

Los Angeles City Council, **Journal/Council Proceedings**
Friday, **July 22, 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: Englander, Koretz, Krekorian, LaBonge, Parks, Perry, Reyes, Rosendahl, Zine and President Garcetti (10); Absent: Alarcón, Cárdenas, Huizar and Wesson (4)

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
JULY 19, 2011

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 11

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

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

Items for Which Public Hearings Have Been Held - Items 1-5

Roll Call #6 - Adopted, Ayes (12); Absent: Cárdenas and Zine (2)
(Item Nos. 1-2)

ITEM NO. (1) - ADOPTED - SEE FOLLOWING

[11-1142](#)

COMMUNICATION FROM THE MAYOR relative to the appointment of Mr. John Choi to the Board of Public Works Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. John Choi to the Board of Public Works Commissioners for term ending June 30, 2016 is APPROVED and CONFIRMED. (Current commission gender composition: M = 1; F = 2; Vacant = 2)

Ethics Commission Review: Pending.

Background Check Review: Pending.

Community Impact Statement: None submitted.

(Public Works 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

PUBLIC WORKS COMMITTEE REPORT relative to the appointment of Mr. John Choi to the Board of Public Works Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. John Choi to the Board of Public Works Commissioners for the term ending June 30, 2016 is **APPROVED** and **CONFIRMED**. Mr. Choi resides in Council District Four. (Current Commission gender composition: M = 1; F = 2; Vacant = 2)

Ethics Commission Review: Pending.

Background Check Review: Complete.

Community Impact Statement: None submitted.

TIME LIMIT FILE - AUGUST 13, 2011

LAST DAY FOR COUNCIL ACTION - AUGUST 12, 2011

ITEM NO. (2) - ADOPTED - SEE FOLLOWING

[11-1143](#)

COMMUNICATION FROM THE MAYOR relative to the appointment of Ms. Jerilyn Lopez-Mendoza to the Board of Public Works Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Jerilyn Lopez-Mendoza to the Board of Public Works Commissioners for term ending June 30, 2016 is APPROVED and CONFIRMED. (Current commission gender composition: M = 1; F = 2; Vacant = 2)

Ethics Commission Review: Pending.

Background Check Review: Pending.

Community Impact Statement: None submitted.

(Public Works 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

PUBLIC WORKS COMMITTEE REPORT relative to the appointment of Ms. Jerilyn Lopez-Mendoza to the Board of Public Works Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Jerilyn Lopez-Mendoza to the Board of Public Works Commissioners for the term ending June 30, 2016 is **APPROVED** and **CONFIRMED**. Ms. Lopez-Mendoza currently resides in Council District Five. (Current Commission gender composition: M = 1; F = 2; Vacant = 2)

Ethics Commission Review: Complete.

Background Check Review: Pending.

Community Impact Statement: None submitted.

TIME LIMIT FILE - AUGUST 13, 2011

LAST DAY FOR COUNCIL ACTION - AUGUST 12, 2011

ITEM NO. (3) - CONTINUED TO SEPTEMBER 6, 2011

Roll Call #1 - Adopted to Continue, Unanimous Vote (11); Absent: Alarcón, Cárdenas and Huizar (3)

[11-0549](#)

CD 10

CONTINUED CONSIDERATION OF JOBS AND BUSINESS DEVELOPMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to disestablishing of the Jefferson Park Merchant-Based Business Improvement District.

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

1. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION to disestablish the Jefferson Park Business Improvement District.
2. DIRECT the City Clerk to schedule, prepare, publish, and mail the public hearing notice, as required by the provisions of Section 36500 et seq. of the California Streets and Highways Code.
3. INSTRUCT the City Clerk, subject to approval by the City Attorney as to form and legality, to prepare an enabling Ordinance disestablishing the Jefferson Park Business Improvement District.

4. DIRECT the City Clerk to take the necessary actions to refund to the original business owners located in the Jefferson Park Business Improvement District, previously collected and unexpended assessment revenue and accrued interest, less administrative costs.
5. REQUEST the Controller to refund to the original business owners located in the Jefferson Park Business Improvement District, previously collected and unexpended assessment revenue and accrued interest, less administrative costs.
6. AUTHORIZE the Controller to transfer any remaining accrued interest to the Business Improvement District Trust Fund 659.

Fiscal Impact Statement: The City Clerk reports that there is no impact to the General Fund associated with this action.

Community Impact Statement: None submitted.

(Continued from Council Meeting of June 21, 2011)

**Roll Call #2 - Adopted, Ayes (11); Absent: Alarcón, Cárdenas and Huizar (3)
(Item Nos. 4-5)**

ITEM NO. (4) - ADOPTED - FORTHWITH - SEE FOLLOWING

[11-1220](#)

RESOLUTION (PERRY for WESSON - CARDENAS) relative to authorizing the Los Angeles Development Fund to apply for a \$125 million allocation of New Market Tax Credits.

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

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

ADOPTED

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION relative to authorizing the Los Angeles Development Fund to apply for a \$125 million allocation of New Market Tax Credits (NMTC).

Recommendation for Council action, pursuant to Resolution (Perry for Wesson - Cárdenas):

ADOPT the accompanying RESOLUTION that:

- a. **Certifies the City of Los Angeles is the Controlling Entity of the Los Angeles Development Fund (LADF) and the City supports the LADF's 2011 application for NMTC.**
- b. **Authorizes the City Clerk to sign the application on behalf of the Controlling Entity.**

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

Community Impact Statement: None submitted.

ITEM NO. (5) - ADOPTED

[11-0751](#)

FINAL ENVIRONMENTAL IMPACT REPORT and PUBLIC WORKS COMMITTEE REPORT relative to the vacation of 21st and 22nd Street between Grand Avenue and Olive Street in connection with the construction of facilities at Los Angeles Trade-Technical College (LATTC) (VAC E1401166).

Recommendations for Council action:

1. FIND that the City Council has imposed all of the mitigation measures that are within the control of the City, as described in Final Environmental Impact Report (State Clearing House No. 2004121007), that are associated with the impacts of the street vacation and that other mitigation measures that are not within authority of the City, have been or should be imposed as set forth in the meeting minutes of March 10, 2010 where the Los Angeles Community College Board of Trustees certification of the Environmental Impact Report for LATTC Thirty Year Master Plan was approved.
2. FIND that the street vacation proceedings pursuant to the Public Streets, Highways and Service Easements Vacation Law be instituted for the vacation of the public right-of-way indicated below and shown colored blue on Exhibit B of the May 17, 2011 City Engineer report, attached to the Council file:

22nd Street between Grand Avenue and Olive Street.
3. FIND that there is a public benefit to this vacation and that upon vacation of the alleys; that the City is relieved of its ongoing obligation to maintain the rights-of-way and that the City is relieved of any potential liability that might result from continued ownership of the involved street and alley easements as detailed in the May 17, 2011 City Engineer report, attached to the Council file.
4. AMEND the May 17, 2011 report of the City Engineer as follows:
 - a. Delete Conditions 5(a) and 5(b)
 - b. Delete Conditions 6(b), Items 1 and 2
5. ADOPT the FINDINGS of the City Engineer dated May 17, 2011, as amended, as the Findings of the Council.
6. ADOPT the accompanying City Engineer report dated May 17, 2011, as amended, to approve the vacation.
7. INSTRUCT the City Clerk to set a public hearing date for **SEPTEMBER 7, 2011**.

Fiscal Impact Statement: The City Engineer reports that to date, the petitioner has paid a fee of \$32,100 for the investigation of this request pursuant to Section 7.42 of the Administrative Code. Any deficit fee to recover the cost pursuant to Section 7.44 of the Administrative Code may be required of the petitioner.

Community Impact Statement: None submitted.

Items for Which Public Hearings Have Not Been Held - Items 6-11

(10 Votes Required for Consideration)

ITEM NO. (6) - ADOPTED

Roll Call #5 - Adopted, Ayes (12); Absent: Cárdenas and Zine (2)

11-1116

COMMUNICATION FROM THE MAYOR relative to the appointment of Dr. Sung Won Sohn to the Board of Harbor Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Dr. Sung Won Sohn to the Board of Harbor Commissioners for term ending June 30, 2016 is APPROVED and CONFIRMED. Dr. Sohn resides in Council District Four. (Current Commission gender composition: M=3; F=2)

Ethics Commission Review: Pending.

Background Check Review: Pending.

Community Impact Statement: None submitted.

TIME LIMIT FILE - AUGUST 11, 2011

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

(Trade, Commerce and Tourism Committee waived consideration of the above matter)

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

Roll Call #7 - Adopted, Ayes (12); Absent: Cárdenas and Zine (2)

11-1145

CD 9

COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER (CAO) and ORDINANCE FIRST CONSIDERATION relative to the proposed direct sale of City-owned property located at West 59th Street between Menlo Avenue and Hoover Street to the Los Angeles Unified School District (LAUSD).

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

1. DETERMINE that the northerly 25-foot wide portion of West 59th Street between Menlo Avenue and Hoover Street is no longer required for City use and that the public interest is best served by the direct sale of the property.
2. PRESENT and ADOPT the accompanying ORDINANCE relative to the sale of the property, without calling for bids, to the LAUSD for the sale price of \$15,250.
3. INSTRUCT the Department of General Services to complete the transactions as outlined in the Ordinance, and process the necessary documentation to effectuate the sale and deposit the proceeds, over and above the expenses, into the appropriate accounts, as directed by the Los Angeles Administrative Code (LAAC).

Fiscal Impact Statement: The CAO reports that the LAUSD will purchase the property for the sale price of \$15,250, which will be deposited in the General Services Trust of Sale of Land 843/40. There is no additional impact on the General Fund. The proposed transaction is in accordance with Charter Section 385 Sale of Property, LAAC Section 7.22 Recommendations Required of City Departments and 7.27 Private Sale, and California Government Code Section 54220 Surplus Land, which establish the basic guidelines for the sale of City-owned surplus property.

Community Impact Statement: None submitted.

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

ITEM NO. (8) - ADOPTED

**Roll Call #3 - Adopted, Ayes (11); Absent: Alarcón, Cárdenas and Huizar (3)
(Item Nos. 8a-8c)**

[11-0005-S440](#)

et al. RESOLUTIONS relative to removing various properties from the Rent Escrow Account Program.

Recommendation for Council action:

ADOPT the accompanying RESOLUTIONS removing the following properties from the Rent Escrow Account Program (REAP), inasmuch as the owner(s) have corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department (LAHD), Code Enforcement Unit, habitability citations, pursuant to Ordinance 173810, and ADOPT the Findings contained in the LAHD's report of July 14, 2011:

[11-0005-S440](#)

CD 7

- a. Property at 15238 West Gresham Street (Case No. 318708).
Assessor I.D. No. 2654-009-017

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

[11-0005-S441](#)

CD 10

- b. Property at 2196 West Venice Boulevard (Case No. 268732).
Assessor I.D. No. 5074-018-001

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 11, 2010)

[11-0005-S442](#)

CD 14

- c. Property at 326 North San Pascual Avenue (Case No. 250393).
Assessor I.D. No. 5493-031-001

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 11, 2010)

ITEM NO. (9) - CONTINUED TO JULY 27, 2011

Roll Call #10 - Adopted to Continue, Unanimous Vote (12); Absent: Cárdenas and Zine (2)

[11-0939-S1](#)

MOTION (ENGLANDER - PARKS - GARCETTI - PERRY) relative to the costs incurred by the City associated with the July 16-17, 2011 weekend full freeway closure of the I-405 freeway in the Sepulveda Pass.

Recommendations for Council action:

1. DIRECT the City Administrative Officer, in consultation with the Los Angeles Police Department, Los Angeles Fire Department, Los Angeles Department of Transportation and any other affected City Department to report back to Council on the costs incurred by the City associated with the July 16-17, 2011 weekend full freeway closure of the I-405 freeway in the Sepulveda Pass, and with recommendations to pursue full recovery by the City of these costs, including a timeline for expected reimbursement.
2. REIMBURSE, to the extent feasible the affected City Departments, so they are made whole for their costs attributable to this closure, in order that they may be able to keep within their appropriated budget allotments for Fiscal Year 2011-12.

**Roll Call #3 - Adopted, Ayes (11); Absent: Alarcón, Cárdenas and Huizar (3)
(Item Nos. 10-11)**

ITEM NO. (10) - ADOPTED

[10-0010-S49](#)

MOTION (ROSENDAHL - ZINE) relative to reinstating the reward offer in the death of Razia Shariff 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 death of Razia Shariff (Council action of December 14, 2010, Council file No. 10-0010-S49) 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. (11) - ADOPTED

[11-0010-S5](#)

MOTION (ROSENDAHL - PARKS) relative to reinstating the reward offer in the death of Brigitte Burdine 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 death of Brigitte Burdine (Council action of January 12, 2011, Council file No. 11-0010-S5) 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 for Which Public Hearing Has Been Held - Item 12

ITEM NO. (12) - REFERRED TO RULES AND ELECTIONS COMMITTEE

Roll Call #4 - Adopted to Refer, Unanimous Vote (12); Absent: Cárdenas and Huizar (2)

[11-1241](#)

CONTINUED CONSIDERATION OF COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to the impact of recent United States Supreme Court decision in Arizona Free Enterprise Club v. Bennett concerning campaign matching funds.

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

PRESENT and ADOPT the accompanying ORDINANCE relating to the special primary and possible runoff election that will be held in the City of Los Angeles for the purpose of filling a prospective vacancy in the Fifteenth Council District to suspend subsections of Los Angeles Municipal Code Section 49.7.22 concerning matching funds trigger provisions for participating candidates.

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.

(Rules and Elections Committee waived consideration of the above matter)

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

[10-2437](#)

MOTION (PARKS - ENGLANDER) relative to amending prior Council action of October 8, 2010, regarding settlement in the case entitled Michael Romero v. City of Los Angeles, Los Angeles Superior Court Case No. BC 402853.

[11-1290](#)

MOTION (PARKS - PERRY) relative to fund transfer/appropriations in Council District Eight.

[11-1288](#)

MOTION (GARCETTI - LABONGE) relative to funding for special sidewalk enforcement in Hollywood for Council District 13.

[11-1285](#)

MOTION (GARCETTI - LABONGE) relative to installing street banners identifying the San Pedro Chamber of Commerce.

[11-1289](#)

MOTION (HUIZAR - REYES) relative to initiating street vacation proceedings to vacate a portion of alley easterly of Westlake Avenue from Wilshire Boulevard to 225 feet southerly thereof.

[11-1294](#)

MOTION (PARKS - ENGLANDER) relative to authorizing the Director of Finance to execute a sole source contract with Bloomberg Finance L.P.

[11-1295](#)

MOTION (PARKS - ENGLANDER) relative to authorizing the Director of Finance to execute a contract with BondEdge for one year increments.

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

[11-1286](#)

RESOLUTION (LABONGE - GARCETTI) relative to declaring July 25-29, 2011 as Smurf Week in the City of Los Angeles.

[11-1287](#)

RESOLUTION (LABONGE - GARCETTI) relative to declaring July 29, 2011 as Betty Ruth Wilson Day in the City of Los Angeles.

[11-0002-S115](#)

RESOLUTION (GARCETTI - ROSENDAHL) relative to the City's position on S. 587 and HR 1116, the Respect for Marriage Act.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon his request, and without objections, Councilmember Wesson was excused from Council session of Friday, July 29, 2011, due to City Business.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

[11-0004](#) -S2 - National Probation, Parole, and Community Supervision Week
July 17-23, 2011

Alarcon - Englander

Consulate General of Mexico 125th Anniversary

Reyes - Garcetti

**Alarcón, Englander, Koretz, LaBonge, Parks, Perry, Reyes, Rosendahl, and President Garcetti (9);
Absent: Cárdenas, Huizar, Krekorian, Wesson and Zine (5)**

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL