

Los Angeles City Council, **Journal/Council Proceedings**
Friday, **August 12, 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: Cárdenas, Huizar, Koretz, Krekorian, LaBonge, Parks, Perry, Reyes, Rosendahl and Wesson (10); Absent: Alarcón, Englander, Zine and President Garcetti (4)

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
AUGUST 9, 2011

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 23

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

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

Items for Which Public Hearings Have Been Held - Items 1-19

ITEM NO. (1) - ADOPTED

Adopted, Ayes (12); Absent: Zine and President Garcetti (2)

[10-0418](#)

PUBLIC SAFETY COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to charging market rates for training provided by the Los Angeles Police Department (LAPD) to other law enforcement and public safety agencies.

Recommendation for Council action, as initiated by Motion (Smith - Zine), SUBJECT TO THE APPROVAL OF THE MAYOR:

PRESENT and ADOPT the accompanying ORDINANCE amending Section 22.239, Chapter 11, Article 5 of the Los Angeles Administrative Code to authorize the Board of Police Commissioners to set the fees for the LAPD to provide training to other law enforcement and public safety agencies to reflect the prevailing market rates charged for providing such training services.

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

Community Impact Statement: None submitted.

ITEM NO. (2) - ADOPTED, AS AMENDED - SEE FOLLOWING

Adopted as Amended, Ayes (9); Noes: Alarcón and Cárdenas (2); Absent: Reyes, Zine and President Garcetti (3)

[11-0993](#)

CD 4

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to an alternative management structure for the Los Angeles Zoo and Botanical Gardens (LA Zoo) and request for authority to release a Request for Proposal for the Zoo's operation and management.

Recommendations for Council action:

1. NOTE and FILE the City Administrative Officer (CAO) reports dated June 10, July 18, and July 26, 2011, inasmuch as the reports were submitted for information only, and no Council action is necessary.
2. APPROVE and AUTHORIZE the CAO to release a Request for Proposal substantially in the form of the draft for operation and management of the LA Zoo (attached to the Council File).
3. INSTRUCT the General Manager and Director, LA Zoo, to formulate a hiring plan for Fiscal Year 2011-12.
4. INSTRUCT the CAO to:
 - a. Meet and consult with the Coalition of City Unions and other bargaining units representing LA Zoo employees.
 - b. Report back and present recommendations for Mayor and Council consideration.
 - c. Include the following provisions under the new alternative management structure:
 - 1) The LA Zoo Department will remain a City Department.
 - 2) The CAO will manage and oversee the operating agreement with the community partner.
 - 3) The Board of Los Angeles Zoo Commissioners will continue to exist and perform all functions that it currently performs relative to the LA Zoo.
5. INSTRUCT the CAO, as part of a two-track approach to the development of an alternative management system for the LA Zoo, to:

- a. Undertake a study that would provide an overall concept of how the LA Zoo might be financed in a way that would allow the City to realize substantial savings to the General Fund through increased efficiencies in operations over the next five years (this study would serve as an alternative to the proposed RFP process that would enable the Council to determine which alternative management system, the one generated by the RFP, or one developed independent of the RFP, would best serve the City's interests), and include in the study the following issues to be considered:
 - 1) All concession agreements and all subcontracting involving retail, marketing, advertising, food services, concession machines, stroller rentals, etc. to determine how these terms might be favorable to the City, and the cost effectiveness of the City directly contracting for these concessions.
 - 2) An analysis of bond indebtedness and the long-term plan for covering those costs.
 - 3) Evaluation of a revolving fund or enterprise fund benefiting the Zoo in keeping revenue generated by the LA Zoo for operations within the Zoo.
 - 4) The LA Zoo's hours of operation, including an analysis of the potential to increase revenue by extending the hours of operation into the evenings during peak seasons and the result on revenue from tickets, memberships, and concessions.
 - 5) Obtaining grants for projects in keeping with the mission and greening of the LA Zoo, for example, converting bio waste to energy as other zoos have undertaken.
 - 6) Examining untapped potential within the Zoo grounds, for example, using unused grounds to grow specialized feed and potentially minimize its purchase.
 - 7) Potential revenue from parking, and exploring valet parking as a parking option.
 - 8) Analysis of a purchasing collaborative with other zoos to take advantage of economies of scale.
 - 9) Examining potential lease options of select Zoo assets, including the grounds that don't require an alternative management structure.
- b. Conduct the study in a manner that incorporates feedback from the LA Zoo's leadership, contract inspection staff and/or Bureau of Engineering staff, workers assigned to the LA Zoo, and others, including administrators in public and private zoos elsewhere in the country.
- c. Develop the report, with the Chief Legislative Analyst and LA Zoo management, to be completed to coincide with the release of the RFP results.

Fiscal Impact Statement: The CAO reports that an alternative management structure for the LA Zoo could generate at least \$20 million in General Fund savings over five years. Additional savings will be achieved through reduction in related costs. However, the actual General Fund savings cannot be determined at this time and largely depend on responses to the Request for Proposal. There is no additional impact to the General Fund.

Community Impact Statement: None submitted.

ADOPTED

Amending Motion Adopted, Ayes (11); Absent: Reyes, Zine and President Garcetti (3)

AMENDING MOTION (CÁRDENAS - ALARCÓN)

Recommendations for Council action:

INSTRUCT the Chief Legislative Analyst and City Administrative Officer to report on: 1) how or is the City could accept donations and/or support to do the appropriate analysis related to this matter: 2) how or if the City can legally do that: and 3) what kind of studies would be required to feel comfortable that all bases have been covered.

ADOPTED

Amending Motion Adopted, Ayes (11); Absent: Reyes, Zine and President Garcetti (3)

AMENDING MOTION 2-B (KORETZ - WESSON)

Recommendation for Council action:

AMEND to delete Recommendation 5c and replace it with the following:

- c. Develop the report, with the CLA, the Mayor's Office, and Labor representatives, along with the zoo management to provide any needed data, to be completed to coincide with the release of the RFP results.**

**Adopted, Ayes (10); Absent: Alarcón, Englander, Zine and President Garcetti (4)
(Item Nos. 3-4)**

ITEM NO. (3) - ADOPTED

[11-0600-S91](#)

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to the privatization of the LA Zoo and the Request for Proposal process.

Recommendation for Council action:

NOTE and FILE the Fiscal Year 2011-12 Adopted Budget Recommendation relative to the privatization of the LA Zoo and the Request for Proposal process.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (4) - ADOPTED

[11-0600-S92](#)

ARTS, PARKS, HEALTH AND AGING and BUDGET AND FINANCE COMMITTEES' REPORT relative to eliminating the remaining 26 percent of the Zoo's budget that is still reliant on the General Fund.

Recommendation for Council action:

NOTE and FILE the Fiscal Year 2011-12 Adopted Budget Recommendation relative to an instruction to the City Administrative Officer and the Zoo to report on eliminating the remaining 26 percent of the Zoo's budget that is still reliant on the General Fund.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (5) - CONTINUED TO AUGUST 16, 2011

Adopted to Continue, Unanimous Vote (11); Absent: Reyes, Zine and President Garcetti (3)

[10-0225-S1](#)

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.

ITEM NO. (6) - ADOPTED

Adopted, Ayes (10); Absent: Alarcón, Englander, Zine and President Garcetti (3)

[11-0600-S102](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to the Statement of Condition and Advances of the Reserve Fund and Unappropriated Balance as of May 31, 2011.

Recommendations for Council action:

1. NOTE and FILE the Controller report relative to the Statement of Condition and Advances of the Reserve Fund and Unappropriated Balance as of May 31, 2011.
2. INSTRUCT the City Administrative Officer to report back with options to ensure that the Reserve Fund is reimbursed for Reserve Fund Advances for Unfunded Expenditures and to identify a possible role for the Budget and Finance Committee to assist in resolving these Unfunded Expenditures.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (7) - ADOPTED

Adopted, Ayes (10); Noes: Alarcón (1); Absent: Reyes, Zine and President Garcetti (3)

[11-1091](#)

ENERGY AND ENVIRONMENT COMMITTEE REPORT relative to proposed Amendment No. 1 to Agreement No. 47790 with Goldman Sachs and Company in connection with the divestiture of the Navajo Generating Station.

SUBMITS WITHOUT RECOMMENDATION the following recommendation as contained in Resolution No. 011-308 and approved by the Board of Water and Power Commissioners on June 21, 2011:

CONCUR with the Board of Water and Power Commissioners' action of June 21, 2011, Resolution No. 011-308, approving Amendment No. 1 to Agreement No. 47790 with Goldman Sachs and Company to extend the current merger and acquisition advisory services in connection with the divestiture of the Navajo Generation Station, for a period of five additional years, expiring on July 29, 2016.

Fiscal Impact Statement: The City Administrative Officer reports that proposed Amendment No. 1 to Agreement No. 47790 with Goldman Sachs and Company may result in an estimated expenditure amount of approximately \$3,500,000 from the Power Revenue Fund; although, a successful divestiture of Navajo would also result in substantial revenue to offset the expense. There is no impact on the City's General Fund. Since the Los Angeles Department of Water and Power is bound only by the City Debt Management Policies, the City Financial Policies are not applicable.

Community Impact Statement: None submitted.

TIME LIMIT FILE - AUGUST 22, 2011

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

**Adopted, Ayes (10); Absent: Alarcón, Englander, Zine and President Garcetti (4)
(Item Nos. 8-17)**

ITEM NO. (8) - ADOPTED

[08-1553](#)

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the Community Redevelopment Agency (CRA) quarterly status report on CRA investments as of March 31, 2011.

Recommendation for Council action:

RECEIVE and FILE the CRA quarterly status report on CRA investments as of March 31, 2011 dated June 9, 2011, 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. (9) - ADOPTED

[11-0945](#)

CD 10

CATEGORICAL EXEMPTION, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to a request to approve the use of tax exempt bond proceeds not to exceed \$6,090,700 to cover a portion of the acquisition cost of property located at 3670 Wilshire Boulevard from Shinyoung 3670, LLC.

Recommendations for Council action:

1. FIND that the recommended action under Option Two is categorically exempt from provisions of the California Environmental Quality Act (CEQA) pursuant to Sections 15304 (a) and (b), and 15311 of the Community Redevelopment Agency (CRA) and State CEQA Guidelines. Pursuant to State of CEQA Section 15004(b)(2)(A) future use of and/or disposition of the property under Option One would be subject to environmental review pursuant to CEQA and CRA approval of the future project.
2. AMEND the Fiscal Year (FY) 2011 Budget and Work Program to transfer \$517,000 in Wilshire Center/Koreatown (WK) Tax Increment and \$125,000 in WK Taxable Bond Proceeds from budget line item Community Facilities and Programs and \$4,864,410 from Taxable Bond Proceeds, \$6,090,700 in Tax Exempt Bond Proceeds, and \$2,359,990 in Tax Increment from budget line item Economic Development Opportunities, to budget line item Public Improvements for the purpose of covering a portion of the cost of acquisition of 3670 Wilshire Boulevard (under the Option One scenario).

3. AMEND the FY 2011 Budget and Work Program to transfer \$5,954,000 in Tax Exempt Bond Proceeds from budget line item Economic Development Opportunities to budget line item Public Improvements for the purpose of covering a portion of the cost of acquisition of 3670 Wilshire Boulevard (under the Option Two scenario).

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.

ITEM NO. (10) - ADOPTED

[11-1190](#)

CD 1

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION relative to adoption of resolution and minutes of the public hearing pursuant to the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) for the Chinatown Metro Apartments and Taylor Yard Apartment Projects.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION and minutes as required pursuant to the TEFRA for the Chinatown Metro Apartments and Taylor Yard Apartment Projects.

Fiscal Impact Statement: The Los Angeles Housing Department reports that there will be no impact on the City's General Fund related to the issuance of the bonds.

Community Impact Statement: None submitted.

ITEM NO. (11) - ADOPTED

[11-1262](#)

CD 9

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to establishing a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) for the issuance of \$28,500,000 Multifamily Housing Revenue Bonds for the Rosslyn Lofts Project located at 451 South Main Street.

Recommendations for Council action, pursuant to Motion (Perry - Parks):

1. INSTRUCT the City Administrative Officer (CAO) to:
 - a. Take the necessary steps to conduct a TEFRA hearing on behalf of the City to extend the bond maturity term from 35 to 40 years for the Rosslyn Lofts Project located at 451 South Main Street in Council District Nine; and transmit the results of the hearing and Resolution for Council approval.

- b. Establish a date and time for the public hearing to be held at the Office of the CAO, located at 200 North Main Street, Suite 1500, Los Angeles, CA 90012, in compliance with the TEFRA. The bond issuance will finance the rehabilitation of a residential hotel and Roslyn Lofts Housing Partners, LP will be required to comply with all applicable City policies including, but not limited to, payment of prevailing wages for project labor.
2. AUTHORIZE Orrick, Herrington & Sutcliffe to publish the required public hearing notice, prior to the hearing date, in the Metropolitan News Enterprise or Los Angeles Times, on behalf of the City Council, with publication cost to be reimbursed by the Rosslyn Lofts Housing Partners, LP.
3. INSTRUCT the City Clerk, with the assistance of the CAO, to place consideration of the results of the public hearing and Resolution in accordance with TEFRA requirements, to be submitted by the Rosslyn Lofts Housing Partners, LP on a Council agenda in a manner to meet financing requirements.

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

Community Impact Statement: None submitted.

ITEM NO. (12) - ADOPTED

10-2283

PUBLIC SAFETY COMMITTEE REPORT relative to a supplemental grant award from the Federal Emergency Management Agency (FEMA) for the Los Angeles Fire Department's (LAFD) Urban Search and Rescue (USAR) Team California Task Force One.

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

1. AUTHORIZE the LAFD to accept the additional grant award from FEMA for the USAR Task Force and execute a no-match cooperative agreement in the amount of \$26,171 through October 31, 2011, subject to the approval of the City Attorney as to form and legality.
2. AUTHORIZE the Controller to transfer up to \$195,000 from Fund No. 100/38, Account 1012 to Fund No. 335/38 (Fire Department Grants), Account 010R, to support the purchase of necessary expense and equipment items that will be reimbursed by the FEMA grant.
3. AUTHORIZE the LAFD to deposit the FEMA grant funds received under this cooperative agreement into Fund 335/38, Account 010R.
4. AUTHORIZE the Controller to TRANSFER:
 - a. FEMA grant funds from Fund 335/38 to various salary accounts within Fund 100/38 and Account 4681 for fringe benefits, upon submission of proper documentation by Fire of actual costs incurred from the continued development and maintenance of USAR Response System resources through October 31, 2011, subject to the approval of the City Administrative Officer (CAO).

- b. Uncommitted balance of advanced funds as of November 1, 2011, from Fund No. 335/38, Appropriation Account 010R, to Fund No. 100/38, Account 1012 Sworn salaries, to meet payroll needs.
5. AUTHORIZE the CAO to make any necessary technical corrections and to revise any Controller instructions, consistent with this action.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. The acceptance and use of the additional FEMA grant funds is consistent with City financial policies in that Federal grant funds will be used for one-time expenses to support the continued development and maintenance of the USAR Task Force.

Community Impact Statement: None submitted.

ITEM NO. (13) - ADOPTED

[10-2283-S1](#)

PUBLIC SAFETY COMMITTEE REPORT relative to updating the existing Memorandum of Agreement (MOA) between the Federal Emergency Management Agency (FEMA) and the Los Angeles Fire Department (LAFD) to maintain the City of Los Angeles as an Urban Search and Rescue (USAR) team.

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

AUTHORIZE the Fire Chief to execute the necessary contract with FEMA to update the existing MOA between FEMA and the LAFD that was implemented in 1993 for the purpose of maintaining the City of Los Angeles as a sponsoring agency for one of the National FEMA USAR teams, California Task Force 1, subject to the approval of the City Attorney as to form and legality.

Fiscal Impact Statement: The LAFD reports that no monetary amount is associated with this contract.

Community Impact Statement: None submitted.

ITEM NO. (14) - ADOPTED

[11-0971](#)

PUBLIC SAFETY COMMITTEE REPORT relative to the 2009 Infrastructure Protection Program: Buffer Zone Protection Program (BZPP) grant award for use by the Los Angeles Police Department (LAPD).

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

1. AUTHORIZE the Chief of Police, or designee, to:
 - a. Accept the BZPP grant award in the amount of \$194,000 from the California Emergency Management Agency through the County of Los Angeles for the period February 8, 2011, through December 31, 2011.

- b. Execute the sub-recipient agreement with the County and submit any necessary documents relative to the grant award, 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. 339/70.
3. AUTHORIZE the Controller to establish a grant receivable in Fund 339 in the amount of \$194,000 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 \$194,000 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. Approval of the above recommendations allows for the expenditure of BZPP grant award funds totaling \$194,000. This is in compliance with City financial policies as one-time revenue is used for one-time expenses.

Community Impact Statement: None submitted.

ITEM NO. (15) - ADOPTED

[11-1182](#)

PUBLIC SAFETY COMMITTEE REPORT relative to a grant award from the Department of Alcohol Beverage Control (ABC) for the Los Angeles Police Department's (LAPD) Operation ABC program.

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 2011-12 Operation ABC grant in the amount of \$100,000 from the California Department of ABC for the period July 1, 2011, through June 30, 2012.
 - b. Execute the 2011-12 ABC grant agreement on behalf of the City, 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 approval as to form and legality.
2. AUTHORIZE the LAPD to:

- a. Submit grant reimbursement requests to the grantor and deposit grant receipts in the Police Department Grant Trust Fund No. 339/70.
 - b. Spend up to the grant amount of \$100,000 in accordance with the grant award agreement.
3. AUTHORIZE the Controller to:
- a. Establish a grant receivable in Fund 339 in the amount of \$100,000 and establish an appropriation account, account number to be determined, within Fund 339/70 for the receipt and disbursement of grant funds.
 - b. Increase appropriations on an as-needed basis as follows:
- | | | | | |
|-------|-------------------|----------------|-------------------|---------------|
| | <u>Fund/Dept.</u> | <u>Account</u> | <u>Title</u> | <u>Amount</u> |
| From: | 339/70 | 70XXXX | 2011-12 ABC Grant | \$95,850 |
| | | | | |
| | <u>Fund/Dept.</u> | <u>Account</u> | <u>Title</u> | <u>Amount</u> |
| To: | 100/70 | 001012 | Sworn Salaries | \$63,066 |
| | | 001092 | Sworn Overtime | \$32,784 |
4. 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: The CAO reports that this action will not impact the General Fund. Approval of the above recommendations allows for the expenditure of the 2011-12 Operation ABC grant award. These recommendations are in compliance with City financial policies in that grant funds are sufficient to support the grant activities.

Community Impact Statement: None submitted.

ITEM NO. (16) - ADOPTED

[11-1273](#)

PUBLIC SAFETY COMMITTEE REPORT relative to the Los Angeles Police Department's (LAPD) Inmate Welfare Fund and 2010 Annual Expenditure Report.

Recommendation for Council action:

APPROVE the LAPD's Inmate Welfare Fund and 2010 Annual Expenditure Report dated July 1, 2011 (attached to the Council file).

Fiscal Impact Statement: None submitted by the Board of Police Commissioners. 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

[10-0096-S1](#)

CONTINUED CONSIDERATION OF 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.

(Continued from Council meeting of August 2, 2011)

ITEM NO. (18) - FAILED OF ADOPTION - CONTINUED TO AUGUST 16, 2011 - PURSUANT TO COUNCIL RULE 53

Failed of Adoption - Ayes (6); Noes: Alarcón, Englander, Parks and Perry (4); Absent: Krekorian, Reyes, Zine and President Garcetti (4)

[11-0695](#)

TRANSPORTATION COMMITTEE REPORT relative to the reprogramming of Proposition C Ant-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.

ITEM NO. (19) - ADOPTED

Adopted, Ayes (10); Absent: Alarcón, Englander, Zine and President Garcetti (4)

[11-1158](#)

TRANSPORTATION COMMITTEE REPORT relative to prohibiting commercial vehicles from parking along Beverly Glen Boulevard from Wilshire Boulevard to Comstock Avenue, Monday through Friday between the hours of 8:00 a.m. and 4:00 p.m.

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

DIRECT the Los Angeles Department of Transportation, with the assistance of the City Attorney, to prepare a resolution for Council consideration to prohibit commercial vehicles from parking along Beverly Glen Boulevard from Wilshire Boulevard to Comstock Avenue, Monday through Friday between the hours of 8:00 a.m. and 4:00 p.m. to address the ongoing disruptive presence of commercial vehicles.

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.

Items for Which Public Hearings Have Not Been Held - Items 20-29

(10 Votes Required for Consideration)

ITEM NO. (20) - ADOPTED

Adopted, Ayes (11); Noes: Englander (1); Absent: Zine and President Garcetti (2)

[10-1191](#)

COMMUNICATION FROM THE MAYOR relative to the reappointment of Ms. Christina Noonan to the Board of Water and Power Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Christina Noonan to the Board of Water and Power Commissioners for the new term ending June 30, 2016 is APPROVED and CONFIRMED. Ms. Noonan resides in Council District Five. (Current Commission 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)

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

ITEM NO. (21) - FAILED OF ADOPTION - CONTINUED TO AUGUST 16, 2011 - PURSUANT TO COUNCIL RULE 53

Failed of Adoption - Ayes (7); Noes: Alarcón, Huizar and Wesson (3); Absent: Krekorian, Reyes, Zine and President Garcetti (4)

[11-1345](#)

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)

ITEM NO. (22) - ADOPTED

Adopted, Ayes (10); Absent: Alarcón, Englander, Zine and President Garcetti (4)

[11-0845](#)
CD 12

CATEGORICAL EXEMPTION and COMMUNICATION FROM THE CITY ENGINEER relative to an offer to dedicate an easement for equestrian trail purposes on the property north of Rinaldi Street east of Variel Avenue (Right of Way No. 36000-1800).

Recommendations for Council action:

1. FIND that the offer to dedicate an easement for equestrian trail purposes on the property north of Rinaldi Street east of Variel Avenue (Right of Way No. 36000-1800) is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(19) of the City's Environmental Guidelines.
2. AUTHORIZE the Board of Public Works to acquire the easement for equestrian trail purposes on the property north of Rinaldi Street east of Variel Avenue (Right of Way No. 36000-1800), as depicted on the Exhibit Map in the April 29, 2011 City Engineer report, attached to the Council file.
3. INSTRUCT the City Clerk to forward a copy of the Council action on this project be forwarded to the Real Estate Division of the Bureau of Engineering for processing.

Fiscal Impact Statement: The City Engineer reports that a \$2,461 fee for processing this report was paid pursuant to Sections 7.3 and 7.41.1 of the Administrative Code. No additional City Funds are needed.

ITEM NO. (23) - ADOPTED

Adopted, Ayes (10); Absent: Krekorian, Reyes, Zine and President Garcetti (4)

[11-0953](#)

CD 2

CATEGORICAL EXEMPTION and COMMUNICATION FROM THE CITY ENGINEER relative to an offer to dedicate an easement for public sidewalk purposes on the southeast side of Viewcrest Road northeast of Shady Oak Road (Right of Way No. 36000-1864).

Recommendations for Council action:

1. FIND that the offer to dedicate an easement for public sidewalk purposes on the southeast side of Viewcrest Road northeast of Shady Oak Road (Right of Way No. 36000-1864) is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(19) of the City's Environmental Guidelines.
2. AUTHORIZE the Board of Public Works to acquire the easement for public sidewalk purposes on the southeast side of Viewcrest Road northeast of Shady Oak Road (Right of Way No. 36000-1864), as depicted on the Exhibit Map in the June 1, 2011 City Engineer report, attached to the Council file.
3. INSTRUCT the City Clerk to forward a copy of the Council action on this project be forwarded to the Real Estate Division of the Bureau of Engineering for processing.

Fiscal Impact Statement: The City Engineer reports that a \$3,317 fee for processing this report was paid pursuant to Sections 7.3 and 7.41.1 of the Administrative Code. No additional City Funds are needed.

**Adopted, Ayes (10); Absent: Alarcón, Englander, Zine and President Garcetti (4)
(Item Nos. 24-29)**

ITEM NO. (24) - ADOPTED

[11-0954](#)

CD 11

CATEGORICAL EXEMPTION and COMMUNICATION FROM THE CITY ENGINEER relative to an offer to dedicate an easement for sidewalk purposes on the southwest side of Sepulveda Boulevard south of Mulholland Drive (Right of Way No. 36000-1869).

Recommendations for Council action:

1. FIND that the offer to dedicate an easement for street purposes on the southwest side of Sepulveda Boulevard south of Mulholland Drive (Right of Way No. 36000-1869) is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(19) of the City's Environmental Guidelines.

2. AUTHORIZE the Board of Public Works to acquire the easement for street purposes on the southwest side of Sepulveda Boulevard south of Mulholland Drive (Right of Way No. 36000-1869), as depicted on the Exhibit Map in the June 1, 2011 City Engineer report, attached to the Council file.
3. INSTRUCT the City Clerk to forward a copy of the Council action on this project be forwarded to the Real Estate Division of the Bureau of Engineering for processing.

Fiscal Impact Statement: The City Engineer reports that a \$3,317 fee for processing this report was paid pursuant to Sections 7.3 and 7.41.1 of the Administrative Code. No additional City Funds are needed.

ITEM NO. (25) - ADOPTED

[11-0955](#)

CD 12

CATEGORICAL EXEMPTION and COMMUNICATION FROM THE CITY ENGINEER relative to an offer to dedicate an easement for street purposes on the west side of Zelzah Avenue at Halsted Street (Right of Way No. 36000-1824).

Recommendations for Council action:

1. FIND that the offer to dedicate an easement for street purposes on the west side of Zelzah Avenue at Halsted Street (Right of Way No. 36000-1824) is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(19) of the City's Environmental Guidelines.
2. AUTHORIZE the Board of Public Works to acquire the easement for street purposes on the west side of Zelzah Avenue at Halsted Street (Right of Way No. 36000-1824), as depicted on the Exhibit Map in the June 1, 2011 City Engineer report, attached to the Council file.
3. INSTRUCT the City Clerk to forward a copy of the Council action on this project be forwarded to the Real Estate Division of the Bureau of Engineering for processing.

Fiscal Impact Statement: The City Engineer reports that a \$2,461 fee for processing this report was paid pursuant to Sections 7.3 and 7.41.1 of the Administrative Code. No additional City Funds are needed.

ITEM NO. (26) - ADOPTED

[11-0956](#)

CD 9

CATEGORICAL EXEMPTION and COMMUNICATION FROM THE CITY ENGINEER relative to an offer to dedicate an easement for street purposes on Hewitt Street at Fifth Street (Right of Way No. 36000-1871).

Recommendations for Council action:

1. FIND that the offer to dedicate an easement for street purposes on Hewitt Street at Fifth Street (Right of Way No. 36000-1871) is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(19) of the City's Environmental Guidelines.
2. AUTHORIZE the Board of Public Works to acquire the easement for street purposes on Hewitt Street at Fifth Street (Right of Way No. 36000-1871), as depicted on the Exhibit Map in the June 1, 2011 City Engineer report, attached to the Council file.
3. INSTRUCT the City Clerk to forward a copy of the Council action on this project be forwarded to the Real Estate Division of the Bureau of Engineering for processing.

Fiscal Impact Statement: The City Engineer reports that a \$3,317 fee for processing this report was paid pursuant to Sections 7.3 and 7.41.1 of the Administrative Code. No additional City Funds are needed.

ITEM NO. (27) - ADOPTED

08-0010-S16

MOTION (KORETZ - ROSENDAHL) relative to reinstating the reward offer in the death of Katan Khaimov 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 Katan Khaimov (Council action of March 9, 2008, Council file No. 08-0010-S16) for an additional period of six months from the publication of the offer of reward by the Office of the City Clerk and, further, that the sum of \$50,000 shall be the aggregate maximum sum of any payment or payments of a City reward in this instance.

ITEM NO. (28) - ADOPTED

11-0010-S37

MOTION (PERRY - ZINE) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the assault of a 68-year old woman on July 24, 2011.

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

1. PROVIDE an offer of reward in the amount of \$50,000 for information leading to the identification, apprehension, and conviction of the person(s) responsible for the assault of a 68-year old woman on July 24, 2011.
2. FIND that the subject reward complies with the provisions of Chapter 12, Article 1, Division 19, of the Los Angeles Administrative Code.
3. DIRECT the City Clerk to publish the required notices and/or advertisements to effectuate this reward.

ITEM NO. (29) - ADOPTED

[11-1367](#)

RESOLUTION (ROSENDAHL - WESSON) relative to declaring August 12, 2011 as John Schwada Day in the City of Los Angeles.

Recommendation for Council action:

RESOLVE to DECLARE August 12, 2011 as John Schwada Day in the City of Los Angeles.

Closed Session - Item 30

ITEM NO. (30) - CONTINUED TO AUGUST 16, 2011

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.)

Item for Which Public Hearing Has Been Held - Item 31

ITEM NO. (31) - CONTINUED TO AUGUST 16, 2011

Adopted to Continue, Unanimous Vote (11); Absent: Reyes, Zine and President Garcetti (4)

[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)

Item for Which Public Hearing Has Not Been Held - Item 32

(10 Votes Required for Consideration)

ITEM NO. (32)- ADOPTED

Adopted, Ayes (10); Absent: Alarcón, Englander, Zine and President Garcetti (4)

11-1238

CONTINUED CONSIDERATION OF COMMUNICATION FROM THE MAYOR relative to the reappointment of Ms. Nancy McClelland to the Board of Civil Service Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Ms. Nancy McClelland to the Board of Civil Service Commissioners for the new term ending June 30, 2016 is APPROVED and CONFIRMED. Ms. McClelland's current term expired on June 30, 2011. Ms. McClelland resides in Council District Five. (Current Board gender composition: M=4; F=1).

Ethics Commission Review: Complete.

Community Impact Statement: None submitted.

TIME LIMIT FILE - AUGUST 28, 2011

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

(Personnel Committee waived consideration of the above matter)

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

10-1184-S1

MOTION (PERRY - PARKS) relative to authorizing the Community Development Department to negotiate and execute agreements to implement improvements in and around the public rights-of-way at 1800 South Figureoa Street.

11-1416

MOTION (ROSENDAHL - REYES) relative to funding for reallocation to the Board of Public Works' Office of Community Beautification.

11-1417

MOTION (REYES for GARCETTI - PERRY) relative to funding for services in connection with the August 18, 2011 Council District 13 special reception for Project Islamic H.O.P.E. in the City Hall Tom Bradley Room.

[11-1423](#)

MOTION (ALARCÓN - ENGLANDER) relative to assist in funding security cameras for the Los Angeles Police Department Foothill Division in Council District Seven.

[11-1426](#)

MOTION (WESSON - HUIZAR) relative to utilizing Council District 10 discretionary funds for various projects in Council District 10.

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

[11-0002-S120](#)

RESOLUTION (REYES - ROSENDAHL) relative to the City's position in connection with AB 710, which would prohibit a city from requiring minimum parking standards for commercial and housing projects in transit intensive areas.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

[11-0004](#) -S2 - LAFD Fire Station 76 & USS Ronald Reagan (CVN-76) (LaBonge - Wesson)

10th Anniversary Precious Cheese Italian Feast of San Gennaro (LaBonge - Wesson)

Gabrielino Tongva Nation (Alarcón - Reyes - Cárdenas)

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

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

ASSISTANT PRESIDENT PROTEMPORE OF THE CITY COUNCIL

Regular meeting recessed at 11:46 a.m.
Special meeting convened at 11:46 a.m.
Special meeting adjourned at 1:11 p.m.
Regular meeting convened at 1:11 p.m.