

Los Angeles City Council, **Journal/Council Proceedings**  
Wednesday, **June 1, 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, Huizar, Koretz, LaBonge, Perry, Reyes, Rosendahl, Smith, Wesson, Zine and President Garcetti (12); Absent: Cárdenas, Krekorian and Parks (3)**

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF  
MAY 27, 2011

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 30

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

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

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## **Items Noticed for Public Hearing - Items 1-4**

**ITEM NO. (1) - PUBLIC HEARING CLOSED - ADOPTED**

**Roll Call #12 - Adopted, Ayes (15)**

[11-0249](#)  
CD 2

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Sunland Boulevard and Wheatland Avenue Lighting District.

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

1. FIND that a majority protest exists in the Street Lighting Maintenance Assessment District and therefore the assessment cannot be enacted.
2. PRESENT and ADOPT the accompanying ORDINANCE abandoning all proceedings relating to the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

3. INSTRUCT the Director, Bureau of Street Lighting, to assure that the streetlights are not installed or are removed from service if previously installed.

(Public Hearing held May 11, 2011)

**Roll Call #1 - Adopted to Continue, Ayes (12); Absent: Cárdenas, Krekorian and Parks (3)  
(Item Nos. 2-4)**

**ITEM NO. (2) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED  
ON JUNE 22, 2011**

[11-0383](#)

CD 2

HEARING PROTESTS against the proposed improvement and maintenance of the Kling Street and Radford Avenue Lighting District.

Recommendation for Council action:

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

(Ordinance of Intention adopted on March 23, 2011 - Continue hearing and present Ordinance on JUNE 22, 2011 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**ITEM NO. (3) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED  
ON JUNE 22, 2011**

[11-0384](#)

CD 2

HEARING PROTESTS against the proposed improvement and maintenance of the Bellingham Avenue and Archwood Street No. 1 Lighting District.

Recommendation for Council action:

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

(Ordinance of Intention adopted on March 23, 2011 - Continue hearing and present Ordinance on JUNE 22, 2011 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**ITEM NO. (4) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED  
ON JUNE 22, 2011**

[11-0396](#)

CD 4

HEARING PROTESTS against the proposed improvement and maintenance of the Magnolia Boulevard and Riverton Avenue Lighting District.

Recommendation for Council action:

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

(Ordinance of Intention adopted on March 23, 2011 - Continue hearing and present Ordinance on JUNE 22, 2011 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**Items for Which Public Hearings Have Been Held - Items 5-17**

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

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

[11-0647](#)

CD 9

CONTINUED CONSIDERATION OF ENVIRONMENTAL IMPACT REPORT, MITIGATION MEASURES, MITIGATION MONITORING AND REPORTING PROGRAM, STATEMENT OF OVERRIDING CONSIDERATIONS, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT, RESOLUTION and ORDINANCE FIRST CONSIDERATION relative to a General Plan Amendment, zone change and appeal of a Site Plan Review for property at 2300 and 2327 South Flower Street.

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

1. CERTIFY that the Environmental Impact Report (EIR No. ENV-2006-9471-EIR; State Clearing House No. 2008061060) has been completed in compliance with the California Environmental Quality Act (CEQA), the State Guidelines and the City Guidelines and that the City Council has reviewed the information contained therein and considered it along with other factors related to this project; that this determination reflects the independent judgment of the lead agency, City of Los Angeles; and that the documents constituting the record of proceedings in this matter are located in Council file No. 11-0647 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 Environmental Impact Report.
2. ADOPT the FINDINGS made pursuant to and in accordance with Section 21081 of the Public Resources Code and the Statement of Overriding Considerations prepared by the City Planning Department and ADOPT the Statement of Overriding Considerations.

3. ADOPT the FINDINGS pursuant to and in accordance with Section 21081.6 of the California State Public Resources Code, and the Mitigation Monitoring and Reporting Program as the Findings of Council and ADOPT the Mitigation Monitoring and Reporting Program.
4. ADOPT the FINDINGS of the Planning and Land Use Management (PLUM) Committee as the Findings of the Council.
5. ADOPT the accompanying RESOLUTION as recommended by the Mayor, the Director of Planning and the City Planning Commission (CPC) APPROVING the proposed General Plan Amendment to the Southeast Los Angeles Community Plan amending Footnote No. 1 as follows: "The provisions of this Footnote shall not apply to the property located at 2300 S. Flower Street, as identified per City Planning Case No. CPC-2006-10241-GPA-ZC-HD-CUB-CU-ZAA-ZAD-DB-SPR" for the phased development of approximately 1,383,068 square feet of mixed uses, with a total of 1,051 multi-family residential units, ancillary common area and recreational amenities, and approximately 34,000 square feet of retail uses, including approximately 6,000 square feet of restaurant use for a project located at 2300 South Flower Street.  
CPC 2006-10241-GPA-ZC-HD-CUB-CU-ZAA-ZAD-DB-SPR

Applicant: Palmer/Flower Street Properties  
Representative: George Muhlsten, Latham and Watkins

6. PRESENT and ADOPT the accompanying ORDINANCE, approved by the Director of Planning, effecting a zone change from [Q]C2-2-O to (T)(Q)C2-2-O for property located at 2300 South Flower Street, subject to modified Conditions of Approval.
7. RESOLVE TO GRANT IN PART/DENY IN PART APPEAL filed by Palmer/Flower Street Properties, LLP (David Goldberg, Latham and Watkins, Representative) from part of the determination of the CPC THEREBY APPROVING a Site Plan Review for property located at 2300 South Flower Street.
8. REMOVE (T) Tentative classification as described in detail on the sheet(s) attached to the Council file.
9. INSTRUCT the Planning Department to update the General Plan and appropriate maps pursuant to this action.
10. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.
11. 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.
12. 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.
13. NOT PRESENT and ORDER FILED the Ordinance approved by the City Planning Commission on February 10, 2011.

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 - JULY 2, 2011

(LAST DAY FOR COUNCIL ACTION - JULY 1, 2011)

(Public Hearing closed on May 25, 2011)

**ITEM NO. (6) - ADOPTED**

**Roll Call #3 - Adopted, Ayes (13); Absent: Krekorian and Parks (2)**

[11-0701](#)  
CD 7

NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change at 11431-443 West Osborne Place.

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 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. 11-0701 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 Negative Declaration [ENV-2010-2210-ND] filed on November 5, 2010.
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 the RA-1 Zone to the (T)(Q)R1-1 Zone to reconfigure six non-conforming lots into four conforming lots for property located at 11431-443 West Osborne Place, subject to Conditions of Approval.

Applicant: Craig Farkas, HAD Mortgage Fund, LLC  
Representative: Darryl L. Fisher, Fisher Associates, Inc.

APCNV 2010-2208-ZC-ZAA

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

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

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - JULY 27, 2011

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

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

**Roll Call #18 - Adopted, Ayes (13); Absent: Hahn and Wesson (2)**

[11-0378](#)

CDs 1-15

ORDINANCE SECOND CONSIDERATION establishing the Los Angeles Tourism Marketing District (District) and confirming the assessments to be levied upon lodging businesses with 50 or more rooms within the District as described in the Management District Plan, if a majority protest, as defined by Section 36623(b) of the California Streets and Highways Code is found not to exist.

(Pursuant to Council adoption of Ordinance of Intention No. 181622 on March 29, 2011 and Public Meeting in Council on May 10, 2011.)

(Public hearing closed on May 25, 2011)

**ADOPTED**

**MOTION (PERRY - LABONGE)**

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

1. **HEAR PROTESTS** against the proposed establishment of the District, pursuant to Section 36600 et seq. of the California Streets and Highways Code.
2. **PRESENT and ADOPT** the accompanying **ORDINANCE** establishing the District and confirming the assessments to be levied upon lodging businesses with 50 or more rooms within the District as described in the Management District Plan, if a majority protest, as defined by Section 36623(b) of the California Streets and Highways Code is found not to exist.

**ITEM NO. (8) - ADOPTED - TO THE MAYOR FORTHWITH - SEE FOLLOWING**

**Roll Call #16 - Adopted, Ayes (13); Absent: Hahn and Wesson (2)**

[10-0600-S71](#)

COMMUNICATION FROM THE CONTROLLER relative to authorization for year-end reserve fund borrowing.

(Budget and Finance 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**

**BUDGET AND FINANCE COMMITTEE REPORT** relative to authorization for year-end reserve fund borrowing.

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

1. **AUTHORIZE** the Controller, in order to facilitate the year-end closing of the City's General Ledger, to process Reserve Fund borrowings for each departmental budget authority (appropriation) up to \$50,000 or one percent of said authority, whichever amount is greater, to balance departmental expenditures with appropriated amounts when expenditures exceed a departmental budget authority.
2. **REQUEST** the Controller and **INSTRUCT** the City Administrative Officer (CAO) to work with departments to cancel encumbrances where expenditures and encumbrances exceed either appropriation or available receipts.
3. **REQUEST** the Controller to report in the Preliminary Financial Report to the Mayor and Council on any year-end borrowing resulting from this authority.

**Fiscal Impact Statement:** None submitted by the Controller. Neither the CAO nor the Chief Legislative Analyst has completed a financial analysis of this report.

**Community Impact Statement:** None submitted.

**ITEM NO. (9) - ADOPTED - TO THE MAYOR FORTHWITH - SEE FOLLOWING**

**Roll Call #15 - Adopted, Ayes (10); Noes: Cárdenas, Smith and President Garcetti (3); Absent: Hahn and Wesson (2)**

[10-0600-S72](#)

COMMUNICATIONS FROM THE CITY ADMINISTRATIVE OFFICER relative to the Year-End Financial Status Report for Fiscal Year 2010-11.

(Budget and Finance 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**

### **BUDGET AND FINANCE COMMITTEE REPORT relative to the Year-End (Fourth) Financial Status Report for Fiscal Year (FY) 2010-11.**

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

1. **APPROVE** the recommendations of the City Administrative Officer (CAO) contained in the Year-End (Fourth) Financial Status Report (FSR), dated May 20, 2011, attached to the Council file.
2. **APPROVE** the recommendations of the CAO contained in the Addendum to the 2010-11 Year-End FSR, dated May 20, 2011, relative to Bureau of Street Services Transfers and Reappropriations, attached to the Council file.
3. **APPROVE** the recommendations of the CAO contained in the Addendum to the 2010-11 Year-End FSR, dated May 27, 2011, attached to the Council file.
4. **TRANSFER** \$1,800,000 from the Reserve Fund to the Unappropriated Balance and therefrom to the City Attorney Fund No. 100/12, Account No. 1010 Salaries General as a Reserve Fund loan to be reimbursed by the Consumer Protection Trust Fund No. 550/12 in the first quarter of FY 2011-12 as revenue from consumer protection litigation settlements is received.
5. **CORRECT** the Fund No. specified in Recommendation No. 3 (Attachment 6, page 2) of the Year-End FSR for the Bureau of Engineering ARRA Transportation Projects from Fund No. 298/50 MICLA CP to Fund No. 299/50 MICLA CP as shown on Attachment 6 Revised, (attached to Committee report).
6. **REVISE** Recommendation No. 7 (Attachment 16) in the May 27, 2011 Addendum to the Year End FSR to transfer a total \$2,856,570.00, as specified on Attachment 16 Revised (attached to Committee report), from accounts within department funds (\$2,663,259) and from the Unappropriated Balance Fund, Reserve from Economic Uncertainty account (\$193,311) to department salary accounts to address deficits attributable to reduced savings from furloughs for Coalition-represented employees.
7. **INSTRUCT** the CAO to report back with an analysis of the overall Cost Allocation Plan in August 2011.
8. **INSTRUCT** the Los Angeles Convention Center (LACC) to report back on:
  - a. status of the Request for Proposal for food concessions at the LACC
  - b. employee bonuses for sales and marketing staff



9. INSTRUCT the CAO to report back on the following related to the Office of Finance:
  - a. consolidation with Office of the Treasurer
  - b. special funds
  
10. REQUEST the City Attorney to report back on the implementation delays for the following from the Status of Fee Increases Funding the 2010-11 Budget (Attachment 14):
  - a. Fire - Industrial Building Inspection
  - b. Engineering - New Fees
  
11. INSTRUCT the CAO and Chief Legislative Analyst to report back on the final departmental structure for the Department of Neighborhood Empowerment.
  
12. INSTRUCT the CAO to report back relative to Commercial Paper policy on drawing down the available balance and MICLA policy on purchasing vehicles.
  
13. TRANSFER \$50,000 from the CLARTS Community Amenities Trust Fund 47S, to General City Purposes, Council District Community Services Fund 100/56, Account No. 0714, Council District (CD) 14.
  
14. TRANSFER the following amounts to Council Fund 100/28, Salaries As Needed Account No. 1070:
  - a. Council Fee Subsidy Fund 100/56, Account No. 0871, CD 14 - \$77,823.95
  - b. CLARTS Community Amenities Trust Fund 47S, CD 14 - \$125,000

**Fiscal Impact Statement:** The CAO reports that the previously reported deficit of \$4.1 million has been eliminated reflecting revised projections for revenue and expenditures. Transfers, appropriations and other adjustments totaling approximately \$112.0 million are recommended in Sections 1 and 2 of the year-end FSR, which if approved, will eliminate the shortfalls in department and non-departmental accounts. The Reserve Fund balance is now estimated to be \$193.8 million, consisting of \$120.3 million in the Emergency Reserve and \$73.5 million in the Contingency Reserve. Further, the CAO reports that approval of the requested transfers in the Addendum report on Bureau of Street Services transfers and reappropriations will mitigate the potential assignment of these costs to the General Fund.

**Community Impact Statement:** None submitted.

**ITEM NO. (10) - ADOPTED - ORDINANCE CONTINUED TO JUNE 3, 2011 - FORTHWITH - SEE FOLLOWING**

**Roll Call #6 - Adopted, Ordinance Over To June 3, 2011, Ayes (14); Absent: Krekorian (1)**

[11-0827](#)

CDs 9 & 14

COMMUNICATION FROM THE CITY CLERK relative to various actions for the proposed Arts District (Property-Based) Business Improvement District.

(Jobs and Business 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, ORDINANCE CONTINUED TO JUNE 3, 2011**

**JOBS AND BUSINESS DEVELOPMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to the proposed Arts District (Property-Based) Business Improvement District.**

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

- 1. PRESENT and ADOPT the attached ORDINANCE OF INTENTION to establish the Arts District Business Improvement District.**
- 2. ADOPT the Preliminary Report of the City Clerk.**
- 3. ADOPT the attached Management District Plan.**
- 4. ADOPT the attached Engineer's Report.**
- 5. FIND that:**
  - a. The petitions submitted on behalf of the proponents of the proposed Arts District Business Improvement District are signed by property owners who will pay more than fifty (50) percent of the assessments proposed to be levied.**
  - b. All parcels that will have a special benefit conferred upon them and upon which an assessment would be imposed are those as identified in the Arts District Business Improvement District Management District Plan.**
  - c. In accordance with Article XIID of the California Constitution and based on the facts and conclusions contained in the attached Engineer's Report, the assessment levied on each parcel within the proposed District is proportionate to the special benefit derived from the improvements and activities that are to be provided.**
  - d. In accordance with Article XIID of the California Constitution and based on the facts and conclusions contained in the attached Engineer's Report, there are no general benefits to be separated from the special benefits conferred on each parcel within the proposed District.**
  - e. In accordance with Article XIID of the California Constitution and based on the facts and conclusions contained in the attached Engineer's Report, no assessment imposed on any parcel exceeds the reasonable cost of the proportional special benefit conferred on that parcel.**

- f. That the assessments for the proposed District are not taxes and that the District qualifies for exemption from Proposition 26 under exemption 7 of Article XIII C §1(e).
  - g. That the services to be provided by the Owners' Association are in the nature of professional, expert, technical or other special services, that the services are of a temporary and occasional character, and that the use of competitive bidding would be impractical, not advantageous, undesirable or where the common law otherwise excuses compliance with competitive bidding requirements.
6. APPROVE the Central City East Association to serve as the Owners' Association to administer the Arts District Business Improvement District.
  7. AUTHORIZE the City Clerk, upon establishment of the District, to prepare, execute and administer a contract between the City of Los Angeles and the Central City East Association, a non-profit corporation, for the administration of the District's programs.
  8. DIRECT the City Clerk to comply with the notice, protest, and hearing procedures prescribed in the Proposition 218 Omnibus Implementation Act (California Government Code, Section 53750 et seq.).
  9. REQUEST the City Attorney, with the assistance of the City Clerk, to prepare an enabling Ordinance establishing the Arts District Business Improvement District for City Council consideration at the conclusion of the required public hearing.

**Fiscal Impact Statement:** The City Clerk reports that assessments levied on the eight City-owned properties within the Arts District Business Improvement District to be paid from the General Fund total \$41,487.37 for the first year of the Arts District Business Improvement District. Funding is available in the Business Improvement District Trust Fund 659 to pay the General Fund share of assessments for the first operating year. Assessments levied on the DWP properties within the District will not be paid from the General Fund.

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

**Roll Call #3 - Adopted, Ayes (13); Absent: Krekorian and Parks (2)**

[10-0995](#)

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to restructuring minimum parking requirements within the Van Nuys Central Business District Community Design Overlay District.

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

INSTRUCT the Planning Department, in consultation with the City Attorney and the Department of Building and Safety, to prepare and present an Ordinance, to restructure the minimum parking requirements within the Van Nuys Central Business District Community Design Overlay District, inasmuch as the existing requirements dissuade business growth, retention, and employment opportunities.

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. (12) - ADOPTED, AS AMENDED - SEE FOLLOWING**

**Roll Call #17 - to Adopt as Amended, Ayes (12); Noes: Alarcón (1); Absent: Hahn and Wesson (2)**

[11-0262](#)

CONTINUED CONSIDERATION OF PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to a proposed Ordinance defining Community Care Facility.

Recommendations for Council action, as initiated by Motion (Smith - Reyes):

1. APPROVE the Department of City Planning report and proposed Ordinance as amended relative to defining Community Care Facility.
2. REQUEST the City Attorney to prepare and present an ordinance substantially similar to the proposed ordinance submitted by the City Planning Commission relative to defining Community Care Facility, Licensed; Residential Care Facility for the Elderly, Licensed; and Alcoholism or Drug Abuse Recovery or Treatment Facility, Licensed; bringing the Municipal Code into conformity with State law; regulating these facilities as public benefits; defining Single Housekeeping Unit and amending the definitions for Boarding or Rooming House and Family.

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

Community Impact Statement: Yes

For Proposal: Encino Neighborhood Council

For Proposal: Granada Hills South Neighborhood Council

For Proposal: South Robertson Neighborhood Council

For Proposal: Northwest San Pedro Neighborhood Council

(Continued from Council meeting of May 25, 2011)

**ADOPTED**

**AMENDING MOTION (PARKS - SMITH)**

**Recommendation for Council action:**

**INSTRUCT the Planning Department with the assistance of the City Attorney to report with recommendations for a future amending ordinance to impose additional restrictions regarding the opening of new boarding houses within R-3 and higher density residential zones.**

**Roll Call #3 - Adopted, Ayes (13); Absent: Krekorian and Parks (2)  
(Item Nos. 13-15)**

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

[11-0285](#)

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to a proposed ordinance amending Sections 12.03, 12.24, 12.28, 13.03, 14.3.1, and 16.05 of the Los Angeles Municipal Code (LAMC) to update common findings for conditional uses, adjustments, and other quasi-judicial land use approvals.

Recommendations for Council action:

1. ADOPT the FINDINGS of City Planning Commission (CPC) as the Findings of the Council.
2. REQUEST the City Attorney to prepare and present an ordinance amending Sections 12.03, 12.24, 12.28, 13.03, 14.3.1, and 16.05 of the LAMC to update common findings for conditional uses, adjustments, and other quasi-judicial land use approvals to provide a better framework for analyzing the merits of proposed development projects and eliminate redundancy in case processing.

Fiscal Impact Statement: None submitted by the CPC. 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. (14) - ADOPTED**

[11-0707](#)

CD 10

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the inclusion of the Boettcher House located at 1505 South Sixth Avenue 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 the inclusion of the Boettcher House in the list of Historic-Cultural Monuments.

Applicant/Owner: Todd R. Jackson  
Representative: Charles J. Fisher

CHC 2011-176-HCM

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 - JULY 6, 2011

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

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

[11-0710](#)

CD 14

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the inclusion of the May Company Garage located at 900-910 South Hill 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 the inclusion of the May Company Garage in the list of Historic-Cultural Monuments.

Applicant/Owner: Stephan Schmidt

Representative: Greenwich Village Renovation Company, LLC

CHC 2011-210-HCM

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 - JULY 6, 2011

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

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

**Roll Call #19 - Adopted, Ayes (13); Absent: Hahn and Wesson (2)**

[11-0711](#)

CD 8

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the inclusion of the Golden State Mutual Life Insurance Company Home Office located at 1999 West Adams Boulevard 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 the inclusion of the Golden State Mutual Life Insurance Company Home Office in the list of Historic-Cultural Monuments.

Applicant: Los Angeles Conservancy Modern Committee  
Owner: Community Impact Development II  
Owner: Community Impact Development II, LLC

CHC 2011-221-HCM

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 - JULY 6, 2011

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

**ITEM NO. (17) - ADOPTED, AS AMENDED - TO THE MAYOR FORTHWITH - SEE FOLLOWING**

**Roll Call #28 - to Adopt as Amended, Ayes (13); Absent: Hahn and Wesson (2)**

[10-0638-S1](#)

CONTINUED CONSIDERATION OF PERSONNEL and PUBLIC SAFETY COMMITTEES REPORTS relative to increased staffing for the Los Angeles Fire Department's (LAFD) Professional Standards Division (PSD).

A. PERSONNEL COMMITTEE REPORT

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

1. CONCUR with the recommendations of the Public Safety Committee.
2. DIRECT the City Administrative Officer (CAO) to coordinate discussion at a future Executive Employee Relations Committee meeting of proposals/ideas from the United Firefighters of Los Angeles City on potential efficiencies within the LAFD.
3. INSTRUCT the CAO to conduct an annual review of the PSD workload to determine if the resolution authorities for the nine recommended positions should continue.

Fiscal Impact Statement: The CAO reports that there will be no additional impact to the General Fund. The anticipated direct and indirect costs associated with the nine positions during 2010-11 will be \$161,949 and will be fully funded through a transfer of designated funds from the Unappropriated Balance to the LAFD. The continuation and funding of these positions will be considered as part of the 2011-12 Budget development process.

Community Impact Statement: None submitted.

B. PUBLIC SAFETY COMMITTEE REPORT

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

1. RESOLVE that the following six positions within the LAFD for the period May 9, 2011, through June 30, 2011, are APPROVED, subject to paygrade review and approval by the Employee Relations Division:

<u>No.</u>	<u>Class Code No.</u>	<u>Class Title</u>
5	0602-2	Special Investigator II
1	9184-2	Management Analyst II

2. RESOLVE that the following three positions within the LAFD for the period May 23, 2011 through June 30, 2011, are APPROVED, subject to paygrade review and approval by the Employee Relations Division:

<u>No.</u>	<u>Class Code No.</u>	<u>Class Title</u>
3	0602-2	Special Investigator II

3. AUTHORIZE the Controller to appropriate \$161,949 from the Unappropriated Balance, PSD line item, to Department 38, Fund 100, Fire Department, Account 1010 Salaries General.
4. AUTHORIZE the LAFD to prepare Controller's instructions for any technical Adjustments consistent with this action, subject to the approval of the City Administrative Officer (CAO); and, REQUEST that the Controller implement the instructions.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. The anticipated direct and indirect costs associated with the nine positions during 2010-11 will be \$161,949 and will be fully funded through a transfer of designated funds from the Unappropriated Balance to the LAFD. The continuation and funding of these positions will be considered as part of the 2011-12 Budget development process.

Community Impact Statement: None submitted.

(Continued from Council meeting of May 25, 2011)

**ADOPTED**

**AMENDING MOTION (HAHN - ALARCON)**

**Recommendations for Council action:**

1. **INSTRUCT the LAFD to report back in two weeks relative to:**
  - a. **Estimating how long it will take to hire and train a new class of civilian investigators permanently assigned to the Professional Standards Division, the subsequent redeployment of fire captains back to the field, and the monetary savings associated therewith.**



- b. Identifying potential savings and recommendations on how to utilize the subject savings to enhance deployment while taking into account geographical isolation as well as other factors that are unique to particular stations.
2. INSTRUCT Chief Legislative Analyst and City Administrative Officer to report relative to identifying alternative funding for Fire Station 28, including but not limited to the Harbor Department.
3. DELETE Recommendation No. 3 off the Public Safety Committee report.

## Items for Which Public Hearings Have Not Been Held - Items 18-34

(10 Votes Required for Consideration)

Roll Call #4 - Adopted, Ayes (13); Absent: Krekorian and Parks (2)  
(Item Nos. 18-21)

### ITEM NO. (18) - ADOPTED

[11-0831](#)

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 Juanita and Oakwood Avenues 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 May 17, 2011.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **AUGUST 3, 2011** as the hearing date for the maintenance of the Juanita and Oakwood Avenues Lighting District, in accordance with Proposition 218, Articles XIII C and XIII D of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$431.75 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: July 27, 2011)

### ITEM NO. (19) - ADOPTED

[11-0832](#)

CD 12

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the White Oak Avenue and Lassen Street 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 May 17, 2011.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **AUGUST 3, 2011** as the hearing date for the maintenance of the White Oak Avenue and Lassen Street 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, \$414.48 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: July 27, 2011)

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

[11-0833](#)  
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 Missouri and Corinth Avenues 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 May 17, 2011.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **AUGUST 3, 2011** as the hearing date for the maintenance of the Missouri and Corinth Avenues 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, \$113.98 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: July 27, 2011)

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

[11-0834](#)  
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 Willis Avenue and Rayen Street 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 May 17, 2011.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **AUGUST 3, 2011** as the hearing date for the maintenance of the Willis Avenue and Rayen Street 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, \$607.90 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: July 27, 2011)

## ITEM NO. (22) - ADOPTED

**Roll Call #20 - Adopted, Ayes (13); Absent: Hahn and Wesson (2)**

[11-0492](#)

COMMUNICATION FROM CHAIR AND MEMBER, BUDGET AND FINANCE COMMITTEE relative to the sale of handheld Motorola Astro Saber radios at below market value to the California Emergency Mobile Patrol (CEMP).

Recommendations for Council action, pursuant to Motion (Smith - Parks):

1. FIND that the CEMP is eligible to purchase 50 handheld Motorola Astro Saber radios at below market value (\$1.00, each) in accordance with LAAC Sec. 22.547 (Donation of Surplus City Equipment), as amended by the Council on November 28, 2006 (Council file No. 04-1822), inasmuch as CEMP is a non-profit organization located in the City of Los Angeles which has been established to support services provided by the City and its departments.
2. REQUEST the City Attorney to expedite preparation of the appropriate documents to effectuate the sale and transfer of the above identified surplus equipment at below market price to CEMP.
3. INSTRUCT the City Clerk to inform CEMP [Paul H. Burleigh, Post Office Box 924, Reseda, California 91337, (818) 486-5263] that the surplus equipment must be claimed within 60 days from the date of Council approval of the request, at which time it will revert to the City's surplus equipment pool for disposal by the Department of General Services.

Fiscal Impact Statement: The Chief Legislative Analyst reports that the sale of the abovementioned surplus equipment at below market value is consistent with the City's Financial Policies as CEMP is a non-profit created specifically to further the work of a City department (Los Angeles Police Department) and is headquartered in the City of Los Angeles. This below market sale will increase the General Fund by \$50.00.

Community Impact Statement: None submitted.

**ITEM NO. (23) - ADOPTED - TO THE MAYOR FORTHWITH**

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

[11-0771](#)

COMMUNICATION FROM CHAIR AND MEMBER, BUDGET AND FINANCE COMMITTEE relative to the escheatment of monies from the Unclaimed Monies Seized Incidental To Arrest Trust Fund (UMSIATF) and the Parking Violations Trust Fund to the General Fund.

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

1. INSTRUCT the Los Angeles Police Department and the City Treasurer to process the sum of \$300,961.33 from the UMSIATF Fund No. 7772 and TRANSFER all identified eligible monies to the General Fund, Fund No. 100/70, Revenue Source Code 4334.
2. INSTRUCT the Los Angeles Department of Transportation and the City Treasurer to process the sum of \$51,809 from the Parking Violations Trust Fund No. 853 and TRANSFER all identified eligible monies to the City's General Fund.
3. REQUEST the Chief Legislative Analyst (CLA) and City Administrative Officer (CAO) to review the delay in processing the above escheatment requests.

Fiscal Impact Statement: None submitted by the City Treasurer. Neither the CAO nor the CLA has completed a financial analysis of this report.

Community Impact Statement: None submitted.

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

**Roll Call #21 - Adopted, Ayes (13); Absent: Hahn and Wesson (2)**

[11-0762](#)

COMMUNICATION FROM CHAIR AND MEMBER, BUDGET AND FINANCE COMMITTEE relative to approval to record a lien for unpaid taxes against property owned by Barbara Braxton/Richard Braxton.

Recommendation for Council action:

APPROVE and AUTHORIZE the Office of Finance to record a lien for unpaid taxes in the amount of \$9,609.62 against property owned by Barbara Braxton/Richard Braxton, 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)

**Roll Call #7 - Adopted, Ayes (14); Absent: Krekorian (1)  
(Item Nos. 25-29)**

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

[11-0777](#)

COMMUNICATION FROM CHAIR AND MEMBER, BUDGET AND FINANCE COMMITTEE relative to approval to record a lien for unpaid taxes against property owned by Diverse Talent Group Inc.

Recommendation for Council action:

APPROVE and AUTHORIZE the Office of Finance to record a lien for unpaid taxes in the amount of \$44,935.60 against property owned by Diverse Talent Group 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. (26) - ADOPTED - FORTHWITH**

[11-0778](#)

COMMUNICATION FROM CHAIR AND MEMBER, BUDGET AND FINANCE COMMITTEE relative to approval to record a lien for unpaid taxes against property owned by John F Torti Architectural Corporation.

Recommendation for Council action:

APPROVE and AUTHORIZE the Office of Finance to record a lien for unpaid taxes in the amount of \$65,619.69 against property owned by John F Torti Architectural Corporation, 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. (27) - ADOPTED - FORTHWITH**

[11-0779](#)

COMMUNICATION FROM CHAIR AND MEMBER, BUDGET AND FINANCE COMMITTEE relative to approval to record a lien for unpaid taxes against property owned by Platinum Studios Inc.

Recommendation for Council action:

APPROVE and AUTHORIZE the Office of Finance to record a lien for unpaid taxes in the amount of \$16,224.75 against property owned by Platinum Studios 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. (28) - ADOPTED - FORTHWITH**

[11-0780](#)

COMMUNICATION FROM CHAIR AND MEMBER, BUDGET AND FINANCE COMMITTEE relative to approval to record a lien for unpaid taxes against property owned by So Cal Tractor Sales Inc.

Recommendation for Council action:

APPROVE and AUTHORIZE the Office of Finance to record a lien for unpaid taxes in the amount of \$30,133.89 against property owned by So Cal Tractor Sales 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. (29) - ADOPTED - FORTHWITH**

[11-0781](#)

COMMUNICATION FROM CHAIR AND MEMBER, BUDGET AND FINANCE COMMITTEE relative to approval to record a lien for unpaid taxes against property owned by S F Holding LTD.

Recommendation for Council action:

APPROVE and AUTHORIZE the Office of Finance to record a lien for unpaid taxes in the amount of \$42,036.39 against property owned by S F Holding LTD, 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. (30) - ADOPTED**

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

[03-1013](#)

CD 2

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION TO VACATE relative to vacating Delano Street from Cartwright Avenue to its Easterly Terminus (VAC E1400858).

Recommendations for Council action:

1. REAFFIRM the FINDINGS of November 22, 2006, that the vacation of Delano Street from Cartwright Avenue to its Easterly Terminus, pursuant to the City of Los Angeles Environmental Guidelines, 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. REAFFIRM the FINDINGS of November 22, 2006, that this vacation is in substantial conformance with the General Plan pursuant to Section 556 of the Los Angeles City Charter.
3. ADOPT the accompanying RESOLUTION TO VACATE No.11-1400858 for the vacation of Delano Street from Cartwright Avenue to its Easterly Terminus.
4. INSTRUCT the City Clerk to transmit, following Council adoption, Resolution to Vacate No. 11-1400858 to the Land Development Group of the Bureau of Engineering for recordation of said Resolution with the Los Angeles County Recorder.

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

ENVIRONMENTAL WORK COMPLETED FOR THIS PROJECT

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

**Roll Call #22 - Adopted, Ayes (13); Absent: Hahn and Wesson (2)**

[05-2410](#)

CD 13

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to vacating the Northwesterly Portion of Park Drive from Duane Street to Approximately 118 feet Southwesterly Thereof (VAC E1400968).

Recommendations for Council action:

1. REAFFIRM the FINDINGS of October 22, 2008, that the vacation of the Northwesterly Portion of Park Drive from Duane Street to Approximately 118 feet Southwesterly Thereof, pursuant to the City of Los Angeles Environmental Guidelines, 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. REAFFIRM the FINDINGS of October 22, 2008, that this vacation is in substantial conformance with the General Plan pursuant to Section 556 of the Los Angeles City Charter.
3. ADOPT the accompanying RESOLUTION TO VACATE No.11-1400968 for the vacation of the Northwesterly Portion of Park Drive from Duane Street to Approximately 118 feet Southwesterly Thereof.
4. INSTRUCT the City Clerk to transmit, following Council adoption, Resolution to Vacate No. 11-1400968 to the Land Development Group of the Bureau of Engineering for recordation of said Resolution with the Los Angeles County Recorder.

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

ENVIRONMENTAL WORK COMPLETED FOR THIS PROJECT

**ITEM NO. (32) - ADOPTED**

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

[10-0010-S37](#)

MOTION (HAHN - ALARCON) relative to reinstating the reward offer in the deaths of Ronald Reeves and the unborn child of Maria Garcia for an additional six months.

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

REAFFIRM Council's findings and REINSTATE the reward offer relative to the deaths of Ronald Reeves and the unborn child of Maria Garcia (Council action of October 1, 2010, Council file No. 10-0010-S37) for an additional period of six months from the publication of the offer of reward by the Office of the City Clerk and, further, that the sum of \$50,000 shall be the aggregate maximum sum of any payment or payments of a City reward in this instance.



**ITEM NO. (33) - ADOPTED, AS AMENDED - SEE FOLLOWING**

**Roll Call #11 - to Adopt as Amended, Ayes (15)**

[11-0887](#)

CD 10

MOTION (WESSON - GARCETTI - LABONGE) relative to funding to assist in the relocation of the national headquarters of the CODA Automotive, Inc. electric car firm to Los Angeles.

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

1. TRANSFER/APPROPRIATE \$600,000 in Council District 10 portion of the AB1290 Fund No. 53P, Account No. G304 (Redevelopment Projects - Services) to the Engineering Fund No. 100/78, Account No. 3040 (Contractual Services) to assist in the relocation of the national headquarters of the CODA Automotive, Inc. electric car firm to Los Angeles, as further detailed in the text of this Motion.
2. AUTHORIZE and INSTRUCT the City Engineer to negotiate the necessary agreement with CODA Automotive, Inc. in the above amount, for the above purpose, subject to the approval of the City Attorney as to form, and AUTHORIZE the Councilmember of the 10th District to execute the agreement on behalf of the City.
3. AUTHORIZE the Chief Legislative Analyst to make any technical corrections or clarifications to the above fund transfer instructions in order to effectuate the intent of this Motion.

**ADOPTED**

**AMENDING MOTION (WESSON - LABONGE)**

Recommendation for Council action:

**TRANSFER/APPROPRIATE \$832,000 in the Council District 10 portion of the AB1290 Fund No. 53P, Account No. G304 (Redevelopment Projects - Services) to the Engineering Fund No. 100/78, Account No. 3040 (Contractual Services) to assist in the relocation of the national headquarters of the CODA Automotive, Inc. electric car firm to Los Angeles, as further detailed in the text of this motion.**

**ITEM NO. (34) - CONTINUED TO JUNE 24, 2011**

**Roll Call #23 - Adopted to Continue, Unanimous Vote (13); Absent: Hahn and Wesson (2)**

[11-0886](#)

RESOLUTION (GARCETTI - LABONGE) relative to the City Council commending Cynthia Ruiz for her exemplary efforts and accomplishments to the City of Los Angeles.

Recommendation for Council action:

RESOLVE to applaud and commend Cynthia Ruiz for her exemplary efforts and accomplishments which have been of great value to the City of Los Angeles and which have helped to further the common goal of making our City a better place in which to live.

## **Closed Sessions - Items 35-40**

### **ITEM NO. (35) - NO ACTION TAKEN**

[11-0454](#)

COMMUNICATION FROM THE CITY ATTORNEY relative to proposed actions in connection with Natural Resources Defense Council, Inc., Committee to Bridge the Gap, and City of Los Angeles v. Department of Energy et al. United States District Court (North District) No. C-04-04448 SC (This lawsuit arises from the clean up of radiological and chemical contamination at Area IV of the Santa Susanna Field Lab Site.)

(Energy and Environment Committee waived consideration of the above matter)

### **ITEM NO. (36) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING**

**Roll Call #9 - Adopted in Open Session, Ayes (14); Absent: Krekorian (1)**

[11-0608](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to the case entitled Victor Camba, et al., v. City of Los Angeles, et al., Los Angeles Superior Court Case No. TC024464. (This matter arises from an incident on April 9, 2009, involving members of the Los Angeles Police Department.)

(Budget and Finance Committee considered the above matter in Closed Session on May 23, 2011)

## **ADOPTED**

### **MOTION (PARKS - SMITH)**

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

**REJECT the Plaintiff's offer of settlement.**

**This matter was approved by the Budget and Finance Committee (Parks - Huizar "yes") at its meeting on May 23, 2011, in Closed Session as permitted by Government Code Section 54956.9(a).**

**ITEM NO. (37) - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH -  
SEE FOLLOWING**

**Roll Call #25 - Adopted in Open Session, Ayes (13); Absent: Hahn and Wesson (2)**

[11-0609](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to the case entitled Tesha Taylor-Ewing v. City of Los Angeles, United States District Court Case No. CV07-5556 GHK(SSx). (This matter arises from an incident on April 26, 2006, involving members of the Los Angeles Police Department.)

(Budget and Finance Committee considered the above matter in Closed Session on May 23, 2011)

**ADOPTED**

**MOTION (PARKS - SMITH)**

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

- 1. AUTHORIZE the City Attorney to expend \$467,199.56 plus interest on that sum running at seven percent per annum for payment of judgment in the above entitled case from City Attorney Fund 100/59, Account No. 9770.**
- 2. AUTHORIZE the City Attorney to draw a demand thereon in said amount payable to Schonbrun, De Simone, Seplow, Harris Hoffman & Harrison LLP and Tesha Taylor-Ewing.**
- 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. (38) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING**

**Roll Call #10 - Adopted in Open Session, Ayes (15)**

[11-0650](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to the case entitled Paul Semerjian v. City of Los Angeles, EAMS Nos.: ADJ2376521, ADJ3702188, ADJ6407004. (Claimant alleges he sustained personal injuries during the course and scope of his employment as a Firefighter for the City of Los Angeles Fire Department.)

(Budget and Finance Committee considered the above matter in Closed Session on May 23, 2011)

**ADOPTED**

**MOTION (PARKS - SMITH)**

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

- 1. AUTHORIZE the City Attorney to enter into two separate settlements in the above-entitled matter through:**
  - a. A Stipulated Award for 29 percent permanent disability in the amount of \$28,692.50 at the weekly rate of \$230. (Claim No. 9003-2006-0869)**
  - b. A Joint Stipulated Award for 71 percent permanent disability in the amount of \$121,297.50 at the weekly rate of \$270. Based on the award of 71 percent the applicant is entitled to a life pension of \$85.04 per week based on the injury date of continuous trauma ending August 9, 2007. (Claim No. 9003-1982-6136 and 9003-2004-0890)**
- 2. AUTHORIZE the City Attorney to execute the Stipulation Awards with all appropriate parties for submission to the Workers' Compensation Appeals Board for its award of payment.**

**ITEM NO. (39) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING**

**Roll Call #26 - Adopted in Open Session, Ayes (13); Absent: Hahn and Wesson (2)**

[11-0653](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to the case entitled Sandra Perez v. City of Los Angeles, Los Angeles Superior Court Case No.: BC435392. (This lawsuit arises from a Los Angeles Police Department civilian employee's claims of sexual harassment, disability discrimination and retaliation against the City of Los Angeles.)

(Budget and Finance Committee considered the above matter in Closed Session on May 23, 2011)

**ADOPTED**

**MOTION (PARKS - SMITH)**

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

- 1. AUTHORIZE the City Attorney to expend \$175,000 in settlement of the above-entitled case from City Attorney Fund 100/59, Account No. 9770.**
- 2. AUTHORIZE the City Attorney to draw a demand thereon in said amount payable to Law Office of Michael L. Justice and Sandra Perez.**

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. (40) - NO ACTION TAKEN**

The City Council shall recess to closed session, pursuant to Government Code Section 54956.9 (b) (1), in order to confer with legal counsel in relation to significant exposure to litigation.

#### **Mayor's Veto Message - Item 41**

#### **ITEM NO. (41) - NO ACTION TAKEN**

##### 11-0600

CONTINUED CONSIDERATION OF THE MAYOR'S VETO MESSAGE, upon receipt, pursuant to Charter Section 315. The Council has five days, excluding Saturdays, Sundays, and holidays, upon receipt of the Mayor's veto to overcome such action of the Mayor relative to any item or items of the budget.

(The Mayor has until June 2, 2011, to submit his Veto Message to the Council, pursuant to Charter Section 314.)

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

##### 11-0925

MOTION (PERRY - REYES) relative to funding for services in connection with the June 4, 2011 Special Meeting of the Energy and Environment Committee in the City Hall John Ferraro Council Chamber.

##### 10-2440

MOTION (WESSON - REYES) relative to amending prior Council action of May 27, 2011, regarding programs approved in the 37th Program Year Consolidated Plan on March 18, 2011.

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

Motion (Garcetti - Zine) unanimously adopted to excuse Councilmember Cárdenas from Council session of Friday, June 24, 2011 due to City Business.

Upon his request, and without objections, Councilmember Koretz was excused from Council session of Wednesday, August 3, 2011 due to Personal Business.

**COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:**

[11-0004](#) -S1 - Los Angeles Magazine 50 Years of Media

LaBonge - Garcetti

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

[11-0003-S1](#) - Iris Reyes

Garcetti

Joanne Gabrielson

LaBonge - All Councilmembers

Andrew Garton

Zine

Marion Lederer

Zine - LaBonge

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

**Whereupon the Council did adjourn.**

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL