

Los Angeles City Council, **Journal/Council Proceedings**
Wednesday, **November 2, 2011**
John Ferraro Council Chamber, Room 340, City Hall - 10 am

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

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

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
OCTOBER 28, 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.

Items Noticed for Public Hearing - Items 1-5

Adopted, Ayes (12); Absent: Krekorian and LaBonge (2)
(Item Nos. 1-2)

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

[11-1258](#)
CD 13

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Madison Avenue and Middlebury 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 October 12, 2011)

ITEM NO. (2) - PUBLIC HEARING CLOSED - ADOPTED

[11-1259](#)

CD 11

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the La Tijera Boulevard and Thornburn 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 October 12, 2011)

ITEM NO. (3) - PUBLIC HEARING CLOSED - ADOPTED

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

[11-1260](#)

CDs 6 & 12

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Louise Avenue and Saticoy 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 October 12, 2011)

**Adopted, Ayes (12); Absent: Krekorian and LaBonge (2)
(Item Nos. 4-5)**

ITEM NO. (4) - PUBLIC HEARING CLOSED - ADOPTED

[11-1298](#)

CD 13

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Hollywood Boulevard and Argyle Avenue (North) 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 October 12, 2011)

ITEM NO. (5) - PUBLIC HEARING CLOSED - ADOPTED

[11-1298-S1](#)

CD 13

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Hollywood Boulevard and Argyle Avenue (South) Lighting District.

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

1. FIND that a majority protest exist in the Street Lighting Maintenance Assessment District and therefore the assessment cannot be enacted.
2. PRESENT and ADOPT the accompanying ORDINANCE abandoning all proceedings relating to 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).
3. INSTRUCT the Director, Bureau of Street Lighting, to assure that the streetlights are not installed or are removed from service if previously installed.

(Public Hearing held October 12, 2011)

Items for Which Public Hearings Have Been Held - Items 6-13

ITEM NO. (6) - CONTINUED TO NOVEMBER 4, 2011

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

[11-1790](#)

CD 10

MITIGATED NEGATIVE DECLARATION and COMMUNICATION FROM CITY PLANNING COMMISSION relative to appeals filed by Laura Meyers on behalf of the West Adams Heritage Association from the: 1) decision of the Zoning Administrator in approving plans to allow an adjustment for a 20 percent reduction in the width of the loading space, resulting in a minimum width of 16 feet in lieu of the 20 feet otherwise required; 2) decision of the Deputy Advisory Agency in approving the Modification of Parcel Map No. AA-2007-1846-PMLA-M1 composed of seven lots into one parcel; 3) decision of the Director of Planning in approving a Specific Plan Project Permit Adjustment to permit 42 percent of front façade to consist of transparent building elements in lieu of the minimum of 50 percent and a Specific Plan Project Permit Compliance for the construction of a new one-story 17,952 square foot building to contain a 13,269 square foot grocery store and a 4,522 square foot bank, for property at 3052-60 South Crenshaw Boulevard, 3501-15 West Jefferson Boulevard, and 3049-55 South Bronson Avenue.

Applicant: West Angeles Plaza, LLC c/o John Given

Representative: Tunua Thrash

ZA-2007-1874-CU-ZV-ZAA-ZAD-PA1-1A

DIR-2011-857-DRB-SPP-SPPA-1A

AA-2007-1846-PMLA-M1-1A

TIME LIMIT FILE - NOVEMBER 8, 2011

(LAST DAY FOR COUNCIL ACTION - NOVEMBER 4, 2011)

(Planning and Land Use Management 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.)

[On October 18, 2011, Council adopted Motion (Wesson - Huizar) pursuant to Charter Section 245, asserting jurisdiction over the September 20, 2011 action [Letter of Determination dated October 7, 2011] of the South Los Angeles Area Planning Commission.]

**Adopted, Ayes (11); Absent: Cárdenas, Krekorian and LaBonge (3)
(Item Nos. 7-13)**

ITEM NO. (7) - ADOPTED

[11-1558](#)

TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT relative to developing a plan to save the Westwood FlyAway service.

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

1. REQUEST the Board of Airport Commissioners to direct the Los Angeles World Airports (LAWA) to meet with a working group of UCLA and community and transit stakeholders to develop a plan to save the Westwood FlyAway service, and that the review period for that service be extended to one year to allow for implementation of that new plan and the completion of UCLA's efforts to increase ridership.
2. INSTRUCT the LAWA to report back in 30 days to provide an assessment of FlyAway service in Orange County and the LAWA's efforts to collaborate with transit stakeholders to develop a plan that addresses their concerns including accepting cash for the Westwood FlyAway line.

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. (8) - ADOPTED

[10-2336](#)

CD 10

CATEGORICAL EXEMPTION, TRANSPORTATION COMMITTEE REPORT and RESOLUTION relative to the renewal and amendment of Temporary Preferential Parking District (PPD) No. 87.

Recommendations for Council action:

1. FIND that the renewal of Temporary PPD No. 87, pursuant to Los Angeles Municipal Code (LAMC) Section 80.58.d, is exempt from the California Environmental Quality Act (CEQA) as a Class 1, Categorical Exemption, under III. 1.a.3 of the 2002 Los Angeles City CEQA Guidelines.
2. FIND that the parking problem that led to the establishment and subsequent renewal of Temporary PPD No. 87 near Pico Boulevard and Curson Avenue in Council District 10 still exists, and that no permanent solution has been found.
3. AUTHORIZE "NO PARKING 8 AM - 8 PM, DAILY; VEHICLES WITH DISTRICT NO. 87 PERMIT EXEMPTED" as an additional parking restriction for use on both sides of all streets in Temporary PPD No. 87, except for areas where parking is currently prohibited at all times in the interest of traffic flow or safety.

4. ADOPT the accompanying RESOLUTION amending the authorized parking restrictions and renewing Temporary PPD No. 87 for 12 months, until September 29, 2012, pursuant to LAMC Section 80.58.d.

Fiscal Impact Statement: The Los Angeles Department of Transportation reports that revenue from the sale of permits will cover the additional cost of maintaining, administering, and enforcing temporary PPD No. 87. Furthermore, the City may gain additional General Fund revenue from the issuance of parking citations to violators of the district's parking restrictions.

Community Impact Statement: None submitted.

ITEM NO. (9) - ADOPTED

[10-2338](#)

CD 4

CATEGORICAL EXEMPTION, TRANSPORTATION COMMITTEE REPORT and RESOLUTION relative to the renewal and amendment of Temporary Preferential Parking District (PPD) No. 44.

Recommendations for Council action:

1. FIND that the renewal and amendment of boundaries for Temporary PPD No. 44, pursuant to Los Angeles Municipal Code (LAMC) Section 80.58.d, is exempt from the California Environmental Quality Act (CEQA) as a Class 1, Categorical Exemption, under III.1.a.3 of the 2002 Los Angeles City CEQA Guidelines.
2. FIND that an adverse parking impact now exists, from which the residents deserve immediate relief, on Cadet Court between Cahuenga Boulevard West and the dead-end west of Cahuenga Boulevard West, adjacent to Temporary PPD No. 44 located near Bennett Drive and Cahuenga Boulevard West.
3. FIND that an adverse parking impact no longer exists on Bennett Drive between Cahuenga Boulevard West (north intersection) and Dos Palos Drive in Temporary PPD No. 44.
4. ADOPT the accompanying RESOLUTION amending the boundaries and renewing Temporary PPD No. 44 until September 29, 2012, pursuant to LAMC Section 80.58.d.

Fiscal Impact Statement: The Los Angeles Department of Transportation reports that revenue from the sale of permits will cover the additional cost of maintaining, administering, and enforcing temporary PPD No. 44. Furthermore, the City may gain additional General Fund revenue from the issuance of parking citations to violators of the district's parking restrictions.

Community Impact Statement: None submitted.

ITEM NO. (10) - ADOPTED

[11-1339](#)

CD 4

CATEGORICAL EXEMPTION, TRANSPORTATION COMMITTEE REPORT and RESOLUTION relative to the renewal and amendment of Temporary Preferential Parking District (PPD) No. 112.

Recommendations for Council action:

1. FIND that the renewal of Temporary PPD No. 112, pursuant to Los Angeles Municipal Code (LAMC) Section 80.58.d, is exempt from the California Environmental Quality Act (CEQA) as a Class 1 Categorical Exemption, under Article III.1.a.3. of the 2002 Los Angeles City CEQA Guidelines.
2. FIND that the parking problem that led to the establishment of Temporary PPD No. 112 for five blocks south of Lower Runyon Canyon Park in Council District Four still exists and that no permanent solution has been found.
3. AUTHORIZE "NO PARKING ANYTIME EXCEPT; 2 HOUR PARKING 8 AM - 7 PM, MONDAY to FRIDAY; VEHICLES WITH DISTRICT NO. 112 PERMIT EXEMPTED" as an additional parking restriction for use on both sides of all streets in Temporary PPD No. 112, except for areas where parking is currently prohibited at all times in the interest of traffic flow or safety.
4. ADOPT the accompanying RESOLUTION amending the authorized parking restrictions and renewing Temporary PPD No. 112 for 12 months, until August 17, 2012, pursuant to Section 80.58.d of the LAMC.

Fiscal Impact Statement: The Los Angeles Department of Transportation reports that revenue from the sale of permits will cover the additional cost of implementing, administering, and enforcing temporary PPD No. 112. Furthermore, the City may gain additional General Fund revenue from the issuance of parking citations to violators of the district's parking restrictions.

Community Impact Statement: None submitted.

ITEM NO. (11) - ADOPTED

[11-1721](#)

CD 10

CATEGORICAL EXEMPTION, TRANSPORTATION COMMITTEE REPORT and RESOLUTION relative to the establishment of Temporary Preferential Parking District (PPD) No. 164.

Recommendations for Council action:

1. FIND that the establishment of Temporary PPD No. 164, pursuant to Los Angeles Municipal Code (LAMC) Section 80.58.d, is exempt from the California Environmental Quality Act (CEQA) as a Class 1, Categorical Exemption (Article III, Section 1.a.3 of the 2002 Los Angeles City CEQA Guidelines).

2. FIND that an adverse parking impact affecting fewer than six blocks exists, from which the residents deserve immediate relief, in the Wilshire Vista neighborhood, North of Pico Boulevard, in Council District 10.
3. ADOPT the accompanying RESOLUTION establishing Temporary PPD No. 164 pursuant to Section 80.58.d of the LAMC Temporary PPD No. 164 will include the residential portions of the following street segments:
 - a. Spaulding Avenue between alley North of Pico Boulevard and Packard Street
 - b. Genessee Avenue between alley North of Pico Boulevard and Packard Street
 - c. Stanley Avenue between alley North of Pico Boulevard and Packard Street
4. AUTHORIZE the following parking restriction for use in all of Temporary PPD No. 164:

"2 HOUR PARKING, 8 AM to 6 PM, MONDAY TO FRIDAY; DISTRICT NO. 164 PERMITS EXEMPT"
5. INSTRUCT the Los Angeles Department of Transportation (LADOT) to initiate the necessary procedures for the preparation and sale of parking permits to residents within Temporary PPD No. 164 as specified in Section 80.58 of the LAMC.
6. DIRECT the LADOT to:
 - a. Post the authorized parking restriction signs on the residential portions of Spaulding Avenue between Pico Boulevard and Packard Street, except for areas where parking is currently prohibited at all times in the interest of traffic flow or safety, or where parking meters with time limit parking restrictions are already in use, upon Council action establishing the District.
 - b. Post the authorized parking restriction signs on the residential portions of Genessee Avenue between Pico Boulevard and Packard Street and Stanley Avenue between Pico Boulevard and Packard Street, except for areas where parking is currently prohibited at all times in the interest of traffic flow or safety, or where parking meters with time limit parking are in operation, upon receipt and verification of petitions requesting the installation of the approved parking restrictions on any of these street segments and containing signatures of residents representing at least 67 percent of the dwelling units on that street segment, upon Council action establishing the District.
 - c. Prepare a Notice of Exemption reflecting Council's action under Recommendation No. 1 above and file such notice with the City and County Clerks within five working days of Council's action.

Fiscal Impact Statement: The LADOT reports that revenue from the sale of permits will cover the additional cost of implementing, administering, and enforcing temporary PPD No. 164. Furthermore, the City may gain additional General Fund revenue from the issuance of parking citations to violators of the district's parking restrictions.

Community Impact Statement: None submitted.

ITEM NO. (12) - ADOPTED

[11-1753](#)

CD 10

CATEGORICAL EXEMPTION, TRANSPORTATION COMMITTEE REPORT and RESOLUTION relative to the renewal of Temporary Preferential Parking District (PPD) No. 137.

Recommendations for Council action:

1. FIND that the renewal of Temporary PPD No. 137, pursuant to Los Angeles Municipal Code (LAMC) Section 80.58.d, is exempt from the California Environmental Quality Act (CEQA) under the General Exemption (Article II, Section 1 of the 2002 Los Angeles City CEQA Guidelines).
2. FIND that the parking problem that led to the establishment and subsequent renewal and re-establishment of Temporary PPD No. 137 in Council District 10 still exists, and that no permanent solution has been found.
3. ADOPT the accompanying RESOLUTION renewing the boundaries of Temporary PPD No. 137 for the Picfair Village neighborhood, south of Pico Boulevard for 12 months until September 19, 2012, pursuant to LAMC Section 80.58.d.

Fiscal Impact Statement: The Los Angeles Department of Transportation reports that revenue from the sale of permits will cover the additional cost of maintaining, administering, and enforcing temporary PPD No. 137. Furthermore, the City may gain additional General Fund revenue from the issuance of parking citations to violators of the district's parking restrictions.

Community Impact Statement: None submitted.

ITEM NO. (13) - ADOPTED

[11-1376](#)

TRANSPORTATION COMMITTEE REPORT relative to the status of the Carshare Request for Proposals (RFP).

Recommendations for Council action:

1. DIRECT the Los Angeles Department of Transportation (LADOT) to report to the Transportation Committee in 45 days relative to the Carshare RFP.
2. RECEIVE and FILE the LADOT report to Council dated October 13, 2011 (attached to the Council file), relative to the status of the Carshare RFP.

Fiscal Impact Statement: None submitted by the LADOT. 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 14-41

(10 Votes Required for Consideration)

Adopted, Ayes (12); Absent: Krekorian and LaBonge (2)
(Item Nos. 14-20)

ITEM NO. (14) - ADOPTED

[09-1271](#)

CD 3

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Valerio Street and Lubao Avenue (Re-Ballot) Lighting District.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated September 29, 2011.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **JANUARY 11, 2012** as the hearing date for the maintenance of the Valerio Street and Lubao Avenue (Re-Ballot) Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$6,240.23 will be collected annually starting with tax year 2011-12 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: January 4, 2012)

ITEM NO. (15) - ADOPTED

[10-0989-S1](#)

CD 6

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Telfair Avenue and Tuxford Street No. 1 Lighting District.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated October 6, 2011.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **JANUARY 11, 2012** as the hearing date for the maintenance of the Telfair Avenue and Tuxford Street No. 1 Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$172.70 will be collected annually starting with tax year 2012-13 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: January 4, 2012)

ITEM NO. (16) - ADOPTED

[11-1670](#)

CD 4

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Denny Avenue and Magnolia Boulevard (Re-Ballot) Lighting District.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated September 29, 2011.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **JANUARY 11, 2012** as the hearing date for the maintenance of the Denny Avenue and Magnolia Boulevard (Re-Ballot) Lighting District, in accordance with Proposition 218, Articles XIII C and XIII D of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$552.60 will be collected annually starting with tax year 2011-12 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: January 4, 2012)

ITEM NO. (17) - ADOPTED

[11-1671](#)

CD 11

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Culver Boulevard and Stoner Avenue Lighting District.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated September 29, 2011.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **JANUARY 11, 2012** as the hearing date for the maintenance of the Culver Boulevard and Stoner Avenue Lighting District, in accordance with Proposition 218, Articles XIII C and XIII D of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$3,919.55 will be collected annually starting with tax year 2012-13 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: January 4, 2012)

ITEM NO. (18) - ADOPTED

[11-1672](#)

CD 5

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Hermitage Avenue and Weddington Street No. 1 Lighting District.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated September 29, 2011.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **JANUARY 11, 2012** as the hearing date for the maintenance of the Hermitage Avenue and Weddington Street No. 1 Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$276.32 will be collected annually starting with tax year 2012-13 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: January 4, 2012)

ITEM NO. (19) - ADOPTED

[11-1706](#)

CD 2

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Samoa Avenue and Tujunga Canyon Boulevard Lighting District.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated October 6, 2011.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **JANUARY 11, 2012** as the hearing date for the maintenance of the Samoa Avenue and Tujunga Canyon Boulevard Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$906.67 will be collected annually starting with tax year 2012-13 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: January 4, 2012)

ITEM NO. (20) - ADOPTED

[11-1707](#)

CD 13

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the 4734 West Fountain Avenue Lighting District.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated October 6, 2011.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **JANUARY 11, 2012** as the hearing date for the maintenance of the 4734 West Fountain Avenue Lighting District, in accordance with Proposition 218, Articles XIII C and XIII D of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$269.88 will be collected annually starting with tax year 2012-13 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: January 4, 2012)

ITEM NO. (21) - ADOPTED

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

[11-1375](#)

COMMUNICATION FROM CHAIR, ENERGY AND ENVIRONMENT COMMITTEE and ORDINANCE FIRST CONSIDERATION relative to the amendment of Section 10.5.3 of the Los Angeles Administrative Code (LAAC) to include the purchase of biogas within specified price and term parameters.

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

1. CONCUR with the Board of Water and Power Commissioners' (Board) action of August 2, 2011, Resolution No. 012-027, recommending amendment of Section 10.5.3 of the LAAC to include the purchase of biogas within specified price and term parameters.

2. PRESENT and ADOPT the accompanying ORDINANCE, dated October 13, 2011, amending LAAC Section 10.5.3 to establish a dollar value per million British thermal unit and the contract term for biogas purchases into which the Board may enter.

Fiscal Impact Statement: The City Administrative Officer reports that the Los Angeles Department of Water and Power (LADWP) purchase of biogas fuel results in an expenditure for the Power Revenue Fund; however, it is not possible to determine the fiscal impact at this time due to fluctuations in the fuel market conditions. Since the LADWP is bound only by the City Debt Management Policies, the City Financial Policies are not applicable. Approval of the proposed resolution will have no impact on the General Fund.

Community Impact Statement: None submitted.

ITEM NO. (22) - REFERRED BACK TO ENERGY AND ENVIRONMENT COMMITTEE

Adopted to Refer, Unanimous Vote (11); Absent: Cárdenas, Krekorian and LaBonge (3)

[10-1734](#)

COMMUNICATION FROM THE BOARD OF WATER AND POWER COMMISSIONERS (Board) and ORDINANCE FIRST CONSIDERATION relative to the sale of an easement for construction and maintenance of slopes, landscaping, and related uses to Cascades Park Properties, LLC.

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

1. CONCUR with the Board action of November 2, 2010, Resolution No. 011-123, authorizing the sale of an easement for construction and maintenance of slopes, landscaping, and related uses to Cascades Park Properties, LLC, located at Balboa Boulevard and Foothill Boulevard in Sylmar, California.
2. PRESENT and ADOPT the accompanying ORDINANCE for the sale of an easement for construction and maintenance of slopes, landscaping, and related uses to Cascades Park Properties, LLC.

Fiscal Impact Statement: The City Administrative Officer reports that approval of the proposed resolution will result in \$63,700 in revenue to the Water Revenue 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. Approval of the proposed resolution will have no impact on the General Fund.

Community Impact Statement: None submitted.

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

Adopted, Ayes (11); Absent: Cárdenas, Krekorian and LaBonge (3)
(Item Nos. 23a-23e, 24-27)

ITEM NO. (23) - ADOPTED

[11-0005-S650](#)

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 26, 2011:

[11-0005-S650](#)

CD 1

- a. Property at 1282 West 22nd Street (Case No. 171950).
Assessor I.D. No. 5055-019-017

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 15, 2008)

[11-0005-S651](#)

CD 1

- b. Property at 1282 West 22nd Street (Case No. 210551).
Assessor I.D. No. 5055-019-017

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 19, 2009)

[11-0005-S652](#)

CD 1

- c. Property at 1282 West 22nd Street (Case No. 307709).
Assessor I.D. No. 5055-019-017

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on December 15, 2010)

[11-0005-S653](#)

CD 8

- d. Property at 910 West 84th Street (Case No. 306488).
Assessor I.D. No. 6032-012-012

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on December 15, 2010)

[11-0005-S654](#)

CD 14

- e. Property at 469 South Savannah Street (Case No. 312766).
Assessor I.D. No. 5185-012-003

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

ITEM NO. (24) - ADOPTED

[10-0752-S2](#)

COMMUNICATION FROM CHAIR, ENERGY AND ENVIRONMENT COMMITTEE relative to Amendment No. 1 to an agreement with Worley Parsons Group Incorporated to provide owner's representative services for Haynes Units 5 and 6, Scattergood Units 1 and 2 Repowering, and Scattergood Hyperion Alternative Renewable Energy Projects.

Recommendation for Council action:

CONCUR with the Board of Water and Power Commissioners' action of September 20, 2011, Resolution No. 012-068, authorizing the execution of Amendment No. 1 to Agreement No. 47815 with Worley Parsons Group Incorporated to provide owner's representative services for Haynes Units 5 and 6, Scattergood Units 1 and 2 Repowering, and Scattergood Hyperion Alternative Renewable Energy Projects.

Fiscal Impact Statement: The City Administrative Officer reports that approval of the proposed resolution and amendment will not have a fiscal impact because the \$9 million cost of the Agreement is not increasing. This project complies with the Los Angeles Department of Water and Power adopted financial policies.

Community Impact Statement: None submitted.

TIME LIMIT FILE - NOVEMBER 22, 2011

(LAST DAY FOR COUNCIL ACTION - NOVEMBER 22, 2011)

ITEM NO. (25) - ADOPTED

[10-1309-S1](#)

COMMUNICATION FROM CHAIR, ENERGY AND ENVIRONMENT COMMITTEE relative to an agreement with Itron, Inc. for software upgrades, maintenance, support services, and license renewals for various divisions within the Los Angeles Department of Water and Power (LADWP).

Recommendation for Council action:

CONCUR with the Board of Water and Power Commissioners' action of September 20, 2011, Resolution No. 012-070, authorizing execution of Agreement No. 47035 with Itron, Inc. for software upgrades, maintenance, support services, and license renewals for various divisions within the LADWP.

Fiscal Impact Statement: The City Administrative Officer reports that there is no impact on the General Fund. The agreement is consistent with the LADWP's financial policies.

Community Impact Statement: None submitted.

TIME LIMIT FILE - NOVEMBER 22, 2011

(LAST DAY FOR COUNCIL ACTION - NOVEMBER 22, 2011)

ITEM NO. (26) - ADOPTED

[11-1641](#)

COMMUNICATION FROM CHAIR, ENERGY AND ENVIRONMENT COMMITTEE relative to the execution of a contract with CR&R, Inc. for the marketing and processing of residential single stream commingled recyclable materials from the South Los Angeles wasteshed, for a three-year term and an option to renew for an additional three years.

Recommendations for Council action:

1. AUTHORIZE the Board of Public Works, on behalf of the Bureau of Sanitation (BOS), to execute a contract with CR&R, Inc. for the marketing and processing of residential single stream commingled recyclable materials from the South Los Angeles wasteshed.
2. INSTRUCT the BOS to deposit receipts from the sale of recyclables into the Landfill Maintenance Special Trust Fund.
3. INSTRUCT the BOS to deposit the annual contribution for the Contamination Reduction Program into the Solid Waste Resources Revenue Fund.

Fiscal Impact Statement: The City Administrative Officer reports that there is no General Fund impact. It is estimated that the proposed contract will generate approximately \$371,693 in revenue to be deposited in the Landfill Maintenance Special Trust Fund and \$21,300 in the Solid Waste Resources Revenue Fund. The expenditures of these revenues are restricted to the eligible uses of the special funds. The recommendations in this report are consistent with City Financial Policies in that new revenues will be applied first to support existing programs prior to funding new programs.

Community Impact Statement: None submitted.

ITEM NO. (27) - ADOPTED

[11-1654](#)

COMMUNICATION FROM CHAIR, ENERGY AND ENVIRONMENT COMMITTEE relative to the execution of a personal services contract with West Coast Rendering Co. for dead animal processing and recovery services.

Recommendation for Council action:

AUTHORIZE the Board of Public Works, on behalf of the Bureau of Sanitation, to execute a personal services contract with West Coast Rendering Co. for dead animal processing and recovery services, provided that the second sentence of Article 5, "The City Project Manager's authority shall extend to authorizing modification to this agreement as mutually agreed upon in writing," be deleted from the agreement.

Fiscal Impact Statement: The City Administrative Officer reports that there is no General Fund impact. The estimated annual contract cost for the proposed services is \$75,000, with a cost ceiling of \$600,000 for the proposed maximum term of eight years. Sufficient funding is budgeted in the current year for this purpose in the Solid Waste Resources Revenue Fund. Funding for future years of the contract will be subject to appropriations in the annual budget process. Consistent with the City's Financial Policies, the continuation of this contract will be subject to the availability of funding appropriated in each fiscal year.

Community Impact Statement: None submitted.

ITEM NO. (28) - ADOPTED

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

[11-0002-S98](#)

COMMUNICATION FROM CHAIR, INTERGOVERNMENTAL RELATIONS COMMITTEE and RESOLUTION relative to the City's position on HR 1616 (Holt), proposing to amend the Workforce Investment Act of 1998.

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

ADOPT the accompanying RESOLUTION to include in the City's 2011-12 Federal Legislative Program, SUPPORT for HR 1616 (Holt), which would amend the Workforce Investment Act of 1998 to include library representation on state and local workforce investment boards and assure coordination of employment, training, and literacy services and become a "one-stop" partner which will use new demonstration and pilot projects to establish employment resources in public libraries.

Fiscal Impact Statement: None submitted by the Chief Legislative Analyst. The City Administrative Officer has not completed a financial analysis of this report.

Community Impact Statement: None submitted.

**Adopted, Ayes (12); Absent: Huizar and LaBonge (2)
(Item Nos. 29-30)**

ITEM NO. (29) - ADOPTED

[11-0002-S126](#)

COMMUNICATION FROM CHAIR, INTERGOVERNMENTAL RELATIONS COMMITTEE and RESOLUTION relative to the City's position on President Obama's American Jobs Act.

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

ADOPT the accompanying RESOLUTION to include in the City's 2011-12 Federal Legislative Program, SUPPORT for President Obama's American Jobs Act or similar legislation which would cut payroll taxes, provide tax credits, invest in infrastructure, fund teachers and first responders, stabilize neighborhoods, and reform the unemployment system.

Fiscal Impact Statement: None submitted by the Chief Legislative Analyst. The City Administrative Officer has not completed a financial analysis of this report.

Community Impact Statement: None submitted.

ITEM NO. (30) - ADOPTED

[11-0002-S131](#)

COMMUNICATION FROM CHAIR, INTERGOVERNMENTAL RELATIONS COMMITTEE and RESOLUTION relative to the City's position on President Obama's American Jobs Act.

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

ADOPT the accompanying RESOLUTION to include in the City's 2011-12 Federal Legislative Program, SUPPORT for President Obama's American Jobs Act and further job creation measures until the jobs crisis is solved and REQUEST that Los Angeles receive funds proportioned to its high rate of unemployment.

Fiscal Impact Statement: None submitted by the Chief Legislative Analyst. The City Administrative Officer has not completed a financial analysis of this report.

Community Impact Statement: None submitted.

ITEM NO. (31) - ADOPTED

Adopted, Ayes (11); Absent: Cárdenas, Krekorian and LaBonge (3)

[06-1589](#)

CD 14

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE BUREAU OF ENGINEERING and RESOLUTION relative to the extension of closure of Gabriel Garcia Marquez Street between Mission Road and Via Las Vegas.

Recommendations for Council action:

1. FIND that the proposed 18-month extension of the street closure is exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5 of the City of Los Angeles Environmental Guidelines.

2. AUTHORIZE the 18-month extension of the temporary closure of Gabriel Garcia Marquez Street between Mission Road and Via Las Vegas, as shown on the attached sketch that was originally approved by the City Council on June 26, 2007, with an expiration date of December 26, 2008, in accordance with State Vehicle Code Section 21101.4.
3. ADOPT the accompanying RESOLUTION signed by the City Attorney for the extension of the temporary closure of Gabriel Garcia Marquez Street between Mission Road and Via Las Vegas.
4. ADOPT the FINDINGS of the City Engineer dated January 7, 2010 as the Findings of the Council.
5. ADOPT the accompanying City Engineer report dated January 7, 2010 to authorize the 18-month extension of the street closure of Gabriel Garcia Marquez Street between Mission Road and Via Las Vegas.

Community Impact Statement: None Submitted

(Public Works Committee waived consideration of the above matter)

ITEM NO. (32) - REFERRED TO ENERGY AND ENVIRONMENT COMMITTEE

Adopted to Refer, Ayes (12); Absent: Huizar and LaBonge (2)

11-0617-S1

CONSIDERATION OF MOTION (GARCETTI - PERRY - KREKORIAN - CÁRDENAS) relative to the Los Angeles Department of Water and Power (LADWP) feed-in-tariff (FiT) Guidelines for the 5 megawatts (MW) demonstration project and the status of the Solar Incentive Program (SIP).

Recommendations for Council action:

1. REQUEST the City Attorney, in conjunction with the LADWP to report to Council in 60 days on the LADWP's FiT Guidelines for the 5 MW demonstration project and whether the use of competitive bidding to set the tariff and to select program participants is consistent with the FiT program requirements set forth in Senate Bill 32.
2. DIRECT the LADWP to report on the status of the SIP and the viability of incentive rates as they pertain to all market participants.
3. DIRECT the LADWP to report on the development of a SIP component that encourages participation among low income residents.

Community Impact Statement: None submitted.

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

Adopted, Ayes (11); Absent: Cárdenas, Krekorian and LaBonge (3)
(Item Nos. 33-34)

ITEM NO. (33) - ADOPTED

[11-0122-S1](#)

CD 9

CONSIDERATION OF MOTION (PERRY - REYES) relative to the negotiation of a lease agreement and issuance of a revocable permit with Heal the Bay for the development and maintenance of the WAYS Parkway project.

Recommendations for Council action:

1. FIND that the use of the property located in the public right-of-way at the southwest corner of McKinley Avenue and 87th Street (APNs 6042-003-900 and 6042-003-901) by Heal the Bay for a period of 30 years (with an option to extend for four additional years) is in the best interest of the surrounding community and a public benefit.
2. DIRECT the Bureau of Engineering to survey stakeholders of the subject right of way to verify that no planned improvements are proposed at the site for the next 30 years, and if none are proposed, to issue a revocable permit for 30 years with the option to extend the permit for an additional four years.
3. AUTHORIZE the Bureau of Engineering, in consultation with Council District Nine, to negotiate and execute a lease with Heal the Bay for the development and maintenance of the WAYS Parkway project.

Community Impact Statement: None submitted.

(Public Works Committee waived consideration of the above matter)

ITEM NO. (34) - ADOPTED

[11-1815](#)

CD 9

CONSIDERATION OF MOTION (PERRY - KREKORIAN) relative to the issuance of a revocable permit to allow the placement of trash receptacles on the public sidewalk, in the public right of way, in front of 3027 South Flower Street, once all permit conditions have been completed.

Recommendation for Council action:

REQUEST the City Engineer to issue a revocable permit to allow the placement of trash receptacles on the public sidewalk, in the public right of way, in front of 3027 South Flower Street, once all permit conditions have been completed, inasmuch as the owner of this property (residential apartment building) would otherwise be forced to eliminate one rental unit in order to make it a trash room.

Community Impact Statement: None submitted.

(Public Works Committee waived consideration of the above matter)

ITEM NO. (35) - REFERRED TO ARTS, PARKS AND NEIGHBORHOODS COMMITTEE

Adopted to Refer, Unanimous Vote (12); Absent: Huizar and LaBonge (2)

[11-1825](#)

MOTION (ROSENDAHL - REYES - ET AL.) relative to instructing the Department of Aging to report to City Council on how the elimination of Adult Day Health Care (ADHC) funding will impact the centers and their patients in the City of Los Angeles.

Recommendation for Council action:

INSTRUCT the Department of Aging to report to full City Council on how the elimination of ADHC funding will impact the 75 licensed centers and their patients in the City of Los Angeles, and also to provide potential options for assisting persons reliant on ADHC funding.

ITEM NO. (36) - ADOPTED

Adopted, Ayes (11); Absent: Cárdenas, Krekorian and LaBonge (3)

[11-1827](#)

CD 3

MOTION (ZINE - WESSON) relative to funding for the 2011 Canoga Memorial Day Parade in Council District Three.

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

1. AUTHORIZE the Controller to re-appropriate funds in the amount of \$3,600 from Fiscal Year (FY) 2010-11, Fund 44B/47, Account No. 471048 Uncommitted Balance to FY 2011-12, Fund 44B/47.
2. AUTHORIZE the Controller to re-appropriate funds in the amount of \$3,600 from FY 2011-12, Fund 44B/47 to Fund 44B/47 Appropriation Account No. 471048 Canoga Park Neighborhood Council to ensure that funds are available to pay an outstanding Demand Warrant to the Canoga Park/West Hills Chamber of Commerce in the amount of \$7,500 for the 2011 Canoga Memorial Day Parade. The remaining balance of \$3,900 will be paid out of FY 2010-11 encumbrances.

ITEM NO. (37) - ADOPTED

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

[11-1823](#)

CD 14

MOTION (HUIZAR - CÁRDENAS) relative to installing street banners promoting the Welcome Home Veterans Day Parade on November 13, 2011.

Recommendations for Council action:

1. APPROVE the Eagle Rock Chamber of Commerce street banner program promoting the Welcome Home Veterans Day Parade, as a City of Los Angeles Event, Street Banner program.
2. APPROVE the content of the street banners for the above specified event, as attached.

Adopted, Ayes (11); Absent: Cárdenas, Krekorian and LaBonge (3)
(Item Nos. 38-39)

ITEM NO. (38) - ADOPTED

[11-1824](#)

CD 14

MOTION (HUIZAR - CÁRDENAS) relative to installing street banners promoting and celebrating the Eagle Rock's 100th Anniversary.

Recommendations for Council action:

1. APPROVE the Eagle Rock Chamber of Commerce street banner program promoting and celebrating the Eagle Rock's 100th Anniversary, as a City of Los Angeles Non-Event, Street Banner program.
2. APPROVE the content of the street banners for the above specified event, as attached.

ITEM NO. (39) - ADOPTED

[11-1822](#)

CD 14

MOTION (HUIZAR - ENGLANDER) relative to initiating street vacation proceedings to vacate Avenue 66 (portion of westerly side).

Recommendations for Council action:

1. INITIATE street vacation proceedings, pursuant to California Streets and Highways Code, Division 9, Part 3, Public Streets, Highways and Service Easements Vacation Law to vacate Avenue 66 (portion of westerly side).
2. DIRECT the Bureau of Engineering to investigate the feasibility of this vacation request.
3. DIRECT the Bureau of Engineering to present its report regarding the feasibility of vacating the requested areas to the Public Works Committee.
4. DIRECT the City Clerk to schedule this request for the City Council's consideration at the appropriate time under the City's Street Vacation procedures.

ITEM NO. (40) - PUBLIC HEARING CLOSED - CONTINUED TO NOVEMBER 16, 2011

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

[09-1714-S2](#)

CONTINUED CONSIDERATION OF MOTION (ZINE - PARKS) relative to a status report to Council in Closed Session on the efforts by Computer Science Services and Google, Inc. towards meeting all Los Angeles Police Department (LAPD) security requirements.

Recommendation for Council action:

INSTRUCT the Information Technology Agency, Chief Administrative Officer, Chief Legislative Analyst, Los Angeles Police Department and REQUEST the City Attorney to provide a status report to Council on the efforts by Computer Science Services, and Google, Inc. toward meeting all LAPD Security requirements.

[City Council may recess to closed session in order to confer with legal counsel, pursuant to Government Code Section 54956.9(c), regarding the initiation of litigation, and/or Government Code Section 54956.9(b)(3)(B), regarding a significant exposure to litigation in relation to the City's contract with Computer Science Services Corporation and its subcontractor, Google, Inc., for an E-Mail and Collaboration Solution.]

(Continued from Council meeting of October 26, 2011)

ITEM NO. (41) - MAP APPROVED - CITY ENGINEER REPORT ADOPTED

Adopted, Ayes (11); Absent: Cárdenas, Krekorian and LaBonge (3)

[11-1835](#)

CD 11

FINAL MAP OF TRACT NO. 70955, for property located at 1412-16 South Colby Avenue, lying northwesterly of Wyoming Avenue.

(Approve Subdivision Improvement Agreement and Contract with attached security documents)

(ADOPT City Engineer Report)

(ADOPT Bond No. C-119047)

Applicants: Colby Villas, LLC
Jack Little Co.

Closed Sessions - Items 42-44

ITEM NO. (42) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Adopted in Open Session, Ayes (10); Absent: Alarcón, Cárdenas, Huizar and LaBonge (4)

[10-1357](#)

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 Richard Romney v. City of Los Angeles, et al., United States District Court Case No. CV 09-3048 VBF(PLAx) and Richard Romney v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BS 122610. (This lawsuit arises from a Los Angeles Police Officer's claims of retaliation against the City of Los Angeles and supervisors within the Los Angeles Police Department.)

(Budget and Finance Committee to consider the above matter in Closed Session on October 31, 2011.)

ADOPTED

MOTION (PARKS - ENGLANDER)

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

1. **AUTHORIZE** the City Attorney to expend a total of \$3,950,000 in settlement of 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 McNicholas & McNicholas, LLP and Richard Romney.
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.

ITEM NO. (43) - NO ACTION TAKEN

[11-1708](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to litigation status in the case entitled City Los Angeles In Re Municipal Derivative Antitrust Litigation, MDL 1950, No. 08-02516 (VM) (GWG) (S.D.N.Y.). (This matter involves current litigation by the City against brokers and providers of specialized investment vehicles called municipal derivatives.)

ITEM NO. (44) - MEETING HELD - BUDGET AND FINANCE REPORT ADOPTED IN OPEN SESSION

Adopted, Ayes (10); Absent: Alarcón, Cárdenas, Huizar and LaBonge (4)

[11-1834](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to retaining outside counsel with an initial appropriation of \$100,000 relative to the case entitled Michael Hunt, Matt Dowd v. CITY, United States District Court Case No. CV 06-04691 and related cases. (These lawsuits arise out of facial and as-applied challenges to Los Angeles Municipal Code Section 42.15, which is the freedom of expression ordinance for the Venice Boardwalk and Los Angeles City Council Rule of Decorum 12.)

(Budget and Finance Committee to consider the above matter in Closed Session on October 31, 2011.)

ADOPTED

BUDGET AND FINANCE COMMITTEE REPORT relative to the appropriation of funds and retention of an outside counsel firm.

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

1. **AUTHORIZE** the City Attorney to enter into a contract with the law firm of Meyers, Nave, Riback, Silver and Wilson (Meyers Nave) to assist the City relative to the case entitled Michael Hunt, Matt Dowd v. CITY, United States District Court Case No. CV 06-04691 and related cases.
2. **TRANSFER** \$100,000 from the Unappropriated Balance, City Attorney Outside Counsel, Including Workers' Compensation line item, to the City Attorney, Fund 100/12, Account 009301 for the contract with Meyers Nave to assist with the above referenced cases.
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 (CAO) and **AUTHORIZE** the Controller to implement the instructions.

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

Community Impact Statement: None submitted.

[The City Council may recess to Closed Session, pursuant to Government Code Section 54956.9(a) and/or (b) to confer with its legal counsel relative to the above matter.]

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

[10-0261-S1](#)

MOTION (ALARCÓN - CÁRDENAS) relative to amending prior Council action of October 15, 2010 regarding the Annual Pacoima Christmas Parade / Lopez Canyon Community Amenities Trust Fund.

[10-1549-S1](#)

MOTION (ALARCÓN - CÁRDENAS) relative to funding for the Fourth of July community celebrations at Hansen Dam.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon his request, and without objections, Councilmember Zine was excused to leave at 11:00 a.m. from Council session of Wednesday, November 23, 2011 due to City business.

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

[11-0003-S3](#) - Guy R. Crowder

(Wesson)

Gil Cates

(Koretz)

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

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL