

Los Angeles City Council, **Journal/Council Proceedings**  
Friday, **October 21, 2011**  
John Ferraro Council Chamber, Room 340, City Hall - 10 am

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

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

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF  
OCTOBER 18, 2011

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 10

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

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**ITEM NO. (1) - PUBLIC HEARING CLOSED - MOTION ADOPTED TO GRANT APPLICATION**

**Adopted to Grant Application, Ayes (10); Absent: LaBonge, Parks, Reyes and Zine (4)**

[11-1538](#)  
CD 5

HEARING COMMENTS relative to application for determination of "Public Convenience or Necessity" for alcohol sales for on-site consumption at Café Chez Marie, located at 10681 Santa Monica Boulevard.

Recommendations for Council action:

1. DETERMINE that the issuance of a liquor license at Café Chez Marie located at 10681 Santa Monica Boulevard, Los Angeles, 90025, 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- and off-site consumption at 10681 Santa Monica Boulevard.
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: Chez Marie, LLC, c/o Stephen Saltzman, (Elizabeth Peterson, representative)

TIME LIMIT FILE - DECEMBER 6, 2011

(LAST DAY FOR COUNCIL ACTION - DECEMBER 6, 2011)

**ITEM NO. (2) - ADOPTED**

**Adopted, Ayes (12); Absent: LaBonge and Zine (2)**

[11-0600-S128](#)

[11-1625](#)

PUBLIC SAFETY COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to an application fee for charitable solicitation information cards, increasing the fees for issuance of News Media Identification Cards and False Alarms, and revising the entire fee schedule for Police Permits.

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

1. PRESENT and ADOPT the accompanying ORDINANCE amending Sections 44.04, 52.16, 103.12, and 103.206 of the Los Angeles Municipal Code by adding an application fee for charitable solicitation information cards, increasing the fees for issuance of News Media Identification Cards and False Alarms, and revising the entire fee schedule for Police Permits.
2. INSTRUCT the Los Angeles Police Department to identify additional businesses and activities which generate significant enforcement activities and report on the feasibility of permitting those businesses.

Fiscal Impact Statement: The City Administrative Officer reports that the proposed fee increase will generate an estimated additional \$300,000 per year in revenue for the City. This action is in compliance with City financial policies as the proposed fees are fair and recover the full cost of providing such services.

Community Impact Statement: None submitted.

**Items for Which Public Hearings Have Not Been Held - Items 3-10**

(10 Votes Required for Consideration)

**Adopted, Ayes (12); Absent: LaBonge and Zine (2)  
(Item Nos. 3a-3d)**

**ITEM NO. (3) - ADOPTED**

[11-0005-S616](#)

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 October 13, 2011:

[11-0005-S616](#)

CD 6

- a. Property at 14641 West Delano Street (Case No. 350399).  
Assessor I.D. No. 2241-014-016

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 25, 2011)

[11-0005-S617](#)

CD 8

- b. Property at 325 West 84th Place (Case No. 220285).  
Assessor I.D. No. 6040-003-025

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 11, 2009)

[11-0005-S618](#)

CD 10

- c. Property at 1177 South Norton Avenue (Case No. 334635).  
Assessor I.D. No. 5081-006-025

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 9, 2011)

[11-0005-S619](#)

CD 10

- d. Property at 4161 West Washington Boulevard (Case No. 251452).  
Assessor I.D. No. 5072-001-003

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 18, 2010)

**ITEM NO. (4) - ADOPTED - TO THE MAYOR FORTHWITH**

**Adopted, Ayes (10); Absent: LaBonge, Parks, Reyes and Zine (4)**

[09-1848](#)

COMMUNICATION FROM CHAIR, PUBLIC SAFETY COMMITTEE relative to a 2011-12 Juvenile Justice Crime Prevention Act Program (JJCPA) 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. Retroactively apply for, and accept, the 2011-12 JJCPA grant award in the amount of \$296,259 from the Los Angeles County Probation Department for the period July 1, 2011, through June 30, 2012.
  - b. Execute a Memorandum of Agreement between the City and the Los Angeles County Probation Department for the period July 1, 2011 to June 30, 2012, and to negotiate, execute and submit any other necessary agreements and documents relative to the grant, subject to the approval of the City Attorney as to form and legality.
2. AUTHORIZE the LAPD to:
- a. Submit grant reimbursement requests to the grantor and deposit grant receipts in the Los Angeles Police Department Grant Trust Fund No. 339/70.
  - b. Spend up to the grant amount of \$296,259 in accordance with the grant award agreement.
3. AUTHORIZE the Controller to:
- a. Establish a grant receivable in Fund 339 in the amount of \$296,259 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 JJCPA Grant	\$211,259
To:	100/70	001090 001092	General Overtime Sworn Overtime	\$ 15,000 196,259

- 4. AUTHORIZE the LAPD to prepare Controller instructions for any necessary 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 2011-12 JJCPA grant award totaling \$296,259. This action is in compliance with City financial policies in that grant funds are sufficient to support the grant activities.

Community Impact Statement: None submitted.

**ITEM NO. (5) - ADOPTED - TO THE MAYOR FORTHWITH**

**Adopted, Ayes (12); Absent: LaBonge and Zine (2)**

10-1492-S1

COMMUNICATION FROM CHAIR, PUBLIC SAFETY COMMITTEE relative to a Habitual Driving Under the Influence (DUI) Offender Program grant award for use by the City Attorney.

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

1. AUTHORIZE the City Attorney, or designee, to approve the Habitual DUI Offender Program Grant award in the amount of \$409,325 from the California Office of Traffic Safety (OTS) for the period October 1, 2011, through September 30, 2012.
2. AUTHORIZE the City Attorney, or designee, to accept and execute the grant award in the amount of \$409,325 on behalf of the City, subject to the approval of the City Attorney as to form and legality.
3. AUTHORIZE the Controller to:
  - a. Establish a receivable in the amount of \$409,325 within Fund 368/12 from the California OTS.
  - b. Establish the following appropriation Account Nos. within Fund 368/12:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
12H231	Personal Services, Salary	\$307,302
12H232	Fringe Benefits	98,023
12H234	Travel	4,000
	Total	<u>\$409,325</u>

4. REQUEST that the City Attorney reimburse the General Fund for salaries, fringe benefits, and expenses from the City Attorney Grant Fund, Fund No. 368/12, upon receipt of reimbursements from the State.
5. AUTHORIZE the Office of the City Attorney to prepare Controller instructions for any necessary 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 the total cost of the 2011-12 Habitual DUI Offender Prosecution Grant Program is \$496,943 of which \$409,325 will be reimbursed to the General Fund for salaries, partial fringe benefits, and expenses. The General Fund impact will be \$87,618 for the remaining fringe benefits and overhead costs. The grantor has determined that overhead costs are ineligible for reimbursement. Approval of the above recommendations will allow the City to be reimbursed as revenue for all salary expenses and partial fringe benefits. This action is in compliance with City financial policies in that ongoing costs are supported by ongoing revenue.

Community Impact Statement: None submitted.

**Adopted, Ayes (10); Absent: LaBonge, Parks, Reyes and Zine (4)  
(Item Nos. 6-10)**

**ITEM NO. (6) - ADOPTED - FORTHWITH**

[11-0658](#)

COMMUNICATION FROM THE CITY ATTORNEY AND THE DEPARTMENT OF GENERAL SERVICES (GSD) relative to the feasibility and mechanisms for the City to accept and/or utilize various vehicles identified by the Federal government and the capacity in which these vehicles could be used by the City Attorney's Office.

Recommendations for Council action, as initiated by Motion (Zine - Smith):

1. DIRECT the City Attorney's Office to identify Federal Drug Enforcement Administration (DEA) vehicles that could potentially be donated to the City for use by the City Attorney's Office.
2. ACCEPT no more than eight vehicles, as identified by the City Attorney's office, donated by the DEA for the use of the City Attorney's Office.
3. ACCEPT no more than eight vehicles meeting the GSD's safety and performance standards for inclusion in the City's Fleet.
4. DIRECT the City Attorney's Office to turn in no more than seven vehicles to GSD for salvage or reassignment.
5. INSTRUCT the GSD to input the vehicles into GSD's Vehicle Management System.
6. INSTRUCT the GSD to register the vehicles as owned by the City through the Department of Motor Vehicles.
7. INSTRUCT the City Administrative Officer (CAO) to accept approval of the August 10, 2011 joint City Attorney GSD report as completion and approval of the Rule 11 process.

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

Community Impact Statement: None submitted.

(Information Technology and General Services Committee waived consideration of the above matter)

**ITEM NO. (7) - ADOPTED**

[11-1054](#)

CD 11

CATEGORICAL EXEMPTION and CONSIDERATION OF MOTION (ROSENDAHL - PERRY) relative to the temporary closure of the T-alley located mid-block of the 2400 block of Glencoe Avenue for reasons of public safety.

Recommendations for Council action:

1. INSTRUCT the City Engineer to report to the Public Works Committee with recommendations on the feasibility of temporarily closing the T-alley located mid-block of the 2400 block of Glencoe Avenue for reasons of public safety.
2. DIRECT the City Engineer and/or his staff designee to solicit input from the adjacent property owners for their position of the proposed gate.
3. APPROVE the closure of the alley entrance to the 2400 block of Glencoe Avenue pursuant to Section 21101.4 of the State Vehicle Code for a period of 18-months upon Council approval, subject to the following:
  - a. That the gates to be installed to effectuate the closure of the area be done under a permit issued by the City Engineer.
  - b. That the gates will be installed by the residents, at no cost to the City.
  - c. That keys to the gates to be installed be provided to all adjoining property owners and affected City department and public utility companies.
  - d. That routine clean-up of the closed area be provided by the adjoining property owners and/or residents.
  - e. That the petitioners agree to remove the gates/fences at the termination of the allowed closure period.
4. FIND that this action is similar to a minor vacation and is categorically exempt under Article 7, Class 5(3), of the Los Angeles City Guidelines for the implementation of the California Environmental Quality Act of 1970.

Community Impact Statement: None submitted.

(Public Works Committee waived consideration of the above matter)

## **ITEM NO. (8) - ADOPTED**

[11-0011-S24](#)

CD 9

MOTION (PERRY - ROSENDAHL) relative to funding for the feasibility study and preparation of design package for speed humps and installation in Council District Nine.

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

1. TRANSFER \$3,500 in the Council District Nine portion of the Street Furniture Revenue Fund No. 43D/50 to the Transportation Fund No. 100/94, as follows: \$800 to Account No. 3350 (Paint & Sign Maintenance & Repairs) and \$2,700 to Account No. 1090 (Salaries - Overtime) to fund the feasibility study and preparation of design package for speed humps, and installation of required sign and pavement markings for speed humps on 49th Place between Hoover and Figueroa Streets.

2. AUTHORIZE the Bureau of Street Services and/or the Los Angeles Department of Transportation to make any technical corrections or clarifications to the above fund transfer instructions in order to effectuate the intent of this Motion.

**ITEM NO. (9) - ADOPTED**

[11-1746](#)

RESOLUTION (LABONGE - GARCETTI) relative to declaring October 23, 2011 as Hungarian Freedom Day in the City of Los Angeles.

Recommendation for Council action:

RESOLVE to DECLARE October 23, 2011 as Hungarian Freedom Day in the City of Los Angeles.

**ITEM NO. (10) - ADOPTED**

[11-1661](#)

CONTINUED CONSIDERATION OF RESOLUTION (ROSENDAHL - HUIZAR - ZINE - PERY - REYES - GARCETTI) relative to declaring October 21, 2011 as Loyola Marymount University (LMU) Day in the City of Los Angeles.

Recommendation for Council action:

RESOLVE to DECLARE October 21, 2011 as LMU Day in the City of Los Angeles.

(Continued from Council meeting of October 7, 2011)

**Closed Session - Item 11**

**ITEM NO. (11) - ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH**

**Adopted in Open Session, Ayes (11); Absent: Englander, LaBonge and Zine (3)**

[11-1652](#)

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 Rory Cuiellette v. City of Los Angeles, Los Angeles Superior Court Case No.: BC 311647. (This lawsuit arises from a Los Angeles Police Department employee's claims of disability discrimination.)

(Budget and Finance Committee considered the above matter in Closed Session on October 17, 2011)



**ADOPTED**

**MOTION (PARKS - CARDENAS)**

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

1. **AUTHORIZE** the City Attorney to pay a judgment of \$1,571,500.00 and attorneys fees and costs of \$1,588,096.17, plus accrued interest at the rate of 7 percent thereon as specified in the Court's Amended Judgment in the above-entitled matter from City Attorney Fund 100/59, Account No. 009770.
2. **AUTHORIZE** the City Attorney to draw a demand thereon in said amount payable to Irving Meyer, Esq., Law Offices of Robert E. Racine and Rory Cuiellette.
3. **AUTHORIZE** the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer, and **AUTHORIZE** the Controller to implement the instructions.

This matter was approved by the Budget and Finance Committee (Parks - Cardenas - Rosendahl - Koretz "yes"; Englander "no") at its meeting on October 17, 2011, in Closed Session as permitted by Government Code Section 54956.9(a).

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

[11-1433-S1](#)

MOTION (CARDENAS - HUIZAR) relative to funding in support of the 2011 El Grito Festival.

[11-1794](#)

MOTION (HUIZAR - KREKORIAN) and RESOLUTION relative to authorizing the Department of Recreation and Parks (RAP) to retroactively submit a Habitat Conservation Fund (HCF) grant application for the Ascot Hills Trails Pavilion project at Ascot Hills Park.

[11-0010-S45](#)

MOTION (PERRY - REYES) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Susana Amelia Prieto on October 16, 2011.

[11-1795](#)

MOTION (GARCETTI - WESSON) relative to installing street banners announcing the Love Echo Park Lake Don't Litter program.

[11-1796](#)

MOTION (PERRY - REYES) relative to authorizing the Department of General Services (GSD) use of the City Hall Tom Bradley Room on October 26, 2011.

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

[11-1797](#)

RESOLUTION (HUIZAR - KORETZ) relative to the submittal of an application for a Waste Tire Enforcement Grant to the California Department of Resources, Recycling and Recovery.

**COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:**

[11-0004](#) -S3 - National Disability Awareness Month, October 2011

Garcetti - Wesson

Michael Brownstein, Change of Life Foundation

Garcetti - Wesson

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

[11-0003-S3](#) - Herta Greif

(Garcetti)

Kathleen McDermott

(Garcetti - All Councilmembers)

William R. Dolan

(Koretz - Garcetti)

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

**Whereupon the Council did adjourn.**

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL