

Los Angeles City Council, **Journal/Council Proceedings**
Tuesday, **April 5, 2011**
John Ferraro Council Chamber, Room 340, City Hall - 10 am

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

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

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
MARCH 30, 2011

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 12

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

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

Item Noticed for Public Hearing - Item 1

ITEM NO. (1) - REFERRED TO PUBLIC SAFETY COMMITTEE

Roll Call #1 - Adopted to Refer, Unanimous Vote (10); Absent: Alarcón, Huizar, Koretz, Krekorian and Perry (5)

[09-1064](#)
[10-1230](#)

PUBLIC SAFETY COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to streamlining the dog licensing process, and establishing late fees, fees for service, and administrative citation penalties.

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

1. PRESENT and ADOPT the accompanying ORDINANCE amending various provisions of Sections 53.00, *et seq.* of Article 3, Chapter 5 of the Los Angeles Municipal Code to enable the Department of Animal Services to streamline its dog licensing process; and, to establish a late fee of \$20 for a sterilized dog and \$100 for an unsterilized dog if the dog license tax and fee are not paid within 30 days of the due date, a \$25 field collection fee for license taxes and fees collected at the dog owner's property, and administrative citation penalties in the amounts of \$250, \$500, and \$1,000 for failure to obtain or renew the license within 45 days.

- DIRECT the Department of Animal Services to report to Council with recommendations for providing entrepreneurial incentives for veterinarians to sell pet licenses to their clients, the impact of multi-year licensing on future budgets, and improving the Departments web-site to high-light licensing and spay/neuter requirements.

Fiscal Impact Statement: The Department of Animal Services reports that eliminating the civil penalty is not expected to have a negative revenue impact since it is rarely applied. Increased revenue from application of the reasonable late fees is fairly certain but the amount to be expected is difficult to estimate because the program is completely new. Also, revenue will increase because the late fee may motivate some people to act who otherwise might forget to license altogether, or some may select higher-first-year-revenue, multi-year licenses to avoid annual payments and fees. The Department further reports that charging a half-price fee of \$7.50 per license to seniors and disabled persons of low-income will yield about \$30,000 per year, helping to offset the cost of clerical staff which processes the licenses.

Community Impact Statement: None submitted.

Items for Which Public Hearings Have Been Held - Items 2-3

**Roll Call #2 - Adopted, Ayes (10); Absent: Alarcón, Huizar, Koretz, Krekorian and Perry (5)
(Item Nos. 2-3)**

ITEM NO. (2) - ADOPTED

[11-0127](#)

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to proposed amendments to various Adult Day Program contracts.

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

- AUTHORIZE the General Manager, Los Angeles Department of Aging (LADOA), or designee, to amend the following contracts as indicated below, subject to review by the City Attorney as to form and legality:

<u>Agency</u>	<u>Agreement No.</u>	<u>Revised Total Contract Funding Amount</u>
Partners in Care Foundation	C-117736	\$353,184
Assistance League of Southern California	C-117739	\$111,343
Jewish Family Services of Los Angeles	C117815	\$111,343

- AUTHORIZE the Controller to adjust the appropriations within the Senior Human Services Program Trust Fund Number 42J as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
G301	ADSC FY 10-11 C-FD PY4/10-3/11	(\$157,947)
G302	ADSC FY 10-11 C-FD PY4/11-3/12	\$157,947

3. AUTHORIZE the General Manager, LADOA, or designee, to prepare Controller instructions for any technical adjustments, subject to the approval of the City Administrative Officer, and AUTHORIZE the Controller to implement the instructions.
4. AUTHORIZE the Controller to disburse funds to the recommended service providers upon submission of proper demand from the General Manager, LADOA, or designee.

Fiscal Impact Statement: The LADOA reports that this action involves a current year Community Development Block Grant in the approved ConPlan and City General Purpose funds in the adopted Fiscal Year 2010-11 Budget. There is no additional impact on the General Fund.

Community Impact Statement: None submitted.

ITEM NO. (3) - ADOPTED

10-1030

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to acceptance of additional 2010-11 grant funds from the California Department of Aging (CDA) and approval of amendments to various service provider and CDA agreements.

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

1. APPROVE Fiscal Year (FY) 2010-11 Area Plan Contract, Amendment No. 1, (AP-1011-25, Amendment Number 1).
2. AUTHORIZE the General Manager, Los Angeles Department of Aging (LADOA), or designee, to execute the Standard Agreement for AP 1011-25, Amendment No. 1.
3. AUTHORIZE the General Manager, LADOA, or designee, to amend the existing contract (C-117838) with WISE Senior Services by an additional \$115,471.
4. APPROVE FY 2010-11 Health Insurance Counseling and Advocacy Program (HICAP) Area Plan Contract (HI-1011-25, Amendment No. 1).
5. AUTHORIZE the General Manager, LADOA, or designee, to execute the Standard Agreement for HI-1011-25, Amendment No. 1.
6. AUTHORIZE the General Manager, LADOA, or designee, to amend the existing contract for the HICAP service provider (C-117620) with the Center for Health Care Rights by an additional \$71,086.
7. AUTHORIZE the General Manager, LADOA, or designee, to prepare Controller instructions for any technical adjustments, subject to the approval of the City Administrative Officer, and AUTHORIZE the Controller to implement the instructions.
8. AUTHORIZE the Controller to:
 - a. Increase the appropriations within the Ombudsman Program Trust Fund Number 46V and the HICAP Trust Fund Number 47Y as follows:

<u>Fund</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
46V	G201	Ombudsman Initiative Program	\$115,471
47Y	G102	Aging	\$5,345
47Y	G201	HICAP	<u>\$71,086</u>
			\$191,902

- b. Increase the appropriation within Fund Number 100/02 and transfer funds on an as-needed basis (Revenue Source Code No. 4852) as follows:

	<u>Fund</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
From:	47Y	G102	Aging	\$5,345
To:	100/02	6010	Office & Admin. Exp.	\$5,345

Fiscal Impact Statement: The LADOA reports that the approval of the FY 2010-11 Area Plan Contract, Amendment No. 1 and the FY 2010-11 HICAP Amendment No. 1 will have no fiscal impact on the General Fund.

Community Impact Statement: None submitted.

Items for Which Public Hearings Have Not Been Held - Items 4-14

(10 Votes Required for Consideration)

ITEM NO. (4) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #6 - Adopted as amended, Ayes (13); Absent: Alarcón and Perry (2)

11-0450

COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to establishing regulations for the parking on certain City streets or public lands of a vehicle containing a "for sale" sign or placard advertising the private sale of that vehicle.

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

PRESENT and ADOPT the accompanying ORDINANCE amending the Los Angeles Municipal Code to establish regulations for the parking on public the private sale of that vehicle on certain City streets or public lands of a vehicle containing a "for sale" sign or placard advertising the private sale of that vehicle, and to prohibit the parking of such a vehicle on Los Feliz Boulevard between Interstate 5 and Western Avenue and on Franklin Avenue between Hillhurst and Western Avenues.

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

Community Impact Statement: None submitted.

URGENCY CLAUSE - 12 VOTES REQUIRED

(Transportation Committee waived consideration of the above matter)

ITEM NO. (5) - NOTED AND FILED PRESENTATION

Roll Call #11 - Adopted to Note and File, Ayes (12); Absent: Alarcón, Smith and Wesson (3)

[11-0228](#)

CONTINUED CONSIDERATION OF COMMUNICATION FROM CHAIR AND MEMBER, BUDGET AND FINANCE COMMITTEE relative to a presentation by Neighborhood Council Budget Advocates on budget related issues.

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

ALLOW key members of the Neighborhood Council Budget Advocates to make a formal presentation at the center table at the City Council meeting and allot 30 minutes for the presentation on budget related issues.

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

Community Impact Statement: None submitted.

(Continued from Council meeting of March 29, 2011)

**Roll Call #4 - Adopted, Ayes (10); Absent: Alarcón, Huizar, Koretz, Krekorian and Perry (5)
(Item Nos. 6-7)**

ITEM NO. (6) - ADOPTED

[11-0286](#)

COMMUNICATION FROM CHAIR, JOBS AND BUSINESS DEVELOPMENT COMMITTEE relative to the Fiscal Year (FY) 2011 Annual Planning Report for the Sylmar Property-Based Business Improvement District (PBID).

Recommendations for Council action:

1. FIND that the attached Annual Planning Report for the Sylmar Business Improvement District's 2011 FY complies with the requirements of the City's Landscaping, Security, Programming, and Maintenance (LSPM) PBID Ordinance.
2. FIND that the adjustments in the 2011 budget category amounts concur with the intentions of the Sylmar Business Improvement District's Management District Plan and do not adversely impact the benefits received by assessed property owners.
3. ADOPT the FY 2011 Annual Planning Report for the Sylmar PBID, pursuant to the LSPM PBID Ordinance.

Fiscal Impact Statement: The City Clerk reports that there is no impact to the General Fund associated with this action.

Community Impact Statement: None submitted.

ITEM NO. (7) - ADOPTED

[11-0287](#)

COMMUNICATION FROM CHAIR, JOBS AND BUSINESS DEVELOPMENT COMMITTEE relative to the Fiscal Year (FY) 2011 Annual Planning Report for the Byzantine Latino Quarter - Pico Boulevard Property-Based Business Improvement District (PBID).

Recommendations for Council action:

1. FIND that the Byzantine Latino Quarter - Pico Boulevard Business Improvement Districts proposed use of rollover funds for the 2011 FY concurs with the intentions of the Management District Plan and does not adversely impact the benefits received by assessed property owners.
2. FIND that the attached Annual Planning Report for the Byzantine Latino Quarter - Pico Boulevard PBID complies with the requirements of the City's Landscaping, Security, Programming, and Maintenance (LSPM) PBID Ordinance.
3. ADOPT the attached Annual Planning Report for the Byzantine Latino Quarter - Pico Boulevard Business Improvement District's 2011 FY, pursuant to the LSPM PBID Ordinance.

Fiscal Impact Statement: The City Clerk reports that there is no impact to the General Fund associated with this action.

Community Impact Statement: None submitted.

ITEM NO. (8) - ADOPTED - FORTHWITH

Roll Call #7 - Adopted, Ayes (14); Absent: LaBonge (1)

[11-1100](#)

COMMUNICATION FROM THE CITY CLERK and RESOLUTIONS relative to the certified election results of votes cast for the March 8, 2011 Primary Nominating and Consolidated Elections.

Recommendation for Council action:

ADOPT the accompanying RESOLUTIONS declaring the certified results of the City of Los Angeles March 8, 2011, Primary Nominating and Consolidated Elections for the following:

- a. For the various candidates for the Office of Member of the Los Angeles City Council in District Numbers 2, 4, 6, 8, 10, 12 and 14.
- b. For the various candidates for the Offices of Member of the Board of Education of the Los Angeles Unified School District in District Numbers 1, 3, 5 and 7.

- c. For the various candidates to fill the Offices of the Member of the Board of Trustees of the Los Angeles Community College District for Seat Numbers 1, 3, 5 and 7.
- d. For and against City of Los Angeles Charter Amendments G, H, I, J, L, N, P and Q; and Propositions M and O.
- e. For and against Measure C to establish the Charter City of Rancho Palos Verdes.

Fiscal Impact Statement: The City Clerk reports that adopting the resolutions declaring the results of the City of Los Angeles Primary Nominating and Consolidated Elections will have no impact on the General Fund as the funds necessary to conduct the 2011 municipal elections are already included in the City Clerk's operating budget for Fiscal Year 2010-11.

Community Impact Statement: None submitted.

ITEM NO. (9) - CONTINUED TO APRIL 19, 2011

Roll Call #3 - Adopted to Continue, Unanimous Vote (10); Absent: Alarcón, Huizar, Koretz, Krekorian and Perry (5)

[08-3343](#)

CD 13

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

Recommendations for Council action:

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

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

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

Fiscal Impact Statement: The City Engineer reports that to date, the petitioner has paid a fee of \$10,700 for the investigation of this request pursuant to Section 7.42 of the Administrative Code.

Any deficit fee to recover the cost pursuant to Section 7.44 of the Administrative Code may be required of the petitioner. Maintenance of the public easement by City Forces will be eliminated.

Community Impact Statement: None submitted.

(Public Works Committee waived consideration of the above matter)

(Continued from Council meeting of March 22, 2011)

**Roll Call #4 - Adopted, Ayes (10); Absent: Alarcón, Huizar, Koretz, Krekorian and Perry (5)
(Item Nos. 10-11)**

ITEM NO. (10) - ADOPTED, *AS AMENDED - SEE FOLLOWING

[10-0866-S2](#)

CD 11

CONSIDERATION OF MOTION (ROSENDAHL - REYES) relative to the extension of the deadline date by which funds are to be identified for completion of the Lincoln Place project.

Recommendation for Council action:

APPROVE an extension from April 30, 2011 to ~~June 30, 2011~~ ***July 31, 2011** of the deadline date by which funds are to be identified for completion of the Lincoln Place project, as provided for in the settlement agreement entered into between the City of Los Angeles and AIMCO Venezia, LLC. **(*Rosendahl - Reyes)**

Community Impact Statement: None submitted.

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

ITEM NO. (11) - ADOPTED

[11-0477](#)

CONSIDERATION OF MOTION (WESSON - KREKORIAN) and RESOLUTION relative to a Caltrans Fiscal Year (FY) 2011-12 Environmental Justice grant for the Equitable TOD Outreach and Strategic Plan project.

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

1. ADOPT the accompanying RESOLUTION approving the Los Angeles Housing Department (LAHD) application for a \$200,000 Caltrans FY 2011-12 Environmental Justice grant for the Equitable TOD Outreach and Strategic Plan project.
2. AUTHORIZE the LAHD to apply for and execute a \$200,000 Caltrans FY 2011-12 Environmental Justice grant for the Equitable TOD Outreach and Strategic Plan project.

Community Impact Statement: None submitted.

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

ITEM NO. (12) - ADOPTED

Roll Call #8 - Adopted, Ayes (15)

Roll Call #9 - Adopted to Reconsider, Ayes (15)

Roll Call #10 - Adopted, Ayes (15)

[11-0002-S42](#)

CONSIDERATION OF RESOLUTION (CÁRDENAS - KORETZ) relative to the City's position on Assembly Bill (AB) 610 (Solario) which would decrease the minimum eligibility threshold for specialized license plate programs from 7,500 applications to 2,500 applications.

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

ADOPT the accompanying RESOLUTION to include in the City's 2011-12 State Legislative Program SUPPORT for AB 610 (Solario) which would decrease the minimum eligibility threshold for specialized license plate programs from 7,500 applications to 2,500 applications.

Community Impact Statement: None submitted.

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

ITEM NO. (13) - ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #5 - Adopted, Ayes (13); Absent: Alarcón and Perry (2)

[11-0010-S18](#)

MOTION (PARKS - SMITH) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the shootings of Lynette Warren, Edward Dent and Donna Allen on March 7, 2011.

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

1. PROVIDE an offer of reward in the amount of \$75,000 for information leading to the identification, apprehension, and conviction of the person(s) responsible for the shootings of Lynette Warren, Edward Dent and Donna Allen on March 7, 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. (14) - ADOPTED

Roll Call #4 - Adopted, Ayes (10); Absent: Alarcón, Huizar, Koretz, Krekorian and Perry (5)

[11-0010-S19](#)

MOTION (KREKORIAN - CÁRDENAS) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the fatal shooting of Carlos Munoz on January 1, 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 fatal shooting of Carlos Munoz on January 1, 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 for Which Public Hearing Has Been Held - Item 15

ITEM NO. (15) - ADOPTED

Roll Call #12 - Adopted, Ayes (12); Absent: Alarcón, Smith and Wesson (3)

[09-0960](#)

CONTINUED CONSIDERATION OF EXEMPTION, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to adding, amending, and repealing sections of the Utility Maintenance Program (UMP) in Article Five, Chapter XV of the Los Angeles Municipal Code (LAMC) to improve the administration of UMP and to replace references to the rent escrow account with UMP.

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

1. FIND that that the adoption of this ordinance is exempt from the provisions of the California Environmental Quality Act (CEQA) under Article 18, Section 15060 (c)(2) of the State CEQA guidelines and Article II, Section 2(m) of the City CEQA guidelines.
2. PRESENT and ADOPT the accompanying ORDINANCE adding Section 155.02.0.6; amending Sections 155.01, 155.02, 155.03, 155.05, 155.06, 155.07, 155.08 and 155.09; and repealing Section 155.04 of the Utility Maintenance Program in Article 5, Chapter XV of the LAMC to improve the administration of UMP and to replace obsolete references to the Rent Escrow Account with UMP.

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

Community Impact Statement: None submitted.

MOTION ADOPTED UPON FINDINGS BY COUNCIL THAT THE NEED TO TAKE ACTION AROSE SUBSEQUENT TO THE POSTING OF THE COUNCIL AGENDA FOR TUESDAY, APRIL 5, 2011, PURSUANT TO GOVERNMENT CODE SECTION 54954.2(b)(2) AND COUNCIL RULE 23

ADOPTED - FORTHWITH

Roll Call #13 - Motion (Reyes - Garcetti - Perry - LaBonge) Findings on Need to Act - Adopted, Ayes (12); Absent: Alarcón, Smith and Wesson (3)

Roll Call #14 - Motion (Reyes - Garcetti - Perry - LaBonge) Adopted, Ayes (12); Absent: Alarcón, Smith and Wesson (3)

11-0010-S20

MOTION (REYES - GARCETTI - PERRY - LABONGE) relative to offer of reward for information leading the identification, apprehension, and conviction of the person or persons responsible for the attack of Bryan Stow on March 31, 2011.

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

11-0011-S8

MOTION (ZINE - REYES) relative to amending prior Council action of March 4, 2011, regarding the Los Angeles Police Department (LAPD) West Valley Jeopardy Foundation conducting beautification projects in Council District Three.

11-0559

MOTION (PARKS - ROSENDAHL) relative to funding for supplemental Charter Bus services in Council District Eight.

11-0558

MOTION (HAHN - LABONGE) relative to a personal services contract with Marge O'Brien to provide services to the 15th Council District.

11-0010-S21

MOTION (HAHN - ALARCÓN) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Avery Dean on February 20, 2011.

[11-0010-S22](#)

MOTION (PARKS - PERRY) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Tina Marie Sanchez on April 15, 2010.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

11-0004 -S1 - Malaysian Delegation	(Rosendahl - Parks)
Martin C. Fentress	(Zine - Krekorian)
Sergeant Dennis W. Quiles	(Smith - Zine)
Cecilia Cabello	(Garcetti - Perry)
Bill Geist	(Garcetti - LaBonge)
Seymour Stein	(Garcetti - LaBonge)
Neutra Practice at 85	(Garcetti - LaBonge)

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

11-0003-S1 - Lou Fleming	(Koretz - Rosendahl)
Willie Solomon	(Parks)
Bernice Beverly Arbor	(Parks)
Ben Clayton	(Perry)
Margie Loretta Lindstrom	(Rosendahl)

Cárdenas, Hahn, Huizar, Koretz, Krekorian, LaBonge, Parks, Perry, Reyes, Rosendahl, and President Garcetti (11); Absent: Alarcón, Smith, Wesson and Zine (4)

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL