

Los Angeles City Council, **Journal/Council Proceedings**  
Wednesday, **April 20, 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: Cárdenas, Hahn, Koretz, Krekorian, LaBonge, Perry, Rosendahl, Smith, Wesson, and President Garcetti (10); Absent: Alarcón, Huizar, Parks, Reyes and Zine (5)**

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF  
APRIL 15, 2011

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 26

## **ALL ITEMS FORTHWITH**

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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 1-8**

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

**Roll Call #15 - Adopted, Ayes (12); Absent: Alarcon, Huizar and Reyes (3)**

[11-0028](#)  
CD 3

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Avenida Oriente and Etiwanda Avenue Lighting District.

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

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of 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).

(Public Hearing held March 30, 2011)

**Roll Call #17 - Adopted, Ayes (12); Absent: Alarcon, Huizar and Reyes (3)  
(Item Nos. 2-4)**

**ITEM NO. (2) - PUBLIC HEARING CLOSED - ADOPTED**

11-0069CD 3

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

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

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of 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).

(Public Hearing held March 30, 2011)

**ITEM NO. (3) - PUBLIC HEARING CLOSED - ADOPTED**

[11-0057](#)  
CD 5

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the I-405 Sepulveda Pass Widening Project - Segment 3 - Area 7 Lighting District.

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

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of 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).

(Public Hearing held March 30, 2011)

**ITEM NO. (4) - PUBLIC HEARING CLOSED - ADOPTED**

[11-0056](#)  
CD 5

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the I-405 Sepulveda Pass Widening Project - Segment 1 - Area 1 Lighting District.

Recommendations 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 March 30, 2011)

**Roll Call #1 - Adopted, Ayes (10); Absent: Alarcon, Huizar, Parks, Reyes and Zine (5)  
(Item Nos. 5-7)**

**ITEM NO. (5) - PUBLIC HEARING HELD- CONTINUE HEARING AND ORDINANCE TO BE PRESENTED ON  
MAY 11, 2011**

[10-2269](#)  
CD 13

HEARING PROTESTS against the proposed improvement and maintenance of the Elysian Valley Lighting Improvement Phase 3 (Re-Ballot) Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Elysian Valley Lighting Improvement Phase 3 (Re-Ballot) Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on February 16, 2011 - Continue hearing and present Ordinance on May 11, 2011 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**ITEM NO. (6) - PUBLIC HEARING HELD- CONTINUE HEARING AND ORDINANCE TO BE PRESENTED ON  
MAY 11, 2011**

[11-0169](#)  
CD 14

HEARING PROTESTS against the proposed improvement and maintenance of the North San Pablo Street and Eastlake Avenue Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the North San Pablo Street and Eastlake 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 February 16, 2011 - Continue hearing and present Ordinance on May 11, 2011 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**ITEM NO. (7) - PUBLIC HEARING HELD- CONTINUE HEARING AND ORDINANCE TO BE PRESENTED ON  
MAY 11, 2011**

[11-0170](#)

CD 2

HEARING PROTESTS against the proposed improvement and maintenance of the Riverside Drive and Sunnyslope Avenue Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Riverside Drive and Sunnyslope 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 February 16, 2011 - Continue hearing and present Ordinance on May 11, 2011 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**ITEM NO. (8) - MOTION ADOPTED TO GRANT APPLICATION**

**Roll Call #18 - Adopted to Grant Application, Ayes (12); Absent: Alarcon, Huizar and Reyes (3)**

[11-0530](#)

CD 14

HEARING COMMENTS relative to application for determination of "Public Convenience or Necessity" for alcohol sales for on-site consumption at Pattern Bar located at 100 West Ninth Street, Los Angeles, 90014.

Recommendations for Council action:

1. DETERMINE that the issuance of a liquor license at Pattern Bar located at 100 West Ninth Street, Los Angeles, 90014, 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 on-site consumption at 100 West Ninth Street.
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: Eduardo Castillo (CLR Enterprises, Inc., c/o Lee Rabun, representative)

TIME LIMIT FILE - MAY 16, 2011

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

## Items for Which Public Hearings Have Been Held - Items 9-26

Roll Call #17 - Adopted, Ayes (12); Absent: Alarcon, Huizar and Reyes (3)  
(Item Nos. 9-10)

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

[10-1613](#)  
CD 1

PUBLIC ANNOUNCEMENT OF BALLOT TABULATION and ORDINANCE FIRST CONSIDERATION relative to the establishment of the Lincoln Heights Industrial Zone Business Improvement District (BID), pursuant to Section 53753 of the California Government Code, Sections 6.600 through 6.620 of Chapter 9 of the Los Angeles Administrative Code, and Article XIII D of the California Constitution.

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

1. PRESENT and ADOPT the accompanying ORDINANCE establishing the Lincoln Heights Industrial Zone BID and confirming the assessments to be levied upon properties within the BID, as described in the Management District Plan.
2. AUTHORIZE the City Clerk, subject to approval of the City Attorney, to prepare, execute and administer an operating agreement between the City and a non-profit management entity, for administration of the BID.

Fiscal Impact Statement: There are five City-owned properties in the Lincoln Heights Industrial Zone BID. Assessments levied for these City-owned properties for the first year of the BID will be \$7,626.58, or 10.37 percent of the total BID assessments. Funding is available in the BID Trust Fund 659 to pay the General Fund share of assessments for the first operating year.

(Pursuant to Council action of Tuesday, April 19, 2011 and adoption of Ordinance No. 181590 on February 16, 2011.)

### ADOPTED

#### MOTION (ALARCON - KREKORIAN)

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

1. PRESENT and ADOPT the accompanying ORDINANCE (attached to the Council file) establishing the Lincoln Heights Industrial Zone Business Improvement District (BID) and confirming the assessments to be levied upon properties within the BID, as described in the Management District Plan.
2. AUTHORIZE the City Clerk, subject to approval of the City Attorney, to prepare, execute and administer an operating agreement between the City and a non-profit management entity, for administration of the BID.

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

[10-2335](#)

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to amending the Los Angeles Municipal Code (LAMC) regarding local administrative changes.

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

PRESENT and ADOPT the accompanying ORDINANCE, amending Article 5, Chapter IX of the LAMC to make local administrative changes and incorporate by reference portions of the 2010 Edition of the California Mechanical Code.

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.

**ITEM NO. (11) - CONTINUED TO APRIL 27, 2011**

**Roll Call #2 - Adopted to Continue, Unanimous Vote (10); Absent: Alarcon, Huizar, Parks, Reyes and Zine (5)**

[11-0595](#)

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

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

1. NOTE and FILE Motion (Zine - Wesson - Garcetti) relative to requesting the Controller, Office of Finance, and City Attorney to report on Parking Occupancy Tax collections including the current audit; and pending and ongoing litigation concerning uncollected parking occupancy tax revenue.
2. REQUEST the City Attorney to report back to the Audits and Governmental Efficiency Committee on the following:
  - a. Draft language to amend the Los Angeles Municipal Code (LAMC) to authorize the denial of a business Police Permit application for a new permit for non-payment of business taxes and/or parking occupancy taxes.
  - b. Draft language to amend the LAMC to authorize the denial of a business annual Police Permit renewal for non-payment of business taxes or parking occupancy taxes.
  - c. Draft language to amend the LAMC to authorize that prior to reinstatement of a Parking Lot Operator's revoked or suspended Police Permit, the permit holder be required to:

- 1) Pay all outstanding delinquent business taxes and parking occupancy taxes and any penalties and assessments.
  - 2) Install, at the permit holder's expense, automated and approved Revenue Control Equipment at each parking lot location that has had a Police Permit revoked or suspended (Council file No. 09-0177).
- d. Work with the Office of Finance to report back on the legal possibilities of requiring all parking lot operators to obtain a bond for each location to satisfy any delinquent tax similar to the regulation in the City and County of San Francisco, in addition the possibility of obtaining a lien on the property for non-payment of parking occupancy tax.
3. REQUEST the Los Angeles Board of Police Commissioners' general counsel to provide a status report to the Audits and Governmental Efficiency Committee on the Valet Parking Ordinance (Council file No. 09-0206), and how it can incorporate the above recommendations.
  4. INSTRUCT the Office of Finance and REQUEST the Los Angeles Board of Police Commissioners to report back to the Audits and Governmental Efficiency Committee on the feasibility of requiring the installation of revenue and control equipment for all business annual Police Permit renewals.

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

Community Impact Statement: None submitted.

**Roll Call #4 - Adopted, Ayes (10); Absent: Alarcon, Huizar, Parks, Reyes and Zine (5)  
(Item Nos. 12-13)**

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

[10-2498-S2](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to the Third Construction Projects Report for Fiscal Year 2010-11.

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

1. TRANSFER \$360,476 between departments and funds as specified in Attachment 1 of the City Administrative Officer (CAO) report, attached to the Council file.
2. TRANSFER \$1,951,662 between funds and other financings, including MICLA, as specified in Attachment 2.
3. TRANSFER \$79,000 between departments and funds from General Obligation Bond (GOB) Funds as specified in Attachment 3.
4. TRANSFER \$224,657 between accounts within departments and funds as specified in Attachment 4.

5. AUTHORIZE the Controller, in accordance with Attachment 2, to transfer cash from the appropriate MICLA and Other Special Funds to reimburse the General Fund on an as-needed basis upon proper documentation from the departments and approval of the Program Managers and the CAO, except for the Proposition C Anti-Gridlock Transit Funds - Wilshire Boulevard Surveying and Subsurface Testing Project.
6. AUTHORIZE the Controller, in accordance with Attachments 3 and 5, to transfer cash from the appropriate GOB Funds to reimburse the General Fund on an as-needed basis upon proper documentation from the departments and approval of the Bureau of Engineering Program Managers and the CAO.
7. AUTHORIZE the Controller, upon receipt of State reimbursements of California Cultural and Historical Endowment grant funds for construction of the Manchester Junior Arts/Vision Theatre Project, to transfer expenditures up to \$2.4 million from CIEP Fund No.100 /54 Account W501 Vision Theater to Cultural Affairs Grant Fund No. 337 Account 220G CCHE-Vision Theatre.
8. AUTHORIZE the Controller to deposit all future quarterly debt service payments due from the Greater Los Angeles Zoo Association for the new Elephants of Asia Exhibit at the Los Angeles Zoo into the Capital Finance Administration Fund, Fund 100/53 (CFAF), into a new revenue source for the Elephants of Asia Debt Service and increase appropriation to the CFAF, Commercial Paper Account No. 0316, totaling \$199,724 for the first quarterly payment.
9. RESCIND the appropriation of \$300,000 from the Project Restore Trust Fund No. 869/40, Accounts 0393 and 0392 to GSD as recommended in Attachment No. 2 relative to the Barnsdall Park Phase III - Hollyhock House Seismic Retrofit and Rehabilitation Project, of the 2010-11 First Construction Projects Report approved by Council in November, 2010 (Council file No. 10-2498).
10. AUTHORIZE the Controller to increase appropriations to various departments as delineated in Attachment 5, in the amount of \$4,795,235 for estimated project and construction management staff costs related to the Seismic Bridge Improvement Program. This appropriation replaces an earlier appropriation of \$4,316,164 authorized in November 2010 Attachment No. 5 (Council file No. 10-2498).
11. AUTHORIZE the CAO to make technical corrections, as necessary, to those transactions included in this report to implement the Mayor and Council's intentions.
12. INSTRUCT the Department of General Services and the Bureau of Engineering to establish work orders to capture costs associated with the pre-design work for the Wilshire Blvd. Corridor between San Vicente and Western Avenue.
13. AUTHORIZE the Los Angeles Department of Transportation to transfer cash to reimburse the General Fund on an as-needed basis upon proper documentation from the departments and approval of the Bureau of Engineering (BOE) Project Manager; and, to revert any unspent funds to Fund No. 540/94, Account No. G655, Transportation Grant Fund Work Program after completing 2010-11 year-end closing upon request by the BOE.

**Fiscal Impact Statement:** The CAO reports that transfers, appropriations and expenditure authority totaling \$7,610,754 are recommended in this report. Of this amount, \$2,056,471 is for transfers and appropriations to the General Services Department, \$759,048 to other City Funds, and \$4,795,235 for staff cost reimbursements. All transfers and appropriations are based on existing

funds, reimbursements or revenues. There is an estimated cost of \$101,610 due to operations and maintenance that will impact the General Fund for these transactions (Attachment No. 6).

Community Impact Statement: None submitted.

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

[11-0573](#)

COMMUNICATION FROM THE CITY ATTORNEY relative to the retention of Meyers Nave with an initial appropriation of \$80,000 for outside counsel services related to the case entitled Mark Willits v. City of Los Angeles, United States District Court Case No. CV10-5782. (This lawsuit arises out of Americans with Disabilities Act allegations regarding the City's sidewalks and curbs.)

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

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

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

**ADOPTED**

**COMMUNICATION FROM CHAIR AND MEMBER, BUDGET AND FINANCE COMMITTEE relative to the retention and funding of outside counsel services.**

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

- 1. APPROVE the retention of Meyers Nave for outside counsel services related to the case entitled Mark Willits v. City of Los Angeles, United States District Court Case No. CV10-5782. (This lawsuit arises out of Americans with Disabilities Act allegations regarding the City's sidewalks and curbs.)**
- 2. APPROPRIATE and TRANSFER \$80,000 from the Unappropriated Balance, City Attorney Outside Counsel Including Workers Compensation line item to City Attorney Fund No. 100/12, Account No. 9301 for the above referenced contract.**

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

**Community Impact Statement: None submitted.**

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

**ITEM NO. (14) - CONTINUED TO APRIL 26, 2011**

**Roll Call #3 - Adopted to Continue, Unanimous Vote (10); Absent: Alarcon, Huizar, Parks, Reyes and Zine (5)**

[09-1219](#)

JOB AND BUSINESS DEVELOPMENT COMMITTEE REPORT relative to the establishment of a Banking Development District Task Force to report on a variety of issues relating to the creation of Banking Development Districts.

Recommendations for Council action:

1. ESTABLISH a Banking Development District (BDD) Task Force.
2. DESIGNATE the City Treasurer as the Chair of the BDD Task Force.
3. INSTRUCT the City Treasurer to convene the BDD Task Force initially comprised of the Chairperson of the Jobs and Business Development Committee, representatives from the Mayor's Office, Bank on Los Angeles, City Administrative Officer (CAO), and Chief Legislative Analyst (CLA) by April 2011.
4. INSTRUCT the BDD Task Force to report back on Phase I activities by July 31, 2011.

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

Community Impact Statement: None submitted.

**Roll Call #4 - Adopted, Ayes (10); Absent: Alarcon, Huizar, Parks, Reyes and Zine (5)  
(Item Nos. 15-26)**

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

[11-0551](#)

PERSONNEL COMMITTEE REPORT relative to the exemption of one Senior Project Coordinator position for the Los Angeles Housing Department (LAHD) from the Civil Service provisions of the City Charter.

Recommendation for Council action:

APPROVE the exemption of one Senior Project Coordinator position for the LAHD, from the Civil Service provisions of the City Charter, pursuant to Charter Section 1001(b) (1).

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - APRIL 27, 2011

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

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

[11-0552](#)

PERSONNEL COMMITTEE REPORT relative to the exemption of one Chief Investment Officer (CIO) position for the Los Angeles City Employees' Retirement System (LACERS) from the Civil Service provisions of the City Charter.

Recommendation for Council action:

APPROVE the exemption of one CIO position for the LACERS, from the Civil Service provisions of the City Charter, pursuant to Charter Section 1001(b) (1).

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - APRIL 27, 2011

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

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

[11-0534](#)

PERSONNEL COMMITTEE REPORT relative to the re-exemption of one Senior Project Coordinator position for the Community Development Department (CDD) from the Civil Service provisions of the City Charter.

Recommendation for Council action:

APPROVE the re-exemption of one Senior Project Coordinator position for the CDD, Human Relations Commission, from the Civil Service provisions of the City Charter, pursuant to Charter Section 1001(b) (1).

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - APRIL 26, 2011

(LAST DAY FOR COUNCIL ACTION - APRIL 26, 2011)

**ITEM NO. (18) - ADOPTED**

[10-2466](#)

CD 11

MITIGATED NEGATIVE DECLARATION and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an appeal of Tentative Tract No. 61605 for property at 5212-38 Thornburn Street.

Recommendations for Council action:

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the lead agency in the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 10-2466 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV-2004-6513-MND] filed on November 22, 2004.
2. ADOPT the FINDINGS of the Planning and Land Use Management Committee as the Findings of the Council.
3. RESOLVE TO GRANT IN PART/DENY IN PART APPEALS filed by I & I Properties, (Darryl L. Fisher, Representative) from the entire decision of the West Los Angeles Area Planning Commission THEREBY APPROVING Tentative Tract Map No. 61605 for a maximum six single-family lots and one open space lot with a maximum private street length of 700 feet located at 5212-38 Thornburn Street, subject to modified Conditions of Approval.

Applicant: I & I Properties (Darryl L. Fisher, Representative)

Fiscal Impact Statement: The West Los Angeles Area Planning Commission reports that there is no General Fund impact, as administrative costs are recovered through fees.

Community Impact Statement: None submitted.

TIME LIMIT FILE - APRIL 30, 2011

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

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

[11-0375](#)

CD 5

MITIGATED NEGATIVE DECLARATION and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to a clarification of "Q" Condition appeal for property at 662 North Sepulveda Boulevard.

Recommendations for Council action:

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the lead agency in the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 11-0375 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV-2010-2201-MND] filed on October 8, 2010.
2. ADOPT the APRIL 12, 2011 FINDINGS of the Planning and Land Use Management Committee as the Findings of Council.
3. RESOLVE TO GRANT IN PART/DENY IN PART APPEAL filed by Susan D. Lord (Andie Adame, Craig Lawson & Co., LLC. Representative) from the determination of the Director of Planning THEREBY APPROVING a clarification of "Q" Condition No. 1 to allow a maximum building height of 35 feet in lieu of the maximum 32 feet allowed for property located at 662 North Sepulveda Boulevard, subject to modified Conditions of Approval.

Applicant/Appellant: Susan D. Lord  
Representative: Andie Adame, Craig Lawson & Co., LLC

DIR-2010-3217-CLQ

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

Community Impact Statement: None submitted.

## ITEM NO. (20) - ADOPTED

### [10-1954](#)

PUBLIC SAFETY COMMITTEE REPORT relative to reappropriations of funds for the 2007 and 2008 Urban Areas Security Initiative (UASI) and the 2007-08 Regional Catastrophic Planning Grant Programs.

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

APPROVE the recommendations of the City Administrative Officer (CAO) in the report to the Mayor and Council dated February 22, 2011 (attached to the Public Safety Committee report), authorizing the Controller to transfer various appropriations of funds for the 2007 and 2008 UASI and the 2007-08 Regional Catastrophic Planning Grant Programs, and related actions.

Fiscal Impact Statement: The CAO reports that this action does not impact the General Fund. Approval of the CAO's recommendations will allow for the continued expenditure of the Fiscal Year (FY) 2007 and 2008 UASI grants as well as the FY 2007-08 Regional Catastrophic Planning Grant. The CAO's recommended actions are in compliance with City financial policies in that grant funds are sufficient to support the grant activities.

Community Impact Statement: None submitted.

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

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

[09-0237](#)

CD 2

CATEGORICAL EXEMPTION, TRANSPORTATION COMMITTEE REPORT and RESOLUTION relative to the renewal of Temporary Preferential Parking District (PPD) No. 92.

Recommendations for Council action:

1. FIND that the renewal of Temporary PPD No. 92, pursuant to Los Angeles Municipal Code (LAMC) Section 80.58.d, is exempt from the California Environmental Quality Act as a Class 1 Categorical Exemption, under Article III, 1.a.3 of the City's environmental guidelines.
2. FIND that the parking problems that led to the establishment of Temporary PPD No. 92, neighborhood located east of the Sherman Oaks Galleria, still exist and that no permanent solutions are available to be implemented at this time.
3. ADOPT the accompanying RESOLUTION renewing Temporary PPD No. 92, for 12 months, until April 8, 2012, pursuant to LAMC Section 80.58.d.

Fiscal Impact Statement: The Los Angeles Department of Transportation reports that revenue from the sale of permits will cover the cost of implementing, administering, and enforcing temporary PPD No. 92. Furthermore, the City may gain additional General Fund revenue from the issuance of parking citations to violators of the district's parking restrictions.

Community Impact Statement: None submitted.

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

[09-0591](#)

CD 11

CATEGORICAL EXEMPTION, TRANSPORTATION COMMITTEE REPORT and RESOLUTION relative to the renewal of Temporary Preferential Parking District (PPD) No. 50.

Recommendations for Council action:

1. FIND that the renewal of Temporary PPD No. 50, pursuant to Los Angeles Municipal Code (LAMC) Section 80.58.d, is exempt from the California Environmental Quality Act as a Class 1 Categorical Exemption, under Article III, 1.a.3 of the City's environmental guidelines.
2. FIND that the parking problems that led to the establishment of Temporary PPD No. 50, for five blocks near Palisades Park, still exist and that no permanent solutions are available to be implemented at this time.
3. ADOPT the accompanying RESOLUTION renewing Temporary PPD No. 50, for 12 months, until April 7, 2012, pursuant to LAMC Section 80.58.d.

Fiscal Impact Statement: The Los Angeles Department of Transportation reports that revenue from the sale of permits will cover the cost of implementing, administering, and enforcing temporary PPD No. 50. Furthermore, the City may gain additional General Fund revenue from the issuance of parking citations to violators of the district's parking restrictions.

Community Impact Statement: None submitted.

## ITEM NO. (23) - ADOPTED

[10-0461](#)

CD 10

CATEGORICAL EXEMPTION, TRANSPORTATION COMMITTEE REPORT and RESOLUTION relative to the renewal of Temporary Preferential Parking District (PPD) No. 131.

Recommendations for Council action:

1. FIND that the renewal of Temporary PPD No. 131, pursuant to Los Angeles Municipal Code (LAMC) Section 80.58.d, is exempt from the California Environmental Quality Act as a Class 1 Categorical Exemption, under Article III, 1.a.3 of the City's environmental guidelines.
2. FIND that the parking problems that led to the establishment of Temporary PPD No. 131, for the blocks east of La Cienega Boulevard located along Crescent Heights Boulevard between West 18th Street and the dead end south of Guthrie Avenue, and along Stearns Drive between Sawyer Street and the dead end south of Guthrie Avenue, still exist and that no permanent solutions are available to be implemented at this time.
3. ADOPT the accompanying RESOLUTION renewing Temporary PPD No. 131, for 12 months, until April 18, 2012, pursuant to LAMC Section 80.58.d.

Fiscal Impact Statement: The Los Angeles Department of Transportation reports that revenue from the sale of permits will cover the cost of implementing, administering, and enforcing temporary PPD No. 131. Furthermore, the City may gain additional General Fund revenue from the issuance of parking citations to violators of the district's parking restrictions.

Community Impact Statement: None submitted.

## ITEM NO. (24) - ADOPTED

[10-0633](#)

CD 4

CATEGORICAL EXEMPTION, TRANSPORTATION COMMITTEE REPORT and RESOLUTION relative to the renewal of Temporary Preferential Parking District (PPD) No. 162.

Recommendations for Council action:

1. FIND that the renewal of Temporary PPD No. 162, pursuant to Los Angeles Municipal Code (LAMC) Section 80.58.d, is exempt from the California Environmental Quality Act as a Class 1 Categorical Exemption, under Article III, 1.a.3 of the City's environmental guidelines.

2. FIND that the parking problems that led to the establishment of Temporary PPD No. 162, consisting of the 100 and 200 blocks of Gower Street between Beverly Boulevard and First Street, Lucerne Boulevard between Beverly Boulevard and First Street, and First Street between Gower Street and Lucerne Boulevard, still exist and that no permanent solutions are available to be implemented at this time.
3. ADOPT the accompanying RESOLUTION renewing Temporary PPD No. 162, for 12 months, until April 28, 2012, pursuant to LAMC Section 80.58.d.

Fiscal Impact Statement: The Los Angeles Department of Transportation reports that revenue from the sale of permits will cover the cost of implementing, administering, and enforcing temporary PPD No. 162. Furthermore, the City may gain additional General Fund revenue from the issuance of parking citations to violators of the district's parking restrictions.

Community Impact Statement: None submitted.

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

[11-0445](#)

TRANSPORTATION COMMITTEE REPORT relative to amending the Los Angeles Municipal Code (LAMC) to allow for the use of European-style cargo bikes and front-mounted child bicycle seats.

Recommendation for Council action, as initiated by Motion (Reyes - Rosendahl):

REQUEST the City Attorney to prepare and present an ordinance to repeal LAMC Section 80.27 relative to restricting child bicycle seats to the rear of the operator of a bicycle to allow for the use of European-style cargo bikes and front-mounted child bicycle seats.

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. (26) - ADOPTED**

[11-0581](#)

TRANSPORTATION COMMITTEE REPORT relative to extending on a month-to-month basis three DASH service contracts.

Recommendation for Council action:

AUTHORIZE the General Manager, Los Angeles Department of Transportation (LADOT), to amend the following contracts, extending the contract terms on a month-to-month basis for a period not to exceed 12 months, subject to the approval of the City Attorney as to form and legality:

- a. Community DASH Package 4 contract with MV Transportation (C-114120) at a rate of \$84.12 per revenue hour.

- b. Community DASH Package 5A contract with Veolia Transportation (C-110509) at a rate of \$89.43 per revenue hour.
- c. Community DASH Package 58 contract with MV Transportation (C-110510) at a rate of \$85.56 per revenue hour.

Fiscal Impact Statement: The City Administrative Officer reports that this action will not impact the General Fund. Sufficient funding for these transit services is available in the 2010-11 Proposition A Adopted Budget.

Community Impact Statement: None submitted.

## **Items for Which Public Hearings Have Not Been Held - Items 27-33**

(10 Votes Required for Consideration)

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

**Roll Call #13 - Adopted, Ayes (11); Absent: Alarcon, Huizar, Reyes and Zine (4)**

#### [11-0002-S28](#)

COMMUNICATION FROM THE CHIEF LEGISLATIVE ANALYST (CLA) and RESOLUTION relative to the City's position to support legislation or administrative action that would alter the departure path and to remove the flight schools at Santa Monica Airport (SMO) for health and safety purposes.

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

ADOPT the accompanying RESOLUTION to include in the City's 2011-12 Federal Legislative Program SUPPORT for legislation or administrative action that would alter the departure path at SMO to enhance safety and reduce air pollution that results from jets idling on the runway, as well as closing the flight schools at SMO.

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

Community Impact Statement: None submitted.

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

### **ITEM NO. (28) - ADOPTED, AS AMENDED - SEE FOLLOWING**

**Roll Call #21 - Adopt as Amended, Ayes (12); Absent: Alarcon, Huizar and Reyes (3)**

#### [10-1868](#)

CONTINUED CONSIDERATION OF COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER (CAO) relative to retiree health subsidies.

Recommendations for Council action:

1. APPROVE permanently freezing, in light of escalating General Fund pension costs, the retiree medical subsidies for the Los Angeles Fire and Police Pensions System (LAFPP) and the Los Angeles City Employees' Retirement System (LACERS) for members who retire on or after July 1, 2011. The maximum medical subsidies would be frozen for LAFPP members at \$1,097/month and \$1,190/month for LACERS members. These maximum subsidy amounts currently provide two-party coverage in certain healthcare plans.
2. REQUEST the City Attorney, with the assistance of the CAO, to report back to the City Council within 30 days with an Ordinance modifying the Los Angeles Administrative Code to permanently freeze the LAFPP and LACERS medical subsidies at their current levels.

Fiscal Impact Statement: The CAO anticipate that permanently freezing the current maximum medical subsidy amounts for LAFPP and LACERS members who retire on or after July 1, 2011, will save the City's General Fund up to \$112 million after the first year of implementation. A three-year General Fund savings is estimated at \$325 million, and the ten-year General Fund savings is estimated at \$968 million. In addition, due to the healthcare plan calendar commencing January 1st of each year, the LACERS system would achieve some level of savings during the implementation year.

Community Impact Statement: None submitted.

(Personnel Committee waived consideration of the above matter)

(Continued from Council meeting of April 12, 2011)

## ADOPTED

### AMENDING MOTION (GARCETTI - PERRY - PARKS - KREKORIAN)

#### Recommendations for Council action:

1. REQUEST the City Attorney to submit a draft Ordinance to Council within 14 days modifying the Los Angeles Administrative Code to permanently freeze the Los Angeles City's Employee's Retirement System medical subsidy at its current level for active members as of July 1, 2011.
2. DIRECT the City Administrative Officer to report back to the EERC within 14 days on the following specific items regarding the impact to Los Angeles Fire and Police Pension (LAFPP) and continue negotiations with labor unions that have not agreed to pay for retiree healthcare in an effort to mitigate retiree healthcare costs:
  - How the City's Deferred Retirement Option Plan will be impacted.
  - How retirement rates will be impacted.
  - Whether any Charter changes are required.
  - To discuss with LAFPP staff the consequences of this health care subsidy freeze.

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

**Roll Call #6 - Adopted, Ayes (10); Absent: Alarcon, Huizar, Parks, Reyes and Zine (5)**

[11-0576](#)

CD 4

COMMUNICATION FROM THE CULTURAL HERITAGE COMMISSION (CHC) relative to the inclusion of the Arensberg-Stendahl Home Gallery located at 7065 West Hillside Avenue in the list of Historic Cultural Monuments.

Recommendations for Council action:

1. ADOPT the FINDINGS of the CHC as the Findings of the Council.
2. APPROVE the recommendation of the CHC relative to the inclusion of the Arensberg-Stendahl Home Gallery located at 7065 West Hillside Avenue in the list of Historic Cultural Monuments.

Applicant: Ronald and April Damman, Co-Trustees CHC 2010-2948 HCM

Owner: R and A Dammann Trust and Sarah D. Thomas

Owner's Representative: Charles J. Fisher

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - APRIL 28, 2011

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

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

**ITEM NO. (30) - ADOPTED**

**Roll Call #19 - Adopted, Ayes (12); Absent: Alarcon, Huizar and Reyes (3)**

[11-0621](#)

CD 9

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

Recommendations for Council action:

1. APPROVE the street pole banner program announcing the Homeboy Industries café within City Hall, as a City of Los Angeles Non-Event street banner.
2. APPROVE the content of the street banners for the above specified event.

**ITEM NO. (31) - CONTINUED TO APRIL 26, 2011**

**Roll Call #5 - Adopted to Continue, Unanimous Vote (14); Absent: Alarcon (1)**

[09-2560-S3](#)

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

Recommendations for Council action:

1. REQUEST the CORE to present to the City Council its report and recommendations from the "Blueprint for Reform of City Collections."
2. REQUEST that CORE's report be presented in conjunction with the Office of Finance's report "Accounts Receivable Citywide Improvement Initiatives," which details Finance's efforts to improve City's collections practices and account receivable management, and details the status of implementing CORE's recommendations.
3. REQUEST that CORE be extended by a term of 90 days to continue monitoring recommendations from CORE's report, the progress by Office of Finance and City departments to address and implement these recommendations, and additional revenue topics CORE is exploring.

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

**Roll Call #32 - Adopted, Ayes (11); Absent: Alarcon, Huizar, Reyes and Zine (4)**

[11-0624](#)

RESOLUTION (KREKORIAN - GARCETTI - CARDENAS) relative to the City's position in connection with the foreign policy of the United States and declaring April 24, 2011 as a Day of Remembrance for the victims of the Armenian Genocide.

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

1. RESOLVE to call upon the President to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide, and URGE the Republic of Turkey to end its decades-long campaign of Genocide denial.
2. RESOLVE to DECLARE April 24, 2011 as a Day of Remembrance for the victims of the Armenian Genocide.

**ITEM NO. (33) - ADOPTED**

**Roll Call #20 - Adopted, Ayes (12); Absent: Alarcon, Huizar and Reyes (3)**

[11-0625](#)

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

Recommendation for Council action:

RESOLVE to DECLARE the week of April 10-16, 2011 as National Crime Victims' Rights Week in the City of Los Angeles.

**Items Called Special**

**Motions for Posting and Referral**

**Councilmembers' Requests for Excuse from Attendance at Council Meetings**

**Closed Sessions - Items 34-39**

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

**Roll Call #8 - Adopted, Ayes (11); Absent: Alarcon, Huizar, Reyes and Zine (4)**

[11-0407](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(c), to confer with its legal counsel relative to proposed settlement of Claim No. C11-0272 by Melody N. Khoushnoud, 7691 Mulholland Drive, Los Angeles, CA (Council District 4). (This is a claim for damages allegedly due to City's failure to maintain the bulkhead, negligence in the City's repairs to the bulkhead, etc.)

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

**ADOPTED**

**MOTION (PARKS - SMITH)**

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

- 1. APPROVE the proposed settlement for \$350,000 of the above entitled matter.**
- 2. AUTHORIZE the City Attorney to execute a Settlement and Release Agreement and all other documents necessary to implement the settlement.**

3. **AUTHORIZE the City Attorney to draw demands in an amount not to exceed \$350,000 from the Special Gas Tax Street Improvement Fund, Department 50, Account No. G-206, jointly payable to Melody N. Khoushroud and United Construction Group, Inc. according to the following payment schedule:**
  - a. **\$100,000, five (5) business days after final signature on Settlement Agreement**
  - b. **\$100,000, upon 25 percent completion as determined by the B Permit Inspector, or upon the satisfactory completion of all pile drilling**
  - c. **\$100,000, upon 50 percent completion as determined by the B Permit Inspector, or upon the satisfactory completion of all lagging within the bulkhead**
  - d. **\$50,000, upon 100 percent completion as determined by the B Permit Inspector and satisfactory completion of the curb, gutter, guardrail and asphalt pavement on Mulholland Drive**
4. **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. (35) - MOTION ADOPTED IN OPEN SESSION, AS AMENDED - SEE FOLLOWING**

**Roll Call #14 - Adopted in Open Session, As Amended, Ayes (10); Absent: Alarcon, Huizar, Perry, Reyes and Zine (5)**

[10-0640](#)

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 award of attorneys' fees in the case entitled South Central Farmers Action Fund, et al. v. City of Los Angeles, Los Angeles Superior Court Case No. BS 117561. (This case concerns allegations that the City violated the Brown Act and that the City Clerk's official Journal of Council Proceedings violated the City Charter.)

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

**ADOPTED**

**MOTION (PARKS - SMITH)**

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

1. **APPROVE an award of attorneys' fees in the sum of \$481,279.50 and costs in the sum of \$8,942.43 for a total of \$490,221.93 as related to the above entitled case from City Attorney Fund 100, Department 59, Account No. 9770.**
2. **AUTHORIZE the City Attorney to draw a demand thereon in said amount payable to The Silverstein Law Firm Attorney Client Trust Account.**

3. **APPROVE** the payment of the statutory rate of 7 percent post-judgment interest as applied to the \$490,221.93 total, from the date of judgment until the date of payment.
4. **AUTHORIZE** the City Attorney, or designee, to prepare Controller instructions reflecting such payment of post-judgment interest, and for any necessary technical adjustments, subject to the approval of the City Administrative Officer.
5. **AUTHORIZE** the Controller to implement the instructions.

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

**Roll Call #9 - Adopted in Open Session, Ayes (11); Absent: Alarcon, Huizar, Reyes and Zine (4)**

[11-0280](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to settlement in the case entitled David Harris v. City of Los Angeles, EAMS Nos.: ADJ514299, ADJ3365790, ADJ255467, ADJ599088. (Claimant alleges he sustained personal injuries during the course and scope of his employment as a Police Detective with the Los Angeles Police Department.)

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

**ADOPTED**

**MOTION (PARKS - SMITH)**

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

1. **AUTHORIZE** the City Attorney to enter into a settlement in the above-entitled matter through four Stipulated Awards with a combined value of \$159,650. After taking credit for \$17,760 in permanent disability advances, the total new money pay-out will be an estimated \$141,890. Following is the breakdown of the proposed stipulations:
  - a. 54 percent permanent disability for \$63,600 in claim 9002-1984-3159
  - b. 5 percent permanent disability for \$2,100 in claim 9002-2002-1142
  - c. 37 percent permanent disability for \$38,950 in claim 9002-2003-2323
  - d. 47 percent permanent disability for \$55,000 in claim 9002-2000-1359
2. **AUTHORIZE** the City Attorney to execute the Stipulated Award with all appropriate parties for submission to the Workers' Compensation Appeals Board for its award of payment.

**ITEM NO. (37) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING**

**Roll Call #10 - Adopted in Open Session, Ayes (10); Noes: Rosendahl (1); Absent: Alarcon, Huizar, Reyes and Zine (4)**

[11-0282](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to settlement in the case entitled Tatyana Goldfield v. City of Los Angeles, EAMS No.: ADJ3484654. (Claimant alleges she sustained personal injuries during the course and scope of her employment as an Environmental Engineering Associate for the City of Los Angeles Bureau of Engineering.)

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

**ADOPTED**

**MOTION (PARKS - SMITH)**

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

- 1. AUTHORIZE the City Attorney to enter into a settlement in the above-entitled matter through a Stipulated Award for 72 percent permanent disability in the sum of \$125,617.50, plus a life pension estimated at \$120,095 for a total settlement value of \$245,712.50, less credit for any permanent disability advances that have been paid to date.**
- 2. AUTHORIZE the City Attorney to execute the Stipulated Award with all appropriate parties for submission to the Workers' Compensation Appeals Board for its award of payment.**

This matter was approved by the Budget and Finance Committee (Parks - Smith - Koretz "yes" - Rosendahl "no") at its meeting on April 11, 2011, in Closed Session as permitted by Government Code Section 54956.9(a).

**ITEM NO. (38) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING**

**Roll Call #11 - Adopted in Open Session, Ayes (10); Noes: Rosendahl (1); Absent: Alarcon, Huizar, Reyes and Zine (4)**

[11-0310](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to settlement in the case entitled Garry Ingham v. City of Los Angeles, EAMS No.: ADJ6798939. (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 April 11, 2011)

**ADOPTED**

**MOTION (PARKS - SMITH)**

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

- 1. AUTHORIZE the City Attorney to enter into a settlement in the above-entitled matter through Stipulations with Request for Award at 74 percent in the total amount of \$134,257.50, at the weekly rate of \$270, plus a life pension estimated at \$95,675.32 at the weekly rate of \$108.23 payable at the conclusion of permanent disability payments. After taking credit for \$18,588.82, the total new money pay-out will be \$211,344.**
- 2. AUTHORIZE the City Attorney to execute the Stipulated Award with all appropriate parties for submission to the Workers' Compensation Appeals Board for its award of payment.**

**This matter was approved by the Budget and Finance Committee (Parks - Smith - Koretz "yes" - Rosendahl "no") at its meeting on April 11, 2011, in Closed Session as permitted by Government Code Section 54956.9(a).**

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

**Roll Call #12 - Adopted in Open Session, Ayes (10); Noes: Rosendahl (1); Absent: Alarcon, Huizar, Reyes and Zine (4)**

[11-0314](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to settlement in the case entitled Wilbert Lew v. City of Los Angeles, EAMS No.: Unassigned. (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 April 11, 2011)

**ADOPTED**

**MOTION (PARKS - SMITH)**

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

- 1. AUTHORIZE the City Attorney to enter into a settlement in the above-entitled matter through Stipulations with Request for Award at 71 percent in the total amount of \$121,297.50, at the weekly rate of \$270, plus a life pension estimated at \$57,089.05 at the weekly rate of \$85.04 payable at the conclusion of permanent disability payments. After taking credit for \$18,506.76, the total new money pay-out will be \$159,879.79.**
- 2. AUTHORIZE the City Attorney to execute the Stipulated Award with all appropriate parties for submission to the Workers' Compensation Appeals Board for its award of payment.**

## Closed Session - Item 40

### ITEM NO. (40) - NO ACTION TAKEN

CONTINUED CONSIDERATION OF CONFERENCE WITH CITY ADMINISTRATIVE OFFICER, LABOR NEGOTIATOR; the City Council shall recess to Closed Session, pursuant to Government Code Section 54957.6, to confer with its labor negotiator, the City Administrative Officer, concerning consultations and discussions with representatives of the relevant employee organizations regarding bargaining instructions for all City labor contracts and an update on Sworn Negotiations.

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

### [11-0654](#)

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

### [11-0656](#)

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

### [11-0655-S1](#)

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

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

### [11-0655](#)

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

## COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

[11-0004](#) -S1 - Melody Kanschchat

(LaBonge - Hahn)

16th Annual LA.A Times Festival of Book at USC

(Parks - Perry) - Rosendahl)

Los Angeles County Bar Environmental Law Section  
25th Anniversary

(Garcetti - LaBonge)

R. Chad Dreier

(Garcetti - LaBonge)

Simon Fuller

(Garcetti - LaBonge)

Chaka Khan	(Garcetti - LaBonge)
Jane Morgan	(Garcetti - LaBonge)
Muscular Dystrophy Association	(Cardenas - Hahn)
Captain Tommi Tyler #10653 - California Highway Patrol	(Hahn - LaBonge)

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

<a href="#">11-0003-S1</a> - Gwendolyn Allene Cannon	(Perry)
Monroe Smith	(Perry - All Councilmembers)

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

**Whereupon the Council did adjourn.**

ATTEST: June Lagmay, CITY CLERK

By	
Council Clerk	PRESIDENT OF THE CITY COUNCIL