

Los Angeles City Council, **Journal/Council Proceedings**  
Friday, **October 14, 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, Koretz, Krekorian, LaBonge, Parks, Perry, Rosendahl, Wesson, Zine and President Garcetti (10); Absent: Cárdenas, Englander, Huizar and Reyes (4)**

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF  
OCTOBER 11, 2011

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 11

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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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## **Items for Which Public Hearings Have Been Held - Items 1-4**

**Adopted, Ayes (10); Absent: Cárdenas, Englander, Huizar and Reyes (4)**  
**(Item Nos. 1-4)**

**ITEM NO. (1) - ADOPTED - TO THE MAYOR FORTHWITH - SEE FOLLOWING**

[11-0984-S1](#)  
CDs 8 & 11

MOTION (ROSENDAHL - PARKS) relative to authorization to negotiate and execute contracts with Advancement Project for gang intervention services in the amount of \$375,000 for the Southwest II Gang Reduction and Youth Development (GRYD) Zone and in the amount of \$151,875 for the Mar Vista/Venice community for the period of October 1, 2011 to June 30, 2012 utilizing GRYD funds.

(Housing, Community and Economic Development Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)

(Click on the above hyperlink or go to <http://cityclerk.lacity.org/lacityclerkconnect/index.cfm> for background documents.)

### **ADOPTED**

**HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT** relative to a request to negotiate and execute contracts with Advancement Project for gang intervention services for the Southwest II Gang Reduction and Youth Development (GRYD) Zone and for the Mar Vista/Venice community.

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

- 1. APPROVE the recommended selection of Advancement Project (AP) to serve as the fiscal sponsor for the HELPER Foundation/Venice 2000 (HELPER), the intervention services provider for the Southwest II GRYD Zone and Mar Vista/Venice community.**
- 2. AUTHORIZE the Mayor, or designee, to:**
  - a. Negotiate and execute a contract with the AP, in an amount not to exceed \$375,000 from the Mayor's Fiscal Year 2011-12 Adopted Budget, to provide fiscal and administrative oversight and technical assistance to the HELPER for the Southwest II GRYD Zone that are substantially similar to the specifications of the proposed services listed in the fiscal sponsorship agreement attached to the City Administrative Officer (CAO) report, for a performance period of nine months, retroactively effective from October 1, 2011 through June 30, 2012, subject to the review and approval of the City Attorney as to form and legality and compliance with the City's contracting requirements.**
    - 1) Request that AP execute a contract with HELPER, in an amount not to exceed \$352,500, to provide gang intervention services for the Southwest II GRYD Zone that are substantially similar to the specifications outlined in the pro forma scope of services contained in Council file No. 11-0984, for a performance period of nine months, retroactively effective from October 1, 2011 through June 30, 2012, subject to the availability of funds.**
    - 2) Specify the fiscal administrative fee amount to be allocated to AP.**
  - b. Negotiate and execute a contract with the AP, in an amount not to exceed \$151,875 from the Mayor's Fiscal Year 2011-12 Adopted Budget, to provide fiscal and administrative oversight and technical assistance for the Mar Vista/Venice targeted service area that are substantially similar to the specifications of the proposed services listed in the fiscal sponsorship agreement attached to the CAO report, for a performance period of nine months, retroactively effective from October 1, 2011 through June 30, 2012, subject to the review and approval of the City Attorney as to form and legality and compliance with the City's contracting requirements.**
    - 1) Request that AP execute a contract with HELPER Foundation, in an amount not to exceed \$142,763, to provide gang intervention services for the Mar Vista/Venice targeted service area that are substantially similar to the specifications outlined in the pro forma scope of services contained in Council file No. 11-0984, for a performance period of nine months, retroactively effective from October 1, 2011 through June 30, 2012, subject to the availability of funds.**
    - 2) Specify the fiscal administrative fee amount to be allocated to AP.**

- c. Prepare Controller instructions and/or make technical adjustments that may be required to implement the actions approved by the Mayor and Council on these matters, subject to the approval of the CAO and authorize the Controller to implement the instructions.
3. REQUEST the Mayor's Office of Gang Reduction and Youth Development to conduct regular monitoring visits with AP and HELPER to ensure that the scope of work and the duties for both parties are well defined and actions associated with each scope of work are separate and unduplicated.

