

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

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
JULY15, 2011

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 23

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

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

Items Noticed for Public Hearing - Items 1-4

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

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

[07-2307](#)
CD 3

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the proposed sewer improvement for the project entitled, "Mulholland Drive (Near Mason Avenue)" - A'11-SZC11763 (Assessment Sewer Improvement).

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 work and acquisitions (if any), described and referred to in the adopted Engineer's Report and Ordinance No. 181687 of the above improvement district in accordance with Sections 6.1-6.15 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing held June 29, 2011)

**Roll Call #2 - Adopted, Ayes (11); Absent: Alarcón, Krekorian and Zine (3)
(Item Nos. 2-3)**

**ITEM NO. (2) - PUBLIC HEARING HELD - CONTINUE HEARING AND PRESENT ORDINANCE ON
AUGUST 10, 2011**

[11-0697](#)
CD 7

HEARING PROTESTS against the proposed improvement and maintenance of the Hubbard Street and Fenton Avenue No. 2 Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Hubbard Street and Fenton Avenue No. 2 Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on May 11, 2011 - Continue hearing and present Ordinance on August 10, 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 PRESENT ORDINANCE ON
AUGUST 10, 2011**

[11-0698](#)
CD 14

HEARING PROTESTS against the proposed improvement and maintenance of the Olympic Boulevard and Mateo Street Lighting District.

Recommendation for Council action:

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

(Ordinance of Intention adopted on May 11, 2011 - Continue hearing and present Ordinance on August 10, 2011 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (4) - RECEIVED AND FILED - INASMUCH AS LIEN HAS BEEN PAID

Roll Call #1 - Adopted to Receive and File, Unanimous Vote (11); Absent: Alarcón, Krekorian and Zine (3)

[11-0431](#)
CD 6

CONTINUED CONSIDERATION OF HEARING PROTESTS relative to Department of Building and Safety report and confirmation of lien against property located at 10132 North Vena Avenue, APN 2645-001-009. (Lien: \$591.22)

Recommendations for Council action:

1. HEAR PROTESTS relative to non-compliance of code violation and proposed lien to recover the costs of inspection invoices, recorded against property located at 10132 North Vena Avenue, plus appropriate fees and fines, as authorized by the Los Angeles Municipal Code Sections 91.103, 98.0411(a) and Sections 7.35.3 and 7.35.5 of the Los Angeles Administrative Code, as described in the Building and Safety report, attached to the Council file; and, CONFIRM said lien.
2. INSTRUCT the Department of Building and Safety to deposit to Department 08, Fund 48R, Balance Sheet Account 2200, any payment received against this lien in the amount of \$591.22 on the above referenced property.

(Continued from Council meeting of July 13, 2011)

Items for Which Public Hearings Have Been Held - Items 5-11

ITEM NO. (5) - ADOPTED

Roll Call #8 - Adopted, Ayes (12); Absent: Huizar and Zine (2)

[09-0695](#)
CD 2

CATEGORICAL EXEMPTION, TRANSPORTATION COMMITTEE REPORT and RESOLUTION relative to the renewal of Temporary Preferential Parking District (PPD) No. 111.

Recommendations for Council action:

1. FIND that the renewal of Temporary PPD No. 111, 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. 111, for Iredell Street, Fryman Road, and a segment of Fryman Place near Wilacre 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. 111, for 12 months, until April 18, 2012, pursuant to LAMC Section 80.58.d.
4. REQUEST the City Attorney to prepare an ordinance amending the LAMC to permit the City Council to approve, by Resolution, PPDs encompassing six or more streets.

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. 111. 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.

**Roll Call #3 - Adopted, Ayes (11); Absent: Alarcón, Krekorian and Zine (3)
(Item Nos. 6-11)**

ITEM NO. (6) - ADOPTED

[10-0642](#)
CD 2

CATEGORICAL EXEMPTION, TRANSPORTATION COMMITTEE REPORT and RESOLUTION relative to the renewal of Temporary Preferential Parking District (PPD) No. 75.

Recommendations for Council action:

1. FIND that the renewal of Temporary PPD No. 75, 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. 75, for Carpenter Court between Laurelwood Drive and the dead-end south of Laurelwood Drive, and for Laurelwood Drive between Carpenter Court and Reklaw Drive, still exist and that no permanent solutions are available to be implemented at this time.
3. ADOPT the accompanying RESOLUTION renewing Temporary PPD No. 75, for 12 months, until May 5, 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. 75. 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. (7) - ADOPTED

[10-1014](#)

CD 10

CATEGORICAL EXEMPTION, TRANSPORTATION COMMITTEE REPORT and RESOLUTION relative to the renewal of Temporary Preferential Parking District (PPD) No. 77.

Recommendations for Council action:

1. FIND that the renewal of Temporary PPD No. 77, 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. 77, located adjacent to La Cienaga Avenue near Culver City, still exist and that no permanent solutions are available to be implemented at this time.
3. ADOPT the accompanying RESOLUTION renewing Temporary PPD No. 77, for 12 months, until July 31, 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. 77. 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. (8) - ADOPTED

[10-1016](#)

CD 6

CATEGORICAL EXEMPTION, TRANSPORTATION COMMITTEE REPORT and RESOLUTION relative to the renewal of Temporary Preferential Parking District (PPD) No. 126.

Recommendations for Council action:

1. FIND that the renewal of Temporary PPD No. 126, 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. 126, for Hamlin and Gilmore Streets near Valjean 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. 126, for 12 months, until July 25, 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. 126. 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. (9) - ADOPTED

[10-1017](#)

CD 10

CATEGORICAL EXEMPTION, TRANSPORTATION COMMITTEE REPORT and RESOLUTION relative to the renewal of Temporary Preferential Parking District (PPD) No. 130.

Recommendations for Council action:

1. FIND that the renewal of Temporary PPD No. 130, 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. 130, for Hi Point and Point View Streets south of Pico 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. 130, for 12 months, until July 25, 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. 130. 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. (10) - ADOPTED

[10-1018](#)

CD 10

CATEGORICAL EXEMPTION, TRANSPORTATION COMMITTEE REPORT and RESOLUTION relative to the renewal of Temporary Preferential Parking District (PPD) No. 133.

Recommendations for Council action:

1. FIND that the renewal of Temporary PPD No. 133, 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. 133, for Hi Point and Point View Streets south of the Los Angeles Center for Enriched Studies (LACES) school, still exist and that no permanent solutions are available to be implemented at this time.
3. ADOPT the accompanying RESOLUTION renewing Temporary PPD No. 133, for 12 months, until July 25, 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. 133. 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. (11) - ADOPTED

[11-1181](#)

CD 2

CATEGORICAL EXEMPTION, TRANSPORTATION COMMITTEE REPORT and RESOLUTION relative to the renewal of Temporary Preferential Parking District (PPD) No. 142.

Recommendations for Council action:

1. FIND that the renewal of Temporary PPD No. 142, 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. 142, for Cleon Street between Oxnard Street and Whitnall Highway, still exist and that no permanent solutions are available to be implemented at this time.
3. ADOPT the accompanying RESOLUTION renewing Temporary PPD No. 142, for 12 months, until July 16, 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. 142. 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.

Items for Which Public Hearings Have Not Been Held - Items 12-26

(10 Votes Required for Consideration)

Roll Call #5 - Adopted, Ayes (12); Absent: Krekorian and Zine (2)
(Item Nos. 12-15)

ITEM NO. (12) - ADOPTED

[11-1121](#)

CD 10

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

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated June 28, 2011.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **SEPTEMBER 28, 2011** as the hearing date for the maintenance of the Normandie Avenue and Olympic Boulevard Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$1,081.43 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: September 21, 2011)

ITEM NO. (13) - ADOPTED

[11-1136](#)

CD 9

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Washington Boulevard Corridor 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 June 28, 2011.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **SEPTEMBER 28, 2011** as the hearing date for the maintenance of the Washington Boulevard Corridor 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, \$55,772.62 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: September 21, 2011)

ITEM NO. (14) - ADOPTED

[11-1215](#)

CD 15

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Broad Avenue and "M" 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 July 7, 2011.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **SEPTEMBER 28, 2011** as the hearing date for the maintenance of the Broad Avenue and "M" 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, \$5,801.64 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: September 21, 2011)

ITEM NO. (15) - ADOPTED

[11-1216](#)

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 Sunset Boulevard and Westgate Avenue (Re-Ballot) Lighting District.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated July 7, 2011.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **SEPTEMBER 28, 2011** as the hearing date for the maintenance of the Sunset Boulevard and Westgate Avenue (Re-Ballot) Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$3,739.47 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: September 21, 2011)

ITEM NO. (16) - ADOPTED - TO THE MAYOR FORTHWITH

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

[09-3027](#)

CDs 4 & 13

CONTINUED CONSIDERATION OF COMMUNICATION FROM THE OFFICE OF THE CITY CLERK and ORDINANCE FIRST CONSIDERATION relative to the renewal of the East Hollywood Business Improvement District.

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

1. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION to renew the East Hollywood 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 East Hollywood Business Improvement District are signed by property owners who will pay more than 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 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 XIIC §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 Hollywood Chamber of Commerce to serve as the Owners' Association to administer the East Hollywood 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 Hollywood Chamber of Commerce, 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 renewing the East Hollywood Business Improvement District for City Council consideration at the conclusion of the required public hearing.

Fiscal Impact Statement: The City Clerk reports that funding for assessments levied on the City-owned properties within the District were included in the General Fund allocation to the 2011-12 Business Improvement District Trust Fund 659.

(Jobs and Business Development Committee waived consideration of the above matter)

(Continued from Council meeting of July 15, 2011)

ITEM NO. (17) - CONTINUED TO JULY 22, 2011 - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #12 - Adopted to Continue, Ayes (11); Noes: Rosendahl (1); Absent: Huizar and Zine (2)

[11-1241](#)

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)

ADOPTED

Roll Call #11 - to Adopt as Amended, Ayes (10); Noes: Englander and Rosendahl (2); Absent: Huizar and Zine (2)

11-1241-S1

AMENDING MOTION 17A (ALARCÓN - KORETZ)

Recommendations for Council action:

- 1. INCREASE the matching funds for City Council candidates by \$100,000.00 in the primary election and \$100,000 in the general election.**
- 2. INCREASE the spending limit for participation City Council candidates to \$500,000 in the primary election and \$450,000 in the general election.**

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

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

11-1800

CD 15

COMMUNICATIONS FROM THE CITY CLERK and CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to filling the vacancy in Council District 15.

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

- 1. PRESENT and ADOPT the accompanying ORDINANCE calling, ordering, providing for and giving notice of a Special Election to be held on Tuesday, November 8, 2011 and, if necessary, a Special Runoff Election to be held on Tuesday, January 17, 2012, for the purpose of filling a vacancy in the Fifteenth Council District of the City of Los Angeles for the portion of the unexpired term remaining through June 30, 2013.**

2. APPROPRIATE \$1.5 million from funding source to be identified, to the City Clerk Fund No. 100/14 as follows: \$100,000 to Account No. 1010 (Salaries General), \$775,000 to Account No. 1070 (Salaries As-Needed), \$100,000 to Account No. 1090 (Salaries Overtime), and \$525,000 to Account No. 4170 (Election Expense).
3. AUTHORIZE the City Clerk to:
 - a. Make any technical corrections or clarifications to the above fund transfer instruction in order to effectuate the intent of this action.
 - b. Negotiate and execute any agreements, as appropriate, as may be needed relative to the Council District 15 Special Election, subject to the approval of the City Attorney as to form and legality.
4. EXEMPT, from the Managed Hiring Process and from furloughs, all election and systems staff required to administer the Special Election.

Fiscal Impact Statement: The City Clerk reports that the estimated cost to run a single-district Special Election in Council District 15 is approximately \$1.5 million. Funding would need to be included in the Fiscal Year 2011-12 budget for the Special Election.

Community Impact Statement: None submitted.

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

ITEM NO. (19) - ADOPTED

Roll Call #10 - Adopted, Ayes (12); Absent: Huizar and Zine (2)

[09-2895](#)

COMMUNICATIONS FROM THE CITY ATTORNEY and ORDINANCES FIRST CONSIDERATION relative to prohibiting harassment of bicyclists.

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

1. PRESENT and ADOPT the accompanying ORDINANCE dated June 1, 2011, adding Article 5.10 to Chapter IV of the Los Angeles Municipal Code to prohibit harassment of bicyclists because of their status as bicyclists by making it unlawful to intentionally force or attempt to force a bicyclist from a roadway for purposes unrelated to public safety, and by clarifying that a violator would be liable for an award of treble damages, attorneys' fees, and costs of litigation.
2. NOT PRESENT and ORDER FILED the Ordinance dated February 16, 2011, relative to prohibiting harassment of bicyclists, rendered moot by the adoption of the above Ordinance.

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.

(Transportation Committee waived consideration of the above matter)

ITEM NO. (20) - ADOPTED

**Roll Call #4 - Adopted, Ayes (11); Absent: Alarcón, Krekorian and Zine (3)
(Item Nos. 20a-20j)**

[11-0005-S60](#)

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 13, 2011:

[11-0005-S60](#)

CD 1

- a. Property at 1047 South Bonnie Brae Street (Case No. 295154).
Assessor I.D. No. 5136-011-018

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 3, 2010)

[11-0005-S431](#)

CD 2

- b. Property at 11027 North Odell Avenue (Case No. 271332).
Assessor I.D. No. 2551-025-072

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on October 7, 2010)

[11-0005-S432](#)

CD 6

- c. Property at 14707 West Delano Street (Case No. 328601).
Assessor I.D. No. 2241-015-023

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on April 21, 2011)

[11-0005-S433](#)

CD 8

- d. Property at 6636 South Estrella Avenue (Case No. 309656).
Assessor I.D. No. 6013-018-001

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on November 24, 2010)

[11-0005-S434](#)

CD 9

- e. Property at 1557 East 48th Street (Case No. 304251).
Assessor I.D. No. 5106-016-023

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on December 30, 2010)

[11-0005-S435](#)

CD 9

- f. Property at 502 East 23rd Street (Case No. 193030).
Assessor I.D. No. 5127-012-006

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

[11-0005-S436](#)

CD 10

- g. Property at 4732 West 17th Street (Case No. 137684).
Assessor I.D. No. 5071-020-024

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 6, 2008)

[11-0005-S437](#)

CD 10

- h. Property at 4732 West 17th Street (Case No. 248622).
Assessor I.D. No. 5071-020-024

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on September 3, 2009)

[11-0005-S438](#)

CD 10

- i. Property at 4732 West 17th Street (Case No. 251178).
Assessor I.D. No. 5071-020-024

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

[11-0005-S439](#)

CD 10

- j. Property at 4732 West 17th Street (Case No. 299057).
Assessor I.D. No. 5071-020-024

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

ITEM NO. (21) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #9 - to Adopt as amended, Ayes (12); Absent: Huizar and Zine (2)

[11-0600-S55](#)

COMMUNICATION FROM CHAIR, ARTS, PARKS, HEALTH AND AGING COMMITTEE relative to a report from the Library Department on the status of its volunteer program.

Recommendation for Council action:

NOTE and FILE the Fiscal Year 2011-12 Adopted Budget Recommendation relative to an instruction to the Library Department to report on the status of its volunteer program inasmuch as the Department has complied with the instruction and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ADOPTED

AMENDING MOTION (PARKS - LABONGE)

Recommendation for Council action:

INSTRUCT the Library Department to prepare and submit its Volunteer Program Status Report in conjunction with annual budgetary reports in April of each year.

**Roll Call #4 - Adopted, Ayes (11); Absent: Alarcón, Krekorian and Zine (3)
(Item Nos. 22-26)**

ITEM NO. (22) - ADOPTED

[11-1144](#)

COMMUNICATION FROM THE MAYOR relative to the exemption of one Environmental Affairs Officer position in the Community Development Department (CDD) from the Civil Service provisions of the City Charter.

Recommendation for Council action:

APPROVE the exemption of one Environmental Affairs Officer position in the CDD 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 - JULY 22, 2011

(LAST DAY FOR COUNCIL ACTION - JULY 22, 2011)

(Personnel Committee waived consideration of the above matter)

ITEM NO. (23) - ADOPTED

[11-1189](#)

COMMUNICATION FROM THE MAYOR relative to the re-exemption of one Second Deputy General Manager position in the Harbor Department from the Civil Service provisions of the City Charter.

Recommendation for Council action:

APPROVE the re-exemption of one Second Deputy General Manager position in the Harbor Department 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 - AUGUST 2, 2011

(LAST DAY FOR COUNCIL ACTION - AUGUST 2, 2011)

(Personnel Committee waived consideration of the above matter)

ITEM NO. (24) - ADOPTED

[09-1438](#)

COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER (CAO) relative to the 2011-12 Bridge Improvement Program Staffing Plan.

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

RESOLVE that Employment Authority for the following three positions in the Bureau of Engineering, from July 1, 2011 through June 30, 2012, subject to allocation by the Personnel Department and paygrade determination by the CAO, is APPROVED:

<u>Number</u>	<u>Code</u>	<u>Class Title</u>
1	9171-2	Senior Management Analyst II
2	1368	Senior Clerk Typist

Fiscal Impact Statement: The CAO reports that there is no impact to the General Fund. The Proposition G Seismic General Obligation Bond fund fully reimburses the cost of these positions.

Community Impact Statement: None submitted.

(Public Works and Personnel Committees waived consideration of the above matter)

ITEM NO. (25) - ADOPTED - TO THE MAYOR FORTHWITH

[11-0984](#)

CD 6

MOTION (CARDENAS - ENGLANDER) relative to amending prior Council action of June 30, 2011 regarding Summer Night Lights 2011 activities conducted by the Los Angeles Conservation Corps.

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

1. AMEND prior Council action of June 30, 2011 (Council file No. 11-0984) relative to various actions concerning the Fiscal Year 2011-12 Gang Reduction and Youth Development Program, to change from July 1, 2011 to June 1, 2011, the start date of the Summer Night Lights 2011 activities conducted by the Los Angeles Conservation Corps.
2. AUTHORIZE the City Administrative Officer to make any technical corrections or clarifications to the above instructions in order to effectuate the intent of this Motion.

ITEM NO. (26) - MAP APPROVED - CITY ENGINEER REPORT ADOPTED

[11-1233](#)

CD 11

FINAL MAP OF TRACT NO. 71269 for property located at 11715 Goshen Avenue lying southwesterly of Barrington Avenue.

(Approve Subdivision Improvement Agreement and Contract with attached security documents)

(ADOPT City Engineer Report)

(ADOPT Bond No. C-119033)

(Quimby Fee: \$28,188)

Applicants: Wiseman Development
Jack Little Company, Inc.

Closed Sessions - Items 27-31

Roll Call #14 - Adopted in Open Session, Ayes (11); Absent: Huizar, Reyes and Zine (3)
(Item Nos. 27-28)

ITEM NO. (27) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

[11-1027](#)

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 Richard Beach v. City of Los Angeles, EAMS No.: ADJ1804072. (Claimant alleges he sustained personal injuries during the course and scope of his employment as a Police Officer with the Los Angeles Police Department.)

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

ADOPTED

MOTION (PARKS - ENGLANDER)

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 case through one Stipulated Award with an estimated new money pay-out of \$126,816.96, after taking credit for \$38,473.00 that has previously been paid.
2. **AUTHORIZE** the City Attorney to execute the Stipulated Award with all appropriate parties for submission to the Worker's Compensation Appeals Board for its award of payment.

ITEM NO. (28) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

[11-1028](#)

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 Donell Wible v. City of Los Angeles, EAMS No.: ADJ2474447. (Claimant alleges he sustained personal injuries during the course and scope of his employment as a Firefighter with the Los Angeles Fire Department.)

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

ADOPTED

MOTION (PARKS - ENGLANDER)

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

1. **AUTHORIZE** the City Attorney to enter into settlements in the above referenced case as follows:
 - a. **Claim No. 9003-1979-7297 will be dismissed as a duplicate claim.**

- b. **Claim No. 9003-1980-6569 will be settled by Stipulated Award for 80 percent permanent disability in the amount of \$160,177.50 at the weekly rate of \$270.00.**
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. (29) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Roll Call #15 - Adopted in Open Session, Ayes (10); Noes: Rosendahl (1); Absent: Huizar, Reyes and Zine (3)

[11-1193](#)

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 Mishawn Hogan v. City of Los Angeles, EAMS Nos.: ADJ1860205; ADJ6731933. (Claimant alleges he sustained personal injuries during the course and scope of his employment as a part-time Recreation Assistant for the Department of Recreation and Parks.)

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

ADOPTED

MOTION (PARKS - ENGLANDER)

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 case through a Compromise & Release in the total amount of \$220,000. After taking credit for \$98,587.17 in permanent disability advances, the total new money pay-out will be \$121,412.83.**
2. **AUTHORIZE the City Attorney, as an alternative authority, to enter into a settlement in the above-entitled case through a Stipulated Award for 84 percent with a total value of \$293,391.82, which includes permanent disability indemnity of \$125,997.63, plus an estimated life pension of \$167,394.19, to be paid at the weekly rate of \$92.77 at the conclusion of permanent disability payments.**
3. **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.**

**Roll Call #14 - Adopted in Open Session, Ayes (11); Absent: Huizar, Reyes and Zine (3)
(Item Nos. 30-31)**

ITEM NO. (30) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

[11-1194](#)

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 Rodney Felix v. City of Los Angeles, EAMS Nos.: ADJ3300143; ADJ141386; ADJ 7801608. (Claimant alleges he sustained personal injuries during the course and scope of his employment as a Firefighter/Engineer with the Los Angeles Fire Department.)

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

ADOPTED

MOTION (PARKS - ENGLANDER)

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

- 1. AUTHORIZE the City Attorney to enter into a settlement in the above-entitled case through Stipulated Awards in an aggregate total settlement amount of \$342,755.10. After taking credit for permanent disability advances, the aggregate new money payout will be \$292,207.25.**
- 2. AUTHORIZE the City Attorney to execute the Stipulated Awards with all appropriate parties for submission to the Workers' Compensation Appeals Board for its award of payment.**

ITEM NO. (31) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

[11-1195](#)

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 Don Donester v. City of Los Angeles, EAMS No.: ADJ7046215. (Claimant alleges he sustained personal injuries during the course and scope of his employment as a Firefighter with the Los Angeles Fire Department.)

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

ADOPTED

MOTION (PARKS - ENGLANDER)

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 case by Stipulated Award for 87 percent permanent disability in the amount of \$190,417.50, at the weekly rate of \$270.00.**

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.**

Items for Which Public Hearings Have Been Held - Items 32-33

**Roll Call #6 - Adopted, Ayes (12); Absent: Krekorian and Zine (2)
(Item Nos. 32-33)**

ITEM NO. (32) - ADOPTED

[11-1023](#)

CONTINUED CONSIDERATION OF PUBLIC SAFETY COMMITTEE REPORT relative to a monetary donation for the purchase and installation of equipment and telecommunications infrastructure needed to support the Situation Room for use by the Los Angeles Police Department's (LAPD's) Major Crimes Division (MCD).

Recommendation for Council action:

ACCEPT monetary donation in the amount of \$16,000 from the Los Angeles Police Foundation for the purchase and installation of equipment and telecommunications infrastructure needed to support the Situation Room for use by the LAPD's MCD, and THANK the donor for its generous gift.

Fiscal Impact Statement: None submitted by the LAPD. 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. (33) - ADOPTED

[11-1024](#)

CONTINUED CONSIDERATION OF PUBLIC SAFETY COMMITTEE REPORT relative to a donation to support the Los Angeles Police Department's (LAPD's) Van Nuys Area Juvenile Impact Program.

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

1. ACCEPT donation in the amount of \$32,572 from the Los Angeles Police Foundation to support overtime, uniforms, office supplies, and lunches for officers and students for the LAPD's Van Nuys Area Juvenile Impact Program, and THANK the donor for its generous gift.
2. AUTHORIZE the Controller to deposit the monetary donation of \$32,572 to the Police Department Trust Fund 885/70, Revenue Source 4513, and TRANSFER the same amount to Fund 100/70, Revenue Source 4610.
3. AUTHORIZE the LAPD to prepare Controller's instructions for any technical adjustments consistent with this action, subject to the approval of the City Administrative Officer (CAO); and, AUTHORIZE that the Controller to implement the instructions.

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

Community Impact Statement: None submitted.

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

11-1265

MOTION (HUIZAR - PARKS) relative to funding for any aspect of the summer programming and operating costs related to community services of the Dolores Mission in Council District 14.

11-1261

MOTION (LABONGE - GARCETTI) relative to requesting the Department of Recreation and Parks to designate a staff member to replace the current staff member responsible for the Department's Mobile Stage, who is retiring.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

11-0004 -S2 - Valeria Velasco

(Rosendahl - Garcetti)

Edward Allen McAlister

(LaBonge - Krekorian)

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

11-0003-S2 - Frances Schloss

(Koretz)

Alarcón, Cárdenas, Englander, Koretz, Krekorian, LaBonge, Parks, Perry, Rosendahl, Wesson and President Garcetti (11); Absent: Huizar, Reyes and Zine (3)

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL