

Los Angeles City Council, **Journal/Council Proceedings**  
Friday, **April 8, 2011**  
John Ferraro Council Chamber, Room 340, City Hall - 10 am

(For further details see Official Council Files)

**(For communications referred by the President see Referral Memorandum)**

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

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF  
APRIL 5, 2011

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 18

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

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

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## **Items for Which Public Hearings Have Been Held - Items 1-10**

**ITEM NO. (1) - ADOPTED - SEE FOLLOWING**

**Roll Call #4 - Adopted, Ayes (13); Absent: Cárdenas and Reyes (2)**

[08-3420](#)

COMMUNICATIONS FROM THE BOARD OF WATER AND POWER COMMISSIONERS, CITY ATTORNEY and CITY ADMINISTRATIVE OFFICER, RESOLUTION and ORDINANCE FIRST CONSIDERATION relative to authorizing the Los Angeles Department of Water and Power to use the Construction-Manager-at-Risk alternative project delivery method to build the Silver Lake Reservoir Complex Storage Replacement Project.

(Energy and Environment Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)

(Click on the above hyperlink or go to <http://cityclerk.lacity.org/lacityclerkconnect/index.cfm> for background documents.)

**ADOPTED**

**ENERGY AND ENVIRONMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION** relative to authorizing the Los Angeles Department of Water and Power (LADWP) to use the Construction-Manager-at-Risk to build the Silver Lake Reservoir Complex Storage Replacement Project.

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

1. **CONCUR** with the Board of Water and Power Commissioners' (Board) action of December 7, 2010, Resolution No. 011-148, authorizing use the Construction-Manager-at-Risk to build the Silver Lake Reservoir Complex Storage Replacement Project, as detailed in the December 8, 2010 Board report, attached to the Council file.
2. **PRESENT and ADOPT** the accompanying **ORDINANCE** authorizing the Board to award Construction Manager-at-Risk contracts pursuant to a competitive sealed proposal method and further authorizes the LADWP to establish criteria and conduct negotiations relating to the procurement of such contracts for the construction of several facilities comprising the Silver Lake Reservoir Complex Storage Replacement Project.

**Fiscal Impact Statement Submitted:** The City Administrative Officer reports that authorizing the LADWP to use the Construction-Manager-at-Risk to build the Silver Lake Reservoir Complex Storage Replacement Project will not have a fiscal impact; however, the ensuing contract will result in a total expenditure estimated to be approximately \$214 million which is included in the Multi-Year Expenditure Plan of the LADWP Water System Capital Budget. The LADWP states that the proposed resolution and ordinance is consistent with the LADWP's Financial Policies. Since the LADWP is bound only by the City Debt Management Policies, the City Financial Policies are not applicable. Approval of utilization of the Construction Manager-at-Risk will have no impact on the City's General Fund.

**Community Impact Statement:** None submitted.

**ITEM NO. (2) - ADOPTED - SEE FOLLOWING**

**Roll Call #5 - Adopted, Ayes (13); Absent: Cárdenas and Reyes (2)**

**[10-0475-S7](#)**

MOTION (PERRY - CÁRDENAS) relative to authorization to execute a sole-source agreement with PA Consulting for an independent third party review of the Los Angeles Department of Water and Power's (LADWP) 2010 Integrated Resources Plan, RPS/Energy Efficiency Program, Energy Cost Adjustment Factor, and the LADWP's revenue requirements/rate structure proposals.

(Energy and Environment Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)

(Click on the above hyperlink or go to <http://cityclerk.lacity.org/lacityclerkconnect/index.cfm> for background documents.)

**ADOPTED**

**ENERGY AND ENVIRONMENT COMMITTEE REPORT** relative to authorization for a sole-source agreement with PA Consulting to conduct an independent third party review of the Los Angeles Department of Water and Power's (LADWP) 2010 Integrated Resources Plan (IRP), Renewable Portfolio Standard (PS)/Energy Efficiency Program, Energy Cost Adjustment Factor (ECAF), and various LADWP revenue requirements/rate structure proposals.

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

- 1. AUTHORIZE** the City Administrative Officer (CAO) and the Chief Legislative Analyst (CLA) to execute a sole source agreement with PA Consulting, given their expertise, of the LADWP operations, for a contract total not to exceed \$780,000 for a period of one year, to conduct a thorough independent third party review of the LADWP's IRP, RPS/Energy Efficiency program, ECAF, LADWP Revenue Requirements/rate restructure, and rate action proposals consistent with Council file Nos. 10-0475, 10-0475-S5, 10-0475-S6 and 05-0548.
- 2. DESIGNATE** the CAO and CLA as the supervisory and coordinating entities of the independent third party review and further **DIRECT** that contract costs up to \$780,000 be submitted to the LADWP for payment upon execution of services under the contract, as described above in Recommendation No. 1.

**Fiscal Impact Statement:** Neither the CAO or the CLA has completed a financial analysis of this report.

**Community Impact Statement:** None submitted.

**Roll Call #2 - Adopted, Ayes (10); Absent: Alarcón, Cárdenas, Krekorian, Parks and Reyes (5)**  
(Item Nos. 3-7)

**ITEM NO. (3) - ADOPTED - SEE FOLLOWING**

[11-0209](#)

COMMUNICATIONS FROM THE BOARD OF WATER AND POWER COMMISSIONERS and CITY ADMINISTRATIVE OFFICER and RESOLUTION relative to a sole source award to Evertz Microsystems, Ltd. to furnish and deliver broadcaster network equipment and software.

TIME LIMIT FILE - APRIL 9, 2011

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

(Energy and Environment Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)

(Click on the above hyperlink or go to <http://cityclerk.lacity.org/lacityclerkconnect/index.cfm> for background documents.)

**ADOPTED**

**ENERGY AND ENVIRONMENT COMMITTEE REPORT** relative to proposed Specification No. 217 with Evertz Microsystems, Ltd. (Evertz) to furnish and deliver broadcaster network equipment and software.

**Recommendation for Council action:**

**CONCUR** with the Board of Water and Power Commissioners' (Board) action of February 1, 2011, Resolution No. 19364, authorizing a sole-source Agreement Specification No. 217 to furnish and deliver broadcaster network equipment and software for the Video Metropolitan Area Network System with a total expenditure amount not to exceed \$4.75 million over a five-year contract term as detailed in the February 3, 2011 Board report, attached to the Council file.

**Fiscal Impact Statement:** The City Administrative Officer reports that approval of Specification No. 217 with Evertz will result in a not to exceed expenditure amount of \$4.75 million from the Los Angeles Department of Water and Power (LADWP) Joint System Budget. The LADWP states that the proposed resolution is consistent with the LADWP's Financial Policies. Since the LADWP is bound only by the City Debt Management Policies, the City Financial Policies are not applicable. Approval of the proposed resolution will have no impact on the City's General Fund.

**Community Impact Statement:** None submitted.

**TIME LIMIT FILE: APRIL 9, 2011**

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

**ITEM NO. (4) - ADOPTED - SEE FOLLOWING**

[11-0527](#)

COMMUNICATION FROM THE BOARD OF PUBLIC WORKS and RESOLUTION relative to authority to apply for grant funding from the Mobile Source Air Pollution Reduction Review Committee's 2011 Local Government Match Program for an air quality improvement project in support of the Bureau of Sanitation's Clean Fuel Program for solid resources collection vehicles.

(Energy and Environment Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)

(Click on the above hyperlink or go to <http://cityclerk.lacity.org/lacityclerkconnect/index.cfm> for background documents.)

**ADOPTED**

**ENERGY AND ENVIRONMENT COMMITTEE REPORT and RESOLUTION** relative to authorization to apply for grant funding from the Mobile Source Air Pollution Reduction Review Committee's 2011 Local Government Match Program for an air quality improvement project in support of the Bureau of Sanitation's (BOS) Clean Fuel Program.

**Recommendations for Council action:**

1. **APPROVE** the March 30, 2011 Board of Public Works (Board) report.
2. **AUTHORIZE** the Director, BOS, or designee, to apply for grant funds from the Mobile Source Air Pollution Reduction Review Committee (MSRC) for the 2011 Local Government Match Program.
3. **ADOPT** the accompanying **RESOLUTION** approving the completion of an application for grant funding and submit all documents necessary to apply for grant funding for the Clean Fuel Program and if awarded grant funding to return to the Mayor and the City Council to obtain approval for the acceptance of these funds and authorization to negotiate and execute grant agreements.

**Fiscal Impact Statement:** The Board reports that the grant from the Mobile Source Air Pollution Reduction Review Committee will enhance the BOS' Clean Fuel Program. The receipt of grant funds will offset the purchase cost of alternative fuel vehicles in the Clean Fuel Program. Applying for this grant program will have no impact on the General Fund since the General Fund does not fund this program.

**Community Impact Statement:** None submitted.

**ITEM NO. (5) - ADOPTED FORTHWITH TO THE MAYOR - SEE FOLLOWING**

[09-1951-S1](#)  
CD 8

COMMUNICATION FROM THE LOS ANGELES HOUSING DEPARTMENT and RESOLUTION relative to adoption of resolution and minutes of the public hearing pursuant to the Tax Equity and Fiscal Responsibility Act of 1982 for the proposed Buckingham Senior Apartments Project located at 4020 Buckingham Road, Los Angeles, CA 90008.

(Housing, Community and Economic Development Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)

(Click on the above hyperlink or go to <http://cityclerk.lacity.org/lacityclerkconnect/index.cfm> for background documents.)

**ADOPTED**

**HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION** relative to adoption of resolution and minutes of the public hearing pursuant to the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) for the proposed Buckingham Senior Apartments Project located at 4020 Buckingham Road, Los Angeles, CA 90008.

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

**ADOPT** the accompanying **RESOLUTION** and minutes as required pursuant to the Tax Equity and Fiscal Responsibility Act of 1982.

**Fiscal Impact Statement:** The Los Angeles Housing Department reports that there will be no impact on the City's General Fund related to the issuance of the bonds.

**Community Impact Statement:** None submitted.

**ITEM NO. (6) - ADOPTED FORTHWITH TO THE MAYOR - SEE FOLLOWING**

[11-0103](#)

CD 4

COMMUNICATION FROM THE LOS ANGELES HOUSING DEPARTMENT and RESOLUTION relative to adoption of resolution and minutes of the public hearing pursuant to the Tax Equity and Fiscal Responsibility Act of 1982 for the proposed Montecito Apartments Project located at 6650 Franklin Avenue, Los Angeles, CA 90028.

(Housing, Community and Economic Development Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)

(Click on the above hyperlink or go to <http://cityclerk.lacity.org/lacityclerkconnect/index.cfm> for background documents.)

**ADOPTED**

**HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION** relative to adoption of resolution and minutes of the public hearing pursuant to the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) for the proposed Montecito Apartments Project located at 6650 Franklin Avenue, Los Angeles, CA 90028.

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

**ADOPT** the accompanying RESOLUTION and minutes as required pursuant to the Tax Equity and Fiscal Responsibility Act of 1982.

**Fiscal Impact Statement:** The Los Angeles Housing Department reports that there will be no impact on the City's General Fund related to the issuance of the bonds.

**Community Impact Statement:** None submitted.

**ITEM NO. (7) - ADOPTED FORTHWITH TO THE MAYOR - SEE FOLLOWING**

[11-0404](#)

CD 2

COMMUNICATION FROM THE LOS ANGELES HOUSING DEPARTMENT and RESOLUTION relative to adoption of resolution and minutes of the public hearing pursuant to the Tax Equity and Fiscal Responsibility Act of 1982 for the proposed Samoa Avenue Housing Project located at 10046-56 Samoa Avenue, Tujunga, CA 91042.

(Housing, Community and Economic Development Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)

(Click on the above hyperlink or go to <http://cityclerk.lacity.org/lacityclerkconnect/index.cfm> for background documents.)

## ADOPTED

**COMMUNICATION FROM CHAIR AND VICE CHAIR, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE and RESOLUTION** relative to adoption of resolution and minutes of the public hearing pursuant to the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) for the proposed Samoa Avenue Housing Project located at 10046-56 Samoa Avenue, Tujunga, CA 91042.

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

**ADOPT** the accompanying RESOLUTION and minutes as required pursuant to the Tax Equity and Fiscal Responsibility Act of 1982.

**Fiscal Impact Statement:** The Los Angeles Housing Department reports that there will be no impact on the City's General Fund related to the issuance of the bonds.

**Community Impact Statement:** None submitted.

## ITEM NO. (8) - CONTINUED TO APRIL 26, 2011 - SEE FOLLOWING

**Roll Call #1 - Adopted to Continue, Unanimous Vote (10); Absent: Alarcón, Cárdenas, Krekorian, Parks and Reyes (5)**

[11-0538](#)

CD 7

COMMUNICATION FROM THE LOS ANGELES HOUSING DEPARTMENT and RESOLUTION relative to adoption of resolution and minutes of the public hearing pursuant to the Tax Equity and Fiscal Responsibility Act of 1982 for the proposed Oakridge Family Homes Project located at 15455 Glenoaks Boulevard, Sylmar, CA 91342.

(Housing, Community and Economic Development Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)

(Click on the above hyperlink or go to <http://cityclerk.lacity.org/lacityclerkconnect/index.cfm> for background documents.)

## CONTINUED

**HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION** relative to adoption of resolution and minutes of the public hearing pursuant to the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) for the proposed Oakridge Family Homes Project located at 15455 Glenoaks Boulevard, Sylmar, CA 91342.

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

**ADOPT the accompanying RESOLUTION and minutes as required pursuant to the Tax Equity and Fiscal Responsibility Act of 1982.**

**Fiscal Impact Statement:** The Los Angeles Housing Department reports that there will be no impact on the City's General Fund related to the issuance of the bonds.

**Community Impact Statement:** None submitted.

**ITEM NO. (9) - ADOPTED - SEE FOLLOWING**

**Roll Call #2 - Adopted, Ayes (10); Absent: Alarcón, Cárdenas, Krekorian, Parks and Reyes (5)**

[10-1271-S1](#)

CD 14

MOTION (HUIZAR - ALARCÓN) and RESOLUTION relative to authority to amend and extend various contracts to provide funding and services to support the Broadway Streetscape Project.

(Housing, Community and Economic Development Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)

(Click on the above hyperlink or go to <http://cityclerk.lacity.org/lacityclerkconnect/index.cfm> for background documents.)

**ADOPTED**

**HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION relative to authority to amend and extend various contracts to provide funding and services to support the Broadway Streetscape Project (Project).**

**Recommendations for Council action, as initiated by Motion (Huizar - Alarcón), SUBJECT TO THE APPROVAL OF THE MAYOR:**

- 1. ADOPT the accompanying Health and Safety Code Section 33445 JOINT RESOLUTION relative to the Project to provide up to \$200,000 in public improvements using Community Development Block Grant (CDBG) funds for historic glass block repair and installation at the Broadway Corridor from Second Street to Olympic Boulevard.**
- 2. AUTHORIZE the Community Redevelopment Agency (CRA) Chief Executive Officer, or designee, to:**
  - a. Amend the \$550,000 CDBG (Contract C-115257) with the Community Development Department (CDD) for Consolidated Plan Year 34 (2008-09) to extend the contract time of performance from March 31, 2010 to March 31, 2012 in connection with the Broadway Streetscape Project.**



- b. Enter into a new CDBG contract with CDD or amend the \$550,000 CDBG CDD Contract C-115257 for the total amount of \$1,450,000, accepting \$900,000 from Consolidated Plan Program Year 35 (2009-10), and upon execution amend the CRA Fiscal Year 2011 Budget to recognize \$900,000 in CDBG funds.
    - c. Amend the City Center Commercial Incentive Program to provide up to \$200,000 in CDBG funds for historic glass repair and replacement under the Commercial Building Facade Grant Program (increasing such program to a maximum of \$95,000 per building if historic glass blocks are included) and up to \$600,000 for Architectural Lighting Restoration/Installation Program, including up to \$100,000 for Neon Signage Restoration in the total amount of up to \$800,000.
  3. AUTHORIZE the General Manager, CDD, or designee, to:
    - a. Amend existing City Contract C-115257 to extend the term of performance through March 31, 2012.
    - b. Utilize the new pro forma subrecipient agreement approved by the US Department of Housing and Urban Development to ensure inclusion of all required grant provisions.
    - c. Augment the funding of existing City Contract C-115257 with \$900,000 in CDBG funds in Program Year 35 (2009-10) CDBG budget.
    - d. Make any necessary changes, corrections, or prepare Controller instructions to effectuate the intent of these actions.
  4. AUTHORIZE the Controller to implement the instructions.

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

**Community Impact Statement:** None submitted.

**ITEM NO. (10) - ADOPTED**

**Roll Call #6 - Adopted, Ayes (12); Absent: Cárdenas, LaBonge and Reyes (3)**

[10-0578](#)

COMMUNICATION FROM CHAIR, PUBLIC SAFETY COMMITTEE and ARTS, PARKS, HEALTH, AND AGING COMMITTEE REPORT relative to earthquake preparedness in the City of Los Angeles.

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

NOTE and FILE the Board of Police Commissioners report to Council dated July 6, 2010, and Emergency Management Department report to the Public Safety and Arts, Parks, Health, and Aging Committees' dated August 9, 2010, relative to earthquake preparedness in the City of Los Angeles.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

## **Items for Which Public Hearings Have Not Been Held - Items 11-21**

(10 Votes Required for Consideration)

**Roll Call #3 - Adopted, Ayes (10); Absent: Alarcón, Cárdenas, Krekorian, Parks and Reyes (5)**  
**(Item Nos. 11a-11e)**

### **ITEM NO. (11) - ADOPTED**

#### [11-0005-S213](#)

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 April 1, 2011:

#### [11-0005-S213](#)

CD 15

- a. Property at 2221 East 112th Street (Case No. 123954).  
Assessor I.D. No. 6067-016-043

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 31, 2007)

#### [11-0005-S214](#)

CD 8

- b. Property at 813 West 85th Street (Case No. 9427).  
Assessor I.D. No. 6032-011-010

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 10, 2007)

#### [11-0005-S215](#)

CD 14

- c. Property at 720 North Milwaukee Avenue (Case No. 294987).  
Assessor I.D. No. 5484-009-010

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 8, 2010)

#### [11-0005-S216](#)

CD 9

- d. Property at 5309 South Main Street (Case No. 222614).  
Assessor I.D. No. 5101-034-002

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on September 10, 2009)

[11-0005-S217](#)

CD 9

- e. Property at 5309 South Main Street (Case No. 268916).  
Assessor I.D. No. 5101-034-002

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

**ITEM NO. (12) - ADOPTED**

**Roll Call #8 - Adopted, Ayes (12); Absent: Cárdenas, LaBonge and Smith (3)**

[09-0648-S12](#)

COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER relative to American Reinvestment and Recovery Act (ARRA) Transportation projects Fiscal Year (FY) 2010-11 funding amendments.

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

1. AUTHORIZE the Controller to increase appropriations in the amount of \$83,990 to the Bureaus of Contract Administration and Engineering as delineated in Attachment C from ARRA - MICLA CP Special Fund No. 299/50 and 299/94 for revised estimated 2010-11 staffing costs on ARRA projects.
2. INSTRUCT the Los Angeles Department of Transportation (LADOT) and the Bureau of Sanitation to submit monthly invoices approved by the department project manager with proper documentation of expenditures and transfer cash from ARRA - MICLA CP Special Fund No. 229, the accounts as specified in Attachment C, to reimburse the General Fund on an as-needed basis upon approval of the City Administrative Officer (CAO).
3. INSTRUCT the Board of Public Works and the LADOT to revert any uncommitted balances to the originating accounts at year-end.
4. INSTRUCT the LADOT and the Bureau of Sanitation to continue to invoice Caltrans on a monthly basis for reimbursements and deposit receipts in ARRA - Transportation Projects Special Fund No. 51X.
5. INSTRUCT the LADOT and the Bureau of Sanitation to continue to transfer expenditures from Fund No. 299 to Fund No. 51X upon receipt of reimbursements to pay down Commercial Paper notes.
6. AUTHORIZE the Controller and the Bureau of Street Services to transfer \$1,500,000 in reimbursements from ARRA - Transportation Projects Special Fund No. 51X/86, Revenue Source Code 370G, to the General Fund, Non-Departmental General, Fund No. 100/62, Revenue Source Code 4744, as related costs reimbursements.

7. AUTHORIZE the LADOT to transfer \$9,331.55 from ARRA - Transportation Projects Special Fund No. 51X/94 to the General Fund No. 100/76 to reimburse the Bureau of Contract Administration for prior year expenditures relate to ARRA projects and AUTHORIZE the Controller to make technical corrections and accounting adjustments as necessary.
8. AUTHORIZE the CAO to make technical corrections as necessary to implement the intent of the Council and Mayor.

Fiscal Impact Statement: The CAO reports the 2010-11 cost to the General Fund of using Commercial Paper notes will be between \$260,000 and \$365,000 assuming an interest rate of 0.3 percent to 1.0 percent. The additional appropriations of \$83,990 to departments' operating budgets for 2010-11 will not change the estimated cost, which has been budgeted in the Capital Finance Administration Fund for 2010-11.

Debt Impact Statement: The issuance of Municipal Improvement Corporation of Los Angeles Commercial Paper Notes to front-fund ARRA projects will not impact the City's debt limits as these Notes are short-term debt.

Community Impact Statement: None submitted.

(Ad Hoc Committee of Economic Recovery and Reinvestment waived consideration of the above matter)

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

**Roll Call #9 - Adopted, Ayes (12); Absent: Cárdenas, LaBonge and Smith (3)**

[11-0464](#)

COMMUNICATION FROM THE CITY ATTORNEY relative to a request for outside counsel assistance in the litigation entitled Los Angeles Unified School District v. City of Los Angeles, United States District Court, Central District, Case No. CV11-00245. [This litigation involves the remediation of contaminated land located at 2050 San Fernando Road in the neighborhood of Cypress Park (Council District 1)].

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

1. AUTHORIZE the City Attorney to retain Gallagher & Gallagher, PC, as outside counsel in the case of Los Angeles Unified School District v. City of Los Angeles, United States District Court, Case No. CV 11-00245.
2. AUTHORIZE the Bureau of Sanitation to fund the outside counsel in the amount of \$500,000 from the Sewer Operations and Maintenance Fund No. 760, Account G282, entitled Sanitation Exp & Equip-Oper RE to provide \$200,000 in fiscal year 2010-11 and an additional \$300,000 in fiscal year 2011-12 out of the Sewer Operations and Maintenance Fund No. 760, account to be designated by the Bureau of Sanitation.

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.

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

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

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

**Roll Call #7 - Adopted, Ayes (12); Absent: Cárdenas, LaBonge and Reyes (3)**

[11-0002-S6](#)

COMMUNICATION FROM THE CHIEF LEGISLATIVE ANALYST (CLA) and RESOLUTION relative to the City's position on Senate Bill (SB) 124 (de Leon), and any similar legislation, which would make it more difficult to buy handgun ammunition, including "cop killer" bullets capable of piercing body armor.

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 SB 124 (de Leon), and any similar legislation, which would make it more difficult to buy handgun ammunition, including "cop killer" bullets capable of piercing body armor.

Fiscal Impact Statement: None submitted by the CLA. The City Administrative Officer has not completed a financial analysis of this report.

Community Impact Statement: None submitted.

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

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

**Roll Call #10 - Adopted, Ayes (11); Absent: Alarcón, Cárdenas, LaBonge and Smith (4)**

[09-0525](#)

COMMUNICATION FROM THE BOARD OF TAXICAB COMMISSIONERS relative to adjusting the baseline taximeter rate schedule.

Recommendation for Council action:

REQUEST the City Attorney to prepare and present an ordinance, substantially as described in the Board of Taxicab Commissioners report to Council dated March 18, 2011 (attached to the Council file), establishing a new baseline taximeter rate schedule for taxicab service that matches the currently used interim rate schedule (in place since August 2008), along with an increase in the Los Angeles International Airport trip surcharge from \$2.50 to \$4.00, and the continued authority for interim rate adjustments by the Board of Taxicab Commissioners.

Fiscal Impact Statement: The Board of Taxicab Commissioners reports that the current baseline taximeter meter rate schedule, the franchise fee per month (per cab) was set at \$95.87. Per the recommended taximeter rate schedule (and the current interim rates), the franchise fee per month

(per cab) will continue at \$105.86. Based on 2,303 taxicabs authorized in the city of Los Angeles, a total annual revenue increase of approximately \$276,000 has been collected at the current interim rate schedule as compared to the baseline rates. The current interim rate schedule (and recommended new baseline rate schedule) has provided for a total annual franchise fee Transmittal of Taxicab Commission Rate Ordinance collection increase from approximately \$2,649,000 to \$2,925,000.

Community Impact Statement: None submitted.

(Transportation Committee waived consideration of the above matter)

**Roll Call #3 - Adopted, Ayes (10); Absent: Alarcón, Cárdenas, Krekorian, Parks and Reyes (5)  
(Item Nos. 16-17)**

**ITEM NO. (16) - ADOPTED**

[11-0251](#)

CD 3

CATEGORICAL EXEMPTION and COMMUNICATION FROM THE CITY ENGINEER relative to an offer to dedicate an easement for street purposes on the north side of Vanowen Street west of Etiwanda Avenue (Right of Way No. 36000-1853).

Recommendations for Council action:

1. FIND that the offer to dedicate an easement for street purposes on the north side of Vanowen Street west of Etiwanda Avenue. (Right of Way No. 36000-1853) 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 purposes on the north side of Vanowen Street west of Etiwanda Avenue. (Right of Way No. 36000-1853), as depicted on the Exhibit Map in the February 9, 2011 City Engineer report and 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 a \$2,883.65 fee for processing this report was paid pursuant to Sections 7.3 and 7.41.1 of the Administrative Code. No additional City Funds are needed.

**ITEM NO. (17) - ADOPTED**

[11-0382](#)

CD 4

CATEGORICAL EXEMPTION and COMMUNICATION FROM THE CITY ENGINEER relative to an offer to dedicate an easement for street purposes on the northeast side of Lankershim Boulevard, the north side of Califa Street, the west side of Tujunga Avenue, and the south side of Tiara Avenue (Right of Way No. 36000-1826).

Recommendations for Council action:

1. FIND that the offer to dedicate an easement for street purposes on the northeast side of Lankershim Boulevard, the north side of Califa Street, the west side of Tujunga Avenue, and the south side of Tiara Avenue.. (Right of Way No. 36000-1826) 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 purposes on the northeast side of Lankershim Boulevard, the north side of Califa Street, the west side of Tujunga Avenue, and the south side of Tiara Avenue.. (Right of Way No. 36000-1826), as depicted on the Exhibit Map in the February 16, 2011 City Engineer report and 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 a \$2,461 fee for processing this report was paid pursuant to Sections 7.3 and 7.41.1 of the Administrative Code. No additional City Funds are needed.

**ITEM NO. (18) - ADOPTED FORTHWITH TO THE MAYOR**

**Roll Call #11 - Adopted, Ayes (12); Absent: Alarcón, Cárdenas and Smith (3)**

[11-0002-S31](#)

CONSIDERATION OF RESOLUTION (KORETZ - GARCETTI - ZINE) relative to the City's position on S. 436, the Fix Gun Checks Act of 2011, which would ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and that a background check will be required for every firearm sale.

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

ADOPT the accompanying RESOLUTION to include in the City's 2011-12 Federal Legislative Program SUPPORT of S. 436, the Fix Gun Checks Act of 2011, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and that a background check will be required for every firearm sale.

Community Impact Statement: None submitted.

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

**ITEM NO. (19) - NOTE AND FILE**

**Roll Call #6 - Adopted to Note and File, Ayes (12); Absent: Cárdenas, LaBonge and Reyes (3)**

[11-0535](#)

MOTION (SMITH - KREKORIAN - LABONGE) relative to inviting Dr. Lucy Jones of the United States Geological Survey to make a presentation to Council regarding the recent earthquake and tsunami activity around the Pacific Rim.

Recommendation for Council action:

REQUEST the City Council to invite Dr. Lucy Jones of the United States Geological Survey to make a presentation to Council regarding the recent earthquake and tsunami activity around the Pacific Rim, the threats posed to Los Angeles from a major earthquake and tsunami, and additional considerations for improving the City's overall earthquake preparedness.

**Roll Call #3 - Adopted, Ayes (10); Absent: Alarcón, Cárdenas, Krekorian, Parks and Reyes (5)  
(Item Nos. 20-21)**

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

[11-0536](#)

CD 4

MOTION (LABONGE - GARCETTI) and RESOLUTION relative to authorizing the Community Development Department (CDD) to execute a First Supplemental Installment Sale Agreement.

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

1. ADOPT the accompanying RESOLUTION authorizing the execution and delivery of a First Supplemental Installment Sale Agreement to remove the requirement for a Gross Revenue Fund in the Certificates of Participation legal structure, and take certain other actions in connection therewith.
2. INSTRUCT the General Manager, CDD, to execute any documents that may be necessary to carry out the intent of the Resolution and the First Supplemental Installment Sale Agreement.

**ITEM NO. (21) - ADOPTED**

[11-0011-S7](#)

CD 3

MOTION (ZINE - SMITH) relative to amending prior Council action of March 2, 2011, regarding the transfer of Council District Three, General City Purposes Special Event Fee Subsidy funds.

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

AMEND prior Council action of March 2, 2011, (Council file No. 11-0011-S7), relative to the transfer of Council District Three, General City Purposes Special Event Fee Subsidy funds to:



1. REDUCE the amount of the transfer by \$10,000.
2. AUTHORIZE the Controller to take whatever action(s) are needed to implement this reduction, including but not limited to action(s) such as: appropriation, transfer, allocation, reversion.
3. AUTHORIZE the City Clerk to make any technical corrections or clarifications to the above fund transfer instructions in order to effectuate the intent of this Motion.

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

### 11-0596

MOTION (WESSON - KORETZ) relative to funding to be used for the installation of trees and permanent neighborhood markers in the South Robertson area in Council District 10.

### 11-0011-S11

MOTION (ROSENDAHL - KORETZ) relative to funding for various transit related projects, sidewalk projects, curb/sidewalk improvements, beautification projects needed to improve conditions for public transit patrons and all expenses relating to or incidental thereto, as well as for general services to the community in Council District 11.

### 11-0601

MOTION (ZINE - GARCETTIO) relative to changing the regularly scheduled meeting time of the Audits and Governmental Efficiency Committee from the first and third Tuesday of each month at 2:00 p.m. to the second and fourth Tuesday of each month at 2:00 p.m.

### 02-0010-S71

MOTION (ROSENDAHL - PARKS) relative to reinstating the reward offer in the death of Michael Alan Treanor for an additional six months.

### 09-2596-S1

MOTION (PARKS - PERRY) relative to installing street banners announcing the Empowerment Congress Central Area Neighborhood Development Council (ECCANDC - a certified Neighborhood Council) to encourage and support the active participation of the community in EDDANDC activities and programs.

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

### 11-0597

RESOLUTION (HUIZAR for REYES - LABONGE - PERRY - PARKS) relative to declaring April 15, 2011 as Jackie Robinson Day in the City of Los Angeles.

## COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon his request, and without objections, Councilmember Huizar was excused from Council session of Tuesday, May 10, 2011 due to City business.

Upon his request, and without objections, Councilmember Zine was excused from Council sessions of Tuesday, April 12, 2011 and Friday, May 6, 2011 both due to City business.

Upon her request, and without objections, Councilmember Perry was excused from Council sessions of Tuesday, May 3, 2011; Wednesday, May 11, 2011 and Wednesday, May 18, 2011 all due to City business.

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

## COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

<a href="#">11-0004</a> -S1 - The Jewish Journal - 25th Anniversary	(Koretz - Garcetti)
Fellowship of Christian Athletes	(Hahn - Huizar)
Pastor William David Lowe, Jr.	(Hahn - Huizar)
Richard G. Hovannisian	(Korekorian - Garcetti - Koretz- All Councilmembers)
Susan Wilcox	(Hahn - Huizar)
Brad Pye, Jr.	(Hahn - Parks)

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

<a href="#">11-0003-S1</a> - Samuel Patrick Tyndall	(Huizar)
Sharon Darlene Bragg	(Huizar)
William C. "Chief" Johnson	(Parks - Perry)
Herbert "Herbie" Howard, Jr.	(Perry - Hahn - Parks)
Sister Maria	(LaBonge - All Councilmembers)

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

**Whereupon the Council did adjourn.**

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL