Los Angeles City Council, Journal/Council Proceedings
Tuesday, August 2, 2011
John Ferraro Council Chamber, Room 340, City Hall - 10 am

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

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


COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 24

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 1-3

ITEM NO. (1) - PUBLIC HEARING CLOSED - ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #9 - Adopted, Ayes (12); Absent: Huizar and LaBonge (2)

09-1953
TRANSPORTATION COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to updating civil parking penalties applicable to parking violations in the city of Los Angeles.

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

PRESENT and ADOPT the accompanying ORDINANCE amending Section 89.60, Chapter VIII, Division W of the Los Angeles Municipal Code to increase fines and late penalty fees imposed for violations of any regulation governing the standing or parking of a vehicle in the city of Los Angeles.

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

Community Impact Statement: None submitted.
ITEM NO. (2) - PUBLIC HEARING CLOSED - LIEN CONFIRMED

Roll Call #2 - Adopted, Ayes (11); Absent: Huizar, LaBonge and Perry (3)

11-0812
CD 8
CONTINUED CONSIDERATION OF HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the cost of barricading of all openings and the cleaning and fencing of the lot at 112 East 84th Street. (Lien: $13,376.79)

(Continued from Council meeting of July 26, 2011)

ITEM NO. (3) - CONTINUED TO AUGUST 9, 2011

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

11-0419
CD 11
CONTINUED CONSIDERATION OF HEARING PROTESTS relative to Department of Building and Safety report and confirmation of lien against property located at 1056 East Palms Boulevard, APN 4242-011-038. (Lien: $2,789.53)

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 1056 East Palms Boulevard, 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, Fund 48R/08, Balance Sheet Account 2200, any payment received against this lien in the amount of $2,789.53 on the above referenced property.

(Continued from Council meeting of July 26, 2011)

Items for Which Public Hearings Have Been Held - Items 4-8

ITEM NO. (4) - ADOPTED

Roll Call #4 - Adopted, Ayes (11); Absent: Huizar, LaBonge and Perry (3)

11-1063
AUDITS AND GOVERNMENTAL EFFICIENCY COMMITTEE REPORT relative to Fiscal Year 2009-10 Municipal Improvement Corporation (MICLA) Financial Statements and Management Discussion and Analysis Report.
Recommendation for Council action:

NOTE and FILE the report from the Controller relative to the Fiscal Year 2009-10 Municipal Improvement Corporation (MICLA) Financial Statements and Management Discussion and Analysis Report, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted

ITEM NO. (5) - ADOPTED

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

11-0452-S4

ENERGY AND ENVIRONMENT COMMITTEE REPORT relative to the establishment of the Office of Public Accountability (OPA), appointment of the Executive Director for the OPA and associated reports and analysis in connection with the review of the Los Angeles Department of Water and Power's (LADWP) water and power rate actions/proposed actions.

Recommendations for Council action, as initiated by Motion (Englander - Perry - Garcetti):

1. REQUEST the Board of Water and Power Commissioners (Board), upon the establishment of OPA and the appointment of its Executive Director, to consider the OPA's independent analysis/report, along with the Council's independent third party report, as part of its review of water and power rate actions, including the June 2011 proposal.

2. DIRECT, that upon an approval of water and power rate proposals by the Board, that the OPA's independent analysis/report be submitted to Council and Mayor, along with the Council's independent third party report, for their consideration.

3. REQUEST the OPA to make its independent analysis/report available to the public upon the completion of said report.

Fiscal Impact Statement: Neither the City Administrative Officer or the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: Yes

For Proposal: Reseda Neighborhood Council
ITEM NO. (6) - ADOPTED

07-3313
CD 9

CATEGORICAL EXEMPTION and PUBLIC WORKS COMMITTEE REPORT relative to the vacation of 21st Street from Figueroa Street to its northwesterly terminus (VAC E1401083).

Recommendations for Council action:

1. FIND that the vacation of 21st Street from Figueroa Street to its northwesterly terminus, is exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(3) of the City of Los Angeles Environmental Guidelines.

2. FIND that the street vacation proceedings pursuant to the Public Streets, Highways and Service Easements Vacation Law be instituted for the vacation of the public right-of-way indicated below and shown colored blue on Exhibit “B” of the May 17, 2011 City Engineer report and attached to the Council file:

   21st Street from Figueroa Street to its northwesterly terminus.

3. ADOPT the FINDINGS of the City Engineer dated May 17, 2011, as the Findings of the Council.

4. ADOPT the accompanying City Engineer report dated May 17, 2011, to approve the vacation.

5. INSTRUCT the City Clerk to set a public hearing date for SEPTEMBER 28, 2011.

Financial 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 any cost pursuant to Section 7.44 of the Administrative Code may be required of the petitioner. Maintenance of the public easement by City Forces will be eliminated.

Community Impact Statement: None submitted.

ITEM NO. (7) - ADOPTED

11-0652
CD 4

PUBLIC WORKS COMMITTEE REPORT relative to issuing a revocable permit for an alley closure and installation of gates located at Eleanor Avenue.

Recommendation for Council action, pursuant to Motion (LaBonge - Huizar):
DIRECT the Bureau of Engineering (BOE) to issue a revocable permit (No. 2011000012) for an alley closure and installation of gates located at Eleanor Avenue, and approximately 150 feet northerly thereof prior to Council's consideration of the BOE's street vacation report at said location on the condition that the developer post a bond in an amount to be determined by the BOE to cover any cost that might be necessary to return and reconstruct the right-of-way back to its present condition in the event that the City does not adopt the alley vacation request.

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. (8) - CONTINUED TO AUGUST 12, 2011

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

10-0096-S1

PUBLIC WORKS COMMITTEE REPORT relative to amending the Los Angeles Municipal Code (LAMC) Section 42.00 to allow newsstand vendors to sell additional sundry items, excluding tobacco products, and a review of newsstand policies of other municipalities.

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

1. REQUEST the City Attorney to PREPARE and PRESENT an Ordinance amending LAMC Section 42.00 g, Streets - Newsstands to allow newsstand vendors to sell additional sundry items, greeting cards and other convenience items, excluding tobacco products, and that such amending ordinance be applicable only to newsstands that are erected parallel and adjacent to the wall of a building and which shall not extend over the area of the sidewalk or parkway by more than twenty inches, not exceeding a length of fifty feet or a height of eight feet (LAMC Section 42.00 g (3) (A)).

2. REQUEST the City Attorney to draft moratorium language for those newsstands that are attached to the wall of a building.

3. INSTRUCT the Bureau of Street Services, Department of Public Works, with the assistance of the Chief Legislative Analyst (CLA) and City Attorney, to undertake a review of newsstand policies of other municipalities, including San Francisco, San Diego, Boston and New York.

Fiscal Impact Statement: Neither the City Administrative Officer or the CLA has completed a financial analysis of this report.

Community Impact Statement: None Submitted.
Items for Which Public Hearings Have Not Been Held - Items 9-32
(10 Votes Required for Consideration)

Roll Call #6 - Adopted, Ayes (11); Absent: Huizar, LaBonge and Perry (3)
(Item Nos. 9a-9h - 11)

ITEM NO. (9) - ADOPTED

11-0005-S456
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 26, 2011:

11-0005-S456
CD 7
a. Property at 11090 North Norris Avenue (Case No. 305156).
   Assessor I.D. No. 2534-026-006
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on December 15, 2010)

11-0005-S457
CD 8
b. Property at 155 East 88th Street (Case No. 7987).
   Assessor I.D. No. 6041-003-014
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on November 24, 2004)

11-0005-S458
CD 8
c. Property at 155 East 88th Street (Case No. 62014).
   Assessor I.D. No. 6041-003-014
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on April 12, 2007)

11-0005-S459
CD 8
d. Property at 155 East 88th Street (Case No. 322744).
   Assessor I.D. No. 6041-003-014
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 17, 2011)
e. Property at 155 East 88th Street (Case No. 327205).
   Assessor I.D. No. 6041-003-014

   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on April 14, 2011)

f. Property at 509 East 61st Street (Case No. 164308).
   Assessor I.D. No. 6006-026-027

   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on April 10, 2008)

g. Property at 509 East 61st Street (Case No. 262322).
   Assessor I.D. No. 6006-026-027

   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on January 14, 2010)

h. Property at 422 West 111th Street (Case No. 323361).
   Assessor I.D. No. 6075-030-005

   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 26, 2011)

ITEM NO. (10) - ADOPTED - TO THE MAYOR FORTHWITH

COMMUNICATION FROM CHAIR and MEMBER, PUBLIC SAFETY COMMITTEE relative to the 2011 Off-Highway Motor Vehicle Recreation Program grant award for use by the Los Angeles Police Department's (LAPD's) Off-Road Enforcement Team.

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

1. AUTHORIZE the Chief of Police, or designee, to:

   a. Retroactively apply for and accept the 2011 Off-Highway Motor Vehicle Grant award in the amount of $14,591, from the State of California, Department of Parks and Recreation for the period July 1, 2011, through June 30, 2012.
b. Execute the 2011 Off-Highway Motor Vehicle Grant cooperative agreement on behalf of the City and submit all necessary documents relative to the grant award and to negotiate, execute, and submit any other necessary agreements and documents relative to the grant, subject to the approval of the City Attorney as to form and legality.

2. AUTHORIZE the LAPD to submit grant reimbursement requests to the grantor and deposit grant receipts in the Police Department Grant Trust Fund No. 339, Department 70.

3. AUTHORIZE the Controller to establish a grant receivable in Fund 339 in the amount of $14,591 and establish an appropriation account, account number to be determined, within Fund 339, Department 70, for the receipt and disbursement of grant funds.

4. AUTHORIZE the LAPD to:
   a. Spend up to the grant amount of $14,591, in accordance with the grant award agreement.
   b. Prepare Controller's instructions for any technical adjustments consistent with this action, subject to the approval of the City Administrative Officer (CAO); and, AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. The 2011 Off-Highway Motor Vehicle Recreation Grant Program costs are fully reimbursable. The grant requires a 25 percent in-kind match which is provided in the form of original officer's salary. The cost of officer's salary is included in the 2011-12 Adopted Budget since this position is filled with existing Police Department personnel. The CAO's recommendations comply with City financial policies as one-time revenue is used for one-time expenses.

Community Impact Statement: None submitted.

ITEM NO. (11) - ADOPTED - TO THE MAYOR FORTHWITH

11-1088

COMMUNICATION FROM CHAIR and MEMBER, PUBLIC SAFETY COMMITTEE relative to the transfer of 2008 Urban Area Security Initiative (UASI) grant funds for the Los Angeles Fire Department (LAFD) equipment, critical software applications, training supplies, program backfill, and overtime costs.

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

1. AUTHORIZE the modification of the existing grant budget for the 2008 UASI Grant Program by reallocating funds between LAFD projects as described within the Los Angeles Board of Fire Commissioners report to Council dated June 22, 2011 (attached to the Council file).

2. TRANSFER $1,249,354 from Fund No. 100/38, Account No. 1012 (Salaries, Sworn) to, Fund No. 335/38, account to be determined, to support the necessary expense and purchase of equipment items that will be reimbursed by the 2008 UASI grant.
3. AUTHORIZE the Fire Chief to expend up to $318,789 in overtime salary costs (Variable Overtime Account 1098) as needed to complete Hazardous Materials, Urban Search and Rescue, and Tactical Emergency Medical Services training.

4. AUTHORIZE the Fire Chief, or designee, to deposit the 2008 UASI grant funds received under this extension from Fund 50X, Department 46, Account E503 (Fire Department Appropriation) into Fund No. 335 (Fire Department Grants), Department No. 38, account to be determined.

5. TRANSFER 2008 UASI grant funds, from Fund No. 335/38 to Fund No. 100/38, Accounts 1012 (Sworn Salaries) and 1098 (Overtime Variable Staffing) based on LAFD submissions to the City Administrative Officer (CAO) documenting actual costs incurred for this 2008 UASI grant program through the end of the extended grant term of October 31, 2011.

6. AUTHORIZE the LAFD to spend up to the grant amount of $1,568,143 through the extension period in accordance with the grant award agreement.

7. AUTHORIZE the LAFD, or designee, to prepare instructions for any technical adjustments consistent with this action, subject to the approval of the CAO; and, REQUEST that the Controller implement the instructions.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. Approval of the above recommendations is in compliance with City financial policies as all grant eligible costs are fully covered by grant funds to support the LAFD's Homeland Security mission.

Community Impact Statement: None submitted.

ITEM NO. (12) - ADOPTED

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

11-1114

COMMUNICATION FROM CHAIR and MEMBER, PUBLIC SAFETY COMMITTEE relative to the Los Angeles Fire Department's (LAFD's) 2010 Brush Clearance Assessment Hearings Report.

Recommendation for Council action:

CONFIRM the 2010 Brush Clearance Assessments, substantially as recommended by the Los Angeles Board of Fire Commissioners at its meeting held June 21, 2011, and as contained in the 2010 Brush Clearance Assessment Hearings Report, proposed decisions, and recommendations (attached to the Council file).

Fiscal Impact Statement: None submitted by the LAFD. 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. (13) - CONTINUED TO AUGUST 10, 2011

Roll Call #12 - Adopted to Continue, Unanimous Vote (12); Absent: Huizar and LaBonge (2)

11-0763
COMMUNICATION FROM THE COMMUNITY REDEVELOPMENT AGENCY (CRA) relative to temporary authority to approve administrative and operating service payments not to exceed $70,000 per vendor.

Recommendation for Council action:

AUTHORIZE the Chief Executive Officer, or designee, to approve direct payments for CRA administrative and operating services with vendors for amounts not to exceed $70,000 per vendor during the 90-day period in accordance with and subject to the CRA’s continuing resolution budget authority approved by the City Council on July 1, 2011.

Fiscal Impact Statement: The CRA reports that there is no fiscal impact to the City's General Fund as a result of this action.

Community Impact Statement: None submitted.

The recommended action is not subject to California Environmental Quality Act (CEQA) under California Code of Regulations 15061 as it can be seen with certainty that there is no possibility that the proposed action herein will have a significant effect on the environment therefore it does not constitute a "project" as defined by the CEQA.

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

ITEM NO. (14) - ADOPTED

Roll Call #14 - Adopted, Ayes (12); Absent: Huizar and LaBonge (2)

10-1088
COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER (CAO) relative to Amendment No. 14 to a contract with Hess & Associates, Inc. (Hess) to increase funding and extend the term by an additional two years for continued support of the Payroll System Replacement (PaySR) Project.

Recommendation for Council action:

AUTHORIZE the General Manager of the Information Technology Agency (ITA) to execute Amendment No. 14 to Contract No. 105458 with Hess to increase funding by an amount of $1,683,000 for a total contract amount not to exceed $9,194,500 and extend the term by an additional two years to July 31, 2013 for continued support of the PaySR Project, subject to the approval of the City Attorney.
Fiscal Impact Statement: The CAO reports that the proposed amendment would add $1,683,000 for a contract total not to exceed $9,194,500. The funding complies with the City Financial Policies in that this amount is provided from ongoing revenue included in ITA's 2011-12 Adopted Budget for the first year of the amendment. This contract further complies with the Financial Policies because it limits the City's financial obligation to the amount appropriated by the Mayor and Council for this purpose. Since funds for this contract amendment are budgeted in ITA's 2011-12 Contractual Services Account, there is no additional impact on the General Fund resulting from the execution of Amendment No. 14 to Contract No. 105458.

Community Impact Statement: None submitted.

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

Roll Call #6 - Adopted, Ayes (11); Absent: Huizar, LaBonge and Perry (3) (Item Nos. 15-16)

ITEM NO. (15) - ADOPTED

05-1008 CD 13

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION TO VACATE relative to the vacation of Alvarado Street (portion of northwesterly side) from approximately 50 feet to approximately 100 feet northeasterly of Baxter Street (VAC E1400949).

Recommendations for Council action:

1. REAFFIRM the FINDINGS of May 27, 2009, that the vacation of Alvarado Street (portion of northwesterly side) from approximately 50 feet to approximately 100 feet northeasterly of Baxter Street, pursuant to the City of Los Angeles Environmental Guidelines, is exempt from the California Environmental Quality Act of 1970, pursuant to Article I II, Class 5(3) of the City of Los Angeles Environmental Guidelines.

2. REAFFIRM the FINDINGS of May 27, 2009, that this vacation is in substantial conformance with the General Plan pursuant to Section 556 of the Los Angeles City Charter.

3. PRESENT and ADOPT the accompanying RESOLUTION TO VACATE No. 11-1400949 for the vacation of Alvarado Street (portion of northwesterly side) from approximately 50 feet to approximately 100 feet northeasterly of Baxter Street.

4. INSTRUCT the City Clerk to transmit, following Council adoption, Resolution to Vacate No. 11-1400949 to the Land Development Group of the Bureau of Engineering for recordation of said Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: None submitted by the City Engineer. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.
ITEM NO. (16) - ADOPTED

08-2411
CD 9

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION TO VACATE relative to the vacation of the alley westerly of Santa Fe Avenue from 2nd Street to approximately 160 feet northerly thereof (VAC E1401110).

Recommendations for Council action:

1. REAFFIRM the FINDINGS of June 8, 2010, that the vacation of the alley westerly of Santa Fe Avenue from 2nd Street to approximately 160 feet northerly thereof, pursuant to the City of Los Angeles Environmental Guidelines, is exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(3) of the City of Los Angeles Environmental Guidelines.

2. REAFFIRM the FINDINGS of June 8, 2010, that this vacation is in substantial conformance with the General Plan pursuant to Section 556 of the Los Angeles City Charter.

3. PRESENT and ADOPT the accompanying RESOLUTION TO VACATE No. 11-1401110 for the vacation of the alley westerly of Santa Fe Avenue from 2nd Street to approximately 160 feet northerly thereof.

4. INSTRUCT the City Clerk to transmit, following Council adoption, Resolution to Vacate No. 11-1401110 to the Land Development Group of the Bureau of Engineering for recordation of said Resolution with the Los Angeles County Recorder.

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

ITEM NO (17) - ADOPTED

Roll Call #14 - Adopted, Ayes (12); Absent: Huizar and LaBonge (2)

10-1602
CD 13

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 240 South Westlake Avenue pursuant to the Los Angeles Municipal Code Section 12.37 (Highway Dedication Ordinance).

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article VII, Class 5(5) of the City's Environmental Guidelines.

2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.
3. ADOPT the City Engineer report dated August 27, 2010 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 240 South Westlake Avenue.

4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of $2,739.20 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of $2,560.00 and a seven percent surcharge in the amount of $179.20 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.

Roll Call #6 - Adopted, Ayes (11); Absent: Huizar, LaBonge and Perry (3)  (Item Nos. 18-28)

ITEM NO. (18) - ADOPTED

11-0075
CD 6

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 13243 West Osborne Street pursuant to the Los Angeles Municipal Code Section 12.37 (Highway Dedication Ordinance).

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article VII, Class 5(5) of the City's Environmental Guidelines.

2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.

3. ADOPT the City Engineer report dated January 17, 2011 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 13243 West Osborne Street.

4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of $2,386.10 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of $2,230.00 and a seven percent surcharge in the amount of $156.10 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.
ITEM NO. (19) - ADOPTED

11-0914
CD 13

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 1030 North Alvarado Street pursuant to the Los Angeles Municipal Code Section 12.37 (Highway Dedication Ordinance).

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article VII, Class 5(5) of the City's Environmental Guidelines.

2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.

3. ADOPT the City Engineer report dated February 21, 2011 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 1030 North Alvarado Street.

4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of $2,386.10 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of $2,230.00 and a seven percent surcharge in the amount of $156.10 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.

ITEM NO. (20) - ADOPTED

11-0915
CD 11

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 1929 South Beloit Avenue pursuant to the Los Angeles Municipal Code Section 12.37 (Highway Dedication Ordinance).

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article VII, Class 5(5) of the City's Environmental Guidelines.
2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.

3. ADOPT the City Engineer report dated February 21, 2011 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 1929 South Beloit Avenue.

4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of $2,739.20 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of $2,560.00 and a seven percent surcharge in the amount of $179.20 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.

ITEM NO. (21) - ADOPTED

11-0916 CD 15

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 25621 South Normandie Avenue pursuant to the Los Angeles Municipal Code Section 12.37 (Highway Dedication Ordinance).

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article VII, Class 5(5) of the City's Environmental Guidelines.

2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.

3. ADOPT the City Engineer report dated February 21, 2011 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 25621 South Normandie Avenue.

4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of $2,883.65 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of $2,695.00 and a seven percent surcharge in the amount of $188.65 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.
ITEM NO. (22) - ADOPTED

11-0917
CD 12

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 8452 North Hillcroft Drive pursuant to the Los Angeles Municipal Code Section 12.37 (Highway Dedication Ordinance).

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article VII, Class 5(5) of the City's Environmental Guidelines.

2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.

3. ADOPT the City Engineer report dated February 21, 2011 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 8452 North Hillcroft Drive.

4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of $2,739.20 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of $2,560.00 and a seven percent surcharge in the amount of $179.20 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.

ITEM NO. (23) - ADOPTED

11-0918
CD 8

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 3662 North Meadville Drive pursuant to the Los Angeles Municipal Code Section 12.37 (Highway Dedication Ordinance).

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article VII, Class 5(5) of the City’s Environmental Guidelines.
2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.

3. ADOPT the City Engineer report dated February 21, 2011 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 3662 North Meadville Drive.

4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of $2,461.00 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of $2,300.00 and a seven percent surcharge in the amount of $161.00 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.

ITEM NO. (24) - ADOPTED

11-1207
CD 2

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 11713 West Riverside Drive pursuant to the Los Angeles Municipal Code Section 12.37 (Highway Dedication Ordinance).

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article VII, Class 5(5) of the City's Environmental Guidelines.

2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.

3. ADOPT the City Engineer report dated June 9, 2011 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 11713 West Riverside Drive.

4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of $2,386.10 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of $2,230.00 and a seven percent surcharge in the amount of $156.10 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.
ITEM NO. (25) - ADOPTED

11-1208
CD 5

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 10741 West Santa Monica Boulevard pursuant to the Los Angeles Municipal Code Section 12.37 (Highway Dedication Ordinance).

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article VII, Class 5(5) of the City's Environmental Guidelines.

2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.

3. ADOPT the City Engineer report dated June 9, 2011 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 10741 West Santa Monica Boulevard.

4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of $2,386.10 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of $2,230.00 and a seven percent surcharge in the amount of $156.10 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.

ITEM NO. (26) - ADOPTED

11-1209
CD 6

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 16057-16059 West Hartland Street pursuant to the Los Angeles Municipal Code Section 12.37 (Highway Dedication Ordinance).

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article VII, Class 5(5) of the City's Environmental Guidelines.
2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.

3. ADOPT the City Engineer report dated June 9, 2011 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 16057-16059 West Hartland Street.

4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of $2,739.20 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of $2,560.00 and a seven percent surcharge in the amount of $179.20 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.

ITEM NO. (27) - ADOPTED

11-1210
CD 13

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 3526 North Fletcher Drive pursuant to the Los Angeles Municipal Code Section 12.37 (Highway Dedication Ordinance).

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article VII, Class 5(5) of the City's Environmental Guidelines.

2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.

3. ADOPT the City Engineer report dated June 9, 2011 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 3526 North Fletcher Drive.

4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of $2,883.65 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of $2,695.00 and a seven percent surcharge in the amount of $188.65 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.
ITEM NO. (28) - ADOPTED

11-1213
CD 11

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 146 East Union Jack Mall pursuant to the Los Angeles Municipal Code Section 12.37 (Highway Dedication Ordinance).

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article VII, Class 5(5) of the City's Environmental Guidelines.

2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.

3. ADOPT the City Engineer report dated June 9, 2011 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 146 East Union Jack Mall.

4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of $2,461.00 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of $2,300.00 and a seven percent surcharge in the amount of $161.00 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.

ITEM NO. (29) - NOTED AND FILED

Roll Call #5 - Adopted to Note and File, Unanimous Vote (11); Absent: Huizar, LaBonge and Perry (3)

11-1296
CD 14

CONSIDERATION OF MOTION (HUIZAR - LABONGE) relative to waiving $6,343 in fees associated with the Ecuadorian Festival and Parade to be hosted at El Pueblo de Los Angeles Historical Monument on August 7, 2011.

Recommendation for Council action:

REQUEST the El Pueblo de Los Angeles Department to approve the fee waiver for the Ecuadorian Festival and Parade in the amount of $6,434 for the following associated fees:
a. Site usage fee: $3,500 for the Kiosko/Plaza Area
b. Monitoring fee: $934 for monitoring 5:00 a.m. to 9:00 p.m. (16 hours at $58.38 per hour)
c. Refundable security deposit: $2,000

Community Impact Statement: None submitted.

(Art, Parks, Health and Aging Committee waived consideration of the above matter)

ITEM NO. (30) - ADOPTED

Roll Call #17 - Adopted, Ayes (12); Absent: Huizar and LaBonge (2)

11-0010-S2
MOTION (PARKS - ENGLANDER) relative to reinstating the reward offer in the death of Kashmier James 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 Kashmier James (Council action of January 4, 2011, Council file No. 11-0010-S2) for an additional period of six months [pursuant to Admin. Code Section 19.123(7)] 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. (31) - ADOPTED

Roll Call #15 - Adopted, Ayes (12); Absent: Huizar and LaBonge (2)

11-1316
RESOLUTION (REYES - ALARCON - HUIZAR - GARCETTI) relative to declaring August 2011 as Immigrant Pride Month in the City of Los Angeles.

Recommendation for Council action:

RESOLVE to DECLARE August 2011 as Immigrant Pride Month in the City of Los Angeles.

ITEM NO. (32) - ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #16 - Adopted, Ayes (12); Absent: Huizar and LaBonge (2)

11-0002-S115
RESOLUTION (GARCETTI - ROSENDAHL) relative to the City’s position on S. 587 and HR 1116, the Respect for Marriage Act.

Recommendation for Council action, SUBJECT TO THE CONCURRENCE OF THE MAYOR:
RESOLVE to include in the City’s 2011-12 Federal Legislative Program SUPPORT for S. 287 and HR 1116, the Respect for Marriage Act, which would repeal the Defense of Marriage Act so that same-sex marriages authorized under State law will be recognized by the Federal Government and protected under Federal law.

Item for Which Public Hearing Has Been Held - Item 33

ITEM NO. (33) - ADOPTED

Roll Call #7 - Adopted, Ayes (11); Absent: Huizar, LaBonge and Perry (3)

09-0670

FINAL ENVIRONMENTAL IMPACT REPORT (EIR) and FINAL RECIRCULATED EIR SECTIONS, STATEMENT OF FINDINGS AND OVERRIDING CONSIDERATIONS, MITIGATION MONITORING AND REPORTING PROGRAM and TRANSPORTATION COMMITTEE REPORT relative to the application for the Smart Energy Transport System project by Wespac Pipelines - LAX, LLC for a common carrier pipeline franchise to install, operate and maintain a pipeline within the City.

Recommendations for Council action:

1. FIND that WesPac Pipelines-LAX, LLC is in need of a common carrier pipeline franchise to install, operate and maintain a pipeline in City right-of-way associated with the transportation of jet-fuel.

2. VACATE and SET ASIDE certification of the EIR and all authorizations and approvals of the project related to the Smart Energy Transport System Project, including approvals relating to Phase 1 of the project enacted on May 13, 2009.

3. CERTIFY that the Final EIR, previously certified on May 13, 2009, and the final Recirculated Sections of the Final EIR for the Smart Energy Transport System Project:
   a. Have been completed in compliance with the California Environmental Quality Act (CEQA).
   b. Were reviewed by the Los Angeles City Council in its capacity as the decision-making body of the lead agency.
   c. Reflect the independent judgment and analysis of the City, as well as the records of the proceedings in this matter as documented in the Council file in the custody of the City Clerk, in the files of the Department of Public Works, in the files of the Los Angeles Department of Transportation (LADOT), and in the files of any other participating department in the City.

4. ADOPT the CEQA Findings and Statement of Overriding Considerations for the proposed pipeline project, attached to the July 14, 2011, LADOT report to the Board of Transportation Commissioners (attached to the Council file).
5. ADOPT the Mitigation Monitoring and Reporting Program for the proposed pipeline project, attached to the July 14, 2011, LADOT report to the Board of Transportation Commissioners (attached to the Council file).

6. FIND that a franchise to install, operate and maintain pipelines and adjunct communication lines be offered for sale and be granted in accordance with the Notice of Sale of a Franchise and Instructions to Bidders attached to the July 14, 2011, LADOT report to the Board of Transportation Commissioners (attached to the Council file), and that a date for opening of the bids be set by the City Clerk, and if WesPac Pipelines-LAX, LLC is the highest responsible bidder, then the franchise be awarded to that company and a franchise ordinance be adopted.

Fiscal Impact Statement: LADOT reports that WesPac's pipeline would occupy a total of 7,650 linear feet of the City's right-of-way. Based on this linear footage and a September 2010/June1989 (Base year) Los Angeles-Riverside-Orange County Area All Urban Consumers Consumer Price Index of 1.756, the franchise fee for 2010, as per rates established by the Californian Public Utilities Code 6231.5, is projected to be $4,701.69.

Community Impact Statement: None submitted.

Item for Which Public Hearing Has Not Been Held - Item 34
(10 Votes Required for Consideration)

ITEM NO. (34) - ADOPTED

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

11-1335
RESOLUTION (REYES - GARCETTI) relative to commemorating the Consulate General of Mexico as it marks the 125th Anniversary of its establishment here in the City of Los Angeles.

Recommendation for Council action:

RESOLVE to commemorate, celebrate and honor the Consulate General of Mexico as it marks the 125th Anniversary of its establishment here in the City of Los Angeles.

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

11-0010-S3
MOTION (PARKS - ENGLANDER) relative to reinstating the reward offer in the death of Taburi Watson for an additional six months.

09-2746-S1
MOTION (KORETZ - WESSON) relative to renewing the existing street banner campaign identifying the Third Street Business Association.
COUNCILMEMBERS’ REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Motion (Perry - Zine) unanimously adopted to excuse Council President Garcetti from Council session of Friday, August 5, 2011, due to City business.

Upon his request, and without objections, Councilmember Reyes was excused from Council sessions of Friday, September 9, 2011 and Friday, December 2, 2011 both due to City business.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

11-0004  -S2 - Captain III Joseph A. Mariani (Garcetti - Zine)

Alarcón, Cárdenas, Englander, Koretz, Krekorian, Parks, Perry, Reyes, Rosendahl, Wesson, Zine and President Garcetti (12); Absent: Huizar and LaBonge (2)

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk  PRESIDENT OF THE CITY COUNCIL