**Fiscal Impact Statement:** The CAO reports that there is no additional impact on the General Fund. Funding for the proposed contracts is available in the Mayor's Fiscal Year 2011-12 Adopted Budget. The recommendations comply with City Financial Policies in that sufficient General Fund monies are available to support the proposed expenditure.

**Community Impact Statement:** None submitted.

## ITEM NO. (2) - ADOPTED

[05-2637](#)

CD 1

CATEGORICAL EXEMPTION and PUBLIC WORKS COMMITTEE REPORT relative to vacating Magnolia Avenue from Olympic Boulevard to Approximately 130 Feet Southerly Thereof (E1400974).

Recommendations for Council action:

1. FIND that the vacation of Magnolia Avenue from Olympic Boulevard to Approximately 130 Feet Southerly Thereof is exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(3) of the City's Environmental Guidelines.
2. ADOPT the FINDINGS of the City Engineer dated July 26, 2011, as the Findings of Council.
3. FIND that the street vacation proceedings pursuant to the Public Streets, Highways and Service Easements Vacation Law be instituted for the vacation of the public right-of-way indicated below and shown colored blue on Exhibit B of the July 26, 2011 City Engineer report, attached to the Council file:

Magnolia Avenue from Olympic Boulevard to Approximately 130 Feet Southerly Thereof.

4. ADOPT the accompanying City Engineer report dated July 26, 2011 to approve the vacation.
5. INSTRUCT the City Clerk to set a public hearing date for **NOVEMBER 16, 2011**.
6. AMMEND condition number 13 on the City Engineer report dated July 26, 2011 to read:
  13. That a minimum of two street trees be planted and the tree well covers be installed to the satisfaction of the Street Tree Division of the Bureau of Street Services along Olympic Boulevard on the sidewalk abutting the proposed vacation area and petitioner's property.

Fiscal Impact Statement: The City Engineer reports that to date, the petitioners have paid a fee of \$6,420 for the investigation of this request pursuant to Section 7.42 of the Administrative Code. Any deficit fee to recover the cost pursuant to Section 7.44 of the Administrative Code may be required of the petitioner.

Community Impact Statement: None submitted.

### ITEM NO. (3) - ADOPTED

[11-0688](#)

CD 4

CATEGORICAL EXEMPTION and PUBLIC WORKS COMMITTEE REPORT relative to vacating a portion of the easterly side of San Fernando Road West at Cutter Street in excess of a 60 foot right-of-way (E1401173).

Recommendations for Council action:

1. FIND that the vacation of a portion of the easterly side of San Fernando Road West at Cutter Street in excess of a 60 foot Right-of-way is exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(3) of the City's Environmental Guidelines.
2. ADOPT the FINDINGS of the City Engineer dated August 25, 2011, as the Findings of Council.
3. FIND that the street vacation proceedings pursuant to the Public Streets, Highways and Service Easements Vacation Law be instituted for the vacation of the public right-of-way indicated below and shown colored blue on Exhibit B of the August 25, 2011 City Engineer report, attached to the Council file:

A portion of the easterly side of San Fernando Road West at Cutter Street in excess of a 60 foot right-of-way.

4. ADOPT the accompanying City Engineer report dated August 25, 2011 to approve the vacation.
5. INSTRUCT the City Clerk to set a public hearing date for **NOVEMBER 16, 2011**.
6. AMMEND the City Engineer report dated August 25, 2011 removing conditions 6, 11 and 12.

Fiscal Impact Statement: The City Engineer reports that to date, the petitioners have paid a fee of \$10,700 for the investigation of this request pursuant to Section 7.42 of the Administrative Code. Any deficit fee to recover the cost pursuant to Section 7.44 of the Administrative Code may be required of the petitioner.

Community Impact Statement: None submitted.

### ITEM NO. (4) - ADOPTED

[11-1227](#)

PUBLIC WORKS COMMITTEE REPORT relative to the donation of funds by the Japanese Garden Mayor's Citizen's Advisory Committee to the U.S. - Japan Council Earthquake Relief Fund.

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

APPROVE the donation of \$10,000 from Public Works Trust Fund 834 by the Japanese Garden Mayor's Citizen's Advisory Committee to the U.S. - Japan Council Earthquake Relief Fund.

Fiscal Impact Statement: The Board of Public Works reports that there are sufficient funds available for the \$10,000 donation from the Public Works Trust Fund No. 834 Department 50. Trust Fund 834 receives donations and fees for rentals for use of the Japanese Garden Program.

Community Impact Statement: None submitted.

## **Items for Which Public Hearings Have Not Been Held - Items 5-12**

(10 Votes Required for Consideration)

### **ITEM NO. (5) - ADOPTED AS AMENDED - TO THE MAYOR FORTHWITH - SEE FOLLOWING**

**to Adopt as Amended, Ayes (12); Absent: Cárdenas and Huizar (2)**

[11-1673](#)

COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to adding Article 21 to Division 10, Chapter 1 of the Los Angeles Administrative Code (LAAC) establishing a Local Business Preference Program for the City's procurement of goods, equipment and services, including construction, when the contract involves an expenditure in excess of \$150,000.

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

PRESENT and ADOPT the accompanying ORDINANCE adding Article 21 to Division 10, Chapter 1 of the LAAC establishing a Local Business Preference Program for the City's procurement of goods, equipment and services, including construction, when the contract involves an expenditure in excess of \$150,000.

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

Community Impact Statement: No submitted.

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

### **ADOPTED**

#### **AMENDING MOTION (ENGLANDER - REYES)**

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

**INSTRUCT the Chief Legislative Analyst to determine whether a Charter Amendment is required to redefine "Local Preference" to apply to businesses based upon a City-wide criteria rather than a County-wide criteria.**

**ADOPTED**

**AMENDING MOTION (ALACON - GARCETTI - ENGLANDER)**

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

**REQUEST the City Attorney, with assistance from the CAO and CLA, to draft a Charter Amendment for the Council's consideration to be placed before the voters at the next City election to permit the City, including its proprietary department, greater flexibility in establishing local business preference programs for the city's procurement of goods, equipment and services.**

**Adopted, Ayes (10); Absent: Cárdenas, Englander, Huizar and Reyes (4)  
(Item Nos. 6a-7)**

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

[11-0005-S610](#)

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 6, 2011:

[11-0005-S610](#)

CD 2

- a. Property at 11857 West Weddington (Case No. 343184).  
Assessor I.D. No. 2348-012-041

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 11, 2011)

[11-0005-S611](#)

CD 8

- b. Property at 622 West Colden Avenue (Case No. 341792).  
Assessor I.D. No. 6054-027-010

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

[11-0005-S612](#)

CD 9

- c. Property at 514 West 56th Street (Case No. 285209).  
Assessor I.D. No. 5001-020-003

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 23, 2010)

[11-0005-S613](#)

CD 10

- d. Property at 3733 South Arlington Avenue (Case No. 271902).  
Assessor I.D. No. 5042-009-001

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on September 2, 2010)

[11-0005-S614](#)

CD 11

- e. Property at 113 East Hurricane Street (Case No. 312734).  
Assessor I.D. No. 4225-008-014

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 3, 2011)

[11-0005-S615](#)

CD 14

- f. Property at 5501 East Alhambra Avenue (Case No. 213513).  
Assessor I.D. No. 5220-023-014

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on December 11, 2008)

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

[11-0086-S2](#)

CD 7

COMMUNICATION FROM CHAIR AND MEMBER, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE and RESOLUTION relative to Purchase and Sale Agreement with Sylmar Court, L.P., not to exceed \$3.1 million, for the development of the mixed-use Sylmar Court Apartments, and related actions.

Recommendations for Council action:

1. AUTHORIZE the Chief Executive Officer, Community Redevelopment Agency (CRA/LA), to execute an Exclusive Negotiating Agreement (ENA) with Sylmar Court, L.P. for a period of up to 180 days, with two optional 90-day extensions, for the proposed development of the Sylmar Court affordable senior mixed-use project located at 12415 – 21 San Fernando Road and 14938 Astoria Street. Actions of the City Council to approve the ENA for the Project are subject to the conditions of the California Supreme Court's (Court) stay and the provisions of Assembly Bill (AB) xl-26 that are not subject to the Court's stay.
2. ACKNOWLEDGE and understand that the Court in the case entitled California Redevelopment Association v. Matosantos, stayed certain portions of AB xl-26 and all of AB xl-27. The CRA/LA may not, with the exception of existing enforceable obligations, take any action to incur new debt, transfer any assets or undertake any new obligations, unless and until the CRA/LA is legally authorized to act, subject to the conditions of the California Supreme Court's stay and the provisions of AB xl-26 that are not subject to the stay. The Court has indicated that it will issue a ruling by January 15, 2012.

3. CLARIFY that the Council actions of August 10, 2011 authorizing various budgetary actions for the Sylmar Court Project (Council File No. 11-0763) are subject to the conditions of the California Supreme Court's stay and the provisions of AB xl-26 that are not subject to the stay.

Fiscal Impact Statement: The Chief Legislative Analyst reports that there is no impact to the General Fund, as the source of funds are Pacoima/Panorama City Project Area tax increment and Low and Moderate Income Housing Funds.

Community Impact Statement: None submitted.

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

**Adopted, Ayes (10); Absent: Cárdenas, Englander, Huizar and Perry (4)**

### 11-1605

COMMUNICATION FROM CHAIR AND MEMBER, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE relative to the Community Redevelopment Agency of Los Angeles (CRA/LA) quarterly status report on CRA/LA investments as of June 30, 2011.

Recommendation for Council action:

NOTE and FILE the communication from the CRA/LA relative to a quarterly status report on CRA/LA investments as of June 30, 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.

**Adopted, Ayes (10); Absent: Cárdenas, Englander, Huizar and Reyes (4)  
(Item Nos. 9-11)**

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

### 11-1709

CD 5

MOTION (KORETZ - KREKORIAN) relative to funding in support of the 21st Annual Sherman Oaks Street Fair.

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

1. TRANSFER \$4,412.77 in the Council District Five portion of the Special Events Fee Subsidy line item in the General City Purposes Fund No. 100/56 to the General City Purposes Fund No. 100/56, Account No. 000705 (CD-5 Community Services) in support of the 21st Annual Sherman Oaks Street Fair.
2. AUTHORIZE the City Clerk to make technical corrections as may be necessary to carry-out the intent of the Motion.



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

[11-1693](#)

RESOLUTION (GARCETTI - ENGLANDER for LABONGE) relative to declaring October 2011 as Italian-American Heritage Month in the City of Los Angeles.

Recommendation for Council action:

RESOLVE to DECLARE October 2011 as Italian-American Heritage Month in the City of Los Angeles.

**ITEM NO. (11) - ADOPTED - FORTHWITH**

[11-1710](#)

RESOLUTION (ENGLANDER - ZINE - GARCETTI) relative to urging members of the California Board of Parole Hearings to deny parole to Gregory Powell.

Recommendation for Council action:

RESOLVE to URGE the members of the California Board of Parole Hearings to DENY parole to Gregory Powell, who murdered Los Angeles Police Officer Ian Campbell.

**ITEM NO. (12) - CONTINUED TO OCTOBER 19, 2011**

**Adopted to Continue, Unanimous Vote (10); Absent: Cárdenas, Englander, Huizar and Reyes (4)**

[11-1712](#)

RESOLUTION (ZINE - PERRY - GARCETTI for LABONGE - GARCETTI) relative to declaring October 2011 as Breast Cancer Awareness Month in the City of Los Angeles.

Recommendation for Council action:

RESOLVE to DECLARE October 2011 as Breast Cancer Awareness Month in the City of Los Angeles.

**Items for Which Public Hearings Have Been Held - Items 13-14**

**Adopted, Ayes (10); Absent: Cárdenas, Englander, Huizar and Reyes (4)  
(Item Nos. 13-14)**

**ITEM NO. (13) - ADOPTED - FORTHWITH**

[11-1338](#)

CD 4

CONTINUED CONSIDERATION OF ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to quality of life issues for the neighborhoods surrounding Runyon Canyon Park.

Recommendations for Council action:

1. NOTE and FILE Motion (LaBonge - Koretz) relative to an instruction to the Department of Recreation and Parks (RAP) and the Los Angeles Police Department (LAPD) to report on all issues relating to the quality of life for the neighborhoods surrounding Runyon Canyon Park, including the park's access points.
2. INSTRUCT and REQUEST, as appropriate, Council District Four, the RAP, the RAP Park Rangers, the Department of Animal Services, the LAPD, and the General Services Department Office of Public Safety to create a task force to address quality of life issues for the neighborhoods surrounding Runyon Canyon Park.

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. (14) - ADOPTED - FORTHWITH**

[11-1449](#)

CONTINUED CONSIDERATION OF ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to the Department of Recreation and Parks (RAP) establishing a Volunteer in the Parks Program.

Recommendation for Council action, pursuant to Motion (LaBonge - Garcetti):

INSTRUCT the RAP to report with recommendations relative to establishing a Volunteer in the Parks Program, similar to the one operated by the National Park Service, to further enhance the RAP's volunteer program and maximize volunteer service during this budget crisis.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

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

[11-1745](#)

MOTION (REYES - KREKORIAN) relative to an exemption to the suspension of City travel to Arizona for purposes of permitting City travel to attend the November, 2011 National League of Cities Congress of Cities in Phoenix, Arizona.

[11-0011-S24](#)

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

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

### [11-1746](#)

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

## COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Motion (LaBonge - Parks) unanimously adopted to excuse Councilmember Rosendahl to arrive at 11:15 am to Council meeting of Wednesday, October 19, 2011, due to City Business.

Upon his request, and without objections, Councilmember Cárdenas was excused from Council sessions of Tuesday, November 15, 2011 and Wednesday, November 16, 2011, both due to City Business.

## COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

<a href="#">11-0004</a> -S3 - Christopher S. Kawai Battalion Chief Los Angeles Fire Department	(LaBonge - All Councilmembers)
Melvin Stevenson - Los Angeles Police Department Air Support Division Sergeant 1 + 3	(LaBonge - All Councilmembers)
Dr. Margaret Martin - Founder of the Harmony Project Recipient of the 2011 Presidential Citizens Medal	(LaBonge - All Councilmembers)
Thomas P. Mann	(Zine - Alarcón)
Jill Niles	(Zine - Alarcón)
Cory M. Brente, Supervising Assistant City Attorney	(Englander - Zine)
Gary M. Thomas	(Englander - Zine)

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

<a href="#">11-0003-S3</a> - Avram Chill	(Garcetti - LaBonge - Rosendahl)
Larry Zarian	(Krekorian - All Councilmembers)
Frank Kameny	(Rosendahl)
Holbert Dodson "Bob" Burns, Jr.	(Parks - Zine)

JoAnn Brock

(LaBonge)

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

**Whereupon the Council did adjourn.**

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL