

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

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

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 18

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 1-4

ITEM NO. (1) - PUBLIC HEARING HELD - CONTINUED TO MAY 25, 2011

Roll Call #10 - Adopted to Continue, Unanimous Vote (13); Absent: Cárdenas and Huizar (2)

[11-0378](#)

HEARING TESTIMONY AND COMMENTS relative to the establishment of the Los Angeles Tourism Marketing District Business Improvement District, pursuant to the provisions of Section 54954.6 of the Government Code and Section 36600 et seq. of the Streets and Highways Code.

(Final Hearing scheduled for Wednesday, May 25, 2011, pursuant to adoption of Ordinance of Intention No. 181611 on March 29, 2011)

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

Roll Call #11 - Adopted to Deny Application, Ayes (13); Absent: Cárdenas and Huizar (2)

[11-0397](#)

CD 3

CONTINUED CONSIDERATION OF 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 located at 22748 West Saticoy Street.

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 - JUNE 9, 2011

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

(Continued from Council meeting of April 13, 2011)

**Roll Call #1 - Adopted to Grant Application, Ayes (11); Absent: Cárdenas, Huizar, Perry and Reyes (4)
(Item Nos. 3-4)**

ITEM NO. (3) - PUBLIC HEARING CLOSED - MOTION ADOPTED TO GRANT APPLICATION

[11-0526](#)

CD 12

HEARING COMMENTS relative to application for determination of “Public Convenience or Necessity” for alcohol sales for off-site consumption at Sprouts Farmers Market located at 10821 Zelzah Avenue.

Recommendations for Council action:

1. DETERMINE that the issuance of a liquor license at Sprouts Farmers Market located at 10821 Zelzah Avenue, Granada Hills, 91344, will serve the “Public Convenience or Necessity” and will not tend to create a law enforcement problem.
2. GRANT the Application for Determination of “Public Convenience or Necessity” for the sale of alcoholic beverages for off-site consumption at 10821 Zelzah Avenue.
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: Sprouts Farmers Market (Terri Dickerhoff, representative)

TIME LIMIT FILE - MAY 13, 2011

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

ITEM NO. (4) - PUBLIC HEARING CLOSED - MOTION ADOPTED TO GRANT APPLICATION

[11-0620](#)

CD 4

HEARING COMMENTS relative to application for determination of "Public Convenience or Necessity" for alcohol sales for off-site consumption at Galleria Market located at 440 South Vermont Avenue.

Recommendations for Council action:

1. DETERMINE that the issuance of a liquor license at Galleria Market located at 440 South Vermont Avenue, Los Angeles, 90020, 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 440 South Vermont Avenue.
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: Galleria Market Vermont, LP (Alex Y. Woo, Genesis Consulting, representative)

TIME LIMIT FILE - MAY 27, 2011

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

Items for Which Public Hearings Have Been Held - Items 5-9

ITEM NO. (5) - ADOPTED

Roll Call #2 - Adopted, Ayes (11); Absent: Cárdenas, Huizar, Perry and Reyes (4)

[09-2518](#)

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to Quarterly Accountability of Funds reports for the Olive View Medical Center for the second and third quarters of Fiscal Year 2010-11.

Recommendation for Council action:

NOTE and FILE the communications from the County of Los Angeles, Department of Auditor-Controller, relative to the Quarterly Accountability of Funds reports for the Olive View Medical Center for the second and third quarters of Fiscal Year 2010-11, inasmuch as the reports are submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (6) - ADOPTED

Roll Call #12 - Adopted, Ayes (13); Absent; Cárdenas and Huizar (2)

[10-1885](#)

CD 14

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to the naming of the museum at the Italian Hall in the El Pueblo de Los Angeles Historical Monument (El Pueblo) as the Joseph R. Cerrell Italian American Museum.

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

INSTRUCT El Pueblo, in consultation with the Historic Italian Hall Foundation, to report back with recommendations in response to Motion (LaBonge for Hahn - Huizar) requesting that the museum at the Italian Hall in the El Pueblo de Los Angeles Historical Monument be named the Joseph R. Cerrell Italian American Museum.

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.

**Roll Call #2 - Adopted, Ayes (11); Absent: Cárdenas, Huizar, Perry and Reyes (4)
(Item Nos. 7-9)**

ITEM NO. (7) - ADOPTED

[11-0508-S1](#)

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to approval to apply for a \$15,000 grant from the California Arts Council (CAC) for the Music LA Program.

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

1. AUTHORIZE the General Manager, Department of Cultural Affairs (DCA), or designee, to apply for a grant award from the CAC in the amount of \$15,000 for the period of October 1, 2011 through September 30, 2012.
2. AUTHORIZE the General Manager, DCA, or designee to submit grant documents as required by the CAC, including project proposal, budget, and DCA programmatic and budgetary documentation, subject to City Attorney approval as to form and content.

3. AUTHORIZE the DCA to expend \$15,000 from the following sources for the purposes of a 1:1 match for all anticipated CAC funds:

<u>FY</u>	<u>Fund</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
2011-12	100	9836	Music LA	\$15,000

4. AUTHORIZE the General Manger, DCA, or designee, to prepare any Controller instructions needed to implement actions approved by the Council and Mayor on matters presented in or deriving from the report, and/or to make necessary technical adjustments, subject to review by the City Administrative Officer, and further, AUTHORIZE the Controller to implement these instructions.

Fiscal Impact Statement: The DCA reports that there is no impact to the General Fund.

Community Impact Statement: None submitted.

ITEM NO. (8) - ADOPTED

[11-0643](#)

CDs 8 & 10

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to the proposed donation agreement between the City and the Los Angeles Neighborhood Initiative (LANI) for the development and construction of three prospective parks.

Recommendation for Council action:

APPROVE and AUTHORIZE the President and Secretary of the Board of Recreation and Park Commissioners to execute the proposed donation agreement between the City and LANI relative to the Normandie-Cordova, West Boulevard, and Western-Gage prospective parks, subject to the approval of the City Attorney.

Fiscal Impact Statement: The City Administrative Officer reports that LANI will use \$1.8 million in Proposition 84 grant funds for the development of Normandie-Cordova, West Boulevard, and Western-Gage parks (Prospective Parks). The Prospective Parks must be completed by June 30, 2017, the grant liquidation date. The completion dates for the Prospective Parks will be determined after the design phases are completed. Upon completion, the estimated annual operating and maintenance costs are \$26,278 for Normandie-Cordova, \$23,978 for West Boulevard, and \$25,778 for Western-Gage. Funding for the operation and maintenance of the Prospective Parks, upon completion, is subject to additional appropriation by Mayor and Council through the regular budget process. To the extent applicable, the recommendation above complies with the City Financial Policies in that one-time revenues will be used for one-time expenditures.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JUNE 14, 2011

(LAST DAY FOR COUNCIL ACTION - JUNE 14, 2011)

ITEM NO. (9) - ADOPTED

[02-0010-S7](#)

PUBLIC SAFETY COMMITTEE REPORT relative to the denial of payment of a reward offer made for testimony regarding the shooting death of Mr. Dedrick Egger.

Recommendation for Council action:

CONCUR with the action taken by the Board of Police Commissioners on November 2, 2010, denying the payment of a reward offer made for testimony regarding the shooting death of Mr. Dedrick Egger.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

Items for Which Public Hearings Have Not Been Held - Items 10-20

(10 Votes Required for Consideration)

ITEM NO. (10) - ADOPTED

Roll Call #9 - Adopted, Ayes (12); Absent: Cárdenas, Huizar, and Reyes (3)

[11-0553](#)

COMMUNICATION FROM THE MAYOR relative to the appointment of Mr. Anthony Miller to the Employee Relations Board (ERB).

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. Anthony Miller to the ERB for the term ending September 23, 2015 is APPROVED and CONFIRMED. Mr. Miller will fill the vacancy created by Mr. Michael Prihar, who has resigned from the Board. (Current Board gender composition: M=3; F=1; Vacancy=1).

Ethics Commission Review: Complete.

Background Check Review: Complete.

Community Impact Statement: None submitted.

TIME LIMIT FILE - MAY 19, 2011

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

(Personnel Committee waived consideration of the above matter)

ITEM NO. (11) - ADOPTED

**Roll Call #4 - Adopted, Ayes (11); Absent: Cárdenas, Huizar, Perry and Reyes (4)
(Item Nos. 11a-11j)**

[11-0005-S270](#)

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 May 3, 2011:

[11-0005-S270](#)

CD 8

- a. Property at 1915 West 39th Street (Case No. 299185).
Assessor I.D. No. 5035-021-016

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

[11-0005-S271](#)

CD 8

- b. Property at 3020 South Normandie Avenue (Case No. 318769).
Assessor I.D. No. 5040-001-011

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

[11-0005-S272](#)

CD 9

- c. Property at 4528 South Menlo Avenue (Case No. 233165).
Assessor I.D. No. 5018-006-010

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 4, 2009)

[11-0005-S273](#)

CD 10

- d. Property at 1212 South Tremaine Avenue (Case No. 159250).
Assessor I.D. No. 5083-018-019

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on April 24, 2008)

[11-0005-S274](#)

CD 10

- e. Property at 1212 South Tremaine Avenue (Case No. 227724).
Assessor I.D. No. 5083-018-019

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 19, 2009)

[11-0005-S275](#)

CD 10

- f. Property at 1212 South Tremaine Avenue (Case No. 248512).
Assessor I.D. No. 5083-018-019

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

[11-0005-S276](#)

CD 11

- g. Property at 8400 South Barnsley Avenue (Case No. 320413).
Assessor I.D. No. 4125-007-027

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 10, 2011)

[11-0005-S277](#)

CD 13

- h. Property at 700 North Imogen Avenue (Case No. 85869).
Assessor I.D. No. 5401-003-005

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 17, 2007)

[11-0005-S278](#)

CD 13

- i. Property at 700 North Imogen Avenue (Case No. 201777).
Assessor I.D. No. 5401-003-005

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

[11-0005-S279](#)

CD 13

- j. Property at 822 Sanborn Avenue (Case No. 309721).
Assessor I.D. No. 5427-009-018

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

ITEM NO. (12) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #16 - Adopted as Amended, Ayes (13); Absent: Cárdenas and Huizar (2)

[10-1454](#)

COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER relative to Litigation Settlement Revenue and the Consumer Protection Trust Fund.

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

1. APPROVE the use of \$4,279,055 in Consumer Protection Revenue projected to be received by the City Attorney's Office by June 30, 2011, to provide needed funding to offset the City Attorney's current year salary shortfall as intended in the Operational Plan.

2. APPROVE the use of Consumer Protection settlement funds as a new funding source to the City Attorney's departmental budget for future years as funding for salary and related costs associated with such litigation.
3. INSTRUCT the City Attorney to transfer \$1 million to Fund 100/12, Account 4552, Reimbursement of Expenditures from Department 12, Fund 550, Consumer Protection Trust Fund, Account A304, Consumer Protection Civil Penalty for budgeted revenue reimbursement for this year.
4. AUTHORIZE the Controller to transfer an amount not to exceed \$4,279,055, subject to available funds within Fund 550/12, Consumer Protection Trust Fund, Account A304, Consumer Protection Civil Penalty to Fund 100/12, City Attorney 1010 Salaries General for eligible salary expenses.
5. RECOMMEND that any Consumer Protection settlement funds in excess of budgeted amount which may be available to offset additional salary and investigative costs, be subject to a mutually-agreed predetermined expenditure plan adopted by the City Attorney, the Mayor and City Council; or, in the absence of such a plan, for the Consumer Protection settlement funds in excess of the budgeted amount to be utilized in accordance with State Law, as recommended by the City Attorney, and subject to Mayor and Council approval.
6. AUTHORIZE the Office of the City Attorney to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer (CAO) and AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: The CAO reports that the Consumer Protection Prosecution Trust Fund will provide additional funds to the City Attorney's departmental budget. These funds will directly support consumer protection salary positions and related costs within the City Attorney's Office. The use of additional revenues to offset increased salary costs within a given year will be a policy decision subject to a mutually agreed upon expenditure plan adopted by City Attorney, the Mayor and Council.

Community Impact Statement: None submitted.

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

ADOPTED

AMENDING MOTION (PARKS - GARCETTI)

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

ADD the following Recommendation to read as follows:

7. **APPROVE the transfer of \$2,017,050 from the Unappropriated Balance, Reserve for Economic Uncertainties, to Fund 100/12, Account 1080 - Salaries Proprietary, to be fully reimbursed to the General Fund by the Proprietary Departments during the First Quarter of Fiscal Year 2011-12.**

ITEM NO. (13) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #14 - Adopted as Amended, Ayes (13); Absent: Cárdenas and Huizar (2)

[08-3343](#)

CD 13

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

Recommendations for Council action:

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

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

3. ADOPT the FINDINGS of the City Engineer dated August 27, 2010, as the Findings of the Council.
4. ADOPT the accompanying City Engineer report dated August 27, 2010 to approve the vacation.
5. INSTRUCT the City Clerk to set a public hearing date for **JUNE 8, 2011**.

Fiscal Impact Statement: The City Engineer reports that to date, the petitioner has paid a fee of \$10,700 for the investigation of this request pursuant to Section 7.42 of the Administrative Code. Any deficit fee to recover the cost pursuant to Section 7.44 of the Administrative Code may be required of the petitioner. Maintenance of the public easement by City Forces will be eliminated.

Community Impact Statement: None submitted.

(Public Works Committee waived consideration of the above matter)

(Continued from Council meeting of May 3, 2011)

ADOPTED

AMENDING MOTION (GARCETTI - REYES)

Recommendations for Council action:

1. **CHANGE** all references in the Bureau of Engineering (BOE) Report from Exhibit “B” to Exhibit “C.”
2. **MODIFY** Recommendation A of the BOE Report, as follows:

That street vacation proceedings pursuant to the Public Streets, Highways and Services Easements Vacation Law be instituted for the vacation of the public right-of-way indicated below and shown colored blue on the attached Exhibit “C”, and that the exact limits of this area be permitted to be adjusted based on the final design and layout of the street and parking area.

A 14-foot wide portion on the northwesterly side of Lake Shore Avenue from Montana Street to approximately 220 feet southwesterly thereof.

3. **MODIFY** various conditions of the BOE Report, as follows:

Condition No. 6

That suitable arrangements be made with the Los Angeles Department of Transportation (LADOT) on the design and layout of replacement public street parking, conversion of Lake Shore Avenue into a southbound one-way street, parking restriction signs, traffic islands, loading zone adjacent to the alley southerly of Montana Street, and the right turn intersection from Lake Shore to Glendale Boulevard.

Condition 7.2

Glendale Boulevard

- a) Repair broken sidewalk, curb and gutter.
- b) Construct concrete sidewalk at the newly dedicated corner of the intersection of Glendale Boulevard with Montana Street.
- c) Within the existing roadway area provide modified striping to create a northbound right turn lane to Montana Street.
- d) Construct handicapped access ramps at the intersection with Lake Shore Avenue.
- e) Close any unused driveways with standard street improvements.

Condition 7.3

Lake Shore Avenue

- a) Construct concrete curb, gutter and a 36-foot wide and variable width asphalt concrete roadway pavement adjoining the new property line along the area and travel lane as required by the LADOT.
- b) Provide modified channelization and street pavement marking layout as required by the LADOT to convert Lake Shore Avenue to a one-way southbound street with on-street parking on both sides of the street.
- c) That provisions be made to collect or divert any surface flows within the area to be vacated.
- d) Construct sufficient asphalt concrete pavement, curb, gutter, access ramps and sidewalk in the public right-of-way in Lake Shore Avenue to provide suitable traffic islands, right turn intersection to Glendale Boulevard, and loading zone adjacent to the alley southerly of Glendale Boulevard.

Condition No. 14

Require that the Street Vacation applicant record a covenant and agreement granting permission to locate portions of the public street parking areas within Lake Shore Avenue being vacated.

- 4. SUBSTITUTE the updated Map detailing the vacation approval, attached to the Council file.**

**Roll Call #4 - Adopted, Ayes (11); Absent: Cárdenas, Huizar, Perry and Reyes (4)
(Item Nos. 14-17)**

ITEM NO. (14) - ADOPTED

[11-0726](#)

CD 9

MOTION (PERRY - PARKS) relative to funding for services in connection with the Council District Nine Farmers' Market held at the South Lawn of City Hall weekly on Thursday.

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

APPROPRIATE \$2,700 from the Unappropriated Balance Fund No. 100/58 to the General Services Fund No. 100/40, Account No. 1090 (Overtime Account) for services in connection with the Council District Nine Farmers' Market, held at the South Lawn of City Hall weekly on Thursday from July 22, 2010 to July 14, 2011, said funds to be reimbursed to the General Fund by the Little Tokyo/Arts District Farmers Market.

ITEM NO. (15) - ADOPTED

[11-0011-S12](#)

CD 4

MOTION (LABONGE - HUIZAR) relative to funding for supplemental Charter Bus services in Council District Four.

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

1. TRANSFER \$8,000 from the Council District Four portion of the Street Furniture Revenue Fund No. 43D/50 to the Transportation Fund No. 385/94, Account No. G226 for supplemental Charter Bus services in Council District Four, with the understanding that any of these funds remaining in this Account as of June 30, 2011 shall be reverted to the Council District Four portion of the Street Furniture Revenue Fund No. 43D/50.
2. AUTHORIZE the Bureau of Street Services to make clarifications or technical corrections to the above fund transfer instructions, as may be necessary to implement the intent of this Motion.

ITEM NO. (16) - ADOPTED

[11-0725](#)

CD 14

MOTION (HUIZAR - LABONGE) relative to funding for supplemental Charter Bus Services in Council District 14.

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

1. TRANSFER \$5,000 from the General City Purposes (GCP) Fund No. 100/56, Account No. 0714 (CD 14 Community Services) to the Transportation Fund No. 385/94, Account No. G226 for supplemental Charter Bus services in Council District 14, with the understanding that any of these funds remaining in this Account as of June 30, 2011, shall be reverted to the GCP Fund No. 100/56, Account No. 0714 (CD 14 Community Services).
2. AUTHORIZE the City Clerk to make clarifications or technical corrections to the above fund transfer instructions, as may be necessary to implement the intent of this Motion.

ITEM NO. (17) - ADOPTED

[11-0719](#)

CD 5

MOTION (KORETZ - HUIZAR) relative to funding for work on lateral support for the road at 3266 Coy Drive in Sherman Oaks.

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

1. AUTHORIZE the Controller to TRANSFER an amount not to exceed \$800,000 from the following Gas Tax Fund and Accounts to the following Bureau of Street Services (BSS) accounts and a new Bureau of Engineering (BOE) account as designated by the Office of Accounting:

From: Fund 206/50	<u>Account</u>	<u>Title</u>	<u>Amount</u>
	F140	Coy Drive Bulkhead	\$ 430,054
	G506	Coy Drive Bulkhead	<u>\$ 369,946</u>
		Total	\$ 800,000

To: Fund 100/86	<u>Account</u>	<u>Title</u>	<u>Amount</u>
	1010	Salaries General	\$ 450,000
	3030	Construction Expense	\$ 217,000
	3040	Contractual Services	\$ 33,000
	6020	Operational Supplies	<u>\$ 50,000</u>
		Total	\$ 750,000

To: BOE, Fund 682/50	<u>Account</u>	<u>Title</u>	<u>Amount</u>
	New Account to be determined by the Office of Accounting	Coy Drive Bulkhead - Department of Water & Power Utility	\$ 50,000

2. AUTHORIZE the Board of Public Works, Director of Accounting to TRANSFER cash to pay for the expenses incurred by the BSS and the BOE, in accordance with Recommendation No. 1 above.
3. DIRECT the BSS to provide the BOE a documented itemized file with all the labor expenses on a monthly basis. The total BSS labor expenses cannot exceed the amount transferred to their accounts. The subject documentation will be presented to the BOE from the BSS for approval by the BOE Project Manager.
4. AUTHORIZE the City Administrative Office, or designee, to prepare technical corrections or clarifications to implement the intent of this Motion.

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

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

[07-0010-S41](#)

MOTION (SMITH - REYES) relative to amending prior Council action of February 22, 2011 regarding an authorization of a reward payment for a series of burglaries in the hillside areas north of Sunset Boulevard.

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

1. AMEND prior Council action of February 22, 2011 (Council file No. 07-0010-S41), relative to authorization of a reward payment for information that led to apprehension and conviction of the perpetrator sentenced for a series of burglaries in the hillside areas north of Sunset Boulevard, to include the following instructions:
2. INSTRUCT the City Clerk to:
 - a. TRANSFER \$50,000 from the Reserve Fund to the Unappropriated Balance, and APPROPRIATE therefrom to the Special Reward Trust Fund No. 436/14.
 - b. TRANSFER \$50,000 from the Special Reward Trust Fund No. 436/14, Account No. XXXX to the Police Department Fund No. 100/70, Secret Service Account No. 4310.
3. INSTRUCT the Los Angeles Police Department to make the appropriate reward payment.

ITEM NO. (19) - CONTINUED TO MAY 11, 2011

Roll Call #3 - Adopted to Continue, Unanimous Vote (11); Absent: Cárdenas, Huizar, Perry and Reyes (4)

[11-0010-S24](#)

MOTION (PARKS - SMITH) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the shootings of Brandon Perry, Dana Perry and Chris Lofton on August 22, 2009.

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

1. PROVIDE an offer of reward in the amount of \$75,000 for information leading to the identification, apprehension, and conviction of the person(s) responsible for the shootings of Brandon Perry, Dana Perry and Chris Lofton on August 22, 2009.
2. FIND that the subject reward complies with the provisions of Chapter 12, Article 1, Division 19, of the Los Angeles Administrative Code.
3. DIRECT the City Clerk to publish the required notices and/or advertisements to effectuate this reward.

ITEM NO. (20) - ADOPTED

Roll Call #4 - Adopted, Ayes (11); Absent: Cárdenas, Huizar, Perry and Reyes (4)

[09-0541-S3](#)

CD 14

MOTION (HUIZAR - CARDENAS) relative to installing street banners recognizing Cesar Chavez as an important civil rights leader.

Recommendations for Council action:

1. APPROVE the street banner program recognizing Cesar Chavez as an important civil rights leader, as a City of Los Angeles Non-Event, Street Banner Program for the period of May 3, 2011 to May 2, 2012.
2. APPROVE the content of the street banners for the above specified event.

Item Noticed for Public Hearing - Item 21

ITEM NO. (21) - ADOPTED - FORTHWITH

Roll Call #15 - Adopted, Ayes (13); Absent: Cárdenas and Huizar (2)

[10-1256](#)

CD 9

CONTINUED CONSIDERATION OF COMMUNICATION FROM THE COMMUNITY REDEVELOPMENT AGENCY (CRA) relative to the development of a museum, enlarged parking facility, public plaza, and mixed-use tower with affordable units as part of the mixed-use Grand Avenue Project on and adjacent to the CRA-owned Parcels L & M-2 (221-37 South Grand Avenue), including (1) approval of a second amended Disposition and Development Agreement among the Los Angeles Grand Avenue Authority (Authority), Grand Avenue L.A., LLC, and Broad Collection to modify the scope and schedule of the project, (2) authorization to transfer portions of Parcel L to Broad Collection for construction of the enlarged public parking facility, (3) approval of a second amendment to Parking Facility and Museum Development Agreement with Broad Collection to clarify various definitions and clarify that CRA begin accruing net tax increment commencing on July 1, 2012 for the CRA repurchase payment for the completed parking structure, and (4) authorize the transfer of \$5,626,000 in Bunker Hill Replacement Housing, Program Income, Tax Increment Funds and Bond Proceeds to the Authority to finance affordable housing on Parcel M-2 (Phase IIB).

Recommendations for Council action:

1. HOLD, a public hearing pursuant to Health & Safety Code Section 33431 regarding the disposition of portions of the real property located at 221 South Grand Avenue (Parcel L) by CRA to The Broad Collection for the development of the expanded parking facility as part of the mixed-use Grand Avenue Project Phase IIA.
2. AUTHORIZE Chief Executive Officer, CRA, or designee, to:
 - a. Consent to the second amendment to the Disposition and Development Agreement (DDA second amendment) and ancillary documents by and among the Authority, Grand Avenue L.A., LLC (a subsidiary of The Related Companies and developer of the Grand Avenue Project, referred to as GALA), and The Broad Collection revising the Scope of Development for Phase II to allow for development of the enlarged parking facility and modified mixed-use project, extending the schedule of performance and certain milestones for Phases II and III and amending the affordable housing funding provisions for Phase II.
 - b. Consent to GALA's amended assignment and assumption agreement with Broad Collection with respect to certain rights to Phase II under the DDA, as amended in order to permit Broad Collection to construct the enlarged public parking facility on Parcel L.
 - c. Execute the second amendment to the Parking Facility and Museum Development Agreement between CRA and the Broad Collection to clarify provisions related to (a) the calculation of net tax increment for purposes of certain CRA payments, (b) fulfilling insurance requirements, (c) the description of the Public Plaza and (d) incorporating certain City requirements.
 - d. Execute and deliver grant deed(s) and ancillary documents necessary to convey portions of Parcel L to Broad Collection for the development of the expanded parking facility in accordance with the approved Parking Facility and Museum Development Agreement, as previously amended.
3. AMEND the Bunker Hill Project Fiscal Year 2011 budget to transfer \$777,700 of Bunker Hill Program Income and Bond Proceeds from budget line item Community Facilities and Programs (BH3091) to budget line item Affordable Housing (BH1050).
4. AUTHORIZE the transfer of \$5,626,000 in Bunker Hill Replacement Housing, Program Income, Tax Increment Funds and Bond Proceeds to the Authority for a loan to GALA (or its subsidiary) to fund affordable housing in Phase IIB in accordance with the DDA, as amended and the previously approved Conveyance and Funding Agreement, as amended.
5. ACKNOWLEDGE and APPROVE CRA's implementation of the Grand Avenue Project and the Broad Art Museum under the Cooperation Agreement for Payment of Costs Associated with Certain CRA Funded Capital Improvements, Public Improvements and Affordable Housing Projects, dated as of March 10, 2011 between the CRA and the City of Los Angeles.

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.

[On November 20, 2006, the Grand Avenue Authority certified the Final Environmental Impact Report (EIR) for the Grand Avenue Project, made Environment Findings, and adopted Mitigation Measures and a Statement of Overriding Considerations in connection with the approval of the Grand Avenue Project. On February 1, 2007, the CRA Board of Commissioners reviewed and considered the environmental effects of the Grand Avenue Project prior to approving the DDA. In

connection with the DDA first amendment, (i) the Authority caused a review of the proposed Phase IIA Improvements and the EIR which was approved by the CRA on July 15, 2010 and the County as responsible agencies and by Authority as the lead agency in connection with the original DDA, and (ii) the Authority's consultant generated an EIR Addendum to comply with California Environmental

Quality Act requirements for the proposed Phase IIA Improvements. The amended Scope of Development proposed by the second amended DDA with respect to Phase IIB and IIC is less dense than the Scope of Development for the original Phase II. The amended Scope of Development with respect to Phase IIB and Phase IIC is with the scope of the previously certified EIR and EIR Addendum. No further environmental review is required for the recommended actions.]

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

(Continued from Council meeting of May 6, 2011)

Item for Which Public Hearing Has Not Been Held - Item 22

(10 Votes Required for Consideration)

ITEM NO. (22) - ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #5 - Adopted, Ayes (12); Absent: Cárdenas, Huizar and Reyes (3)

[08-0923-S7](#)

COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to amending sections 45.19.6.2 and 45.19.6.7 of the Los Angeles Municipal Code (LAMC) regarding the Medical Marijuana Ordinance to extend the initial 360-day compliance deadlines.

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

PRESENT and ADOPT the accompanying ORDINANCE amending sections 45.19.6.2 and 45.19.6.7 of the LAMC regarding the Medical Marijuana Ordinance to extend the initial 360-day compliance deadlines.

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

Community Impact Statement: None submitted.

(Planning and Land Use Management Committee waived consideration of the above matter)

URGENCY CLAUSE

12 VOTES REQUIRED

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

[11-0790](#)

MOTION (KREKORIAN - LABONGE) relative to funding for physical plant upgrades and repairs at the McGroarty Arts Center in Council District Two.

[10-0600-S70](#)

MOTION (PARKS - SMITH) relative to an interim appropriation of funds for the Office of the Treasurer to pay for bank services fees for Fiscal Year 2010-11.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

[11-0004](#) -S1 - Adeline Stephanie Martinez

Zine - Smith

Rangoli Foundation for Arts and Culture

Krekorian - Koretz

John Wooten

Wesson - LaBonge

Juan Castillo

Wesson - LaBonge

Hue Jackson

Wesson - LaBonge

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

[11-0003-S1](#) - Garth Peter Jensen

Garcetti

Steven Alan Orszag

Garcetti

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

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL