation of the alley easterly of Main Street between 87th Place and 88th Street, pursuant to the City of Los Angeles Environmental Guidelines, 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. REAFFIRM the FINDINGS of April 9, 2010, that this vacation is in substantial conformance with the General Plan pursuant to Section 556 of the Los Angeles City Charter.
3. ADOPT the accompanying RESOLUTION TO VACATE No.10-1400908 for the vacation of the alley easterly of Main Street between 87th Place and 88th Street.
4. INSTRUCT the City Clerk to transmit, following Council adoption, Resolution to Vacate No. 10-1400908 to the Land Development Group of the Bureau of Engineering for recordation of said Resolution with the Los Angeles County Recorder.

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

ITEM NO. (34) - ADOPTED

[11-0257](#)

CD 7

CATEGORICAL EXEMPTION and COMMUNICATION FROM THE CITY ENGINEER relative to an offer to dedicate an easement for street and sidewalk purposes on the southwest side of De Foe Avenue northwest of Pinney St. (Right of Way No. 36000-1840).

Recommendations for Council action:

1. FIND that the offer to dedicate an easement for street and sidewalk purposes on the southwest side of De Foe Avenue northwest of Pinney St. (Right of Way No. 36000-1840) is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(19) of the City's Environmental Guidelines.
2. AUTHORIZE the Board of Public Works to acquire the easement for street and sidewalk purposes on the southwest side of De Foe Avenue northwest of Pinney St. (Right of Way No. 36000-1840), as depicted on the Exhibit Map in the February 10, 2010 City Engineer report, attached to the Council file.
3. INSTRUCT the City Clerk to forward a copy of the Council action on this project be forwarded to the Real Estate Division of the Bureau of Engineering for processing.

Fiscal Impact Statement: The City Engineer reports that fee of \$2,461 was paid for processing this report pursuant to Sections 7.3 and 7.41.1 of the Administrative Code. No additional City Funds are needed.

ITEM NO. (35) - ADOPTED

[10-0010-S35](#)

MOTION (GARCETTI - KORETZ) relative to reinstating the reward offer in the death of Ila Ali Packman 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 Ila Ali Packman (Council action of August 20, 2010, Council file No. 10-0010-S35) 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. (36) - ADOPTED

Roll Call #9 - Adopted, Ayes (10); Absent: Huizar, LaBonge, Reyes, Smith and Zine (5)

[11-0010-S14](#)

MOTION (HAHN - CÁRDENAS) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the hit-and-run death of Angelica Jimenez on February 14, 2011.

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

1. PROVIDE an offer of reward in the amount of \$50,000 for information leading to the identification, apprehension, and conviction of the person(s) responsible for the hit-and-run death of Angelica Jimenez on February 14, 2011.
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. (37) - ADOPTED

Roll Call #1 - Adopted, Ayes (10); Absent: Huizar, LaBonge, Reyes, Smith and Zine (5)

[11-0010-S15](#)

MOTION (KREKORIAN - KORETZ) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the hit-and-run death of Maria Pena on February 11, 2011.

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

1. PROVIDE an offer of reward in the amount of \$50,000 for information leading to the identification, apprehension, and conviction of the person(s) responsible for the hit-and-run death of Maria Pena on February 11, 2011.
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. (38) - ADOPTED

Roll Call #7 - Adopted, Ayes (10); Absent: Huizar, LaBonge, Reyes, Smith and Zine (5)

[11-0342](#)

MOTION (REYES - ROSENDAHL - GARCETTI) and RESOLUTION relative to authorizing the Los Angeles Department of City Planning (DCP) to apply for a Caltrans FY 2011-12 Community Based Transportation Planning grant.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION and AUTHORIZE the DCP to apply for and execute a Caltrans FY 2011-12 Community Based Transportation Planning grant in the amount of \$250,000 for the Transit-Oriented Districts Planning Tools: Parking project.

ITEM NO. (39) - ADOPTED

Roll Call #24 - Adopted, Ayes (10); Absent: Cárdenas, Hahn, Huizar, Reyes and Zine (5)

[11-0002-S27](#)

RESOLUTION (ROSENDAHL - GARCETTI) relative to the City's position in connection with legislation and/or administrative action, which would support the Federal Government's position which advocates for an immediate end to Muammar Gaddafi's regime.

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

RESOLVE to include in the City's 2011-12 Federal Legislative Program SUPPORT for legislation and/or administrative action, which would support the Federal Government's position which advocates for an immediate end to Muammar Gaddafi's regime and his brutal attacks on his own people.

Roll Call #7 - Adopted, Ayes (10); Absent: Huizar, LaBonge, Reyes, Smith and Zine (5)
(Item Nos. 40-41)

ITEM NO. (40) - ADOPTED

[11-0312](#)

RESOLUTION (ROSENDAHL - HAHN) relative to declaring March 22, 2011 as Singapore Airlines Day in the City of Los Angeles.

Recommendation for Council action:

RESOLVE to DECLARE March 22, 2011 as Singapore Airlines Day in the City of Los Angeles.

ITEM NO. (41) - ADOPTED

[11-0313](#)

RESOLUTION (GARCETTI - PERRY) relative to declaring April 10, 2011 as Walk for Kids Day in the City of Los Angeles.

Recommendation for Council action:

RESOLVE to DECLARE March 22, 2011 as Walk for Kids Day in the City of Los Angeles.

Closed Sessions - Items 42-48

ITEM NO. (42) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Roll Call #10 - Adopted in Open Session, Ayes (10); Absent: Huizar, LaBonge, Reyes, Smith and Zine (5)

[11-0143](#)

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 Dunne v. City of Los Angeles, EAMS NO.: ADJ428982. (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 waived consideration of the above matter)

ADOPTED

MOTION (PARKS - ROSENDAHL)

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 matter through Stipulations with Request for Award at 71 percent Permanent Disability and in the amount of \$121,297.50, payable at the weekly rate of \$220, plus life pension benefits of \$42.52 weekly in the estimated amount of \$19,485, for a total settlement value of \$140,782.50. After taking credit for the payment of \$18,964 in permanent disability advances, the total new money pay-out will be \$121,818.50.**
- 2. AUTHORIZE the City Attorney to execute the Stipulated Award with all appropriate parties for submission to the Workers' Compensation Appeals Board for its award of payment.**

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

ITEM NO. (43) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Roll Call #11 - Adopted in Open Session, Ayes (10); Absent: Huizar, LaBonge, Reyes, Smith and Zine (5)

[11-0144](#)

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 George Morris v. City of Los Angeles, EAMS No.: ADJ6748549. (Claimant alleges he sustained personal injuries during the course and scope of his employment as a Mechanical Inspector for the City of Los Angeles.)

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

ADOPTED

MOTION (PARKS - ROSENDAHL)

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 matter through a Compromise & Release in the total amount of \$150,000.**
- 2. AUTHORIZE the City Attorney to execute the Compromise & Release with all appropriate parties for submission to the Workers' Compensation Appeals Board for its award of payment.**

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

ITEM NO. (44) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Roll Call #12 - Adopted in Open Session, Ayes (10); Absent: Huizar, LaBonge, Reyes, Smith and Zine (5)

[11-0145](#)

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 Howard Kaplan v. City of Los Angeles, EAMS Nos.: ADJ6843933; ADJ6762507. (Claimant alleges he sustained personal injuries during the course and scope of his employment as a Firefighter with the Los Angeles Fire Department.)

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

ADOPTED

MOTION (PARKS - ROSENDAHL)

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 matter through Stipulations with Request for Award at 77 percent in the total amount of \$147,217.50, plus a life pension estimated at \$102,507.60 at the weekly rate of \$131.42 payable at the conclusion of permanent disability payments. After taking credit for \$15,737.75, the total new money pay-out will be \$233,987.35.
2. **AUTHORIZE** the City Attorney to execute the Stipulated Award with all appropriate parties for submission to the Workers' Compensation Appeals Board for its award of payment.

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

ITEM NO. (45) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

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

[11-0149](#)

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 Gary Roy v. Phot Luisiri, et al., Los Angeles Superior Court Case No. BC422522. (This case involves claims for Declaratory Relief and Quiet Title.)

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

ADOPTED

MOTION (PARKS - ROSENDAHL)

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

REJECT the Plaintiff's offer of settlement.

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

ITEM NO. (46) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Roll Call #32 - Adopted in Open Session, Ayes (10); Absent: Huizar, LaBonge, Reyes, Smith and Zine (5)

[11-0193](#)

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 Doreen Clarke-Harris v. City of Los Angeles, Los Angeles Superior Court Case No. BC 374078. (This case arises from plaintiff's claims of discrimination, harassment and retaliation in the Department of Recreation and Parks.)

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

ADOPTED

MOTION (PARKS - SMITH)

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

- 1. AUTHORIZE the City Attorney to expend \$60,000 in settlement of the above-entitled matter from City Attorney Fund 100, Department 59, Account No. 9760.**
- 2. AUTHORIZE the City Attorney to draw a demand thereon in said amount payable to The Alvin L. Pittman Client Trust Account.**
- 3. AUTHORIZE the General Manager, or designee, Department of Recreation and Parks, to continue Doreen Clarke-Harris' (Plaintiff) paid administrative leave until April 2, 2014. As a condition of this settlement, Plaintiff will retire at the end of her administrative leave with approximately 25 years of service and will be entitled to retirement benefits commensurate with this duration of service.**
- 4. 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.**

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

ITEM NO. (47) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Roll Call #14 - Adopted in Open Session, Ayes (10); Absent: Huizar, LaBonge, Reyes, Smith and Zine (5)

[11-0224](#)

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 Thomas Fox v. City of Los Angeles, Workers' Compensation Appeals Board Case No.: VNO513513. (Claimant alleges he sustained personal injuries during the course and scope of his employment as a Los Angeles Police Officer.)

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

ADOPTED

MOTION (PARKS - ROSENDAHL)

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 matter through a Stipulated Award of 74 percent in the amount of \$134,257.50, plus an estimated life pension of \$18,557.02, at the weekly rate of \$54.11 payable at the conclusion of permanent disability payments for a total settlement value of \$152,814.52. After taking credit for \$52,311.67, the total new money pay-out will be an estimated \$100,502.85.**

2. **AUTHORIZE the City Attorney to execute the Stipulated Award with all appropriate parties for submission to the Workers' Compensation Appeals Board for its award of payment.**

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

ITEM NO. (48) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Roll Call #33 - Adopted in Open Session, Ayes (10); Absent: Cárdenas, Hahn, Huizar, Reyes and Zine (5)

[11-0307](#)

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 Alexandra Haffner v. City of Los Angeles, et al., United States District Court Case No. CV10-04698 PA. (This matter involves alleged misconduct by a member of the Los Angeles Police Department.)

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

ADOPTED

MOTION (PARKS - ROSENDAHL)

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

1. **AUTHORIZE the City Attorney to expend \$500,000 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 Geragos & Geragos APC Client-Trust Account.**
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.**

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

Items for Which Public Hearings Have Not Been Held - Items 51-52

(10 Votes Required for Consideration)

**Roll Call #21 - Adopted, Ayes (10); Absent: Cárdenas, Hahn, Huizar, Reyes and Zine (5)
(Item Nos. 51-52)**

ITEM NO. (51) - ADOPTED

[11-0142](#)

CONTINUED CONSIDERATION OF COMMUNICATION FROM THE MAYOR relative to the reappointment of Mr. Aaron Grunfeld to the Board of the Metropolitan Water District of Southern California.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Mr. Aaron Grunfeld to the Metropolitan Water District of Southern California for the new term ending December 31, 2014 is APPROVED and CONFIRMED. Mr. Grunfeld resides in Council District Four. (Current Commission gender composition: F=0; M=3)

Ethics Commission Review: Pending.

Community Impact Statement: None submitted.

TIME LIMIT FILE - MARCH 17, 2011

(LAST DAY FOR COUNCIL ACTION - MARCH 9, 2011)

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

ITEM NO. (52) - ADOPTED

[11-0148](#)

CONTINUED CONSIDERATION OF COMMUNICATION FROM THE MAYOR relative to the reappointment of Mr. John W. Murray to the Board of the Metropolitan Water District of Southern California.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Mr. John W. Murray to the Metropolitan Water District of Southern California for the new term ending December 31, 2014 is APPROVED and CONFIRMED. Mr. Murray resides in Council District Four. (Current Commission gender composition: F=0; M=3)

Ethics Commission Review: Complete.

Community Impact Statement: None submitted.

TIME LIMIT FILE - MARCH 17, 2011

(LAST DAY FOR COUNCIL ACTION - MARCH 9, 2011)

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

MOTIONS ADOPTED UPON FINDINGS BY COUNCIL THAT THE NEED TO TAKE ACTION AROSE SUBSEQUENT TO THE POSTING OF THE COUNCIL AGENDA FOR WEDNESDAY, MARCH 9, 2011, PURSUANT TO GOVERNMENT CODE SECTION 54954.2(b)(2) AND COUNCIL RULE 23

ADOPTED - FORTHWITH

Special #1

Roll Call #26 - Motion (Perry for Huizar - Cárdenas) Findings on Need to Act - Adopted, Ayes (10); Absent: Cárdenas, Hahn, Huizar, Reyes and Zine (5)

Roll Call #27 - Motion (Perry for Huizar - Cárdenas) Adopted, Ayes (); Absent: Cárdenas, Hahn, Huizar, Reyes and Zine (5)

09-0648-S22

Motion (Perry for Huizar - Cárdenas) relative to amending prior Council action of September 24, 2010 regarding the Energy Efficiency and Conservation Block Grant - American Recovery and Reinvestment Act Program.

Recommendation for Council action:

AUTHORIZE the General Manager, Community Development Department (CDD), and the Chief Executive Officer, Community Redevelopment Agency of Los Angeles (CRA/LA), or designee, to negotiate and execute contracts between CDD and CRA/LA for the Clean Tech Corridor Integrated Strategy, retroactive from March 1, 2010 and for the Commercial Retrofit Municipal Financing Program, retroactive from June 2, 2010, subject to the review of the City Attorney as to form and legality.

Special #2

Roll Call #29 - Resolution (Perry - Cárdenas - Parks - Smith) Findings on Need to Act - Adopted, Ayes (10); Absent: Cárdenas, Hahn, Huizar, Reyes and Zine (5)

Roll Call #30 - Resolution (Perry - Cárdenas - Parks - Smith) Adopted, Ayes (10); Absent: Cárdenas, Hahn, Huizar, Reyes and Zine (5)

11-0002-S29

Resolution (Perry - Cárdenas - Parks - Smith) relative to the City's position on SBX1 2 (Simitian) and SB 23 (Simitian) and any similar legislation.

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

RESOLVE to include in the City's 2010-11 State Legislative Program SUPPORT to SBX1 2 (Simitian) and SB 23 (Simitian) and any similar legislation, UNLESS AMENDED to:

- a. Preserve local control by eliminating any language that establishes any new authority under a State Agency to regulate RPS operations, resource planning, contracting and permitting thereby usurping the Board of Water and Power Commissioner's, the City Council's and the Mayor's authority over the Department of Water and Power.**
- b. Eliminate any language that establishes State-imposed penalties for Publicly-Owned Utilities for failure to achieve RPS Objectives including the deposit of penalty funds in State-controlled coffers.**

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

[11-0380](#)

MOTION (ROSENDAHL for REYES - PARKS) relative to funding for additional programming and music education for youth in Highland Park.

[11-0011-S10](#)

MOTION (WESSON - HAHN) relative to funding for enhanced efforts for transit related projects, sidewalk projects, curb/sidewalk improvements, beautification projects needed to improve conditions for public transit patrons, and all expenses relating to incidental thereto in Council District 10.

[11-0381](#)

MOTION (ROSENDAHL - KORETZ) relative to installing street banners identifying the Palms Neighborhood Council. Recommendations for Council action:

[11-0379](#)

MOTION (GARCETTI - LABONGE) relative to lease approval for office space at 155 North Occidental Boulevard, Room 236, Los Angeles, CA 90026 for the Rampart Village Neighborhood Council.

[11-0387](#)

MOTION (WESSON - HAHN) relative to a revised plan for the receipt and use of a Community Development Block Grant under the American Recovery and Reinvestment Act for the West Angeles Plaza Project located at 3052-60 South Crenshaw Boulevard, 3501-15 West Jefferson Boulevard and 3049-55 South Bronson Avenue.

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

[11-0341](#)

RESOLUTION (GARCETTI - HAHN) relative to declaring March 18, 2011 as Latina History Day in the City of Los Angeles.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

[11-0004](#) - Mothers March and Speak Out

(LaBonge - Garcetti)

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

[11-0003](#) - Dr. Billy Ingram

(Parks)

Michael Zimring

(LaBonge - All Councilmembers)

Allen Edward Adler

(Smith)

Alarcón, Koretz, Krekorian, LaBonge, Parks, Perry, Rosendahl, Smith, Wesson and President Garcetti (10); Absent: Cárdenas, Hahn, Huizar, Reyes 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 1:14 p.m.
Special meeting convened at 1:14 p.m.
Special meeting adjourned at 1:19 p.m.
Regular meeting convened at 1:19 p.m.**