

Los Angeles City Council, **Journal/Council Proceedings**
Tuesday, **August 16, 2011**
John Ferraro Council Chamber, Room 340, City Hall - 10 am

ALL ITEMS FORTHWITH

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

ROLL CALL - Members present: Alarcón, Englander, Huizar, Koretz, LaBonge, Parks, Perry, Rosendahl, Wesson and President Garcetti (10); Absent: Cárdenas, Krekorian, Reyes and Zine (4)

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
AUGUST 10, 2011

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - NONE

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 1-5

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

Adopted, Ayes (12); Absent: Krekorian and Reyes (2)

[11-0772](#)
CDs 6 & 7

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST
CONSIDERATION relative to the improvement and maintenance of the Panorama City - Van Nuys
Boulevard Streetscape Street Lighting District.

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

1. DENY the protests and confirm the assessments.

2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public hearing held on July 26, 2011)

ITEM NO. (2) - CONTINUED TO SEPTEMBER 6, 2011

Adopted to Continue, Unanimous Vote (11); Absent: Cárdenas, Krekorian and Reyes (3)

[11-0787](#)

CD 15

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Palos Verdes and Santa Cruz Streets Lighting District.

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

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public hearing held on July 26, 2011)

ITEM NO. (3) - PUBLIC HEARING CLOSED

Adopted to Close Public Hearing, Unanimous Vote (13); Absent: Reyes (1)

[11-0827](#)

CDs 9 & 14

CONTINUED CONSIDERATION OF HEARING PROTESTS relative to the establishment of the Arts District Property and Business District, pursuant to Section 53753 of the California Government Code, Section 36600 et seq. of the California Streets and Highways Code and Article XIII D of the California Constitution.

(Pursuant to Council adoption of Ordinance No. 181733 on June 3, 2011. Public announcement of the tabulation of ballots is on Wednesday, August 17, 2011.)

(Continued from Council meeting of July 26, 2011)

ITEM NO. (4) - PUBLIC HEARING CLOSED

Adopted to Close Public Hearing, Unanimous Vote (11); Absent: Cárdenas, Krekorian and Reyes (3)

[11-0982](#)

CD 11

HEARING PROTESTS relative to the establishment of the Westchester Town Center Property and Business Improvement District, pursuant to Section 53753 of the California Government Code, Section 36600 et seq. of the California Streets and Highways Code and Article XIII D of the California Constitution.

(Pursuant to Council adoption of Ordinance No. 181750 on June 21, 2011. Public announcement of the tabulation of ballots is on Wednesday, August 17, 2011.)

ITEM NO. (5) - PUBLIC HEARING CLOSED - MOTION ADOPTED TO GRANT APPLICATION

Adopted to Grant Application, Ayes (12); Absent: Englander and Reyes (2)

[11-1355](#)

CD 9

HEARING COMMENTS relative to application for determination of "Public Convenience or Necessity" for alcohol sales for on-site consumption at Salvage Bar and Lounge located at 717 West Seventh Street.

Recommendations for Council action:

1. DETERMINE that the issuance of a liquor license at Salvage Bar and Lounge located at 717 West Seventh Street, Los Angeles, 90017, will serve the "Public Convenience or Necessity" and will not tend to create a law enforcement problem.
2. GRANT the Application for Determination of "Public Convenience or Necessity" for the sale of alcoholic beverages for on-site consumption at 717 West Seventh Street.
3. INSTRUCT the City Clerk to transmit this determination to the State Department of Alcoholic Beverage Control as the required findings under Business and Professions Code Section 23958.4.

Application filed by: 727 West Seventh, LLC

TIME LIMIT FILE - NOVEMBER 1, 2011

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

Items for Which Public Hearings Have Been Held - Items 6-25

Adopted, Ayes (13); Absent: Reyes (1)
(Item Nos. 6-7)

ITEM NO. (6) - ADOPTED

[10-1593](#)

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the Mayor's reappointment of Ms. Kandee Lewis to the Harbor Area Planning Commission.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Ms. Kandee Lewis to the Harbor Area Planning Commission for the new term ending June 30, 2016 is APPROVED and CONFIRMED. Ms. Lewis is a resident of Council District 15. (Current gender composition: M=2; F=3)

Ethics Commission Review: Pending.

Community Impact Statement: None submitted.

TIME LIMIT FILE - SEPTEMBER 4, 2011

(LAST DAY FOR COUNCIL ACTION - AUGUST 19, 2011)

ITEM NO. (7) - ADOPTED

[11-1255](#)

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the Mayor's reappointment of Mr. Young S. Kim to the Central Area Planning Commission.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Mr. Young S. Kim to the Central Area Planning Commission for the new term ending June 30, 2016, is APPROVED and CONFIRMED. Mr. Kim is a resident of Council District four. (Current gender composition: M=4; F=1)

Ethics Commission Review: Pending.

Community Impact Statement: None submitted.

TIME LIMIT FILE - SEPTEMBER 2, 2011

(LAST DAY FOR COUNCIL ACTION - AUGUST 19, 2011)

ITEM NO. (8) - CONTINUED TO AUGUST 17, 2011

Adopted to Continue, Unanimous Vote (11); Absent: Cárdenas, Krekorian and Reyes (3)

[11-1303](#)

TRANSPORTATION COMMITTEE REPORT relative to the appointment of Ms. Maria Armoudian to the Board of Taxicab Commissioners.

SUBMITS WITHOUT RECOMMENDATION communication from the Mayor dated July 25, 2011, appointing Ms. Maria Armoudian to the Board of Taxicab Commissioners for the term ending June 30, 2013, to fill the vacancy created by the resignation of Mr. Dennis Hernandez. Ms. Armoudian resides in Council District 12. (Current Commission gender composition: F=3; M=1; vacant=1)

Ethics Commission Review: Pending.

Background Check Review: Pending.

Community Impact Statement: None submitted.

TIME LIMIT FILE - SEPTEMBER 8, 2011

(LAST DAY FOR COUNCIL ACTION - SEPTEMBER 7, 2011)

**Adopted, Ayes (11); Absent: Cárdenas, Krekorian and Reyes (3)
(Item Nos. 9-11)**

ITEM NO. (9) - ADOPTED

[09-1876-S1](#)

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to acceptance of a second round of grant funds from the Medicare Improvements for Patients and Providers Act (2 MIPPA) for beneficiary outreach and assistance.

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

1. AUTHORIZE the General Manager, Los Angeles Department of Aging (LADOA), or designee, to:
 - a. Accept \$154,000 of 2 MIPPA grant funds from the California Department of Aging (CDA).
 - b. Execute Standard Agreement 2M-1011-25 (attached to the Council file), subject to the review and approval of the City Attorney as to form and legality.
 - c. Negotiate and execute the second contract amendment to the City Contract No. C-117620 with the Center for Health Care Rights for the Health Insurance Counseling and Advocacy Program (HICAP) to allocate \$47,688 of 2 MIPPA funds.

2. AUTHORIZE the Controller to:

- a. Establish a new account and appropriate funds within the HICAP Fund Number 47Y as follows:

| <u>Account</u> | <u>Title</u> | <u>Amount</u> |
|----------------|--------------|---------------|
| G102 | Aging | \$53,156 |
| G301 | 2MIPPA | \$23,844 |
| | Total | \$77,000 |

- b. Increase the appropriations within Fund No. 100/02 and transfer funds on an as-needed basis as follows:

| | <u>Fund</u> | <u>Account</u> | <u>Title</u> | <u>Amount</u> |
|-------|-------------|----------------|--------------------|---------------|
| From: | 47Y | G102 | Aging | \$53,156 |
| To: | 100/02 | 1010 | Salaries - General | \$35,550 |
| | 100/02 | 6010 | Office & Admin Exp | \$17,606 |
| | | | Total | \$53,156 |

- c. Establish a new account and appropriate funds within the Health Insurance Counseling and Advocacy Program Fund Number 47Y as follows:

| <u>Account</u> | <u>Title</u> | <u>Amount</u> |
|----------------|--------------|---------------|
| 02H102 | Aging | \$53,156 |
| 02H670 | 2MIPPA | \$23,844 |
| | Total | \$77,000 |

- d. Increase the appropriations within Fund No. 100/02 and transfer funds on an as-needed basis as follows:

| | <u>Fund</u> | <u>Account</u> | <u>Title</u> | <u>Amount</u> |
|-------|-------------|----------------|--------------------|---------------|
| From: | 47Y | 02H670 | Aging | \$53,156 |
| To: | 100/02 | 001010 | Salaries - General | \$35,550 |
| | 100/02 | 006010 | Office & Admin Exp | \$17,606 |
| | | | Total | \$53,156 |

NOTE: 2 MIPPA funds from Fiscal Year 2010-11 will not be expended by LADOA for direct services because MIPPA funds are available through May 31, 2011; HICAP will provide for continuous service during June 2011, after which, LADOA will begin charging to the 2 MIPPA grant in July 2011.

3. AUTHORIZE the General Manager, LADOA, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer, and to accept additional non-competitive funds distributed by CDA for MIPPA and/or 2 MIPPA, and further AUTHORIZE the Controller to implement those instructions.

Fiscal Impact Statement: The LADOA reports that the 2 MIPPA Program grant does not result in a fiscal impact to the City's General Fund.

Community Impact Statement: None submitted.

ITEM NO. (10) - ADOPTED

[10-0540-S2](#)

CD 14

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT and RESOLUTION relative to the Proposition 84 Statewide Park Development and Community Revitalization Program grant application for a new park at 4948 York Boulevard.

Recommendations for Council action:

1. ADOPT the accompanying RESOLUTION authorizing the City to apply for funds under the Proposition 84 Statewide Park Program for the York/Avenue 50 Park project and designating the General Manager, Department of Recreation and Parks (RAP), or Executive Officer, or Assistant General Manager, to represent the City as its agent to conduct all negotiations, sign and submit all documents, including but not limited to grant applications, agreements, amendments, and payment requests, which may be necessary for the completion of the proposed project.
2. AUTHORIZE the General Manager, RAP, to submit a Proposition 84 Statewide Park Program grant application for the proposed York/Avenue 50 Park project, located at 4948 York Boulevard, to the State of California Department of Parks and Recreation.

Fiscal Impact Statement: The RAP reports that the submittal of grant applications, approval of authorizing resolutions, and resolutions accepting designated projects, has no impact on the General Fund. However, the future operations and maintenance costs after project completion, which is estimated to be by 2017, are currently unknown.

Community Impact Statement: None submitted.

ITEM NO. (11) - ADOPTED

[11-0400](#)

AUDITS AND GOVERNMENTAL EFFICIENCY COMMITTEE REPORT relative to the Fiscal Year 2009-10 Audited Financial Statements.

Recommendation for Council action:

NOTE and FILE the report from the Controller relative to the Fiscal Year 2009-10 Audited Financial Statements, 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.

Adopted, Ayes (13); Absent: Reyes (1)
(Item Nos. 12-14)

ITEM NO. (12) - ADOPTED

[11-1017](#)

EDUCATION AND NEIGHBORHOODS COMMITTEE REPORT relative to requesting a report with an implementation plan for a training program for Neighborhood Council board members.

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

DIRECT the Department of Neighborhood Empowerment and the City Attorney to report back to Council with a plan for the implementation of a training program for Neighborhood Council board members that covers the following topics: (1) Ethics and Legal Issues (including the Brown Act, Public Records Act and Conflicts of Interest); (2) Workplace Violence and Sexual Harassment; (3) Funding Program; (4) City Government Basics; (5) Parliamentary Process; and (6) Community Leadership. The report should consider implementing the training program on the web, include a discussion of which board member classification types should complete each training course, a discussion about which courses should be mandatory and which should be optional and consider a defined process for sanctioning board members who fail to complete the required training.

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. (13) - ADOPTED

[11-1018](#)

EDUCATION AND NEIGHBORHOODS COMMITTEE REPORT relative to requesting a report with an implementation plan for a system of regional complaint panels for Neighborhood Councils.

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

DIRECT the Department of Neighborhood Empowerment (DONE), the City Attorney, City Administrative Officer (CAO) and Chief Legislative Analyst (CLA) to report back to Council in 90 days with a plan for the implementation of a system of regional complaint panels composed of board members of various Neighborhood Councils from similar regions that will convene to address stakeholder and board member grievances as-needed, and at the request of the General Manager of DONE. The report should consider guidelines for panel selection, implementation and range of authority.

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

Community Impact Statement: None submitted.

ITEM NO. (14) - ADOPTED

[11-1019](#)

EDUCATION AND NEIGHBORHOODS COMMITTEE REPORT relative to requesting a report with an implementation plan for a structure of governance and administration that provides greater autonomy and self-governance for Neighborhood Councils.

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

DIRECT the Department of Neighborhood Empowerment (DONE), the Chief Legislative Analyst (CLA), the City Administrative Officer (CAO) and the City Attorney to report back in 6 months with a plan to implement, in the next budget year, a structure of governance and administration that provides greater autonomy and self-governance for Neighborhood Councils and reduces DONE's workload. The report should consider transferring responsibility for many aspects of the operations of the Neighborhood Council system, including, but not limited to, funding, elections, communications between the City and its Neighborhood Councils, outreach between Neighborhood Councils and stakeholders, dispute resolution and training, to permanent or as-needed regional authorities or bodies that can operate with the oversight of DONE.

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

Community Impact Statement: None submitted.

ITEM NO. (15) - ADOPTED

Adopted, Ayes (11); Noes: Rosendahl (1); Absent: Krekorian and Reyes (2)

[11-1020](#)

EDUCATION AND NEIGHBORHOODS and BUDGET AND FINANCE COMMITTEES' REPORT relative to various actions regarding the Neighborhood Council Funding Program.

Recommendations for Council action, pursuant to Motion (Krekorian - Koretz):

1. INSTRUCT the Department of Neighborhood Empowerment (DONE), with assistance from the Controller to report back in 90 days on the status of the Neighborhood Funding Program and DONE's efforts to (a) clarify the encumbrance process; (b) standardize financial templates, forms, and reporting; (c) streamline approvals and management of the program; and (d) increase accountability.
2. ADOPT a policy that requires all Neighborhood Councils to utilize the budget and reconciliation templates provided by DONE and adhere to all budget and reconciliation deadlines.
3. ADOPT a policy that requires all Neighborhood Councils to conform to the accounting system prescribed by DONE.

4. ADOPT a policy that empowers the General Manager and Board of Neighborhood Commissioners to freeze funds if a Neighborhood Council does not comply with Council policy and DONE mandates, or if any of the following circumstances exist: (a) the Neighborhood Council has failed to submit a budget in a timely manner; (b) an audit of the Neighborhood Council is past due; (c) the Neighborhood Council has made prohibited or inappropriate purchases; (d) the Neighborhood Council is not in compliance with training requirements; (e) the Neighborhood Council Board does not have a Treasurer; or (f) the Neighborhood Council Board is deemed dysfunctional.
5. CONTINUE a policy to prohibit the rollover of unencumbered funds and DIRECT DONE, with assistance from the City Administrative Officer (CAO), Chief Legislative Analyst (CLA), and City Attorney, to report back on alternative funding models, including a grant based funding system.
6. DIRECT the DONE, with assistance from the CAO, CLA, City Attorney, Controller, and Board of Neighborhood Commissioners, to report back in 90 days with a mechanism for Neighborhood Councils to request rollover funds on a project by project basis and as deemed appropriate by the Board of Neighborhood Commissioners or a committee comprised of representatives from the CLA, CAO, and DONE that (a) defines the types of projects that will qualify for rollover funds; (b) details the application and approval process; and (c) establishes deadlines to complete an approved project.
7. DIRECT the DONE, with assistance from the CAO, CLA, City Attorney, and Controller, to report back in 90 days on equipment purchases made by Neighborhood Councils in fiscal year 2010-11 for city and proprietary departments and guidelines to maximize the benefit to the department and the Neighborhood Council.
8. DIRECT the DONE, with assistance from the CAO, CLA, and the Information Technology Agency, to report back in 180 days on the feasibility of developing an electronic system for the Neighborhood Council Funding program that will (a) integrate purchase card and FMIS data for real time tracking of expenditures and fund balances; (b) accept electronic submission and approval of budgets, demand warrants and reconciliations; and (c) provide an interface to track and create financial statements and treasurer reports for the board.
9. DIRECT the DONE, upon adoption of these policies, to immediately notify all Neighborhood Councils of the changes to the policies and procedures that govern the Neighborhood Council Funding Program, and to report back in 90 days on their outreach efforts.

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

Community Impact Statement: None submitted.

**Adopted, Ayes (11); Absent: Cárdenas, Krekorian and Reyes (3)
(Item Nos. 16-22)**

ITEM NO. (16) - ADOPTED

[11-0804](#)

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT and BUDGET AND FINANCE COMMITTEES' REPORT relative to adding language to Year Round Emergency Shelter Program contracts and Los Angeles Homeless Services Authority (LAHSA) contracts funded by the City General Fund to require subcontractors to comply with City and LAHSA fiscal contracting policies.

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

1. INSTRUCT the General Manager, Los Angeles Housing Department (LAHD), to include in its City General funded contracts with LAHSA the following language, subject to review and approval by the City Attorney:

“Any Subcontractor, while under contract with LAHSA to provide services related to the performance of this Agreement as funded by City General Funds, that is placed on probationary status by LAHSA must cure such probationary issues within six months from the time Subcontractor enters such probation. Any Subcontractor that remains on probation with LAHSA past six months shall have their LAHSA contract, when funded with City of Los Angeles General Funds, terminated and funding shall cease. LAHSA may, with prior notice to LAHD, grant an extension or continuation of the contract with the Subcontractor only when LAHSA deems that extending such contract and continuing the related program services is necessary and required to serve the best interests of the City of Los Angeles and the needs of the homeless persons within the City.”

2. INSTRUCT the Executive Director, LAHSA, to include in its Year Round Emergency Shelter Program subcontracts the aforementioned language, subject to review and approval by the City Attorney.

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. (17) - ADOPTED

[11-1012](#)

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to reprogramming of up to \$533,711 Program Year 2010-11 Emergency Shelter Grant savings to the 2011-12 Year Round Emergency Shelter Program.

Recommendation for Council action, pursuant to Motion (Perry - Parks), SUBJECT TO THE APPROVAL OF THE MAYOR:

AUTHORIZE the General Manager, Los Angeles Housing Department to reprogram Program Year 2010-11 Emergency Shelter Grant savings of up to \$533,711 to the 2011-12 Year Round Emergency Shelter Program administered by the Los Angeles Homeless Services Authority.

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

Community Impact Statement: None submitted.

ITEM NO. (18) - ADOPTED

[11-1124](#)

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to reports on the status of utilization and available borrowing capacity under the Section 108 Loan Guarantee Program.

Recommendation for Council action:

RECEIVE and FILE the Community Development Department report and City Administrative Officer report dated June 21, 2011 and August 8, 2011 respectively, relative to a report on the status of utilization and available borrowing capacity under the Section 108 Loan Guarantee Program.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (19) - ADOPTED

[10-0815](#)

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to accepting Fiscal Year 2011-12 California Department of Resources Recycling and Recovery (CalRecycle) EA-22 Grant funds for Building and Safety Local Enforcement Agency.

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

1. AUTHORIZE the General Manager, Los Angeles Department of Building and Safety (LADBS), or designee, to submit an application for and accept the Local Enforcement Agency Enforcement Assistance Grant (EA-22) in the amount not to exceed \$59,000 from the CalRecycle for the term of June 30, 2011 through October 28, 2012 (FY 2011-12).
2. AUTHORIZE the General Manager, LADBS, or designee, to execute the EA-22 grant award agreement with CalRecycle, and to execute any other necessary documents relative to the grant award.
3. AUTHORIZE the Controller to accept and deposit EA-22 grant funds in the LADBS Fund entitled "Local Enforcement Agency (LEA) Fund," Fund No. 527 and to create an account entitled "Enforcement Assistance Grant."
4. AUTHORIZE the General Manager, LADBS, or designee, to expend said funds from the account listed above for the purposes set forth in this report and consistent with the grant requirements.

5. AUTHORIZE the LADBS to prepare Controller instructions and/or make any technical adjustments that may be required, subject to the approval of the Chief Administrative Officer, and AUTHORIZE the Controller to implement these instructions.
6. AUTHORIZE the General Manager, LADBS, or designee, to negotiate, enter into, execute, administer, and otherwise manage Contract C-115943 with E. Tseng and Associates, Incorporated, expending \$35,000 from CalRecycle EA-22 LEA grant funds, subject to the approval of the City Attorney as to form and legality.

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

Community Impact Statement: None submitted.

ITEM NO. (20) - ADOPTED

[11-0961](#)

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to accepting delegation, and a recommendation regarding Regional Housing Needs Assessment (RHNA) delegation for a subregional entity that includes the City of Los Angeles.

Recommendations for Council action:

DIRECT the Department of City Planning to:

- a. Inform the City of San Fernando that the City will not pursue RHNA delegation due to lack of resources to support the process.
- b. Inform Southern California Association of Governments that the City will not pursue RHNA delegation.

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. (21) - ADOPTED

[11-1056](#)

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to a proposed annexation of approximately 285 acres to the City of Los Angeles.

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

INSTRUCT the City of Los Angeles Boundary Adjustment Board to consider the proposed annexation of approximately 285 acres to the City of Los Angeles and recommend any actions associated with that proposed annexation.

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. (22) - ADOPTED

[11-1283](#)

PUBLIC SAFETY COMMITTEE REPORT relative to a monetary donation for the Los Angeles Police Department (LAPD) overtime for the Valley Crisis and Recovery Services (CARES) Family Justice Center.

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

1. ACCEPT a monetary donation in the amount of \$20,700 from the Los Angeles Police Foundation for LAPD overtime for the Valley CARES Family Justice Center in the Van Nuys Area, and THANK the donor for its generous gift.
2. AUTHORIZE the Controller to deposit the monetary donation of \$20,700 to the LAPD 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 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: 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.

ITEM NO. (23) - CONTINUED TO AUGUST 19, 2011

Adopted to Continue, Unanimous Vote (13); Absent: Reyes (1)

[11-1068](#)

PUBLIC WORKS COMMITTEE MAJORITY and MINORITY REPORTS relative to the proposed contract with Martin Outdoor Media, LLC for a Citywide bus bench program.

A. MAJORITY REPORT - (Huizar/Alarcón - Voted Yes)

Recommendations for Council action:

1. APPROVE the proposed contract with Martin Outdoor Media, LLC for a Citywide bus bench program.
2. AMEND the proposed contract with the provision for each Council District to have a minimum of 300 bus benches.

3. AMEND the proposed contract in such a way where the City shall have the right to prioritize the minimum number of benches in each Council District.
4. AMEND the proposed contract with the stipulation where a community organization has sponsored bus benches, that organization shall have veto authority over the contractor's proposal of the installation of additional benches within close proximity to those Community benches.
5. AMEND the proposed contract in such a way where the bus bench installation should place priority on locating benches where ridership is highest.
6. AMEND the proposed contract to include that there shall be no advertising on trash receptacles.

B. MINORITY REPORT - (Englander - Voted Yes)

Recommendations for Council action:

1. DISAPPROVE the proposed contract with Martin Outdoor Media, LLC for a Citywide bus bench program and return the contract to the Board of Public Works for reconsideration and resubmission to Council.
2. REQUEST the City Attorney to report relative to any ramifications of Martin Outdoor Media LLC, changing its name after submission of the proposals.
3. REQUEST the City Attorney to report relative to the liability impacts to the City of owning the bus benches as stipulated in the new contract.
4. REQUEST the City Attorney to report relative to the existence of a 'significant difference' between the Request for Proposal and the proposed contract with Martin Outdoor Media.
5. REQUEST the Board of Public Works to report relative to instituting a phase-out plan that would ensure that the public continues to have access to bus benches at all existing sites, and include in that report an analysis relative to the City purchasing the existing benches from the current contractor.

Fiscal Impact Statement: The Board of Public Works reports that there will be no additional impact on the General Fund. In accordance with the Request for Proposal, all costs associated with the installation and maintenance of the benches will be offset by revenues generated from advertising on the benches in the public right-of-way. City administrative and contract enforcement costs may also be offset by program revenues.

Community Impact Statement: None submitted.

ITEM NO. (24) - ADOPTED, AS AMENDED - SEE FOLLOWING

to Adopt as Amended, Ayes (11); Absent: Englander, Krekorian and Reyes (3)

[09-2314](#)

AUDITS AND GOVERNMENTAL EFFICIENCY COMMITTEE REPORT relative to the utilization of Hiring Hall to reduce overtime expenses as recommended by the Controller's Audit of Revenues and Expenses and a follow-up correspondence to the 2009 Audit of Revenues and Expenses at the Los Angeles Convention Center Department (LACC).

Recommendations for Council action:

1. NOTE and FILE the City Administrative Officer (CAO) report dated June 20, 2011, relative to utilization of Hiring Hall to reduce as-needed staff expenses at the LACC.
2. INSTRUCT the CAO to:
 - a. Verify whether the intent of the Controller's audit recommendation was to completely eliminate the use of as-needed staff at overtime rates and instead exclusively utilize Hiring Hall staff, or other staff, at straight time.
 - b. Report on the level of staff resources available through Hiring Hall.
 - c. Identify other event staff classifications, in addition to the electrical craft classifications, that can be added to the LACC's Departmental Personnel Ordinance for authority to hire from Hiring Hall.

Fiscal Impact Statement: The CAO reports that the Controller's audit suggests that utilizing Hiring Hall as an alternative to the as-needed pool could save the LACC an estimated \$700,000 annually. Funding for Hiring Hall salaries is provided in the LACC's 2011-12 Budget. There is no additional impact on the General Fund.

Community Impact Statement: None submitted.

ADOPTED

AMENDING MOTION (PARKS - GARCETTI)

Recommendation for Council action:

ADD Electrical Craft Helper to also be hired through the Hiring Hall.

ITEM NO. (25) - ADOPTED

Adopted, Ayes (11); Absent: Englander, Krekorian and Reyes (3)

[09-2314](#)

AUDITS AND GOVERNMENTAL EFFICIENCY COMMITTEE REPORT relative to follow-up correspondence to the 2009 Audit of Revenues and Expenses at the Los Angeles Convention Center Department (LACC).

Recommendations for Council action:

1. NOTE and FILE the June 15, 2010 report from the Controller relative to follow-up correspondence to the 2009 Audit of Revenues and Expenses at the LACC inasmuch as the report is submitted for information only and no Council action is necessary.
2. INSTRUCT the City Administrative Officer (CAO) to expedite the report relative to the feasibility of the LACC obtaining electricians from the City's hiring hall rather than utilizing the services of staff from the Department of General Services and the Los Angeles Department of Water and Power, which could potentially save \$1 million in overtime costs.

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

Community Impact Statement: None submitted.

Items for Which Public Hearings Have Not Been Held - Items 26-56

(10 Votes Required for Consideration)

**Adopted, Ayes (13); Absent: Reyes (1)
(Item Nos. 26-28)**

ITEM NO. (26) - ADOPTED

[09-2978](#)

COMMUNICATION FROM THE MAYOR relative to the reappointment of Dr. Jemiss Nazar to the Board of Disabled Access Appeals Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Dr. Jemiss Nazar to the Board of Disabled Access Appeals Commissioners for the new term ending June 30, 2016 is APPROVED and CONFIRMED. Dr. Nazar resides in Council District 12. (Current Commission gender composition: M=4; F=1; Vacant=0)

Ethics Commission Review: Complete.

Community Impact Statement: None submitted.

TIME LIMIT FILE - SEPTEMBER 2, 2011

(LAST DAY FOR COUNCIL ACTION - AUGUST 19, 2011)

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

ITEM NO. (27) - ADOPTED

[11-1252](#)

COMMUNICATION FROM THE MAYOR relative to the reappointment of Mr. Luis Mata to the Commission on Disability.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Mr. Luis Mata to the Commission on Disability for the new term ending June 30, 2016 is APPROVED and CONFIRMED. Mr. Mata resides in Council District 15. (Current Commission gender composition: M=5; F=3; Vacant=1)

Ethics Commission Review: Complete.

Community Impact Statement: None submitted.

TIME LIMIT FILE - SEPTEMBER 2, 2011

(LAST DAY FOR COUNCIL ACTION - AUGUST 19, 2011)

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

ITEM NO. (28) - ADOPTED

[11-1253](#)

COMMUNICATION FROM THE MAYOR relative to the reappointment of Mr. Gordon R. Overton to the Commission on Disability.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Mr. Gordon R. Overton to the Commission on Disability for the new term ending June 30, 2016 is APPROVED and CONFIRMED. Mr. Overton resides in Council District Six. (Current Commission gender composition: M=5; F=3; Vacant=1)

Ethics Commission Review: Complete.

Community Impact Statement: None submitted.

TIME LIMIT FILE - SEPTEMBER 2, 2011

(LAST DAY FOR COUNCIL ACTION - AUGUST 19, 2011)

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

ITEM NO. (29) - ADOPTED

Adopted, Ayes (13); Absent: Reyes (1)

[11-0661](#)

COMMUNICATION FROM THE MAYOR relative to the reappointment of Ms. Victoria Franklin to the South Los Angeles Area Planning Commission.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Ms. Victoria Franklin to the South Los Angeles Area Planning Commission for the new term ending June 30, 2016, is APPROVED and CONFIRMED. Ms. Franklin resides in Council District Eight. Ms. Franklin's current term expired on June 30, 2011. (Current Board composition: M = 2; F = 3)

Ethics Commission Review: Complete.

Community Impact Statement: None submitted.

TIME LIMIT FILE - SEPTEMBER 2, 2011

(LAST DAY FOR COUNCIL ACTION - AUGUST 19, 2011)

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

ITEM NO. (30) - ADOPTED

Adopted, Ayes (13); Absent: Reyes (1)

[11-1254](#)

COMMUNICATION FROM THE MAYOR relative to the reappointment of Mr. Richard E. Barron to the Cultural Heritage Commission.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Mr. Richard E. Barron to the Cultural Heritage Commission for the new term ending June 30, 2016 is APPROVED and CONFIRMED. Mr. Barron is a resident of Council District one. (Current gender composition: M=3; F=2).

Ethics Commission Review: Pending.

Community Impact Statement: None submitted.

TIME LIMIT FILE - SEPTEMBER 2, 2011

(LAST DAY FOR COUNCIL ACTION - AUGUST 19, 2011)

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

ITEM NO. (31) - ADOPTED

Adopted, Ayes (13); Absent: Reyes (1)

[11-0686](#)

ADMINISTRATIVE EXEMPTION, COMMUNICATIONS FROM BOARD OF WATER AND POWER COMMISSIONERS, CITY ADMINISTRATIVE OFFICER (CAO) AND CITY ATTORNEY, RESOLUTION and ORDINANCE FIRST CONSIDERATION relative to approval of the sale of surplus property to Roger Cairns-Berteau in settlement of lawsuit entitled Roger Cairns-Berteau v. Los Angeles Department of Water and Power, Los Angeles Superior Court (LASC) Case No. BC413934.

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

1. FIND that the sale surplus property is exempt from further environmental review under CEQA Guidelines, Section 15061 as there is no possibility that the activity in question may have a significant effect on the environment.
2. PRESENT and ADOPT the accompanying ORDINANCE involving the sale of surplus property located in the City of Los Angeles, County of Los Angeles, State of California to Roger Cairns-Berteau for Ingress and Egress.
3. ADOPT Board RESOLUTION No. 011-258, as adopted by the Board of Water and Power Commissioners on April 20, 2011, which authorizes preparation of the necessary documents to convey the easements for ingress and egress to the Plaintiff which are the subject of the lawsuit entitled Cairns Berteau v. Los Angeles Department of Water and Power et. al., LASC Case No. BC413934.

Fiscal Impact Statement: The CAO reports that approval of the proposed resolution (Resolution No. 011-258) will result in \$25,000 of revenue to the Water Revenue Fund. Since the Los Angeles Department of Water and Power (LADWP) is bound only by the City Debt Management Policies, the City Financial Policies are not applicable. The LADWP states that the proposed resolution and ordinance is consistent with the LADWP's Financial Policies. Approval of the proposed resolution will have no impact on the City's General Fund.

Community Impact Statement: None submitted.

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

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

Adopted, Ayes (12); Absent: Krekorian and Reyes (2)
(Item Nos. 32a-32d)

ITEM NO. (32) - ADOPTED

[11-0005-S476](#)

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 August 9, 2011:

[11-0005-S476](#)

CD 9

- a. Property at 1616 East Martin Luther King Jr. Boulevard (Case No. 222850).
Assessor I.D. No. 5117-012-024

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 5, 2009)

[11-0005-S477](#)

CD 9

- b. Property at 1616 East Martin Luther King Jr. Boulevard (Case No. 317896).
Assessor I.D. No. 5117-012-024

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

[11-0005-S478](#)

CD 9

- c. Property at 4354 South Compton Avenue (Case No. 147242).
Assessor I.D. No. 5116-018-010

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 7, 2008)

[11-0005-S479](#)

CD 11

- d. Property at 8934 South Reading Avenue (Case No. 199755).
Assessor I.D. No. 4125-017-001

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on November 26, 2008)

ITEM NO. (33) - ADOPTED

Adopted, Ayes (11); Absent: Englander, Krekorian and Reyes (3)

[11-0600-S54](#)

CONTINUED CONSIDERATION OF COMMUNICATION FROM CHAIR, ARTS, PARKS, HEALTH AND AGING COMMITTEE relative to a report from the Library Department on the status of restoring Library hours and services.

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 restoring Library hours and services, 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.

(Continued from Council meeting of July 26, 2011)

**Adopted, Ayes (12); Absent: Krekorian and Reyes (2)
(Item Nos. 34-49)**

ITEM NO. (34) - ADOPTED

[09-3049](#)

COMMUNICATION FROM CHAIR, PERSONNEL COMMITTEE relative to consolidated reasonable accommodations for employees with temporary and permanent work restrictions as a result of industrial or non-industrial injuries or illnesses for the second and third quarters of Fiscal Year (FY) 2010-11.

Recommendation for Council action:

NOTE and FILE the July 13, 2011 Personnel Department report relative to consolidated reasonable accommodations for employees with temporary and permanent work restrictions as a result of industrial or non-industrial injuries or illnesses for the second and third quarters of FY 2010-11.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (35) - ADOPTED

[11-1323](#)

COMMUNICATION FROM CHAIR, PERSONNEL COMMITTEE relative to the third-year extension of exemption from Civil Service provisions of the City Charter for various grant-funded positions in the Community Development Department (CDD).

Recommendation for Council action:

RESOLVE that the following positions in the CDD, BE EXEMPTED from Civil Service provisions of the City Charter, pursuant to Charter Section 1001 (d)(4):

| <u>No.</u> | <u>Code</u> | <u>Class</u> |
|------------|-------------|--------------------------------------|
| 1 | 1577 | Assistant Chief Grants Administrator |
| 6 | 1538 | Senior Project Coordinator |
| 3 | 1537 | Project Coordinator |
| 2 | 1546 | Senior Project Assistant |
| 4 | 1550 | Program Aide |
| 1 | 1597 | Senior Systems Analyst I |

These positions are grant-funded, and the Board of Civil Service Commissioners approved the third-year extension exemption request from the CDD on October 28, 2010.

Fiscal Impact Statement: None submitted by the CDD. 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. (36) - ADOPTED

[09-1901](#)

COMMUNICATION FROM CHAIR, PUBLIC SAFETY COMMITTEE relative to a Los Angeles Police Department (LAPD) DNA status report for the month of December, 2010.

Recommendation for Council action:

NOTE and FILE communication from the Board of Police Commissioners relative to a LAPD DNA status report for the month of December, 2010 (attached to the Council file).

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (37) - ADOPTED

[09-1901-S1](#)

COMMUNICATION FROM CHAIR, PUBLIC SAFETY COMMITTEE relative to the Los Angeles Police Department (LAPD) DNA status reports for the months of November, 2010; and, January, February, March, April, and May, 2011.

Recommendation for Council action:

NOTE and FILE communications from the Board of Police Commissioners relative to LAPD DNA status reports for the months of November, 2010; and, January, February, March, April, and May, 2011 (attached to the Council file).

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (38) - ADOPTED

[10-0555](#)

COMMUNICATION FROM CHAIR, PUBLIC SAFETY COMMITTEE relative to the Los Angeles Police Department (LAPD) DNA quarterly reports for the periods October through December, 2010, and January through March, 2011.

Recommendation for Council action:

NOTE and FILE communications from the Board of Police Commissioners relative to the LAPD DNA quarterly reports for the periods October through December, 2010 (dated February 1, 2011), and January through March, 2011 (dated June 7, 2011).

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (39) - ADOPTED

[10-0117](#)

COMMUNICATION FROM CHAIR, PUBLIC SAFETY COMMITTEE relative to a 2010 Homeland Security Preparedness Technical Assistance Program grant award for use by the Los Angeles Police Department's (LAPD) Operation Archangel Unit.

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

APPROVE the recommendations of the City Administrative Officer (CAO) in the August 3, 2011, report to Council (attached to the Public Safety Committee Report) relative to authorizing the LAPD to accept the 2010 Homeland Security Preparedness Technical Assistance Program grant award in the amount of \$200,000 from the United States Department of Homeland Security for use by the LAPD for the period September 1, 2010, through August 31, 2012; and, related actions.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. 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. (40) - ADOPTED

[10-1955](#)

COMMUNICATION FROM CHAIR, PUBLIC SAFETY COMMITTEE relative to a 2010 Port Security Program grant award for use by the Los Angeles Police Department's (LAPD) Underwater Dive Unit.

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 2010 Port Security Program grant award in the amount of \$1,529,000 from the Department of Homeland Security for the period September 30, 2009, through January 1, 2014.
 - b. Execute the 2010 Port Security Grant Program Memorandum of Agreement on behalf of the LAPD with the Marine Exchange of Los Angeles-Long Beach Harbor, the fiduciary agent for this 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 fiduciary agent and deposit grant receipts in the Los Angeles Police Department Grant Trust Fund No. 339/70.
3. AUTHORIZE the Controller to establish a grant receivable in Fund 339 in the amount of \$1,529,000 and establish an appropriation account, account number to be determined, within Fund 339/70, for the receipt and disbursement of grant funds.
4. AUTHORIZE the LAPD to:
 - a. Spend up to the grant amount of \$1,529,000 in accordance with the grant award agreement.
 - b. Prepare Controller 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. Port Security Grant Program costs are fully reimbursable. The grant does not require a City match. The above recommendations comply with City financial policies as one-time revenue is used for one-time expenses.

Community Impact Statement: None submitted.

ITEM NO. (41) - ADOPTED

[11-0930](#)

COMMUNICATION FROM CHAIR, PUBLIC SAFETY COMMITTEE relative to modifying the 2009 Community Oriented Policing Services (COPS) Technology Program grant budget, and a Memorandum of Agreement (MOA) between the City and the County of Los Angeles for the City's use of the County's emergency mass notification system.

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

1. AUTHORIZE the Chief of Police or designee to:
 - a. Accept the United States Department of Justice, COPS Office's approval of a budget modification of the 2009 COPS Technology Grant.
 - b. Execute the draft MOA between the City and the County of Los Angeles, for the period March 11, 2011, to March 10, 2012, for a sum not to exceed \$445,000, for the City's use of the County's mass notification system, subject to the approval of the City Attorney approval as to form and legality.
2. AUTHORIZE the Los Angeles Police Department (LAPD) to submit grant reimbursement requests to the grantor and deposit grant receipts in the LAPD Crime Bill/More Fund No. 650/70.
3. AUTHORIZE the Controller to establish a grant receivable in Fund 650 in the amount of \$500,000 and establish an appropriation account, account number to be determined, within Fund 650/70, for the receipt and disbursement of grant funds.
4. AUTHORIZE the LAPD to:
 - a. Spend up to the grant amount of \$500,000 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. Approval of the above recommendations will allow for the expenditure of the 2009 COPS Technology Program Grant award totaling \$500,000. This action complies with City financial policies in that grant funds are sufficient to support grant activities.

Community Impact Statement: None submitted.

ITEM NO. (42) - ADOPTED

[11-1256](#)

COMMUNICATION FROM CHAIR, PUBLIC SAFETY COMMITTEE and RESOLUTION relative to an application for the Fiscal Year (FY) 2011 Urban Area Security Initiative (UASI) grant award.

Recommendations for Council action:

1. AUTHORIZE the Mayor's Office of Homeland Security and Public Safety to submit the FY 2011 UASI grant application to the California Emergency Management Agency on behalf of the City of Los Angeles and Los Angeles-Long Beach Urban Area jurisdiction partners for the \$69,922,146 allocation.
2. ADOPT the accompanying Governing Body RESOLUTION to designate the City entities that will apply for and manage Federal financial assistance provided by the Federal Department of Homeland Security and sub-granted through the State of California.
3. INSTRUCT the City Administrative Officer (CAO) to report to Council with the necessary actions to approve and accept the FY 2011 UASI grant award, once applications are evaluated and funding is allocated by the Department of Homeland Security.

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

Community Impact Statement: None submitted.

ITEM NO. (43) - ADOPTED

[11-1365](#)

COMMUNICATION FROM CHAIR, PUBLIC SAFETY COMMITTEE relative to amending the contract with Marcor Environmental LP for lead abatement services at the Los Angeles Police Department (LAPD) firearms training facilities.

Recommendations for Council action:

1. AUTHORIZE the LAPD to execute the proposed Second Amendment to Contract C-110285 with Marcor Remediation, Inc. (now MARCOR Environmental, LP) adding two years to the term and \$2,222,970 to the contract amount, for lead abatement services at Department firearms training facilities, subject to the approval of the City Attorney as to form and legality.
2. DIRECT the City Administrative Officer (CAO) and the LAPD to report to the Public Safety Committee in 90 days relative to the status of the preparation and release of a Request for Proposals for lead abatement services at Department firearms training facilities.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund inasmuch as funds are already budgeted for this purpose. The proposed contract amendment will allow the LAPD to spend up to \$2,222,970 for these services. This action complies with City financial policies in that budgeted funds are used for the intended purposes.

Community Impact Statement: None submitted.

ITEM NO. (44) - ADOPTED

[09-2620](#)

ADMINISTRATIVE EXEMPTION and COMMUNICATION FROM CHAIR, TRADE, COMMERCE, AND TOURISM COMMITTEE relative to proposed Fourth Amendment to Contract No. DA-4159 with Kaye Scholer, LLP for legal services related to Federal regulatory issues and litigation matters at Los Angeles International Airport.

Recommendations for Council action:

1. FIND that this action, as described in the August 4, 2011 Board of Airport Commissioners (Board) report, attached to the Council file, is exempt from the California Environmental Quality Act (CEQA) pursuant to Article II Section 2(f) of the Los Angeles City CEQA Guidelines.
2. APPROVE the Fourth Amendment to Contract No. DA-4159 with Kaye Scholer, LLP to extend the contract term until May 19, 2012.
3. CONCUR with the Board's action of May 2, 2011 by Resolution No. 24442 authorizing the Executive Director to execute the Fourth Amendment to Contract No. DA-4159 with Kaye Scholer, LLP.

Fiscal Impact Statement: The Board reports that approval of the proposed Fourth Amendment to Contract No. DA-4159 with Kaye Scholer, LLP will have no impact on the General Fund.

Community Impact Statement: None submitted.

TIME LIMIT FILE - OCTOBER 3, 2011

(LAST DAY FOR COUNCIL ACTION - SEPTEMBER 30, 2011)

ITEM NO. (45) - ADOPTED

[10-1604-S1](#)

ADMINISTRATIVE EXEMPTION and COMMUNICATION FROM CHAIR, TRADE, COMMERCE, AND TOURISM COMMITTEE relative to proposed Third Amendment to Contract No. DA-4297 with Sohagi Law Group (Sohagi) for legal services related to land use, environmental law and related matters for the Los Angeles World Airports.

Recommendations for Council action:

1. FIND that this action, as described in the August 8, 2011 Board of Airport Commissioners (Board) report, attached to the Council file, is exempt from the California Environmental Quality Act (CEQA) pursuant to Article II Section 2(f) of the Los Angeles City CEQA Guidelines.
2. APPROVE the Fourth Amendment to Contract No. DA-4297 with Sohagi to add an additional \$500,000 to the contract amount and to extend the contract term until August 3, 2014.
3. CONCUR with the Board's action of July 11, 2011 by Resolution No. 24515 authorizing the Executive Director to execute the Third Amendment to Contract No. DA-4297 with Sohagi.

Fiscal Impact Statement: The Board reports that approval of the proposed Third Amendment to Contract No. DA-4297 with Sohagi will have no impact on the General Fund.

Community Impact Statement: None submitted.

TIME LIMIT FILE - OCTOBER 7, 2011

(LAST DAY FOR COUNCIL ACTION - OCTOBER 7, 2011)

ITEM NO. (46) - ADOPTED

[11-1242](#)

ADMINISTRATIVE EXEMPTION and COMMUNICATION FROM CHAIR, TRADE, COMMERCE, AND TOURISM COMMITTEE relative to proposed Foreign-Trade Zone (FTZ) General Purpose Operating Agreement No. 11-2985 with Komar Distribution Services (Komar) in connection with FTZ 202, Site 20B.

Recommendations for Council action:

1. FIND that this action, as described in the July 13, 2011 Board of Harbor Commissioners (Board) report, attached to the Council file, is exempt from the California Environmental Quality Act (CEQA) pursuant to Article III Section 1(14) of the Los Angeles City CEQA Guidelines.
2. APPROVE FTZ General Purpose Operating Agreement No. 11-2985 with Komar in connection the FTZ 202, Site 20B.
3. AUTHORIZE the Executive Director to execute and the Board Secretary to attest to FTZ General Purpose Operating Agreement No. 11-2985.
4. ADOPT Resolution No. 11-7126.

Fiscal Impact Statement: The City Administrative Officer reports that Komar will pay the Port of Los Angeles (POLA) \$5,000 in fees each year during the first five years of the Agreement and in every subsequent three, five-year term, for a total compensation of \$100,000 for the overall 20-year term of the Agreement. There will be no additional cost to the POLA. The proposed FTZ Operator Agreement with Komar will have no impact on the City General Fund. Funds will be deposited in the Harbor Revenue Fund,

Community Impact Statement: None submitted.

TIME LIMIT FILE - SEPTEMBER 13, 2011

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

ITEM NO. (47) - ADOPTED

[11-1275](#)

ADMINISTRATIVE EXEMPTION and COMMUNICATION FROM CHAIR, TRADE, COMMERCE, AND TOURISM COMMITTEE relative to proposed First Amendment to Agreement No. 08-2702 with Tetra Tech, Inc. (Tetra Tech) for administration of the Clean Truck Program.

Recommendations for Council action:

1. FIND that this action, as described in the July 18, 2011 Board of Harbor Commissioners (Board) report and attached to the Council file, is exempt from the California Environmental Quality Act (CEQA) pursuant to Article II Section 2(f) of the Los Angeles City CEQA Guidelines.
2. APPROVE the First Amendment to Agreement No. 08-2702 with Tetra Tech to extend the term an additional nine months to June 30, 2012.
3. AUTHORIZE the Executive Director to execute and the Board Secretary to attest to the First Amendment to Agreement No. 08-2702.
4. ADOPT Resolution No. 11-7154.

Fiscal Impact Statement: The Board reports that the contract authority for this project is \$8,400,000 of which \$5,207,656 has been expended through May 1, 2011, leaving a remaining balance of \$3,192,344. It is anticipated that \$1.2 million will be spent during the amendment period, leaving a balance of \$1,992,344 that will remain unspent at the end of the proposed contract term of June 30, 2012. The additional funds are available in the fiscal year 2011-12 budget in Account 59967 (Clean Truck Program), Center 0330 (Environmental Management Division), Program 000.

Community Impact Statement: None submitted.

TIME LIMIT FILE - SEPTEMBER 18, 2011

(LAST DAY FOR COUNCIL ACTION - SEPTEMBER 16, 2011)

ITEM NO. (48) - ADOPTED

[11-1359](#)

CD 11

ADMINISTRATIVE EXEMPTION and COMMUNICATION FROM CHAIR, TRADE, COMMERCE, AND TOURISM COMMITTEE relative to proposed lease (LAA-8591) with Mercury Air Cargo, Inc. (MAC) covering a multi-use facility at 6851 West Imperial Highway at Los Angeles International Airport.

Recommendations for Council action:

1. FIND that this action, as described in the August 4, 2011 Board of Airport Commissioners (Board) report, attached to the Council file, is exempt from the California Environmental Quality Act (CEQA) pursuant to Article III Class 1 (18)(c) of the Los Angeles City CEQA Guidelines.

2. APPROVE the lease with MAC covering a multi-use facility at 6851 West Imperial Highway at LAX.
3. CONCUR with the Board's action of July 11, 2011 by Resolution No. 24483 authorizing the Executive Director to execute Lease LAA-8591 with MAC.

Fiscal Impact Statement: The Board reports that approval of the proposed lease with MAC will have no effect on the General Fund.

Community Impact Statement: None submitted.

TIME LIMIT FILE - SEPTEMBER 3, 2011

(LAST DAY FOR COUNCIL ACTION - AUGUST 19, 2011)

ITEM NO. (49) - ADOPTED

10-1627

COMMUNICATION FROM CHAIR, PERSONNEL COMMITTEE relative to fourth-year contract extensions with various providers for the Civilian Modified Flexible Benefits (FLEX) Program.

Recommendations for Council action:

1. NOTE and FILE the July 26, 2011 joint report from the Personnel Department and the Chairperson of the Joint Labor Management Benefits Committee.
2. APPROVE the 2012 FLEX Plan.
3. AUTHORIZE the Personnel Department General Manager to execute fourth-year contract extensions with the following FLEX Program providers from January 1, 2012 through December 31, 2012:
 - a. Anthem Blue Cross, Contract No. 15672, to provide medical insurance services.
 - b. Delta Dental, Contract No. 115673, to provide dental insurance services.
 - c. MetLife, Contract No. 111263, to provide accidental death and dismemberment insurance services.
 - d. Wage Works, Contract No. 107655, to provide third-party administrative services for the Dependent Care Reimbursement Account Program and Flexible Spending Account Program.

ITEM NO. (50) - ADOPTED - SEE FOLLOWING

Adopted, Ayes (10); Absent: Englander, Koretz, Krekorian and Reyes (4)

[10-1627](#)

COMMUNICATION FROM CHAIR, PERSONNEL COMMITTEE relative to fourth-year contract extensions with various providers for the Civilian Modified Flexible Benefits (FLEX) Program.

SUBMITS WITHOUT RECOMMENDATION the recommendation of the Personnel Department and the Joint Labor Management Benefits Committee Chairperson to:

AUTHORIZE the Personnel Department General Manager to execute a fourth-year contract extension with Kaiser Permanente, Contract No. 115927, to provide medical insurance services for the FLEX Program from January 1, 2012 through December 31, 2012.

Fiscal Impact Statement: The Personnel Department and the JLMBC report that for Plan Year 2012 (January 1, 2012 to December 31, 2012), medical insurance premiums increased by the following percentages: Kaiser, 6 percent; Blue Cross HMO, 6.3 percent. Premiums for the Blue Cross PPO Plan fell by 4.5 percent. The Dental Plan premium increase fell from 9.3 percent to 4.3 percent after plan design changes were adopted by the JLMBC. Overall, the cost increases were less than expected for a number of reasons including lower enrollment levels, improved claims experience and aggressive plan design changes. The Fiscal Year (FY) 2011-12 Adopted Budget for the FLEX Program is \$213 million (excluding proprietary departments, the employees' portion of premium costs, and the Third-Party Administrator contract). It is estimated that approval of the Plan Year 2012 FLEX Program recommendations will save \$4.8 million from the Adopted Budget. It should be noted that in accordance with City Administrative Officer recommendations, the City Council recently reduced the Adopted FY 2011-12 FLEX Program Budget by \$8 million. The reduction in premiums also resulted in long-term savings by reducing the base amount upon which future premium increases are projected. A savings of approximately \$108.3 million dollars will result from these plan design changes over the next five years.

Community Impact Statement: None submitted.

ADOPTED

AMENDING MOTION (HUIZAR - ROSENDAHL)

Recommendation for Council action:

AUTHORIZE the Personnel Department General Manager to execute a fourth-year contract extension with Kaiser Permanente, Contract No. 115927, to provide medical insurance services for the FLEX Program from January 1, 2012 through December 31, 2012.

**Adopted, Ayes (12); Absent: Krekorian and Reyes (2)
(Item Nos. 51-55, 56a-56b)**

ITEM NO. (51) - ADOPTED

[10-0702](#)

COMMUNICATION FROM THE BOARD OF WATER AND POWER COMMISSIONERS and RESOLUTION relative to authorizing execution of the Confirmation of Sale and Acceptance of Oral Bids for City-owned properties.

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

CONCUR with the Board of Water and Power Commissioners' (Board) action of June 7, 2011, RESOLUTION No. 011-301, authorizing execution of the Confirmation of Sale and Acceptance of Oral Bids for City-owned properties auctioned to the public on March 23, 2011 in Bishop, California, as detailed in the Board's June 9, 2011 report, attached to the Council file.

Fiscal Impact Statement: None submitted by the Los Angeles Department of Water and Power. Neither the CAO nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

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

ITEM NO. (52) - ADOPTED

[11-0607](#)

COMMUNICATIONS FROM THE BOARD OF WATER AND POWER COMMISSIONERS and RESOLUTION relative to authorizing execution of a Quitclaim Deed for eight Los Angeles Department of Water and Power (LADWP) distribution easements.

Recommendation for Council action:

CONCUR with the Board of Water and Power Commissioners' (Board) action of April 5, 2011, RESOLUTION No. 011-230, authorizing execution of a Quitclaim Deed for eight LADWP distribution easements, as detailed in the Board's April 11, 2011 report, attached to the Council file.

Fiscal Impact Statement: The CAO reports that approval of proposed Resolution No. 011-230 will result in revenue to the Water Revenue Fund and Power Revenue Fund totaling \$34,000. The LADWP Debt Management Policies are not applicable. Approval of the proposed Resolution will have no impact on the City's General Fund.

Community Impact Statement: None submitted.

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

ITEM NO. (53) - ADOPTED

[11-0616](#)

COMMUNICATION FROM THE BOARD OF WATER AND POWER COMMISSIONERS and RESOLUTION relative to authorization for the sale of excess property located near the Los Angeles Department of Water and Power's (LADWP) Hollywood Reservoir.

Recommendation for Council action:

CONCUR with the Board of Water and Power Commissioners' (Board) action of April 5, 2011, Resolution No. 011-242, authorizing execution of Grant, Bargain, and Sale Deeds for the sale of excess property located near the Hollywood Reservoir, as detailed in the Board's April 11, 2011 report, attached to the Council file.

Fiscal Impact Statement: None submitted by the LADWP.

Community Impact Statement: None submitted.

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

ITEM NO. (54) - ADOPTED

[11-0002-S115](#)

MOTION (GARCETTI - ROSENDAHL) relative to amending prior Council action of August 2, 2011 regarding the City's legislative position for the federal Respect for Marriage Act.

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

AMEND prior Council action of August 2, 2011 (Council file No. 11-0002-S115) relative to the City's legislative position for the federal Respect for Marriage Act to indicate the correct bill number for this Act as S.598 not S.587 as erroneously states in this Action; and INSTRUCT the City Clerk to make this correction wherever appropriate, including in the Council File Management System.

ITEM NO. (55) - ADOPTED

[09-2063-S2](#)

RESOLUTION (GARCETTI - PARKS) relative to the City Council designating Councilmember Bernard Parks as the Voting Delegate and Councilmember Tony Cardenas as the Alternate Voting Delegate for the League of California Cities Annual Conference in San Francisco, California on September 21-23, 2011.

Recommendation for Council action:

RESOLVE to designate Councilmember Bernard Parks as the Voting Delegate and Councilmember Tony Cardenas as the Alternate Voting Delegate for the League of California Cities Annual Conference in San Francisco, California on September 21-23, 2011.

ITEM NO. (56) - MAPS APPROVED - CITY ENGINEER REPORT ADOPTED

[11-1386](#)

et al. FINAL MAPS in the various Council Districts.

Recommendation for Council action:

APPROVE the Final Maps and ADOPT the City Engineer Reports as detailed in the various listed Council files, including bonds, agreements, contracts and other related issues as specified:

[11-1386](#)

CD 2

- a. FINAL MAP OF TRACT NO. 63362 for property located at 4374 North Troost Avenue, lying southerly of Moorpark Avenue.
Bond No. C-119037)
(Quimby Fee: \$18,792)
Applicants: Majid Jaafari
Tala Associates

[11-1385](#)

CD 11

- b. PARCEL MAP L.A. NO. 2008-4853 for property located at 29 East 28th Avenue lying southwesterly of Pacific Avenue.
Applicants: Georgie Smith, Melissa Goddard
Lawrence Wilson

Closed Session - Item 57

ITEM NO. (57) - MOTION REFERRED TO TRANSPORTATION COMMITTEE

Adopted to Refer, Ayes (10); Absent: Englander, Huizar, Krekorian and Reyes (4)

[11-1341](#)

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 cases entitled Mark Willits, et al. v. City of Los Angeles, United States District Court Case No. CV10-5782; Pineda, et al. v. City of Los Angeles, Los Angeles Superior Court (LASC) Case No. BC403327; and Griffen, et al. v. City of Los Angeles, LASC Case No. BC457403. (This lawsuit arises out of allegations of violations of the Americans with Disabilities Act regarding the City's public rights-of-ways and driveway aprons.)

(Budget and Finance Committee to consider the above matter in Closed Session on August 8, 2011)

(Continued from Council meeting of August 10, 2011)

**Adopted, Ayes (13); Absent: Reyes (1)
(Item Nos. 58-59)**

ITEM NO. (58) - ADOPTED

[10-0225-S1](#)

CONTINUED CONSIDERATION OF BUDGET AND FINANCE COMMITTEE REPORT relative to the Accounts Receivable Quarterly Report for Third Quarter Fiscal Year (FY) 2010-11.

Recommendations for Council action:

1. NOTE and FILE the Office of Finance (Finance) report dated June 30, 2011, relative to the Accounts Receivable Quarterly Report for Third Quarter FY 2010-11.
2. INSTRUCT Finance to continue to work with the Mayor's Office to identify a point of contact in regards to the Mayor's Executive Directive No. 5 in order to provide more clarity on the responsibility.
3. INSTRUCT the Los Angeles Fire Department to cease adding legally uncollectible debt for emergency ambulance services to the Department's outstanding accounts receivables.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

(Continued from Council meeting of August 12, 2011)

ITEM NO. (59) - ADOPTED

[11-1357](#)

CONTINUED CONSIDERATION OF MOTION (PARKS - KREKORIAN for GARCETTI) relative to an update on the status of revenue items, other possible revenue proposals for generating, enhancing or improving collection of City revenues and revenue collection efforts (Revenue Day).

Recommendations for Council action:

1. INSTRUCT the City Administrative Officer and Chief Legislative Analyst to present to the City Council an update on the status of revenue items, as well as other possible revenue proposals for generating, enhancing or improving collection of City revenues, including measures that would require voter approval, and that the Office of Finance present a status of revenue collection efforts, including recommendations made in the Macias study.
2. REQUEST the Commission on Revenue Efficiency (CORE) to make a brief presentation on its efforts and recommendations regarding revenue options.

(Public Hearing Closed on August 10, 2011)

(Continued from Council meeting of August 12, 2011)

ITEM NO. (60) - ADOPTED, AS AMENDED - SEE FOLLOWING

to Adopt as Amended, Ayes (12); Absent: Englander and Reyes (2)

[11-1345](#)

CONTINUED CONSIDERATION OF COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER (CAO) relative to a sole source management contract with Best Friends Animal Society for the operation of the City's Northeast Animal Care Center.

Recommendation for Council action:

AUTHORIZE the General Manager, Department of Animal Services, with the assistance of the CAO and City Attorney, to negotiate and execute a three-year sole source management contract with two one-year renewal options between the City of Los Angeles and the Best Friends Animal Society for the operation of the City's Northeast Animal Care Center, subject to the approval of the City Attorney as to form and legality.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. The Department of General Services was budgeted \$200,000 to continue to provide basic facility maintenance and utilities for the Northeast Animal Care Center. The above recommendation reduces existing General Fund expenses and will provide cost avoidance savings during the term of the contract based on the services Best Friends Animal Society is willing to provide at no additional cost to the City. The value of the services provided will range between \$1.1 million and \$3.3 million per year.

Community Impact Statement: None submitted.

(Public Safety Committee waived consideration of the above matter)

(Scheduled pursuant to Council Rule 53. Public Hearing closed on August 12, 2011)

ADOPTED

AMENDING MOTION (KORETZ - CARDENAS)

Recommendations for Council action:

1. **INSTRUCT the City Administrative Officer and the City Attorney to include provisions in the contract with Best Friends for the operation of the Northeast Valley Animal Care Center as follows:**
 - a. **The facility be available to the Los Angeles Department of Animal Services (LAAS) at its request and as necessary to deal with any and all aspects of emergency situations that may arise as a result of fires, floods, earthquakes or other events that require emergency mobilization, evacuation or household pets and large animals, emergency staging operations, and so forth.**

- b. The LAAS may assign Animal Control Officers and/or other staff at the shelter during daily hours of operation, in a manner that does not interfere with Best Friends' operation in any way, in order to provide basic service call response and emergency service to the shelter's normal service area during those hours.
 - c. The LAAS commit to continuing to provide normal animal control services, including law enforcement, impoundment, pickup of stray animals and protection of the public from dangerous animals, to the shelter's service area.
 - d. The Best Friends commit to adhering to all pertinent spay-neuter, vaccination and licensing requirements of the State of California and City of Los Angeles, and adhere to an existing litigation-related injunction on "trap, neuter, return" and related activities unless and until said injunction is lifted, in its operations at the shelter.
 - e. Upon the request of the LAAS, Best Friends agree to include any information regarding the department's programs and/or the City's laws and requirements regarding animals in its education and information programs offered at the Northeast Valley center, and to display them at the center in locations visible to the public and its staff, including, but not limited to, spay/neuter requirements, dog licensing requirements, leash laws, nuisance and dangerous animal laws, and so forth.
 - f. Upon the effective date of the City's final approval of Code amendments permitting it to do so, Best Friends will sell dog licenses to pet owners from the center, requiring all adopters to purchase them as they would at any City shelter, and encouraging other dog owners to do so as well.
 - g. At the earliest possible opportunity but in no case later than 120 days after final approval of this action, Best Friends will submit to Council District Seven LAAS and the Board of Animal Services Commissioners a full schedule of adoption and spay-neuter fees and charges and that such fees and charges shall be no more than those charged at other LAAS shelters, with the exception of special promotions, events and circumstances, during which lower fees may be charged as deemed appropriate. This schedule shall be attached to the contract and the file for public reference.
2. ENSURE by the City that a Request For Proposals process be implemented should any other City-owned animal shelter be considered for the outsourcing of management at any time in the future.

ADOPTED

AMENDING MOTION (KORETZ - CARDENAS)

Recommendation for Council action:

INCLUDE in the negotiations of the contract with Best Friends Animal Society: increase the minimum daily average of animals from 50 to 100; take quarantine animals from other shelters, specifically those available for shelter to shelter transport; address the issue of timing of how long they should have at a minimum a certain number of days past a certain threshold that they will replenish; and include 48 hours as a replenishment period.

ITEM NO. (61) - ADOPTED, AS AMENDED - SEE FOLLOWING

to Adopt as Amended, Ayes (9); Noes: Parks, Perry and Zine (3); Absent: Englander and Reyes (2)

[11-0695](#)

CONTINUED CONSIDERATION OF TRANSPORTATION COMMITTEE REPORT relative to the reprogramming of Proposition C Anti-Gridlock Transit Funds for the Wilshire Bus Rapid Transit Project (BRT).

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

1. DIRECT the Los Angeles Department of Transportation (LADOT) to close out the \$7,479,000 Wilshire Boulevard Corridor Improvements - Selby to Comstock project funded through the 2001 Call for Projects (MOU.P0008050).
2. AUTHORIZE the City to provide total match funds from the Proposition C Anti-Gridlock Transit Fund No. 540 not to exceed \$3,318,000.
3. DIRECT the LADOT to return \$113,000 in local match funds and \$111,000 in front funds from the Transportation Grant Fund No. 655, Wilshire Boulevard Corridor Improvements - Selby to Comstock, Account No. A554 to the Proposition C Anti-Gridlock Transit Fund No. 540, Transportation Grant Fund Work Program Account No. 94H655.
4. DIRECT the LADOT to return \$354,000 in local match funds from the Transportation Grant Fund No. 655, Wilshire Boulevard Corridor Improvements - Selby to Comstock, Account No. G554 to the Proposition C Anti-Gridlock Transit Fund No. 540, Transportation Grant Fund Work Program Account No. 94H655.
5. AUTHORIZE the increase of the Proposition C Anti-Gridlock Transit Fund No. 540, Transportation Grant Fund Work Program Account No. 94H555 by \$578,000 to reflect the return of match and front funding from the Transportation Grant Fund to the Proposition C Anti-Gridlock Transit Fund.
6. AUTHORIZE the APPROPRIATION and TRANSFER of \$1.6 million in match funds from the Proposition C Anti-Gridlock Transit Fund No. 655, Transportation Grant Fund Work Program Account No. 94H655 to the Transportation Grant Fund No. 655, Wilshire BRT Project (account number to be determined) for pre-design work.

7. AUTHORIZE the LADOT to return reimbursements for labor, overtime, mileage, and any other expenditure incurred directly by the Proposition C Anti-Gridlock Transit Fund No. 540 for the Wilshire BRT Project and/or other projects whose invoices are prepared and reimbursements are received by the Transportation Grant Fund.

Fiscal Impact Statement: The LADOT reports that this action will not impact the General Fund.

Community Impact Statement: None submitted.

(Scheduled pursuant to Council Rule 53)

ADOPTED

AMENDING MOTION (GARCETTI - LABONGE)

Recommendations for Council action:

1. **AMEND Recommendation No. 2 to read: AUTHORIZE the City to provide total match funds from the Proposition C Anti-Gridlock Transit Fund No. 540 not to exceed ~~\$3,318,000~~ \$3,218,000 and an amount not to exceed \$100,000 from the West Los Angeles Transportation Improvement and Mitigation Program Fund No. 681, Unappropriated Balance Account.**
2. **AMEND Recommendation No. 6 to read: AUTHORIZE the Appropriation and Transfer of ~~\$1.6 million~~ \$1.5 million in match funds from the Proposition C Anti-Gridlock Transit Fund No. 655, Transportation Grand Fund Work, Program Account No. 94H655 and \$100,000 from the West Los Angeles Transportation Improvement and Mitigation Program Fund No. 681, Unappropriated Balance Account to the Transportation Grand Fund No. 655, Wilshire BRT Project (account number to be determined) for pre-design work.**

Item for Which Public Hearing Has Not Been Held - Item 62

(10 Votes Required for Consideration)

ITEM NO. (62) - ADOPTED - SEE FOLLOWING

Adopted, Ayes (13); Absent: Reyes (1)

[10-1789-S5](#)

CONSIDERATION OF THE BOARD OF WATER AND POWER COMMISSIONERS (Board) August 2, 2011 action, Item No. 18 on the Board's agenda, approving modifications to the current Department of Water and Power Solar Incentive Program Guideline.

(On August 12, 2011, Council asserted jurisdiction, pursuant to Charter Section 245, over the Board's August 2, 2011 action.)

10 VOTES REQUIRED TO VETO

TIME LIMIT FILE - AUGUST 19, 2011

LAST DAY FOR COUNCIL ACTION - AUGUST 19, 2011

ADOPTED

AMENDING MOTION (PERRY - ROSENDAHL)

Recommendations for Council action:

- 1. CONCUR with the Board of Water and Power Commissioners' action of August 2, 2011, relative to modifications to the current Los Angeles Department of Water and Power (LADWP) Solar Incentive Program Guidelines.**
- 2. INSTRUCT the LADWP to report in 60 days on the program's usage, viability of incentive rates and the level of participation of low income residents in this program.**
- 3. INSTRUCT to report on all elements going forward, including how much was leased and how much was purchased; provide data to assess whether or not the Solar Incentive Program is actually encouraging and incentivizing installation and are the funds being used cost effectively to achieve the policy objectives of the program; and on schools, parks, libraries and other government buildings with a program to achieve the goals of solar and green power to reduce the costs of these entities.**

Closed Session - Item 63

ITEM NO. (63) - NO ACTION TAKEN

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 Ardon v. City of Los Angeles, Los Angeles Superior Court Case No. BC363959; Court of Appeals, Second Appellate District, Division Three, Case No. B201035; California Supreme Court Docket No. S174507. (This case arises out of a taxpayer class action lawsuit challenging the City's telephone users tax.)

(Continued from Council meeting of August 12, 2011)

MOTION SCHEDULED FOR FRIDAY, AUGUST 19, 2011 BY COUNCIL THAT THE NEED TO TAKE ACTION AROSE SUBSEQUENT TO THE POSTING OF THE COUNCIL AGENDA FOR TUESDAY, AUGUST 16, 2011, PURSUANT TO GOVERNMENT CODE SECTION 54954.2(b)(2) AND COUNCIL RULE 23

SCHEDULED FOR FRIDAY, AUGUST 19, 2011

[11-1428](#)

RESOLUTION (KORETZ - PERRY - ROSENDAHL) relative to City's position on the U.S. Department of Energy Sunshot Rooftop Solar Challenge grant program.

Recommendation for Council action:

RESOLVE to hereby SUPPORT the application of Open Neighborhoods for the U.S. Department of Energy Sunshot Rooftop Solar Challenge grant program, as further described in the text of this resolution.

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

[11-1434](#)

MOTION (WESSON - ENGLANDER) relative to lease approval for office space at 4712 West Adams Boulevard for the West Adams Neighborhood Council.

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

[11-0003-S2](#) - Vickie Sue Casanova

Garcetti

Eula Jean Dowd Fowlkes

Wesson

Alarcón, Cárdenas, Koretz, LaBonge, Parks, Perry, Rosendahl, Wesson, Zine and President Garcetti (10); Absent: Englander, Huizar, Krekorian and Reyes (4)

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL