

Los Angeles City Council, **Journal/Council Proceedings**
Wednesday, **April 13, 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, Huizar, Koretz, LaBonge, Parks, Perry, Reyes, Zine and President Garcetti (10); Absent: Hahn, Krekorian, Rosendahl, Smith and Wesson (5)

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
APRIL 8, 2011

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 19

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

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

Items Noticed for Public Hearing - Items 1-10

Roll Call #3 - Adopted, Ayes (10); Absent: Hahn, Krekorian, Rosendahl, Smith and Wesson (5)
(Item Nos. 1-6)

**ITEM NO. (1) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED
MAY 4, 2011**

[11-0107](#)

CD 15

HEARING PROTESTS against the proposed improvement and maintenance of the Marshall Court and Sepulveda Street Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Marshall Court and Sepulveda Street Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on February 9, 2011 - Continue hearing and present Ordinance on May 4, 2011 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**ITEM NO. (2) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED
MAY 4, 2011**

[11-0108](#)
CD 11

HEARING PROTESTS against the proposed improvement and maintenance of the Marquez Avenue and Sunset Boulevard Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Marquez Avenue and Sunset Boulevard Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on February 9, 2011 - Continue hearing and present Ordinance on May 4, 2011 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**ITEM NO. (3) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED
MAY 4, 2011**

[11-0115](#)
CD 4

HEARING PROTESTS against the proposed improvement and maintenance of the Burbank and Lankershim Boulevards Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Burbank and Lankershim Boulevards Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on February 9, 2011 - Continue hearing and present Ordinance on May 4, 2011 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**ITEM NO. (4) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED
MAY 4, 2011**

[11-0116](#)
CD 11

HEARING PROTESTS against the proposed improvement and maintenance of the Anchorage Street and Grand Canal Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Anchorage Street and Grand Canal Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on February 9, 2011 - Continue hearing and present Ordinance on May 4, 2011 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**ITEM NO. (5) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED
MAY 4, 2011**

[11-0117](#)

CD 11

HEARING PROTESTS against the proposed improvement and maintenance of the Bundy Drive and Gorham Avenue No. 1 Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Bundy Drive and Gorham Avenue No. 1 Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on February 9, 2011 - Continue hearing and present Ordinance on May 4, 2011 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**ITEM NO. (6) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED
MAY 4, 2011**

[11-0118](#)

CD 6

HEARING PROTESTS against the proposed improvement and maintenance of the Leadwell Street and Haskell Avenue (Re-Ballot) Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Leadwell Street and Haskell Avenue (Re-Ballot) Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on February 9, 2011 - Continue hearing and present Ordinance on May 4, 2011 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (7) - CONTINUED TO APRIL 15, 2011

Roll Call #2 - Adopted to Continue, Unanimous Vote (10); Absent: Hahn, Krekorian, Rosendahl, Smith and Wesson (5)

[11-0330](#)

CD 9

HEARING COMMENTS relative to application for determination of "Public Convenience or Necessity" for alcohol sales for on- and off-site consumption at Buzz Wine Beer Shop located at 460 South Spring Street, Unit No. 3, Los Angeles, 90013.

Application filed by: Buzzboyz, Inc. (Elizabeth Peterson, representative)

TIME LIMIT FILE - APRIL 18, 2011

(LAST DAY FOR COUNCIL ACTION - APRIL 15, 2011)

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

ITEM NO. (8) - CONTINUED TO MAY 10, 2011

Roll Call #1 - Adopted to Continue, Unanimous Vote (10); Absent: Hahn, Krekorian, Rosendahl, Smith and Wesson (5)

[11-0397](#)

CD 3

HEARING COMMENTS relative to an Application for Determination of "Public Convenience or Necessity" for the sale of alcoholic beverages for off-site consumption at Alta Dena Express market.

Recommendations for Council action:

1. DETERMINE that the "Public Convenience or Necessity" WILL NOT be served by the sale of alcoholic beverages for off-site consumption at Alta Dena Express market located at 22748 West Saticoy Street, West Hills, 91307, inasmuch as the site is located in a census tract with an undue concentration of alcoholic beverage sales licenses.
2. DENY the application for Determination of "Public Convenience or Necessity" for the sale of alcoholic beverages for off-site consumption at 22748 West Saticoy Street, based upon the above finding and the negative influence associated with the sale of alcohol in the concerned community.
3. INSTRUCT the City Clerk to transmit this determination to the State Department of Alcoholic Beverage Control as the required findings under Business and Professions Code Section 23958.4.

Application filed by: Alta Dena Express c/o Sameer Hannoun (Wil Nieves, representative)

TIME LIMIT FILE - APRIL 25, 2011

(LAST DAY FOR COUNCIL ACTION - APRIL 20, 2011)

ITEM NO. (9) - CONTINUED TO APRIL 15, 2011

Roll Call #2 - Adopted to Continue, Unanimous Vote (10); Absent: Hahn, Krekorian, Rosendahl, Smith and Wesson (5)

[11-0548](#)

CD 9

HEARING COMMENTS relative to application for determination of "Public Convenience or Necessity" for alcohol sales for off-site consumption at Numero Uno Market located at 4700-12 South Broadway.

Recommendations for Council action:

1. DETERMINE that the issuance of a liquor license at Numero Uno Market located at 4700-12 South Broadway, Los Angeles, 90037, 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 4700-12 South Broadway.
3. INSTRUCT the City Clerk to transmit this determination to the State Department of Alcoholic Beverage Control as the required findings under Business and Professions Code Section 23958.4.

Application filed by: Numero Uno Acquisitions, LLC (Nicole Smith,
The Katherman Company, representative)

TIME LIMIT FILE - MAY 19, 2011

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

ITEM NO. (10) - CONTINUED TO APRIL 15, 2011

Roll Call #7 - Adopted to Continue, Unanimous Vote (13); Absent: Rosendahl and Wesson (2)

[10-1519](#)

CD 5

HEARING PROTESTS relative to the vacation of Angelo Drive northwesterly of Davies Drive from its northerly terminus to approximately 300 feet southerly thereof (VAC E1400931).

(Categorical Exemption, Communication from the City Engineer and Findings adopted on March 9, 2011)

Items for Which Public Hearings Have Been Held - Items 11-16

ITEM NO. (11) - ADOPTED - SEE FOLLOWING

Roll Call #8 - Adopted, Ayes (13); Absent: Rosendahl and Wesson (2)

11-0406

COMMUNICATION FROM THE COUNCIL PRESIDENT relative to the appointment of Mr. Freddy A. Carrillo to the Quality and Productivity Commission.

Recommendation for Council action:

RESOLVE that the Council President's appointment of Mr. Freddy A. Carrillo to the Quality and Productivity Commission for the term ending November 19, 2011 is APPROVED and CONFIRMED. Mr. Carrillo resides in Council District Three. (Current Board gender composition: M = 11; F = 3; Vacant = 1)

Ethics Commission Review: Complete.

Background Check Review: Pending.

Community Impact Statement: None submitted.

TIME LIMIT FILE - APRIL 23, 2011

(LAST DAY FOR COUNCIL ACTION - APRIL 20, 2011)

(Audits and Governmental Efficiency 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 THE CHAIR, AUDITS AND GOVERNMENTAL EFFICIENCY COMMITTEE, relative to the appointment of Mr. Freddy A. Carrillo to the Quality and Productivity Commission.

Recommendation for Council action:

RESOLVE that the Council President's appointment of Mr. Freddy A. Carrillo to the Quality and Productivity Commission for the term ending November 19, 2011 is APPROVED and CONFIRMED. Mr. Carrillo resides in Council District Three. (Current Commission gender composition: M=11 F=4; Vacant=1)

Ethics Commission Review: Complete.

Background Check Review: Pending.

Community Impact Statement: None submitted.

TIME LIMIT FILE - APRIL 23, 2011

LAST DAY FOR COUNCIL ACTION - APRIL 20, 2011

ITEM NO. (12) - ADOPTED

Roll Call #6 - Adopted, Ayes (12); Absent: Rosendahl, Smith and Wesson (3)

[11-0136](#)

CD 14

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change and Height District Change at 1383 Murchison 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. 11-0136 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV-2010-1027-MND] filed on July 23, 2010.
2. ADOPT the FINDINGS of the East Los Angeles Area Planning Commission (ELAAPC) as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the ELAAPC, effecting a zone change and Height District Change from RD2-1 to (T)(Q)C1-1VL for the proposed tenant improvements and interior remodeling to an existing 5,960 square foot (sq. ft.) building for the conversion of the building to a multi-tenant commercial corner shopping center on a 15,087 sq. ft. site located at 1383 Murchison Street, subject to Conditions of Approval.

Applicant: Shoukat Hussain Ali

Representative: Michael Pauls and Alecia Ley, Michael Pauls Associates

APCE-2010-1026-ZC-HD

4. REMOVE the (T) Tentative classification as described in detail on the sheet(s) attached to the Council file.
5. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.

6. ADVISE the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
7. ADVISE the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination filing.

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - APRIL 27, 2011

(LAST DAY FOR COUNCIL ACTION - APRIL 27, 2011)

**Roll Call #4 - Adopted, Ayes (10); Absent: Hahn, Krekorian, Rosendahl, Smith and Wesson (5)
(Item Nos. 13-15)**

ITEM NO. (13) - ADOPTED - SEE FOLLOWING

[11-0572](#)

CD 5

COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER relative to an agreement with Atonal Sports and Entertainment, Inc. for the operation and maintenance of the Cheviot Hills Tennis Professional Concession.

TIME LIMIT FILE - MAY 8, 2011

(LAST DAY FOR COUNCIL ACTION - MAY 6, 2011)

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

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

ADOPTED

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to an agreement with Atonal Sports and Entertainment, Inc. for the operation and maintenance of the Cheviot Hills Tennis Professional Concession.

Recommendation for Council action:

APPROVE and AUTHORIZE the President and Secretary of the Board of Recreation and Park Commissioners to execute the agreement with Atonal Sports and Entertainment, Inc., for the operation and maintenance of the Cheviot Hills Tennis Professional Concession, for a term of five years with two five-year renewal options, subject to the approval of the City Attorney.

Fiscal Impact Statement: The City Administrative Officer reports that Atonal Sports and Entertainment, Inc. (Concessionaire) will pay the City 10.5 percent of gross receipts in rent from lessons and 12 percent of sales of goods and services from the tennis pro shop. The minimum rent guaranteed to be paid by the Concessionaire over the five-year term is \$389,250. The Concessionaire will pay a monthly utility fee of \$250 to the Department of Recreation and Parks for utilities. Ninety percent of the revenues from this concession agreement will be deposited into the Department of Recreation and Parks' operating fund, and 10 percent will be deposited into the Concession Improvement Account. There is no additional impact on the General Fund. The above recommendation is in compliance with the City Financial Policies in that user charges and fees are set to support the full cost of operations for which the fees are charged.

Community Impact Statement: None submitted.

TIME LIMIT FILE - MAY 8, 2011

(LAST DAY FOR COUNCIL ACTION - MAY 6, 2011)

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

[09-2017](#)

PUBLIC SAFETY COMMITTEE REPORT relative to the 2009 Congressionally Selected Grant Program Grant award for the Los Angeles Violence Intervention Training Academy (LAVITA).

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

1. AUTHORIZE the Mayor, or designee, to:
 - a. Accept the Fiscal Year (FY) 2009 Congressionally Selected Grant Program for use by the Mayor's Office in support of LAVITA, in the amount of \$250,000, and execute the grant award from the U.S. Department of Justice, Office of Bureau of Justice Assistance for the period September 1, 2009, through August 31, 2012, and submit any other necessary agreements and documents relative to the grant award, subject to the approval of the City Attorney as to form and legality.
 - b. Negotiate and execute a First Amendment with the Advancement Project (C-116646) for the implementation of LAVITA in an amount not to exceed \$200,000, for a period of twelve months, retroactively effective from January 1, 2011, through December 31, 2011, in substantial conformance with the pro forma amendment attached to the City Administrative Officer (CAO) report to the Mayor and Council dated March 29, 2011 (attached to the Council file), subject to the approval of the City Attorney as to form and legality, and in compliance with City contracting requirements.

2. AUTHORIZE the Controller to:

- a. Establish a new fund entitled FY09 CSGP Grant Fund No. XXX, establish a receivable in the new Fund in the amount of \$250,000, disburse the grant funds upon presentation of documentation or proper demand from the Mayor's Office, and create new appropriation accounts within the new Fund XXX/46 as follows:

Appropriation		
<u>Account</u>	<u>Title</u>	<u>Amount</u>
G146	Salaries - Mayor's GRYD Office	\$ 45,748
G613	Contractual Svcs - Advancement Project	200,000
G299	Fringe Benefits - GRYD	<u>4,252</u>
TOTAL:		\$ 250,000

- b. Upon submission of proper documentation and approval by the Mayor's Office, transfer up to \$83,977 from the FY09 CSGP Grant Fund No. XXX/46, as follows:

From:			
<u>Fund/Dept. No.</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
XXX/46	G146	Salaries - Mayor's GRYD Office	\$ 45,748
XXX/46	G299	Related Costs - Fringe Benefits	<u>4,252</u>
Total:			\$ 50,000

To:			
<u>Fund/Dept. No.</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
100/46	1020	Salaries Grant Reimbursed	\$ 45,748
100/46	4681	Related Cost Reimbursed	<u>4,252</u>
Total:			\$ 50,000

3. AUTHORIZE the Mayor, or designee, to prepare Controller instructions and/or make any technical adjustments consistent with this action, subject to the approval of the CAO; and, AUTHORIZE the Controller to implement these instructions.

Fiscal Impact Statement: The CAO reports that this action does not impact the General Fund. Acceptance of the FY 2009 Congressionally Selected Grant Program in the amount of \$250,000 and approval of grant-related actions will result in the continued implementation of LAVITA and partial support of four Gang Reduction and Youth Development positions (GRYD). The remaining balance for these positions is included in the Mayor's Adopted Budget or other grant funds so no additional appropriation is necessary. Accepting the grant and approving the recommendations is in compliance with City financial policies inasmuch as budgeted General Fund revenues plus grant revenues are available to support the cost of these programs. Funding to continue the program beyond the performance period is dependent on receipt of additional grant funds or General Fund appropriations.

Community Impact Statement: None submitted.

ITEM NO. (15) - ADOPTED - TO THE MAYOR FORTHWITH

[11-0089](#)

PUBLIC SAFETY COMMITTEE REPORT relative to a grant award for the Young Women: from Adversity to Resiliency (YWAR) program.

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

1. AUTHORIZE the Mayor, or designee, to accept the Fiscal Year 2010/2011 Juvenile Justice Crime Prevention Act Grant in the amount of \$206,182 from the Los Angeles County Department of Probation (Probation) to support the City's YWAR Program, execute the tenth year of the Memorandum of Understanding with Probation, for the period July 1, 2010, through June 30, 2011, and submit any other necessary agreement and documents relative to the grant award, subject to the approval of the City Attorney as to form and legality.

2. AUTHORIZE the Controller to:

a. Establish a receivable in the Schiff-Cardenas Act Fund No. 45D in the amount of \$206,182, disburse the grant funds upon presentation of documentation or proper demand from the Mayor's Office, and create new appropriation accounts within Fund 45D/46, as follows:

<u>Appropriation Account</u>	<u>Title</u>	<u>Amount</u>
G146	Salaries – Mayor's GRYD Office	\$145,994
G299	Fringe Benefits - GRYD	32,425
G302	Supplies and Mileage	5,000
G303	Contractual Services - CSOs	2,000
G304	Curriculum and Materials	<u>20,763</u>
	Total:	\$ 206,182

b. Upon submission of proper documentation and approval from the Mayor's Office, transfer up to \$178,419 from the Schiff-Cardenas Act Fund No. 45D, as follows:

	<u>Fund</u>	<u>Title</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
From:	45D	Schiff-Cardenas Fund	G146	Salaries-Mayor	\$ 145,994
To:	100/46	General Fund	1020	Salaries Grant Reimbursed	\$ 145,994

	<u>Fund</u>	<u>Title</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
From:	45D	Schiff-Cardenas Fund	G299	Fringe Benefits	\$ 32,425
To:	100/46	General Fund	4681	Related Cost Reimbursed	\$ 32,425

c. Transfer any balances resulting from reimbursements received after July 1, 2010, for any expenditures that occurred between July 1, 2009, and June 30, 2010, into appropriate Schiff-Cardenas Act Fund accounts, upon receipt of transfer instructions from the Mayor's Gang Reduction and Youth Development (GRYD) Office.

3. AUTHORIZE the Mayor, or designee, to prepare Controller instructions and/or make any technical adjustments consistent with this action, subject to the approval of the City Administrative Officer (CAO); and, AUTHORIZE the Controller to implement these instructions.

Fiscal Impact Statement: The CAO reports that this action does not impact the General Fund. Acceptance of the Fiscal Year 2010/11 Juvenile Justice Crime Prevention Act grant in the amount of \$206,182 and approval of grant-related actions will result in the implementation of the City's YWAR Program and support of 2.5 full time equivalent GRYD positions. Accepting the grant and approving the recommendations is in compliance with City financial policies inasmuch as sufficient General Fund revenues plus grant revenues are available to support the cost of this program. Funding to continue the program beyond the performance period is dependent on receipt of additional grant funds or General Fund appropriations.

Community Impact Statement: None submitted.

ITEM NO. (16) - ADOPTED

Roll Call #10 - Adopted, Ayes (13); Absent: Alarcón and Wesson (2)

[10-0596](#)

BUDGET AND FINANCE and TRANSPORTATION COMMITTEES' REPORT relative to the Los Angeles Department of Transportation's (LADOT) Five-Year Operations and Maintenance Plan for the Special Parking Revenue Fund (SPRF).

Recommendations for Council action:

1. APPROVE the Five-Year Parking Operations and Maintenance Plan, as presented in the LADOT's report dated February 7, 2011, attached to the Council file.
2. AUTHORIZE the General Manager, LADOT, or designee, working with the City Administrative Officer and Chief Legislative Analyst, to make adjustments to the Five-Year Operations and Maintenance Plan on an annual basis, and that those changes be reviewed and approved by the Council and Mayor as part of future budgets.
3. DIRECT the LADOT to report back within 45 days with additional information on:
 - a. An implementation schedule for the installation of parking meters in new areas.
 - b. The costs and benefits of the identified "smart funding alternatives" being considered for eligible uses of the SPRF.
 - c. The impact and suggested implementation plan relative to the transfer of the Permit Parking Division.
 - d. Expansion of the ExpressPark Program, beginning in Year 3 of the Plan.
 - e. Enforcement Technology upgrade, including installing on-street parking sensors and upgraded monitoring equipment in enforcement vehicles.

- f. Additional staffing requests.
4. DIRECT the LADOT to incorporate the following concepts into the department's policy relative to SPRF-funded parking facilities and parking meter system:
 - a. Manage and create sustainable parking and revenue generation in existing parking facilities and parking meter areas prior to moving forward with new parking facilities or new parking meter areas.
 - b. Prepare an objective demand study for all on-street parking meters and off-street parking facility proposals prior to requesting funding for projects in new areas.
5. DIRECT the LADOT to report on the amount of parking meter revenue generated by each Council District.
6. DIRECT the LADOT to report back on a proposal to implement diagonal on-street parking in Westwood Village.

Fiscal Impact Statement: The LADOT reports that the actions described in the department's report have no negative impact on the General Fund because the costs are borne by the SPRF. However, additional citation revenue, resulting from improved parking meter operability, may moderately increase revenue to the General Fund, depending upon future usage and compliance. In addition, the General Fund may also realize increased sales tax revenue resulting from improved economic vitality, depending upon the specific parking and business improvement measures implemented.

Community Impact Statement: None submitted.

Items for Which Public Hearings Have Not Been Held - Items 17-21

(10 Votes Required for Consideration)

ITEM NO. (17) - ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #9 - Adopted, Ayes (13); Absent: Alarcón and Wesson (2)

[10-1545](#)

COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to amending Section 8.149.4 of the Los Angeles Administrative Code (LAAC) to establish flexible vehicle parking rates.

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

PRESENT and ADOPT the accompanying ORDINANCE amending LAAC Section 8.149.4 to allow for flexible vehicle parking rate pricing permitting the adjustment of the standard vehicle parking rate.

Fiscal Impact Statement: None submitted by the City Attorney.

Community Impact Statement: None submitted.

(Trade, Commerce and Tourism and Budget and Finance Committees waived consideration of the above matter)

**Roll Call #5 - Adopted, Ayes (12); Absent: Rosendahl, Smith and Wesson (3)
(Item Nos. 18a-18h, 19-21)**

ITEM NO. (18) - ADOPTED

[11-0005-S218](#)

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 6, 2011:

[11-0005-S218](#)

CD 11

- a. Property at 1536 South Bundy Drive (Case No. 233107).
Assessor I.D. No. 4263-036-016

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

[11-0005-S219](#)

CD 1

- b. Property at 403 West Isabel Street (Case No. 8161).
Assessor I.D. No. 5452-010-001

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on January 25, 2005)

[11-0005-S220](#)

CD 8

- c. Property at 2934 South Halldale Avenue (Case No. 312093).
Assessor I.D. No. 5053-030-008

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 3, 2011)

[11-0005-S221](#)

CD 8

- d. Property at 3747 Saint Andrews Place (Case No. 262472).
Assessor I.D. No. 5042-016-008

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on January 28, 2010)

[11-0005-S222](#)

CD 9

- e. Property at 216 East 54th Street (Case No. 200924).
Assessor I.D. No. 5101-013-007

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on October 30, 2008)

[11-0005-S223](#)

CD 9

- f. Property at 216 East 54th Street (Case No. 287453).
Assessor I.D. No. 5101-013-007

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

[11-0005-S224](#)

CD 1

- g. Property at 1408 South Burlington Avenue (Case No. 8257).
Assessor I.D. No. 5135-019-003

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 22, 2005)

[11-0005-S225](#)

CD 1

- h. Property at 1408 South Burlington Avenue (Case No. 261303).
Assessor I.D. No. 5135-019-003

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on January 5, 2010)

ITEM NO. (19) - ADOPTED - TO THE MAYOR FORTHWITH

[11-0465](#)

COMMUNICATION FROM CHAIR AND MEMBER, BUDGET AND FINANCE COMMITTEE relative to escheatment of \$325,928.64 from the Unclaimed Monies Seized Incidental To Arrest Trust Fund (UMSIATF) to the General Fund.

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

1. INSTRUCT the Los Angeles Police Department and the City Treasurer to process the sum of \$325,928.64 from the UMSIATF Fund No. 7772.
2. TRANSFER all identified eligible monies to the General Fund, Fund No. 100/70, Revenue Source Code 4334.

Fiscal Impact Statement: None submitted by the City Treasurer. 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. (20) - ADOPTED

[11-0471](#)

COMMUNICATION FROM CHAIR AND MEMBER, BUDGET AND FINANCE COMMITTEE relative to a review of the recommendations made by Neighborhood Council Budget Advocates.

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

REQUEST the City Administrative Officer (CAO) and Chief Legislative Analyst (CLA) to review the recommendations made by the Neighborhood Council Budget Advocates, provide analysis, and discuss which recommendations are feasible for implementation in the coming fiscal year.

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

Community Impact Statement: None submitted.

ITEM NO. (21) - ADOPTED

[11-0444](#)

CD 5

CONSIDERATION OF MOTION (HUIZAR - KORETZ) relative to vacation proceedings to vacate the portion of an alley approximately 545 feet northwesterly of National Boulevard between Bentley Avenue and Sepulveda Boulevard.

Recommendations for Council action:

1. INITIATE the alley vacation proceedings to vacate the portion of alley approximately 545 feet northwesterly of National Boulevard between Bentley Avenue and Sepulveda Boulevard, pursuant to California Streets and Highways Code, Division 9, Part 3, Public Streets, Highways and Service Easements Vacation Law.
2. DIRECT Bureau of Engineering to investigate the feasibility of this vacation request.
3. DIRECT Bureau of Engineering to present its report regarding the feasibility of vacating the requested area to the Public Works Committee.
4. DIRECT the City Clerk to schedule this request for the City Council's consideration at the appropriate time under the City's Street Vacation procedures.

Community Impact Statement: None Submitted.

(Public Works Committee waived consideration of the above matter)

Closed Sessions - Items 22-23

ITEM NO. (22) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Roll Call #11 - Adopted in Open Session, Ayes (13); Absent: Alarcón and Wesson (2)

[09-2850](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to authorization to pay judgment for appellate attorneys' fees and appropriation for outside counsel services and experts in the case entitled Dillingham-Ray Wilson, et al., v. City of Los Angeles, Los Angeles Superior Court Case No. BC208414. (This case arises out of the construction litigation over the upgrade to the City's Hyperion Treatment Plant to full secondary treatment of sewage.)

(Budget and Finance Committee to consider the above matter in Closed Session on April 11, 2011)

ADOPTED

MOTION (PARKS - SMITH)

Recommendations for Council action:

1. **APPROPRIATE \$669,750.13 to pay the judgment for appellate attorneys' fees (\$583,000.38) and costs (\$69,481.33), plus post judgment interest at a daily rate of \$125.13 to the time of payment on approximately April 22, 2011 (\$17,268.42) from the Sewer Capital Fund No. 761, Account No. GDK6, titled "HTP Digester Expansion" to Dillingham-Ray Wilson, J.V.**
2. **APPROPRIATE \$202,085.68 to pay the judgment for appellate attorneys' fees (\$184,978.75) and costs (\$11,896.48), plus post judgment interest at a daily rate of \$37.76 to the time of payment on approximately April 22, 2011 (\$5,210.45) from Sewer Capital Fund No. 761, Account No. GDK6, titled "HTP Digester Expansion" to CBI Services, Inc.**
3. **APPROPRIATE \$16,322 from Sewer Capital Fund No. 761, Account No. G282, titled "Sanitation Exp & Equip." to pay the outstanding balance of Ackerman & Senterfit (former firm of the City's Outside Counsel).**
4. **APPROPRIATE \$169,640.79 from Sewer Capital Fund No. 761, Account No. G282, titled "Sanitation Exp & Equip." to pay the outstanding balance of Best, Best & Kreiger (new law firm of the City's same Outside Counsel).**
5. **APPROPRIATE \$600,000 from Sewer Capital Fund No. 761, Account No. G282, titled "Sanitation Exp & Equip." for future Outside Counsel fees and expert costs (\$210,000 for attorneys fees and \$390,000 for experts) to fund the litigation through June 30, 2011.**
6. **AUTHORIZE the interest amounts in item numbers 1 and 2 above to be adjusted based on direction from the Director of Sanitation, or designee, to match the actual payment dates.**

7. **AUTHORIZE** the City Attorney, or designee, without further action by the City Council, to execute a new contract for outside counsel services required for this litigation with the law firm of Best, Best & Kreiger, and to prepare instructions to the Chief Accounting Officer of the Department of Public Works for any necessary technical adjustments, subject to the approval of the City Administrative Officer, and **AUTHORIZE** the Chief Accounting Officer of the Department of Public Works to implement the instructions.

ITEM NO. (23) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Roll Call #12 - Adopted in Open Session, Ayes (12); Absent: Alarcon, Parks and Wesson (3)

[11-0440](#)

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 Corina Smith v. City of Los Angeles, et.al., Los Angeles Superior Court Case No. BC 360060. (This is an employment litigation case involving the Los Angeles Police Department.)

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

ADOPTED

MOTION (SMITH - HUIZAR)

Recommendations for Council action:

1. **AUTHORIZE** the City Attorney to expend \$385,000 in settlement of the above entitled case 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 Law Offices of Joseph Y. Avrahamy and Corina Smith.

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

[11-0621](#)

MOTION (PERRY - PARKS) relative to installing street pole banners announcing the Homeboy Industries café located within City Hall.

[09-2560-S3](#)

MOTION (GARCETTI - KORETZ - PARKS - ZINE) relative to requesting the Commission on Revenue Efficiency (CORE) to present to the City Council its report and recommendations from the "Blueprint for Reform of City Collections."

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

[11-0624](#)

RESOLUTION (KREKORIAN - GARCETTI - CARDENS) relative to the City's position in connection with the foreign policy of the United States.

[11-0625](#)

RESOLUTION (ALARCON - ZINE) relative to declaring the week of April 10-16, 2011 as National Crime Victims' Rights Week in the City of Los Angeles.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon his request, and without objections, Councilmember Koretz was excused to arrive at 11:00 a.m. to Council session of Tuesday, April 19, 2011, due to Personal Business.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

[11-0004](#) -S1 - Paul Salamunovich Day

Garcetti - LaBonge

Turner Classic Movies

Garcetti - LaBonge - All Councilmembers

Kenneth R. Hughley

Garcetti - LaBonge

Joe Mantegna

Garcetti - LaBonge

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

[11-0003-S1](#) - Sidney Harman

Hahn - Rosendahl - All Councilmembers

Dr. M. Michael Eisenberg

Koretz

Cárdenas, Hahn, Huizar, Koretz, Krekorian, LaBonge, Parks, Perry, Reyes, Rosendahl, Smith, Zine and President Garcetti (13); Absent: Alarcón, Wesson (2)

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL