

Los Angeles City Council, **Journal/Council Proceedings**  
Wednesday, **April 27, 2011**  
John Ferraro Council Chamber, Room 340, City Hall - 10 am

(For further details see Official Council Files)

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

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

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF  
APRIL 20, 2011

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 31

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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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## **Item Noticed for Public Hearing - Item 1**

**ITEM NO. (1) - PUBLIC HEARING CLOSED - MOTION ADOPTED TO GRANT APPLICATION - SEE FOLLOWING**

**Roll Call #1 - Adopted to Grant Application, Ayes (11); Absent: Krekorian, Parks, Smith and President Garcetti (4)**

[11-0417](#)

CD 1

HEARING COMMENTS relative to application for determination of "Public Convenience or Necessity" for alcohol sales for on- and off-site consumption at Sunset Beer Company located at 1498 Sunset Boulevard, Unit No. 3, Los Angeles, CA 90026.

Application filed by: Sunset Beer Company (Art Rodriguez and Associates, representative)

TIME LIMIT FILE - MAY 2, 2011

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

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

**ADOPTED**

**MOTION (REYES - CARDENAS)**

**Recommendations for Council action:**

1. **DETERMINE** that the issuance of a beer and wine license (type 42) at Sunset Beer Company located at 1498 Sunset Boulevard, Unit No. 3, Los Angeles, 90026, will serve the “Public Convenience or Necessity” and will not tend to create a law enforcement program.
2. **GRANT** the Application for Determination of “Public Convenience or Necessity” for the sale of alcoholic beverages for on- and off-site consumption at 1498 Sunset Boulevard, Unit No. 3.
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

**Items for Which Public Hearings Have Been Held - Items 2-16**

**ITEM NO. (2) - ADOPTED - TO THE MAYOR FORTHWITH**

**Roll Call #9 - Adopted, Ayes (12); Absent: Krekorian, Smith and President Garcetti (3)**

[11-0238](#)  
CD 5

PUBLIC ANNOUNCEMENT OF BALLOT TABULATION and ORDINANCE FIRST CONSIDERATION relative to the establishment of the Westwood Business Improvement District (BID) pursuant to Section 53753 of the California Government Code, Section 36600 et seq. of the California Street and Highways Code and Article XIII D of the California Constitution.

Recommendations for Council, if the tabulation of ballots indicates majority support, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. **PRESENT** and **ADOPT** the accompanying ORDINANCE establishing the Westwood BID and confirming the assessments to be levied upon properties within the BID, as described in the Management District Plan.
2. **AUTHORIZE** the City Clerk, subject to approval of the City Attorney, to prepare, execute and administer an operating agreement between the City and the Westwood Village Improvement Association, for administration of the BID.

Fiscal Impact Statement: The City Clerk reports that direct costs associated with the Department administrative expenses will be charged to the BID and will be recovered from assessments collected.

There is currently one City-owned, real property included in the list of properties to be assessed within the boundaries of the BID, as disclosed in the Management District Plan and as required under existing state BID legislation. This property is controlled by a General Fund Department. Funding is available in the BID Trust Fund 659 to pay the General Fund share of assessments for the first operating year.

(Pursuant to Council action on Tuesday, April 26, 2011 and adoption of Ordinance No. 181601 on March 1, 2011.)

**Roll Call #7 - Adopted, Ayes (12); Absent: Krekorian, Smith and President Garcetti (3)  
(Item Nos. 3-5)**

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

[08-3443](#)

CD 1

CATEGORICAL EXEMPTION, INFORMATION TECHNOLOGY AND GOVERNMENT AFFAIRS COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to the direct sale and proposed land exchange of surplus properties between the City of Los Angeles and Brian Weiss.

Recommendations for Council action, as initiated by Motion (Reyes - Garcetti), SUBJECT TO THE APPROVAL OF THE MAYOR:

1. FIND that the proposed property transfer is in the best public interest of the City in that it will allow for the provision of open space and parkland.
2. ADOPT the findings from the Bureau of Engineering that the proposed exchange is exempt from the California Environmental Quality Act of 1970, as revised January 28, 1981, according to Categorical Exemption Class 12, Section 1, Article 7 of the Guidelines of Implementation.
3. DETERMINE, in accordance with the Los Angeles Administrative Code Section 7.27 that the City-owned properties at 1198 E. Montecito Drive (APN 5304-010-901) and 962 West Avenue 37 (APN 5454-018-904) are no longer required for City use and that the public interest is served by the exchange of property with Brian Weiss (APNs: 5467-007-20, 5467-008-023, 5467-011-003 and a parcel referred to as "Carlota Boulevard", located between parcels B and C).
4. AUTHORIZE the transfer of the exchanged property from the Department of General Services (GSD) to the Department of Recreation and Parks, (APNs: 5467-007-20, 5467-008-023, 5467-011-003) and a parcel referred to as Carlota Boulevard, located between parcels B and C.
5. PRESENT and ADOPT the accompanying ORDINANCE which provides for the direct sale/exchange of the properties between the City and Brian Weiss and transfer of the new City-owned property to the Department of Recreation and Parks so that it can subsequently be declared public parkland.
6. INSTRUCT the GSD to complete the transaction as outlined in the Ordinance and process the necessary documentation to effectuate the exchange.

7. REQUEST that the Board of Recreation and Parks Commissioners reaffirm its action of July 14, 2010 and dedicate the property as public parkland.

Fiscal Impact Statement: The City Administrative Officer reports that funds totaling \$3,372 for the escrow expenses have been identified from Recreation and Parks Fund 302, Activity Code 0900, Account 603 to offset these expenses. Approval of the recommendations will not have any additional impact on the General Fund and is in compliance with the City Financial Policies in that one-time revenues will be used to support the one-time expense. It should be noted that the Department of Recreation and Parks may incur maintenance expenses if the park is expanded in the future. The funding for these costs would have to be addressed through the City's budget process.

Community Impact Statement: None submitted.

#### **ITEM NO. (4) - ADOPTED**

##### [09-1858-S3](#)

JOB AND BUSINESS DEVELOPMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION to amend Section 21.03 of the Los Angeles Municipal Code (LAMC) to clarify that the Business taxes of the City of Los Angeles apply to all businesses, including the reclassified tax categories set forth in Sections 21.41 through 21.49.

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

PRESENT and ADOPT the accompanying ORDINANCE to amend Section 21.03 of the LAMC to clarify that the Business taxes of the City of Los Angeles apply to all businesses, including the reclassified tax categories set forth in Sections 21.41 through 21.49.

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

Community Impact Statement: None submitted.

#### **ITEM NO. (5) - ADOPTED**

##### [11-0274](#)

CD 7

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCES FIRST CONSIDERATION relative to a zone change and Building Line Removals located at 13821-27 Eldridge 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. 11-0274 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-2009-2348-MND] filed on December 18, 2009.
2. ADOPT the FINDINGS of the North Valley Area Planning Commission (NVAPC) as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the NVAPC, effecting a zone change from A1-1-K to (T)(Q)RE11-1-K for the proposed construction of four new single-family dwelling units, two-stories high, with two-car garages, to be built on the newly subdivided parcels, with the existing one-story single-family dwelling on a 45,248 square foot site located at 13821-27 Eldridge Street, subject to Conditions of Approval.

Applicant: Jose Manzano  
Representative: Jag Narayan

APCNV-2009-2349-ZC-BL

4. PRESENT and ADOPT the accompanying ORDINANCES, approved by the NVAPC, effecting Building Line removals of a 22-foot to 37-foot Building Line on the south side of Polk Street and a 22-foot Building Line located on the west side of Eldridge Avenue for the proposed construction of four new single-family dwelling units, two-stories high, with two-car garages, to be built on the newly subdivided parcels, with the existing one-story single-family dwelling on a 45,248 square foot site located at 13821-27 Eldridge Street, subject to Conditions of Approval.
5. REMOVE the (T) Tentative classification as described in detail on the sheet(s) attached to the Council file.
6. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.
7. 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.
8. ADVISE the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination filing.

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

Community Impact Statement: None submitted

TIME LIMIT FILE - MAY 18, 2011

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

**ITEM NO. (6) - CONTINUED TO APRIL 29, 2011**

**Roll Call #18 - Adopted to Continue, Unanimous Vote (14); Absent: Perry (1)**

[11-0516](#)

CD 9

COMMUNITY REDEVELOPMENT AGENCY OF LOS ANGELES WASHINGTON AND SANTEE PROJECT, MITIGATED NEGATIVE DECLARATION and related California Environmental Quality Act findings, COMMUNICATION FROM THE MAYOR, DIRECTOR OF PLANNING, and CITY PLANNING COMMISSION, RESOLUTION and ORDINANCE FIRST CONSIDERATION relative to a proposed General Plan Amendment to the Southeast Los Angeles Community Plan from Limited Manufacturing to Community Commercial and a concurrent Zone and Height District Change from M1-2-O to (T)(Q)C2-1-O, for the development of a new approximately 92,910 square foot mixed use affordable housing development for the property located at 214, 216, 220 and 224 East Washington Boulevard, and City Initiated ADD AREA 1910 and 1914 South Los Angeles Street and 200, 206, and 210 East Washington Boulevard, subject to Conditions of Approval. (No proposed projects on City Initiated ADD AREA).

CPC 2010-1296-GPA-ZC-HD-ZAA-DB

Applicant: Mercy Housing California, Mee Heh Risdon  
Representative: Michael Laughlin, PSOMAS

(Planning and Land Use Management 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**

**COMMUNITY REDEVELOPMENT AGENCY OF LOS ANGELES (CRALA) WASHINGTON AND SANTEE PROJECT MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT, RESOLUTION and ORDINANCE FIRST CONSIDERATION relative to a General Plan Amendment and concurrent Zone and Height District Change for property located at 214, 216, 220 and 224 East Washington Boulevard, and City Initiated ADD AREA 1910 and 1914 South Los Angeles Street and 200, 206, and 210 East Washington Boulevard.**

**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. 11-0516 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 [CRALA WASHINGTON AND SANTEE PROJECT MITIGATED NEGATIVE DECLARATION].**

2. **ADOPT** the **FINDINGS** of the City Planning Commission (CPC) as the Findings of the Council.
3. **ADOPT** the accompanying **RESOLUTION** as recommended by the Mayor, the Director of Planning and the CPC **APPROVING** the proposed General Plan Amendment to the Southeast Los Angeles Community Plan from Limited Manufacturing to Community Commercial for the property located at 214, 216, 220 and 224 East Washington Boulevard, and City Initiated ADD AREA 1910 and 1914 South Los Angeles Street and 200, 206, and 210 East Washington Boulevard, subject to Conditions of Approval. (No proposed projects on City Initiated ADD AREA).

**Applicant:** Mercy Housing California, Mee Heh Risdon

**CPC 2010-1296-GPA-ZC-HD-ZAA-DB**

**Representative:** Michael Laughlin, PSOMAS

4. **PRESENT** and **ADOPT** the accompanying **ORDINANCE**, approved by the Director of Planning, effecting a concurrent Zone and Height District Change from M1-2-O to (T)(Q)C2-1-O for property at 214, 216, 220 and 224 East Washington Boulevard, subject to Conditions of Approval.
5. **REMOVE (T)** Tentative classification as described in detail on the sheet(s) attached to the Council file.
6. **INSTRUCT** the Planning Department to update the General Plan and appropriate maps pursuant to this action.
7. **ADVISE** the applicant of "Q" Qualified classification time limit as described in the Committee report.
8. **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.
9. **ADVISE** the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination filing.

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

**Community Impact Statement:** None submitted.

**TIME LIMIT FILE - JUNE 12, 2011**

**(LAST DAY FOR COUNCIL ACTION - JUNE 10, 2011)**

**ITEM NO. (7) - ADOPTED, AS AMENDED - SEE FOLLOWING**

**Roll Call #16 - Adopted as Amended, Ayes (14); Absent: Perry (1)**

[11-0595](#)

CONTINUED CONSIDERATION OF AUDITS AND GOVERNMENTAL EFFICIENCY COMMITTEE REPORT relative to requesting the Controller, Office of Finance, and City Attorney to report on Parking Occupancy Tax collections including the current audit; and pending and ongoing litigation concerning uncollected parking occupancy tax revenue.

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

1. NOTE and FILE Motion (Zine - Wesson - Garcetti) relative to requesting the Controller, Office of Finance, and City Attorney to report on Parking Occupancy Tax collections including the current audit; and pending and ongoing litigation concerning uncollected parking occupancy tax revenue.
2. REQUEST the City Attorney to report back to the Audits and Governmental Efficiency Committee on the following:
  - a. Draft language to amend the Los Angeles Municipal Code (LAMC) to authorize the denial of a business Police Permit application for a new permit for non-payment of business taxes and/or parking occupancy taxes.
  - b. Draft language to amend the LAMC to authorize the denial of a business annual Police Permit renewal for non-payment of business taxes or parking occupancy taxes.
  - c. Draft language to amend the LAMC to authorize that prior to reinstatement of a Parking Lot Operator's revoked or suspended Police Permit, the permit holder be required to:
    - 1) Pay all outstanding delinquent business taxes and parking occupancy taxes and any penalties and assessments.
    - 2) Install, at the permit holder's expense, automated and approved Revenue Control Equipment at each parking lot location that has had a Police Permit revoked or suspended (Council file No. 09-0177).
  - d. Work with the Office of Finance to report back on the legal possibilities of requiring all parking lot operators to obtain a bond for each location to satisfy any delinquent tax similar to the regulation in the City and County of San Francisco, in addition the possibility of obtaining a lien on the property for non-payment of parking occupancy tax.
3. REQUEST the Los Angeles Board of Police Commissioners' general counsel to provide a status report to the Audits and Governmental Efficiency Committee on the Valet Parking Ordinance (Council file No. 09-0206), and how it can incorporate the above recommendations.
4. INSTRUCT the Office of Finance and REQUEST the Los Angeles Board of Police Commissioners to report back to the Audits and Governmental Efficiency Committee on the feasibility of requiring the installation of revenue and control equipment for all business annual Police Permit renewals.



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 April 20, 2011)

**ADOPTED**

**AMENDING MOTION (ZINE - PARKS)**

**Recommendation for Council action:**

**ADD a third requirement to Recommendation 2(c), as follows:**

3. **INSTALL, at the permit holder's expense, automated and approved Revenue Control Equipment at each parking lot location if a non-permitted parking lot operator is delinquent on their business taxes and/or parking occupancy taxes; and require payment of all outstanding City taxes as a condition for either reinstatement or granting of a police permit.**

**ADOPTED**

**MOTION (ZINE - KORETZ)**

**Recommendations for Council action:**

1. **REQUEST the City Attorney to prepare and present an Ordinance amending the Los Angeles Municipal Code to:**
  - a. **Authorize the denial of a business Police Permit application for a new permit for non-payment of business taxes and/or parking occupancy taxes.**
  - b. **Authorize the denial of a business annual Police Permit renewal for non-payment of business taxes or parking occupancy taxes.**
  - c. **Authorize that prior to reinstatement of a Parking Lot Operator's revoked or suspended Police Permit, the permit holder be required to:**
    - 1) **Pay all outstanding delinquent business taxes and parking occupancy taxes and any penalties and assessments.**
    - 2) **Install, at the permit holder's expense, automated and approved Revenue Control Equipment at each parking lot location that has had a Police Permit revoked or suspended (Council file No. 09-0177).**

- 3) **Install, at the permit holder's expense, automated and approved Revenue Control Equipment at each parking lot location if a non-permitted parking lot operator is delinquent on their business taxes and/or parking occupancy taxes; and require payment of all outstanding City taxes as a condition for either reinstatement or granting of a Police Permit.**
2. **AMEND Recommendation No. 3 of the Audits and Government Efficiency report as follows: Request the Los Angeles Board of Police Commissioners' general counsel to, as soon as possible, provide a status report to Council on the Valet Parking Ordinance (Council file No. 09-0206), and how it can incorporate the above recommendations.**

**Roll Call #3 - Adopted, Ayes (11); Absent: Krekorian, Parks, Smith and President Garcetti (4)  
(Item Nos. 8-15)**

**ITEM NO. (8) - ADOPTED**

[11-0544](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to approval to record a lien for unpaid taxes against property owned by Glen Property, Inc.

Recommendation for Council action:

APPROVE and AUTHORIZE the Office of Finance to record a lien for unpaid taxes in the amount of \$114,613.22 against property owned by Glen Property Inc., pursuant to Los Angeles Municipal Code Section 21.15(o).

Fiscal Impact Statement: None submitted by the Office of Finance. 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 into Closed Session pursuant to Government Code Section 54956.9(c) to confer with its legal counsel relative to the above matter]

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

[11-0545](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to approval to record a lien for unpaid taxes against property owned by CPS, Inc.

Recommendation for Council action:

APPROVE and AUTHORIZE the Office of Finance to record a lien for unpaid taxes in the amount of \$39,531.73 against property owned by CPS Inc., pursuant to Los Angeles Municipal Code Section 21.15(o).

Fiscal Impact Statement: None submitted by the Office of Finance. 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 into Closed Session pursuant to Government Code Section 54956.9(c) to confer with its legal counsel relative to the above matter]

**ITEM NO. (10) - ADOPTED - FORTHWITH TO THE MAYOR - SEE FOLLOWING**

[11-0635](#)

CD 7

MOTION (ALARCON - HAHN) relative to submission of a revised grant application to the State Department of Housing and community Development for the Disaster Recovery Initiative Grant Program.

(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 submission of a revised grant application to the State Department of Housing and Community Development for the Disaster Recovery Initiative Grant Program.

**Recommendations for Council action, pursuant to Motion (Alarcón - Hahn), SUBJECT TO THE APPROVAL OF THE MAYOR:**

- 1. ADOPT the accompanying RESOLUTION** authorizing the submittal of a revised application to the California State Department of Housing and Community Development (HCD) for funding under the 2008 Disaster Recovery Initiative (DRI) Allocation of the State Community Development Block Grant Program, the execution of standard agreements if selected for such funding and any amendments thereto and any related documents necessary to participate in the program.
- 2. AUTHORIZE the General Manager, Los Angeles Housing Department (LAHD) or designee, to:**
  - a. Submit a revised application to the State HCD for the DRI Grant Program in collaboration with the Emergency Management Department (EMD) for up to \$8.5 million.**
  - b. Enter into negotiations with HCD should the LAHD be successful in its application in order to finalize the budgets and proposed accomplishments for the grant agreement.**

3. **INSTRUCT the LAHD and EMD to present, for City Council and Mayor approval, the grant agreement(s) with additional programmatic details, including a report from the EMD on the development process of an emergency evacuation plan, the role the Los Angeles Fire Department can play in the development of the emergency evacuation plan, and other steps needed to update the Local Hazard Mitigation Plan.**

**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. (11) - ADOPTED - SEE FOLLOWING**

[11-0662](#)  
CD 10

COMMUNICATION FROM THE COMMUNITY REDEVELOPMENT AGENCY and RESOLUTION relative to an Owner Participation Agreement with Synder Wilshire Vermont, LLC regarding funding for the Vermont Mixed-Use Project located at 3150 Wilshire Boulevard in the Wilshire Center/Koreatown Recovery Redevelopment Project Area.

(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 an ownership participation agreement with Snyder Wilshire Vermont, LLC for funding related to the Vermont Mixed-Use Project at 3150 Wilshire Boulevard.

**Recommendations for Council action:**

1. **ADOPT the accompanying RESOLUTION finding that the expenditure of Community Redevelopment Agency (CRA) funds in the present value amount of up to \$1 million for the Vermont Mixed-Use Project (Project) in connection with the construction of publicly-owned improvements is of benefit to the Wilshire Center Koreatown Recovery Redevelopment Project Area in accordance with California Health and Safety Code Sections 33445 and 33421.1.**

2. **AUTHORIZE the CRA Chief Executive Officer, or designee, to:**
  - a. **Execute an Ownership Participation Agreement (OPA) with Snyder Wilshire Vermont, LLC (Developer) for the Project, which OPA pledges future CRA funds to the Developer in the form of a promissory note (Note) in a principal amount of up to \$12.5 million, plus interest, and provides to the Developer a residual receipts loan for \$5 million, to reimburse the Developer for eligible development costs and to purchase from the Developer a public open space covenant.**
  - b. **Take all necessary actions to implement the OPA, including without limitation execution and delivery of the Note, subject to the terms and conditions of the OPA.**
  - c. **Negotiate and make changes to the OPA, subject to the review of the City Attorney's Office, in order to comply with federal requirements in connection with the Section 108 Loan for the Project.**
3. **APPROVE a waiver of Section 9.03.3.2 of CRA's Housing Policy (Rental Projects Financed with Other CRA Funds), which requires that all new rental housing projects, funded with non-housing funds, have at least ten percent of the assisted units be affordable to extremely low and very low income households, and not less than ten percent of the assisted units be affordable to low income households.**

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

**Community Impact Statement:** None submitted.

[The City of Los Angeles Department of City Planning is the lead agency pursuant to the California Environmental Quality Act (CEQA) for preparation of the Environmental Impact Report (EIR) for the Project. On September 28, 2006 the City of Los Angeles, acting through its Planning Department, certified the Final Environmental Impact Report (Final EIR), ENV-2005-8703-EIR for the Wilshire Center Project, made written Findings for each significant environmental effect of the Project, and adopted a Mitigation Monitoring and Reporting Program and a Statement of Overriding Considerations with respect to the Project as required under Public Resources Code Section 21081 and State CEQA Guidelines Sections 15091, 15093 and 15096 (See Attachment B Environmental Resolution; Attachment B1 - Exhibit 1 Finding of Fact and Statement of Overriding Considerations; and Attachment B2 - Exhibit 2, Mitigation Monitoring and Reporting Program. Documents on file with the CRA).

Subsequent to approval of the Project by the City Planning Department, the Project applicant made proposed modifications to the Project. As a result an Addendum to the certified EIR was prepared in February 2011 by the City Planning Department to address those modifications. Evaluation of the potential environmental impacts of the proposed project and review of the Certified Final EIR and its 2011 Addendum by CRA staff concluded that no new significant effects that had not already been addressed in the certified EIR would occur.

With adoption of the attached environmental resolution (Attachment B), no further environmental review is required pursuant to CEQA Guidelines set forth in California Code of Regulations Sections 15162 and 15163.]

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

[11-0409](#)

INFORMATION TECHNOLOGY AND GOVERNMENT AFFAIRS COMMITTEE REPORT and RESOLUTION relative to authorization to destroy certain obsolete records from the Los Angeles City Employees' Retirement System (LACERS) for the period of January 1975 through December 2004.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION to authorize the destruction of certain obsolete records from the LACERS (CER/OO - 39 boxes) for the period of January 1975 through December 2004.

Fiscal Impact Statement: The City Clerk reports that the retention of 39 records boxes beyond the required retention time period, based on industry commercial standard rates, will continue to cost the City the equivalent of a minimum of \$6.08 per month, or \$73.01 per year.

[Approval is sought to destroy these documents prior to the expiration of their full retention time period. These records have been imaged pursuant to the conditions of LAAC Section 12.4, and the image files will be maintained in two different file locations for the balance of their required retention time period. Dispensation with the usual 60-day hold from the date of Council approval is also requested because the image copies are as readily available as the paper documents. Contact the Records Management Division at (213) 473-8449 or via email at [Todd.Gaydowski@lacity.org](mailto:Todd.Gaydowski@lacity.org) to arrange for inspection of records.]

Community Impact Statement: None submitted.

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

[11-0410](#)

INFORMATION TECHNOLOGY AND GOVERNMENT AFFAIRS COMMITTEE REPORT and RESOLUTION relative to authorization to destroy certain obsolete records from the Los Angeles City Employees' Retirement System (LACERS) for the period of March 2010 through October 2010.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION to authorize the destruction of certain obsolete records from the LACERS (CER/OO - 61 boxes) for the period of March 2010 through October 2010.

Fiscal Impact Statement: The City Clerk reports that the retention of 61 records boxes beyond the required retention time period, based on industry commercial standard rates, will continue to cost the City the equivalent of a minimum of \$9.52 per month, or \$114.19 per year.

[Approval is sought to destroy these documents prior to the expiration of their full retention time period. These records have been imaged pursuant to the conditions of LAAC Section 12.4, and the image files will be maintained in two different file locations for the balance of their required retention time period. Dispensation with the usual 60-day hold from the date of Council approval is also requested because the image copies are as readily available as the paper documents. Contact the Records Management Division at (213) 473-8449 or via email at [Todd.Gaydowski@lacity.org](mailto:Todd.Gaydowski@lacity.org) to arrange for inspection of records.]

Community Impact Statement: None submitted.

## ITEM NO. (14) - ADOPTED

[10-1788](#)

JOBS AND BUSINESS DEVELOPMENT COMMITTEE REPORT relative to drafting an ordinance which would make unpermitted filming a misdemeanor.

Recommendation for Council action, as initiated by Motion (Koretz - Alarcón):

REQUEST the City Attorney, with input from the Chief Legislative Analyst (CLA) and the Los Angeles Police Department's film unit, to draft an ordinance which would make unpermitted filming a misdemeanor and include the following:

- a. Notice of warning to be given prior to the issuance of a citation and specify in the ordinance that the citation will move with the property owner and not just the property.
- b. Language that will give the City Attorney discretion in determining the seriousness of the offense.

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

Community Impact Statement: None submitted.

## ITEM NO. (15) - ADOPTED

[11-0213](#)

CD 11

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to declaring the expansion of Pascual Marquez Cemetery to include only the portion of the property north of, and including the easement and east of the existing Pascual Marquez Cemetery located at 635 North San Lorenzo Street in the list of Historic-Cultural Monuments.

Recommendations for Council action:

1. ADOPT the FINDINGS of the Cultural Heritage Commission (CHC) as the Findings of the Council.

2. APPROVE the recommendation of the CHC relative to declaring the expansion of Pascual Marquez Cemetery to include only the portion of the property north of, and including the easement and east of the existing Pascual Marquez Cemetery located at 635 North San Lorenzo Street in the list of Historic-Cultural Monuments.

CHC 2010-2919-HCM

Applicant: Monica Marquez  
Owner: Fred J. Marcus

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - APRIL 28, 2011

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

**ITEM NO. (16) - ADOPTED - AS AMENDED - SEE FOLLOWING**

**Roll Call #19 - Adopted as Amended, Ayes (14); Absent: Perry (1)**

[11-0026](#)  
CD 11

TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT relative to amending Los Angeles Administrative Code (LAAC) Section 10.1.1, Subsection (a) to allow the General Manager of the Los Angeles World Airports (LAWA) greater flexibility to authorize multi-year contracts that would otherwise require approval by the Board of Airport Commissioners (Board).

Recommendations for Council action:

1. APPROVE, subject to City Attorney approval as to form, the Ordinance proposed by the LAWA, as detailed in Attachment 2 of the January 21, 2011 City Administrative Officer (CAO) report, attached to the Council file, to amend LAAC Section 10.1.1 to authorize the Board to authorize the LAWA General Manager to contract on its behalf where the contract (i) does not obligate the City for a longer period of time than three years, and (ii) does not involve consideration reasonably valued in excess of \$150,000 annually (for a maximum of \$450,000 over three years), revised to reflect the following changes:
  - a. Include an optional renewal clause that would extend the expiration date beyond the initial four years (the time period to be determined by the Mayor and the Council) at the discretion of the Mayor and Council.
  - b. Include a provision that the Ordinance apply solely to the LAWA and modify the existing reference to the Los Angeles Department of Water and Power (LADWP) and the Harbor Department-until the conclusion of the four-year initial term, at which time the two remaining proprietary departments, LADWP and Harbor Department, may be included, at the discretion of the departments, the Mayor, and the Council.



- c. Include a provision that the LAWA submit quarterly status reports to the Board on the number and dollar value of contracts authorized by the General Manager under the provisions of the proposed Ordinance.
  - d. Include a provision that the LAWA submit a report to the Mayor and Council at the conclusion of the three-year initial term evaluating the effects and benefits to the LAWA of the expanded contracting authority provided to the General Manager as a result of the implementation of the proposed Ordinance and further request the LAWA to submit a recommendation as to either continue or discontinue said expanded contracting authority.
  - e. Include a provision that would exclude professional services contracts from the expanded contracting authority provided to the General Manager as a result of the implementation of the proposed Ordinance.
2. REQUEST the City Attorney to prepare and present an Ordinance to amend LAAC Section 10.1.1, Subsection (a) that revises the proposed Ordinance, as detailed in Attachment 2 of the January 21, 2011 CAO report, attached to the Council file, to incorporate the conditions as detailed above in Recommendation No. 1.

Fiscal Impact Statement: The CAO reports that there is no direct financial impact on the LAWA that can be quantified at this time for the approval and implementation of the proposed Ordinance and change to LAAC Section 10.1.1. However, according to the LAWA, there are significant operational and administrative efficiencies that could be realized with the expanded contracting authority that would be provided to the General Manager as a result of the change to the LAAC. Many of those changes do have a fiscal impact in that they would allow the Department to eliminate a significant number of reports to the Board for routine contracts which, in turn, would allow staff (procurement, contracting, legal, and administrative) to re-direct their efforts to higher-value, major projects, including revenue producing opportunities.

In addition, by expanding the General Manager's authority to contract for personal services, materials, supplies, maintenance, and operations valued at or less than \$150,000 per year for a period not-to-exceed three years with a total not-to-exceed amount of \$450,000, there is the potential for savings on the procurement of goods and services. Since the LAWA is bound only by the City Debt Management Policies, the City Financial Policies are not applicable. Approval of the proposed Ordinance will have no impact on the City's General Fund.

Community Impact Statement: None submitted.

**ADOPTED**

**AMENDING MOTION (HAHN - ROSENDAHL)**

**Recommendation for Council action:**

**ADOPT the following in lieu of Recommendation No. 1 contained in the Committee Report:**

1. **APPROVE**, subject to City Attorney approved as to form, the Ordinance proposed by the LAWA, as detailed in Attachment 2 of the January 21, 2011 City Administrative Officer (CAO) report, attached to the Council file, to amend LAAC Section 10.1.1 to authorize the Board to authorize the LAWA General Manager to contract on its behalf where the contract (i) does not obligate the City for a longer period of time than three years, and (ii) does not involve consideration reasonably valued in excess of \$150,000 annually (for a maximum of \$450,000 over three years), as revised to reflect the following changes:
  - a. Include a provision that the LAWA submit quarterly status reports to the Board on the number and dollar value of contracts authorized by the General Manager under the provision of the proposed Ordinance.
  - b. Include a provision that the LAWA submit a report to the Mayor and Council at the conclusion of the three-year initial term evaluating the effects and benefits to the LAWA of the expanded contracting authority provided to the General Manager as a result of the implementation of the proposed Ordinance and further request the LAWA to submit a recommendation as to either continue or discontinue said expanded contracting authority.
  - c. Include a provision that would exclude professional services contracts from the expanded contracting authority provided to the General Manager as a result of the implementation of the proposed Ordinance.

## **Items for Which Public Hearings Have Not Been Held - Items 17-31**

(10 Votes Required for Consideration)

### **ITEM NO. (17) - CONTINUED TO APRIL 29, 2011**

**Roll Call #21 - Adopted to Continue, Unanimous Vote (14); Absent: Perry (1)**

#### [09-2624](#)

COMMUNICATIONS FROM THE CITY ADMINISTRATIVE OFFICER (CAO) and CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to amendments to the 2007-13 Memoranda of Understanding (MOU) for the Coalition of Los Angeles City Unions (Coalition).

Recommendations for Council action:

1. **APPROVE** the amendments to the 2007-13 MOU for the following eighteen bargaining units, contingent on ratification of the terms and conditions by the membership of each unit: MOUs No. 2, 3, 4, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 18, 29, 34, 36, and 37.
2. **PRESENT** the accompanying ORDINANCE relative to amending chapters 10 and 11 of division 4 of the Los Angeles Administrative Code to implement memoranda of understanding provisions regarding payment of additional contributions by certain members of the Los Angeles City Employees' Retirement System in exchange for vesting of certain subsidy benefits and to make related technical changes.
3. **AUTHORIZE** the CAO and Controller to make clerical or technical corrections to the MOUs as required.

Fiscal Impact Statement: The CAO reports that the estimated General Fund savings from this agreement for all of the bargaining units represented by the Coalition is \$63.4 million in Fiscal Year (FY) 2011-12, \$76.5 million in FY 2012-13, and \$51.3 million in FY 2013-14.

Community Impact Statement: None submitted.

(Pursuant to Charter Section 1168 final adoption cannot occur until at least 30 days after its presentation to the Council.)

10 VOTES REQUIRED

(Personnel Committee waived consideration of the above matter)

**Roll Call #12 - Adopted, Ayes (13); Absent: Smith and President Garcetti (2)  
(Item Nos. 18-23)**

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

[07-2307](#)  
CD 3

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a date for hearing protests against the proposed sewer improvement for the project entitled, "Mulholland Drive (Near Manson Avenue)" - A'11-SZC11763 (Assessment Sewer Improvement).

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

1. ADOPT the Director, Bureau of Street Lighting Report recommending the sewer improvement on Mulholland Drive between Manson Avenue and approximately 600 feet southeast of Manson Avenue with mainline sewer, house connection sewer (laterals), appurtenant structures and related work.
2. ADOPT Map A-21077
3. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting **JUNE 29, 2011**, as the date of hearing protest against the above sewer improvement under the 1911 Act and pursuant to Section 6.1 to 6.15 of the Los Angeles Administrative Code and conducting an assessment ballot proceedings in accordance with Proposition 218, Articles XIID of the California Constitution and Government Code Section 53753; and advising that public funds shall be allocated.

Fiscal Impact Statement: The cost of this improvement in the estimated amount of \$236,675 of which \$115,934 will be funded through Assessment Bonds to be paid by property owners in the proposed assessment district. An estimated \$120,741 from the Sewer Capital Fund will be the City's contribution for this project, available in the Assessment Act Sewers Account, Fund No. 761/50, FY 11-12.

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

[11-0577](#)

CD 13

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

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated March 30, 2011.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **JULY 6, 2011** as the hearing date for the maintenance of the Council Street and Virgil Avenue Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$5,431.11 will be collected annually starting with tax year 2011-12 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: June 29, 2011)

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

[11-0578](#)

CD 11

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

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated March 30, 2011.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **JULY 6, 2011** as the hearing date for the maintenance of the Runnymede Street and Mason Avenue Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$812.18 will be collected annually starting with tax year 2011-12 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: June 29, 2011)

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

[11-0579](#)

CD 5

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Pico Boulevard and Corning Street (Re-Ballot) Lighting District.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated April 5, 2011.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **JULY 6, 2011** as the hearing date for the maintenance of the Pico Boulevard and Corning Street (Re-Ballot) Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$836.94 will be collected annually starting with tax year 2011-12 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: June 29, 2011)

**ITEM NO. (22) - ADOPTED**

[11-0580](#)

CD 2

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

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated April 4, 2011.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **JULY 6, 2011** as the hearing date for the maintenance of the Stern Avenue and Ventura Boulevard Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$136.50 will be collected annually starting with tax year 2011-12 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: June 29, 2011)

**ITEM NO. (23) - ADOPTED**

[11-0627](#)

CD 7

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Bradley Avenue and Olden Street No. 2 Lighting District.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated April 13, 2011.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **JULY 6, 2011** as the hearing date for the maintenance of the Bradley Avenue and Olden Street No. 2 Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$887.25 will be collected annually starting with tax year 2011-12 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: June 29, 2011)

**Roll Call #4 - Adopted, Ayes (11); Absent: Krekorian, Parks, Smith and President Garcetti (4)**  
**(Item Nos. 24a-24h)**

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

[11-0005-S-245](#)

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 20, 2011:

[11-0005-S245](#)

CD 8

- a. Property at 2931 South Van Buren Place (Case No. 207970).  
Assessor I.D. No. 5054-013-022

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on November 26, 2008)

[11-0005-S246](#)

CD 8

- b. Property at 2931 South Van Buren Place (Case No. 256088).  
Assessor I.D. No. 5054-013-022

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

[11-0005-S247](#)

CD 8

- c. Property at 5815 South Arlington Avenue (Case No. 230977).  
Assessor I.D. No. 4005-025-021

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on April 30, 2009)

[11-0005-S248](#)

CD 9

- d. Property at 3811 South Trinity Street (Case No. 5461).  
Assessor I.D. No. 5121-018-003

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 2, 2002)

[11-0005-S249](#)

CD 9

- e. Property at 3811 South Trinity Street (Case No. 83332).  
Assessor I.D. No. 5121-018-003

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 1, 2007)

[11-0005-S250](#)

CD 9

- f. Property at 3811 South Trinity Street (Case No. 256705).  
Assessor I.D. No. 5121-018-003

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

[11-0005-S251](#)

CD 13

- g. Property at 3300 West Descanso Drive (Case No. 310138).  
Assessor I.D. No. 5426-015-010

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 24, 2011)

[11-0005-S252](#)

CD 14

- h. Property at 5255 East Borland Road (Case No. 264485).  
Assessor I.D. No. 5221-005-012

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 4, 2010)

**ITEM NO. (25) - ADOPTED**

**Roll Call #15 - Adopted, Ayes (14); Absent: Perry (1)**

[11-0651](#)

CD 6

CONSIDERATION OF MOTION (CARDENAS - KORETZ) relative to a grant agreement between the City and the Santa Monica Mountains Conservancy for the construction and implementation of the native habitat site at the Cesar Chavez (Sheldon Arleta) Recreation Complex.

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

1. AUTHORIZE the Department of Recreation and Parks to sign, on behalf of the City of Los Angeles, the grant agreement between the City and the Santa Monica Mountains Conservancy.
2. ACCEPT \$1 million from the Santa Monica Mountains Conservancy for the construction and implementation of the native habitat site at the Cesar Chavez (Sheldon Arleta) Recreation Complex.

Community Impact Statement: None submitted.

(Arts, Parks, Health and Aging Committee waived consideration of the above matter)

**Roll Call #4 - Adopted, Ayes (11); Absent: Krekorian, Parks, Smith and President Garcetti (4)  
(Item Nos. 26-27)**

**ITEM NO. (26) - ADOPTED**

[09-0051-S2](#)

CD 12

CONSIDERATION OF MOTION (SMITH - ZINE) relative to a Neighborhood Council Lease Agreement for office space in Granada Hills.

Recommendation for Council action:

APPROVE the executed Neighborhood Council Lease Agreement between the City of Los Angeles, through the Department of Neighborhood Empowerment (on behalf of the Granada Hills North Neighborhood Council), and GELB ENTERPRISES A CALIFORNIA LIMITED PARTNERSHIP, under the terms and conditions outlined in the Neighborhood Council Lease Agreement dated November 2, 2009, attached to the Council file.

Community Impact Statement: None submitted.

(Education and Neighborhoods Committee waived consideration of the above matter)



**ITEM NO. (27) - ADOPTED**

[11-0002-S60](#)

CONSIDERATION OF RESOLUTION (HUIZAR - KORETZ) relative to the City's position on Assembly Bill 356 (Hill) that would defund important public works projects and deprive impacted local communities of much needed construction jobs.

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 OPPOSITION to AB 356 that would defund important public works projects and deprive impacted local communities of much needed construction jobs.

Community Impact Statement: None submitted.

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

**ITEM NO. (28) - ADOPTED**

**Roll Call #20 - Adopted, Ayes (14); Absent: Perry (1)**

[11-0654](#)

CD 15

MOTION (HAHN - CARDENAS) relative to funding for the Gang Alternatives Program (GAP) for community beautification activities in Council District 15.

Recommendations for Council action:

1. ALLOCATE \$24,000 in the Pipeline Franchise Revenue portion of the Council District 15 Real Property Trust Fund No. 697 to the GAP for community beautification activities in Council District 15.
2. DIRECT the City Clerk to prepare the necessary document(s) with, and/or payment(s) to the GAP, or any other agency or organization, as appropriate, in the above amount, for the above purpose, subject to the approval of the City Attorney, if needed: and, AUTHORIZE the Councilmember of the District to execute any such documents on behalf of the City.
3. AUTHORIZE the City Clerk to make any technical corrections or clarifications to the above instructions in order to effectuate the intent of this Motion.

**ITEM NO. (29) - ADOPTED**

**Roll Call #4 - Adopted, Ayes (11); Absent: Krekorian, Parks, Smith and President Garcetti (4)**

[11-0656](#)

MOTION (GARCETTI - CARDENAS) relative to funding for services in connection with the April 20, 2011 Council District 13 special reception for the Latina Lawyers Association in the City Hall Rotunda.

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

TRANSFER \$406 from the Reserve Fund to the Unappropriated Balance Fund No. 100/58 and be appropriated therefrom to the General Services Fund No. 100/40, as follows: \$203 to Account No. 1090 (Salaries - Overtime) and \$204 to Account No. 1070 (Salaries - As Needed), for services in connection with the April 20, 2011 Council District 13 special reception for the Latina Lawyers Association in the City Hall Rotunda - said funds to be reimbursed to the General Fund by the Latina Lawyers Association.

**ITEM NO. (30) - NOTED AND FILED**

**Roll Call #14 - Adopted to Note and File, Ayes (14); Absent: Perry (1)**

[11-0655-S1](#)

MOTION (GARCETTI - LABONGE) relative to inviting the representatives from Peace Over Violence to City Council to discuss trends and issues in sexual assault prevention and services for survivors on April 27, 2011, Denim Day in L.A.

Recommendation for Council action:

INVITE the representatives from Peace Over Violence to City Council to discuss trends and issues in sexual assault prevention and services for survivors on April 27, 2011, Denim Day in L.A.

**ITEM NO. (31) - ADOPTED**

**Roll Call #14 - Adopted, Ayes (14); Absent: Perry (1)**

[11-0655](#)

RESOLUTION (GARCETTI - LABONGE) relative to declaring the Month of April, 2011 as Sexual Assault Awareness Month and designate April 27, 2011 as Denim Day in the City of Los Angeles.

Recommendation for Council action:

RESOLVE to DECLARE the Month of April, 2011 as Sexual Assault Awareness Month and designate April 27, 2011 as Denim Day in the City of Los Angeles.

## Closed Sessions - Items 32-35

### ITEM NO. (32) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Roll Call #22 - Adopted in Open Session, Ayes (14); Absent: Perry (1)

[11-0331](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to settlement in the case entitled Teresa Anderson v. City of Los Angeles, United States District Court Case No. CV11-0039 SVW (AGRx). (This lawsuit arises from a former Los Angeles Police Officer's claims of retaliation and violation of due process against the City of Los Angeles.)

(Budget and Finance Committee considered the above matter in Closed Session on April 18, 2011)

#### ADOPTED

##### MOTION (PARKS - SMITH)

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

REJECT the Plaintiff's offer of settlement.

### ITEM NO. (33) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Roll Call #27 - Adopted in Open Session, Ayes (12); Absent: Cárdenas, Perry and President Garcetti (3)

[11-0386](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to settlement in the case entitled The Estate of Devin Petelski, etc., et al. v. City of Los Angeles, Los Angeles Superior Court Case No. SC 107984. (This matter involves a traffic accident that resulted in a wrongful death which occurred on October 15, 2009.)

(Budget and Finance Committee considered the above matter in Closed Session on April 18, 2011)

#### ADOPTED

##### MOTION (PARKS - SMITH)

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

1. AUTHORIZE the City Attorney to pay a total of \$5 million in settlement of the above-entitled matter from City Attorney Fund 100/59, Account No. 9770.
2. AUTHORIZE the City Attorney to draw a demand thereon in said amount payable to the Law Offices of Greene Broillet and Wheeler, LLP, Ronald Petelski and Shaunnah Godfrey Petelski.

3. **AUTHORIZE** the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City administrative Officer, and **AUTHORIZE** the Controller to implement the instructions.

**ITEM NO. (34) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING**

**Roll Call #23 - Adopted in Open Session, Ayes (14); Absent: Perry (1)**

[11-0411](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to settlement in the case entitled Howard and Denise Simon v. City of Los Angeles, Los Angeles Superior Court Case No. BC 419464. (This action arises out of sewage overflows on February 16, and 17, 2009.)

(Budget and Finance Committee considered the above matter in Closed Session on April 18, 2011)

**ADOPTED**

**MOTION (PARKS - SMITH)**

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

1. **AUTHORIZE** the City Attorney to execute a settlement agreement and all other documents necessary to implement settlement in the above-entitled matter.
2. **AUTHORIZE** and **INSTRUCT** the City Attorney to draw the necessary demand payable to Rosenberg Mendlin and Rosen, LLP, Client Trust Account, in the amount of \$175,000 from the Sewer Operations and Maintenance Fund Number 760/50, Account G282, Object 659, so that the settlement can be implemented.

**ITEM NO. (35) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING**

**Roll Call #24 - Adopted in Open Session, Ayes (14); Absent: Perry (1)**

[11-0594](#)

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 payment of judgment in the case entitled Javier Morales-Hernandez v. City of Los Angeles, Los Angeles Superior Court Case No. BC376301. (This matter involves an arrest by members of the Los Angeles Police Department which occurred on March 17, 2006.)

(Budget and Finance Committee considered the above matter in Closed Session on April 18, 2011)

**ADOPTED**

**MOTION (PARKS - SMITH)**

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

- 1. AUTHORIZE the City Attorney to pay a total of \$221,115.45 plus interest on that sum running at seven percent per annum for Judgment in the above-entitled matter from City Attorney, Fund 100/59, Account No. 9770.**
- 2. AUTHORIZE the City Attorney to draw a demand thereon in said amount payable to Mathon and Rosensweig, P.C. and Javier Morales-Hernandez through his Conservator Enrique Morales-Hernandez.**
- 3. AUTHORIZE the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer, and AUTHORIZE the Controller to implement the instructions.**

**Items for Which Public Hearings Have Been Held - Items 36-37**

**ITEM NO. (36) - REFERED TO JOBS AND BUSINESS DEVELOPMENT COMMITTEE**

**Roll Call #5 - Adopted to Refer, Unanimous Vote (11); Absent: Krekorian, Parks, Smith and President Garcetti (4)**

[10-1763](#)

CONTINUED CONSIDERATION OF BUDGET AND FINANCE COMMITTEE REPORT relative to evaluation criteria for underwriting services for the City's bond programs.

Recommendations for Council action:

NOTE and FILE the City Administrative Officer's report dated March 21, 2011, relative to evaluation criteria for the Request for Qualifications for underwriting services for the City's bond programs.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

**ITEM NO. (37) - ADOPTED**

**Roll Call #6 - Adopted, Ayes (11); Absent: Krekorian, Parks, Smith and President Garcetti (4)**

[11-0538](#)

CD 7

CONTINUED CONSIDERATION OF 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 TEFRA 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 for Which Public Hearing Has Not Been Held - Item 38**

(10 Votes Required for Consideration)

**ITEM NO. (38) - ADOPTED - SEE FOLLOWING**

**Roll Call #26 - Adopted, Ayes (14); Absent: Perry (1)**

[11-0606](#)

CONTINUED CONSIDERATION OF COMMUNICATION FROM CHAIR, ENERGY AND ENVIRONMENT COMMITTEE relative to the sale of excess City-owned property located at 14030 Hartland Avenue.

Recommendation for Council action:

SUBMIT WITHOUT RECOMMENDATION the following recommendation as contained in Resolution No. 011-228 and approved by the Board of Water and Power Commissioners (Board) on April 5, 2011:

CONCUR with the Board of Water and Power Commissioners' action of April 5, 2011, Resolution No. 011-228, approving the sale of excess City-owned property located at 14030 Hartland Avenue.

Fiscal Impact Statement: The City Administrative reports that approval of the proposed sale of excess City-owned property located at 14030 Hartland Avenue will result in revenue for the Power Revenue Fund of no less than \$100,000, which is the amount of the minimum starting bid and total appraised liquidated value of the property. Since the Los Angeles Department of Water and Power is bound only by the City Debt Management Policies, the City Financial Policies are not applicable. Approval of the proposed sale will have no impact on the City's General Fund.

Community Impact Statement: None submitted.

**ADOPTED**

**MOTION (KREKORIAN - KORETZ)**

**Recommendation for Council action:**

**CONCUR with the Board of Water and Power Commissioners' action of April 5, 2011, Resolution No. 011-228, approving the sale of excess City-owned property located at 14030 Hartland Avenue.**

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

[11-0086](#)

MOTION (WESSON - HUIZAR) relative to amending prior Council action of March 8, 2011 relative to the Cooperation Agreement/Community Redevelopment Agency/Funded Capital Improvement/Public Improvement/Affordable Housing Projects.

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

Upon his request, and without objections, Councilmember Wesson was excused from Council Session of Tuesday, June 7, 2011, due to City Business.

**COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:**

[11-0004](#) -S1 - Michael Mandala

Garcetti - LaBonge - All Councilmembers

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

[11-0003-S1](#) - Anthony A. Rukavina

Hahn

Mary Ellen "Cookie" Day

LaBonge - All Councilmembers

Robert "Wayne" Muller

Rosendahl

Police Officer II Jose C. Diance

Parks - All Councilmembers

German Alex Romero

Zine

**Alarcón, Hahn, Huizar, Koretz, Krekorian, LaBonge, Parks, Reyes, Rosendahl, Smith, Wesson and Zine (12); Absent: Cárdenas, Perry and President Garcetti (3)**

**Whereupon the Council did adjourn.**

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL