

Los Angeles City Council, **Journal/Council Proceedings**
Tuesday, **November 29, 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, Huizar, Koretz, LaBonge, Parks, Reyes, Rosendahl, Wesson, Zine and President Garcetti (11); Absent: Englander, Krekorian and Perry (3)

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
NOVEMBER 22, 2011

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 31

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

Item Noticed for Public Hearing - Item 1

ITEM NO. (1) - CONTINUED TO JANUARY 10, 2012

Adopted to Continue, Unanimous Vote (12); Absent: Perry and Wesson (2)

[11-0911](#)
CD 1

CONTINUED CONSIDERATION OF HEARING PROTESTS relative to Department of Building and Safety report and confirmation of lien against property located at 3117 North Amethyst Street, APN 5209-007-014.
(Lien: \$3,186.96)

Recommendations for Council action:

1. HEAR PROTESTS relative to non-compliance of code violation and proposed lien to recover the costs of inspection invoices, recorded against property located at 3117 North Amethyst Street, plus appropriate fees and fines, as authorized by the Los Angeles Municipal Code Sections 91.103, 98.0411(a) and Sections 7.35.3 and 7.35.5 of the Los Angeles Administrative Code, as described in the Building and Safety report, attached to the Council file; and, CONFIRM said lien.
2. INSTRUCT the Department of Building and Safety to deposit to Department 08, Fund 48R, Balance Sheet Account 2200, any payment received against this lien in the amount of \$3,186.96 on the above referenced property.

(Continued from Council meeting of October 25, 2011)

Items for Which Public Hearings Have Been Held - Items 2-20

ITEM NO. (2) - NO ACTION TAKEN

[09-2787-S2](#)

VERBAL DISCUSSION relative to actions to be taken for the operation of the Winter Shelter Program.

[Scheduled pursuant to Council action on November 23, 2011]

ITEM NO. (3) - ADOPTED

Adopted, Ayes (12); Absent: Perry and Wesson (2)

[11-1793](#)

TRADE, COMMERCE AND TOURISM COMMITTEE REPORT relative to the Mayor's appointment of Ms. Nicole Duckett to the Board of the Los Angeles Convention Center.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Nicole Duckett to the Board of the Los Angeles Convention Center for the term ending June 30, 2013, to fill the vacancy created by the resignation of Michael Fleming, is APPROVED and CONFIRMED. Ms. Duckett resides in Council District Four. (Current gender composition: M=4; F=1)

Ethics Commission Review: Complete.

Background Check Review: Pending.

Community Impact Statement: None submitted.

TIME LIMIT FILE - DECEMBER 5, 2011

(LAST DAY FOR COUNCIL ACTION - DECEMBER 2, 2011)

ITEM NO. (4) - ADOPTED

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

[11-1842](#)

PERSONNEL COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to the amendment of the Los Angeles Administrative Code (LAAC) to establish the salary for the new class of Port Maintenance Supervisor and to establish salaries and paygrades for the new classes of Airport Engineer and Senior Airport Engineer.

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

1. PRESENT and ADOPT the accompanying ORDINANCE amending Schedule A of Section 4.61 of the LAAC to establish the salary for the new class of Port Maintenance Supervisor and to establish salaries and paygrades for the new classes of Airport Engineer and Senior Airport Engineer.
2. AUTHORIZE the Controller and the City Administrative Officer (CAO) to correct any clerical errors, or if approved by the City Attorney, any technical errors in the above ordinance and AUTHORIZE the CAO, upon accretion of the classes of Port Maintenance Supervisor, Airport Engineer, and Senior Airport Engineer to bargaining units, to amend the appropriate Memoranda of Understanding to reflect the salaries approved by Ordinance.

Fiscal Impact Statement: The CAO reports that there is no impact to the General Fund as these are obligations solely of the Port of Los Angeles and the Los Angeles World Airports.

Community Impact Statement: None submitted.

ITEM NO. (5) - REFERRED BACK TO ARTS, PARKS, HEALTH AND AGING COMMITTEE

Adopted to Refer, Unanimous Vote (11): Absent: Alarcón, Perry and Wesson (3)

[10-1076](#)

CONTINUED CONSIDERATION OF ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to the status of joint-use agreements between the City and various schools citywide and in the Northeast San Fernando Valley.

Recommendation for Council action:

NOTE and FILE the Department of Recreation and Parks report relative to the status of joint-use agreements between the City of Los Angeles and various schools citywide, particularly within the Northeast San Fernando Valley, and the programs offered at Los Angeles Unified School District sites located in each of the 15 Council Districts.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

(Continued from Council meeting of November 18, 2011)

ITEM NO. (6) - ADOPTED, AS AMENDED - TO THE MAYOR FORTHWITH - SEE FOLLOWING

to Adopt as Amended, Ayes (12); Absent: Perry and Wesson (2)

[11-1487-S1](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to the Second Construction Projects Report for Fiscal Year 2011-12.

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

1. TRANSFER \$1,187,470 between departments and funds as specified in Attachment No. 1 of the City Administrative Officer (CAO) report, attached to the Council file.
2. TRANSFER \$11,887,091 between funds and other financings, including Municipal Improvement Corporation of Los Angeles (MICLA), as specified in Attachment No. 2.
3. TRANSFER \$932,214 between departments and funds from General Obligation Bond (GOB) Funds as specified in Attachment No. 3.
4. TRANSFER \$699,674 between accounts within departments and funds as specified in Attachment No. 4.
5. AUTHORIZE the Controller, in accordance with Attachment Nos. 2 and 5, to transfer cash from the appropriate MICLA Funds, Proposition K and Other Special Funds to reimburse the General Fund on an as-needed basis upon proper documentation from the departments and approval of the Program Managers and the CAO.
6. AUTHORIZE the Controller, in accordance with Attachment Nos. 3, 6, 7, 8 and 9, to transfer cash from the appropriate GOB Funds to reimburse the General Fund on an as-needed basis upon proper documentation from the departments and approval of the Bureau of Engineering Program Managers and the CAO.
7. AUTHORIZE the Controller to increase appropriations to the Capital Finance Administration Fund, Commercial Paper Account No. 0316, totaling \$431,049 for the second and third quarterly payments paid by Greater Los Angeles Zoo Association (GLAZA) for the Elephants of Asia Exhibit MICLA debt service.
8. AUTHORIZE the Controller to increase appropriations to various departments as delineated in Attachment No. 5, in the amount of \$156,258 from MICLA Fund No. 26A, for estimated project and construction management support expenses related to the Police Administration Building (New Parker Center).
9. AUTHORIZE the Controller to increase appropriations to various departments as delineated in Attachment No. 6, in the amount of \$1,923,943 from Proposition F General Obligation Bond Fund Nos. 15T and 16D for estimated project management staff costs related to the Fire Facilities Bond Program.
10. AUTHORIZE the Controller to increase appropriations to various departments as delineated in Attachment No. 7, in the amount of \$823,810 from Proposition F GOB Fund Nos. 15G, 15L and 15S for estimated project management staff costs related to the Animal Bond Program.
11. AUTHORIZE the Controller to increase appropriations to various departments as delineated in Attachment No. 8, in the amount of \$7,684,715 from Proposition O GOB Fund No. 16V for estimated project management staff costs relative to the Proposition O Clean Water Bond Program.

12. AUTHORIZE the Controller to increase appropriations to various departments as delineated in Attachment No. 9, in the amount of \$1,855,954 from the Proposition Q GOB Fund Nos. 15N and 15U for estimated project and construction management staff costs related to the Citywide Public Safety Bond Program.
13. AUTHORIZE the CAO to make technical corrections, as necessary, to those transactions included in this report to implement the Mayor and Council's intentions.
14. INSTRUCT the CAO to research the possibility of paying for the Getty House Security Fence project from the Getty Foundation or Getty Trust Fund.

Fiscal Impact Statement: The CAO reports that transfers, appropriations and expenditure authority totaling \$27,151,129 are recommended in this report. Of this amount, \$12,807,053 is for transfers and appropriations to the General Services Department, \$1,899,396 is for other City Funds and \$12,444,680 is for staff cost reimbursements. All transfers and appropriations are based on existing funds, reimbursements or revenues. The estimated annual impact due to operations and maintenance costs is approximately \$609,090 (Attachment No. 10).

Community Impact Statement: None submitted.

ADOPTED

AMENDING MOTION (PARKS - ROSENDAHL)

Recommendation for Council action:

ADD the following recommendation that was inadvertently omitted from the settlement action in Bridges v. City of Los Angeles to fund demolition work at 412 Paseo Miramar:

TRANSFER \$160,000 from the "Budgetary Adjustments for Departments" line item in the Unappropriated Balance Fund No. 100/58 to the following accounts in the General Services Department Fund 100/40.

ITEM NO. (7) - ADOPTED

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

[11-1579](#)

ENERGY AND ENVIRONMENT COMMITTEE REPORT relative to potential methods and approaches the Los Angeles Department of Water and Power (LADWP) can employ to enter into cost-effective renewable energy agreements that benefit from federal tax credits.

Recommendation for Council action, as initiated by Motion (Perry - Krekorian - Garcetti):

NOTE and FILE the LADWP report dated November 4, 2011 relative to potential methods and approaches it can employ to enter into cost-effective renewable energy agreements that benefit from federal tax credits.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (8) - ADOPTED - FORTHWITH

Adopted, Ayes (9); Noes: Huizar and Reyes (2); Absent: Alarcón, Perry and Wesson (3)

[11-1844](#)

ENERGY AND ENVIRONMENT COMMITTEE REPORT relative to a proposed long-term contract with Honeywell International, Inc. (Honeywell) for the replacement, upgrade and maintenance of the computerized distributed control systems (DCS) for the City's wastewater treatment system in connection with the Los Angeles Wastewater Control System Replacement Project (LAWCSR).

Recommendations for Council action:

1. AUTHORIZE the Board of Public Works to execute a 15-year contract with Honeywell substantially in form to that included in the Board of Public Works report dated March 21, 2011, as the exclusive provider and installer of control system technology and products for the LAWCSR, including wastewater treatment plants, collection systems and/or any other wastewater related systems for all future wastewater projects through duration of the contract.
2. INSTRUCT the Director, Bureau of Sanitation (BOS), or designee, to report to the Board of Public Works:
 - a. Quarterly on contract status.
 - b. At least annually on MBE/WBE/OBE participation (and/or in compliance with normal contract reporting timelines/procedures).

Fiscal Impact Statement: The City Administrative Officer reports that there is no General Fund impact. Funding for the proposed 15-year contract will be provided by the Sewer Construction and Maintenance Fund from a combination of cash and bond revenues supporting the Clean Water Capital Improvement Program. Funding of \$14.7 million is budgeted for this purpose through the current fiscal year. Funding for future years of the contract will be subject to appropriations in the annual budget. 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.

TIME LIMIT FILE - DECEMBER 27, 2011

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

ITEM NO. (9) - CONTINUED TO DECEMBER 2, 2011

Adopted to Continue, Unanimous Vote (11); Absent: Alarcón, Perry and Wesson (3)

[11-1920](#)

COMMUNICATION FROM THE LOS ANGELES HOUSING DEPARTMENT relative to the 2012 calendar year Affordable Housing Trust Fund (AHTF) Notice of Funding Availability and actions related to the AHTF.

(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.)

CONTINUED

COMMUNICATION FROM CHAIR AND MEMBER, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE and relative to approval of the 2012 Affordable Housing Trust Fund (AHTF) Notice of Funding Availability (NOFA), and related actions.

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

- 1. APPROVE the 2012 AHTF NOFA, in substantial conformance with the document attached to the Los Angeles Housing Department (LAHD) transmittal dated November 10, 2011 (Transmittal) contained in the Council File.**
- 2. AUTHORIZE the General Manager, LAHD, or designee, to:**
 - a. Implement an allocation schedule for the 2012 AHTF to include up to three funding rounds to coincide with applicable funding cycles for Federal, State, and/or local affordable multi-family housing development programs.**
 - b. Evaluate AHTF applications submitted in the first funding round of 2012 based on the availability of the funding source identified below, to the extent that projects are eligible for this source, and return for Council and Mayor approval of final recommendations:**

<u>Source</u>	<u>Fund/Account</u>	<u>Amount</u>
HOME	561/43H212	\$21,237,737

- c. Solicit AHTF applications for subsequent rounds based on availability of funds allocated for this purpose pursuant to the approval of the 2012-13 Federal Housing and Community Development Consolidated Plan and the 2012-13 City Budget process and return for Council and Mayoral approval of final recommendations.**

- d. Amend the AHTF NOFA as necessary to be consistent with income or geographic targeting requirements of any applicable leveraged funding sources, which may be revised or become available during the 2012 calendar year, and also provide a summary of such changes for Council and Mayoral review in conjunction with the release of such amended AHTF NOFAs.
3. INSTRUCT the LAHD to report to Council at the time it considers this matter, relative to a recommendation for the LAHD to develop a policy to award extra points (i.e. provide a boost) for projects that incorporate a Project Labor Agreement.

Fiscal Impact Statement: The City Administrative Officer reports that there is no impact to the General Fund. Approval of these recommendations authorize the LAHD to release the 2012 AHTF NOFA Round One in the amount of \$21.2 million based on the availability of previously approved HOME Investment Partnerships Program funds. The LAHD must report back to the Mayor and Council with recommendations for final award based on the results of the 2012 AHTF NOFA. These recommendations comply with City Financial Policies because dedicated funding sources will fully fund any resulting commitments to projects selected under the NOFA.

Community Impact Statement: None submitted.

Adopted, Ayes (13); Absent: Perry (1)
(Item Nos. 10-11)

ITEM NO. (10) - ADOPTED

[09-0158-S1](#)

PERSONNEL COMMITTEE REPORT relative to an Amendment to the 2010-14 Operating, Maintenance and Service (OM&S) Unit Memorandum of Understanding (MOU) which establishes a new Duties Description Record (DDR) and approves the salary for the Electrical Tester Trainee (ETT) in the newly-consolidated Electrical Tester (ET) classification.

Recommendation for Council action:

APPROVE the Amendment to the 2010-14 OM&S Unit MOU between the Los Angeles Department of Water and Power (LADWP) and the International Brotherhood of Electrical Workers, Local 18 (IBEW, Local 18), which establishes a new DDR and approves the salary for the ETT in the newly consolidated ET classification.

Fiscal Impact Statement: The LADWP reports that once the new entry-level ETT DDR is established, the salary is adopted, and a civil service eligible list is established for the new ET classification, a class of ten trainees will be hired into the three-year training program. The fiscal impact was determined by a two-year salary comparison between the existing salary for the former Assistant Electrical Tester (AET) classification and the proposed new Peterson Formula rate for the new ETT DDR in the new ET classification. The fiscal impact over the course of two years at fifth step for ten employees based on the existing salary for the former AET class was \$1,336,094. The fiscal impact over the course of two years at fifth step for ten employees based on the proposed Peterson Formula rate for the new ETT DDR in the new ET class would be \$1,515,888. This comparison results in a \$179,794 salary increase over the two-year period; however, there are non-monetary advantages including: addressing recruitment and retention issues, providing a training program which addresses cross-training, providing flexibility in work assignments, and addressing succession planning, system reliability, and safety issues.

Community Impact Statement: None submitted.

ITEM NO. (11) - ADOPTED

[09-3049](#)

PERSONNEL COMMITTEE REPORT relative to consolidated reasonable accommodations for employees with temporary and permanent work restrictions as a result of industrial or non-industrial injuries or illnesses for the fourth quarter of Fiscal Year (FY) 2010-11.

Recommendation for Council action:

NOTE and FILE the October 18, 2011 Personnel Department report relative to consolidated reasonable accommodations for employees with temporary and permanent work restrictions as a result of industrial or non-industrial injuries or illnesses for the fourth quarter of FY 2010-11.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (12) - ADOPTED

Adopted, Ayes (10); Absent: Alarcón, Perry, Wesson and President Garcetti (4)

[11-1843](#)

PERSONNEL COMMITTEE REPORT relative to the exemption of one Revenue Manager position for the City Administrative Officer (CAO) from the Civil Service provisions of the City Charter.

Recommendations for Council action:

1. APPROVE the exemption of one Revenue Manager Position for the CAO from the Civil Service provisions of the City Charter, pursuant to Charter Section 1001(b) (1).

2. REAFFIRM prior Council action that the Revenue Manager position be located in the Office of the CAO and report to the CAO.

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - NOVEMBER 30, 2011

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

ITEM NO. (13) - ADOPTED

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

[11-1734](#)
CD 5

CATEGORICAL EXEMPTION and PLANNING AND LAND USE MANAGEMENT (PLUM) COMMITTEE REPORT relative to Variance appeals for property located at 939 and 969 North La Brea Avenue.

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

1. FIND that this action is categorically exempt from California Environmental Quality Act pursuant to Article III, Section 1, Class 1, Category 22 of the City's Environmental Guidelines.
2. ADOPT the FINDINGS of the PLUM Committee and the Central Los Angeles Area Planning Commission (CLAAPC) as the Findings of Council.
3. RESOLVE TO DENY THE APPEALS filed by: Jim McQuiston and Lucille Saunders on behalf of the La Brea Willoughby Coalition from the entire decision of the CLAAPC, and THEREBY APPROVE a Variance to permit the operation of a 10,087 square foot retail mattress store otherwise not permitted in the MR1-1 Zone, for property at 939 and 969 North La Brea Avenue, subject to the modified Conditions of Approval as approved by the PLUM Committee and attached to the Council file.

Applicant: Bradley Parker, VP Bank of America, Trustee for Brinkman Family Trust

Representative: Andrew Fogg, Cox Castle and Nicholson, LLP

ZA-2011-0103- ZV-2A A(2)

Fiscal Impact Statement: The CLAAPC reports that there is no General Fund impact as administrative costs are recovered through fees.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JANUARY 2, 2012

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

ITEM NO. (14) - ADOPTED

Adopted, Ayes (11); Absent: Alarcón, Perry and Wesson (3)

[11-1778](#)

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to a report on the current status of the Mills Act property tax relief \$1 Million cap and the appropriate mechanisms for renewing and/or increasing the cap to use as an incentive to owners of historic resources to preserve their historic properties.

Recommendation for Council action, pursuant to Motion (Huizar - Wesson):

INSTRUCT the Planning Department, with the assistance of the City Administrative Officer (CAO), and in consultation with the City Attorney, to report back in 30 days relative to the current status of the Mills Act property tax relief \$1 Million cap and the appropriate mechanisms for renewing and/or increasing the cap to use as an incentive to owners of historic resources to preserve their historic properties.

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

Community Impact Statement: None submitted.

Adopted, Ayes (13); Absent: Perry (1)
(Item Nos. 15-17)

ITEM NO. (15) - ADOPTED

[09-0325](#)

CD 4

CATEGORICAL EXEMPTION and PUBLIC WORKS COMMITTEE REPORT relative to vacating Cumpston Street between Vineland Avenue and Case Avenue VAC (E1401136).

Recommendations for Council action:

1. FIND that the vacation of Cumpston Street between Vineland Avenue and Case Avenue 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 October 24, 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 A of the October 24, 2011 City Engineer report, attached to the Council file:

A portion of Cumpston Street between Vineland Avenue and Case Avenue.

4. ADOPT the accompanying City Engineer report dated October 24, 2011 to approve the vacation.
5. INSTRUCT the City Clerk to set a public hearing date for **JANUARY 11, 2012**.

Fiscal Impact Statement: The City Engineer reports that to date, an estimated \$13,819.37 in charges has been expended in the investigation and processing of this proceeding. Since Section 7.46 of the Administrative Code exempts all governmental agencies from payment of fees, the processing of this report will be absorbed by the Bureau of Engineering.

Community Impact Statement: None submitted.

ITEM NO. (16) - ADOPTED

[10-0196](#)

CD 11

TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT relative to the response of the Los Angeles World Airports (LAWA) on the feasibility of implementing variable speed technology and any additional energy saving methods to elevators, escalators, and moving walk upgrades for installation at the Los Angeles International Airport (LAX).

Recommendation for Council action:

NOTE and FILE the LAWA Report relative to the feasibility of implementing variable speed technology and any additional energy saving methods to elevators, escalators, and moving walk upgrades for installation at the LAX, inasmuch as the report was submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (17) - ADOPTED

[11-1748](#)

ADMINISTRATIVE EXEMPTION and TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT relative to approval of the Memorandum of Understanding (First Amendment) to Contract No. DA-4290 with AT&T.

Recommendation for Council action:

1. FIND that this action, as described in the October 13, 2011 Board of Airport Commissioners (Board) report, attached to the Council file, is exempt from the California Environmental Quality Act (CEQA) pursuant to Article II Section 2(f) of the Los Angeles City CEQA Guidelines.
2. APPROVE the Memorandum of Understanding (First Amendment) to Contract No. DA-4290 between the City of Los Angeles and AT&T.
3. CONCUR with the Board's action of October 3, 2011 by Resolution No. 24593 authorizing the Executive Director to execute the Memorandum of Understanding (First Amendment) with AT&T.

Fiscal Impact Statement: The City Administrative Officer reports that approval of the proposed contract amendment will have no impact on the General Fund. Funding for the First Amendment to Contract DA-4290 with SBC Global Services, Inc. dba AT&T Global Services on behalf of Pacific Bell Telephone Company, dba AT&T California is available in the FY2011-12 Los Angeles World Airports Budget in Cost Center 117003 - IT Infrastructure Division and in Cost Center 1300002 - LA/ONT, Commitment Item 523 - Utilities. Future funding will be requested as part of the annual budget request. Additionally, future years' costs may be allocated to additional Board-approved projects and their respective Work Breakdown Structure elements. This project complies with the Department of Airports' adopted Financial Policies.

Community Impact Statement: None submitted.

TIME LIMIT FILE - DECEMBER 13, 2011

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

ITEM NO. (18) - ADOPTED, AS AMENDED - FORTHWITH - SEE FOLLOWING

to Adopt as Amended, Ayes (11); Absent: Alarcón, Perry and Wesson (3)

[11-1804](#)

CD 11

ADMINISTRATIVE EXEMPTION and TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT relative to proposing an ordinance for Alternate Project Delivery Methods (APDMs) and the Competitive Sealed Proposal Selection for projects at the Los Angeles International Airport (LAX).

Recommendations for Council action:

1. FIND that this action, as described in the October 20, 2011 Board of Airport Commissioners (Board) report, attached to the Council file, is exempt from the California Environmental Quality Act (CEQA) pursuant to Article II, Section 2(m) of the Los Angeles City CEQA Guidelines.
2. REQUEST the City attorney to prepare and present an Ordinance to allow usage of APDMs and Competitive Sealed Proposal Process for select capital improvement projects at the LAX.

Fiscal Impact Statement: The City Administrative Officer reports that approval of the proposed request by the Department of Airports to use APDM and Competitive Sealed Proposal Method for the four passenger terminal capital improvements projects at terminals 1, 2, 3 and 4-8 at the LAX will not impact the General Fund. Funding of the projects will be from the Airport Capital Improvement Fund.

This project complies with the Department of Airports adopted Financial Policies.

Community Impact Statement: None submitted.

ADOPTED

AMENDING MOTION (LABONGE - PARKS)

Recommendation for Council action:

ADD the Midfield Satellite Concourse to the list of selected Capital Improvement Projects at LAX that could be built with the use of Alternate Project Delivery Methods to be authorized under the requested ordinance.

**Adopted, Ayes (13); Absent: Perry (1)
(Item Nos. 19-20)**

ITEM NO. (19) - ADOPTED

[11-1808](#)

ADMINISTRATIVE EXEMPTION and TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT relative to approval of the Fourth Amendment to Operating Agreement No. DA-3830 with Coach America Los Angeles to extend funding for Flyaway bus service between the Los Angeles International Airport (LAX) and Van Nuys Airport.

Recommendations for Council action:

1. FIND that this action, as described in the October 20, 2011 Board of Airport Commissioners (Board) report, attached to the Council file, is exempt from the California Environmental Quality Act (CEQA) pursuant to Article II, Section 2.f of the Los Angeles City CEQA Guidelines.
2. APPROVE the Fourth Amendment to Contract No. DA-3830 with CUSA CC, LLC dba Coach America Los Angeles.
3. CONCUR with the Board's action of September 19, 2011 by Resolution No. 24566 authorizing the Executive Director to execute the Fourth Amendment with CUSA CC, LLC dba Coach America Los Angeles.

Fiscal Impact Statement: The City Administrative Officer reports that funding for the proposed Fourth Amendment to Contract No. DA-3830 with CUSA CC, LLC (dba Coach America Los Angeles) is currently available in the Fiscal Year 2011-12 Los Angeles World Airports Operating Budget in Cost Center 2001209 - Van Nuys Airport Landside FlyAway Operations, Commitment Item 520 - Contractual Services. Future funding will be requested as part of the Department's annual budget process. The proposed lease complies with the Department of Airports' adopted Financial Policies. Approval of the proposed Fourth Amendment will have no impact on the City's General Fund.

Community Impact Statement: None submitted.

TIME LIMIT FILE - DECEMBER 24, 2011

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

ITEM NO. (20) - ADOPTED

[11-1882](#)

CD 6

ADMINISTRATIVE EXEMPTION and TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT relative to approval of the First Amendment to Lease No. VNA-8369 with Aerolease Associates, LLC and Lease No. VNA-8368 with Aerolease West, LLC covering changes to key terms of their leaseholds at Van Nuys Airport.

Recommendations for Council action:

1. FIND that this action, as described in the November 2, 2011 Board of Airport Commissioners (Board) report, attached to the Council file, is exempt from the California Environmental Quality Act (CEQA) pursuant to Article III Class 1(18)(c) of the Los Angeles City CEQA Guidelines.
2. APPROVE the First Amendments as amended with Aerolease Associates, LLC and Aerolease West, LLC.
3. CONCUR with the Board's action of August 1, 2011 by Resolution No. 24537 authorizing the Executive Director to execute the First Amendments with Aerolease Associates, LLC and Aerolease West, LLC.

Fiscal Impact Statement: The Board reports that approval of the proposed First Amendments will have no impact on the General Fund.

Community Impact Statement: None submitted.

TIME LIMIT FILE - DECEMBER 2, 2011

(LAST DAY FOR COUNCIL ACTION - DECEMBER 2, 2011)

Items for Which Public Hearings Have Not Been Held - Items 21-43

(10 Votes Required for Consideration)

ITEM NO. (21) - ADOPTED

Adopted, Ayes (12); Absent: Perry and Wesson (2)

[11-1897](#)

CD 2

COMMUNICATION FROM MAYOR relative to the appointment of Mr. Eduardo Tinoco to the Board of Library Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Eduardo Tinoco to the Board of Library Commissioners for the term ending June 30, 2014, is APPROVED and CONFIRMED. Mr. Tinoco will fill the vacancy created by Mr. Carlos Singer, who has resigned. Mr. Tinoco resides in Council District Two. (Current Commission gender composition: M=0; F=4; Vacant=1)

Ethics Commission Review: Pending.

Background Check Review: Complete.

Community Impact Statement: None submitted.

TIME LIMIT FILE - DECEMBER 22, 2011

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

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

**Adopted, Ayes (13); Absent: Perry (1)
(Item Nos. 22a-22b)**

ITEM NO. (22) - ADOPTED

[11-0005-S732](#)

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 November 21, 2011.

[11-0005-S732](#)

CD 9

- a. Property at 539 East 33rd Street (Case No. 238630)
Assessor I.D. No. 5120-020-022

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 8, 2009)

[11-0005-S733](#)

CD 10

- b. Property at 1921 South Arlington Avenue (Case No. 326250)
Assessor I.D. No. 5060-031-021

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 17, 2011)

ITEM NO. (23) - ADOPTED

Adopted, Ayes (11); Absent: Alarcón, Perry and Wesson (3)

[10-0540-S3](#)

CD 14

COMMUNICATION FROM VICE CHAIR AND MEMBER, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE relative to an amendment to a Memorandum of Understanding (MOU) with the Los Angeles Department of Water and Power (LADWP) for the proposed development of a park on the La Kretz Innovation Campus at 524 Colyton Street in the Central Industrial Redevelopment Project Area to be potentially funded with Proposition 84 grant funds.

Recommendations for Council action:

1. ACKNOWLEDGE and UNDERSTAND that the California Supreme Court (Court) in the case entitled California Redevelopment Association v. Matosantos stayed certain portions of Assembly Bills (AB) x1-26 and x1-27. The Community Redevelopment Agency of Los Angeles (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 Court's stay and the provisions of AB x1-26 and AB x1-27 that are not subject to the stay. The Court has indicated that it will issue a ruling by January 15, 2012.
2. AUTHORIZE the Chief Executive Officer, CRA/LA, to negotiate and execute an Amendment to the May 21, 2010 MOU between the CRA/LA and the LADWP to include the planning, design, and construction of a 0.5 acre park project within the La Kretz Innovation Campus, and a Public Access Agreement for use of said 0.5 acre park subject to necessary preconditions and findings, subject to the conditions of the Court's stay and the provisions of AB x1-26 and AB x1-27 that are not subject to the stay.
3. INSTRUCT the CRA/LA to report to Council if and when Proposition 84 grant funds are awarded and to identify alternate funding sources if Proposition 84 grant funds are not awarded to the Arts District Park.

4. AUTHORIZE the Chief Executive Office, CRA/LA, or designee, to take any such actions and execute any such documents as may be reasonably necessary to implement the recommendations above, subject to review and approval of the City Attorney as to form.

Fiscal Impact Statement: The Chief Legislative Analyst reports that there is no impact to the General Fund as a result of this action inasmuch as this is an amendment to the LADWP MOU. If funds are required at a future time, the CRA/LA will require approval from Council.

Community Impact Statement: None submitted.

**Adopted, Ayes (13); Absent: Perry (1)
(Item Nos. 24-25)**

ITEM NO. (24) - ADOPTED

[11-0363](#)

CDs 8 & 10

CATEGORICAL EXEMPTION, COMMUNICATION FROM VICE CHAIR AND MEMBER, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE and RESOLUTION relative to expenditure of \$14,677,920 for public improvements, and authority to execute a contract amendment with S L Enterprises to extend the term of the contract by four years and increase compensation to an amount not to exceed \$200,000, in the Crenshaw Amended Redevelopment Project Area and the Mid-City Recovery Redevelopment Project Area.

Recommendations for Council action:

1. FIND that the proposed Project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Sections 15301 (c) and (h) and 15304 (a) and (b) of the State and Community Redevelopment Agency of Los Angeles (CRA/LA) CEQA guidelines.
2. ACKNOWLEDGE and UNDERSTAND that the California Supreme Court (Court) in the case entitled California Redevelopment Association v. Matosantos, stayed certain portions of AB x1-26 and AB x1-27 but allowed other provisions to be implemented, such as the prohibition on new contracts and amendments to existing contracts. Specifically, 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 as determined by the Court. In light of these circumstances, the City Council may approve certain specified actions as described in this report on the condition that the CRA/LA will not execute agreements or take any actions thereto until the Court has decided the case on the merits or otherwise restored the contracting authority of redevelopment agencies. The Court ruling on the legal challenge to the legislation is anticipated by January 15, 2012.
3. RECOGNIZE that action of the Council as detailed in Recommendations Nos. 2-5 herein is subject to the conditions of the Court's stay and the provisions of AB x1-26 that are not subject to the stay.

4. AUTHORIZE the CRA/LA to recognize \$14,677,920 of State Department of Housing and Community Development (HCD) Proposition 1C Infill and Infrastructure Grant funds and place said funds into the following budget line items which will allow expedited expenditure of these funds for public improvements and housing improvements as and when appropriate:

<u>Budget Line Item</u>	<u>Amount</u>
Crenshaw Economic Development Opportunities (CR6990)	\$4,126,511
Mid-City Economic Development Opportunities (MD2700)	\$9,051,409
Mid-City Affordable Housing (MD1550)	<u>\$1,500,000</u>
Total	\$14,677,920

5. ADOPT the accompanying JOINT RESOLUTION making findings in accordance with California Health and Safety Code Section 33445 that funding these public improvements is of benefit to the Crenshaw Amended Redevelopment Project Area and the Mid-City Recovery Redevelopment Project Area.
6. AUTHORIZE the Chief Executive Officer, CRA/LA, or designee, to amend purchase order No. 09-0626 with S L Franklin Enterprises, Inc. (dba Urban Design Center) to revise the scope of work to manage the \$14,677,920 Proposition 1C grant contract coordination/compliance work so as to ensure CRA/LA reimbursement and to increase compensation by \$145,000, from \$75,000, for a total purchase order amount not to exceed \$220,000 for a new term ending January 28, 2014, subject to the review of the City Attorney as to form and the Department of Public Works, Bureau of Contract Administration as to compliance with any applicable CRA/LA contracting requirements.
7. APPROVE the CRA/LA's implementation of the Crenshaw/Mid City Corridors Infill and Infrastructure Project under the Cooperation Agreement for Payment of Costs Associated with Certain Agency Funded Capital Improvements, Public Improvements, and Housing Projects, dated March 10, 2011 between CRA/LA and the City of Los Angeles.

Fiscal Impact Statement: The City Administrative Officer reports that there is no impact on the General Fund. Approval of the recommendations will result in the expenditure of \$14,677,920 in Proposition IC II funds from the State HCD. The City's Financial Policies are not applicable to the CRA/LA. The CRA/LA is bound only by the disclosure provisions of the City's Debt Management Policies. The recommendations are in compliance with the CRA/LA's Financial Policies in that the recommended actions are consistent with the Budget and Work Program for the Project Areas.

Community Impact Statement: None submitted.

ITEM NO. (25) - ADOPTED

[11-1616](#)

CD 4

COMMUNICATION FROM VICE CHAIR AND MEMBER, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE relative to award of a contract with David Evans and Associates, Inc. to provide engineering design services for the Industrial Infrastructure Project in the North Hollywood Redevelopment Project Area for a term of three years with two one-year options to extend for an amount not to exceed \$368,915.

Recommendations for Council action:

1. ACKNOWLEDGE and UNDERSTAND that the California Supreme Court (Court) in the case entitled California Redevelopment Association v. Matosantos stayed certain portions of Assembly Bills (AB) x1-26 and x1-27. The Community Redevelopment Agency of Los Angeles (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 Court's stay and the provisions of AB x1-26 and AB x1-27 that are not subject to the stay. The Court has indicated that it will issue a ruling by January 15, 2012.
2. AUTHORIZE the Chief Executive Officer, CRA/LA, or designee, to execute a contract with David Evans and Associates, Inc. for a three-year term with two one-year options to extend the term of the contract, not to exceed \$368,915, relative to engineering design services for the Industrial Infrastructure Project in the North Hollywood Redevelopment Project Area, subject to the conditions of the Court's stay and the provisions of AB x1-26 and AB x1-27 that are not subject to the stay.
3. RECOGNIZE and AUTHORIZE expenditure of \$368,915 of Fiscal Year 2012 North Hollywood Project Area Tax Exempt Bond Proceeds in the Economic Development budget line item for a contract with David Evans and Associates, Inc., pending resolution of the litigation.

Fiscal Impact Statement: The Chief Legislative Analyst reports that there is no impact to the General Fund, as funds will be identified from North Hollywood tax exempt bond proceeds.

Community Impact Statement: None submitted.

ITEM NO. (26) - ADOPTED - FORTHWITH

Adopted, Ayes (11); Absent: Alarcón, Perry and Wesson (3)

[11-1729](#)

CDs 4 & 13

COMMUNICATION FROM VICE CHAIR AND MEMBER, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE relative to a grant funding agreement with Youth Policy Institute to provide a conditional grant of up to \$120,000 to increase provision of social and economic development services to residents in the Hollywood Redevelopment Project Area, and a request for authority for a Conditional Grant Policy waiver.

Recommendations for Council action:

1. ACKNOWLEDGE and UNDERSTAND that the California Supreme Court (Court) in the case entitled California Redevelopment Association v. Matosantos stayed certain portions of Assembly Bills (AB) x1-26 and x1-27. The Community Redevelopment Agency of Los Angeles (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 Court's stay and the provisions of AB x1-26 and AB x1-27 that are not subject to the stay. The Court has indicated that it will issue a ruling by January 15, 2012.
2. AUTHORIZE the Chief Executive Officer, CRA/LA, or designee, to execute a Conditional Grant Agreement with Youth Policy Institute in an amount not to exceed \$120,000 of Urban Development Action Grant (UDAG) Payment Retained Funds from Budget Line Item Economic Development Opportunities (HW6400) for the provision of social and economic development services in the Hollywood Redevelopment Project Area, subject to the conditions of the Court's stay and the provisions of AB x1-26 and AB x1-27 that are not subject to the stay.
3. AUTHORIZE the CRA/LA to waive its Conditional Grant Policy relative to the 10 percent match requirement for grants over \$100,000 to non-profit entities and requirement that grants be secured by a Promissory Note and a Financing Statement or a subordinated lien on real property.

Fiscal Impact Statement: The Chief Legislative Analyst reports that there is no impact to the City's General Fund as a result of this action. Funding in the amount of \$120,000 will be derived from UDAG Payment Retained Funds from Budget Line Item Economic Development Opportunities (HW6400).

Community Impact Statement: None submitted.

**Adopted, Ayes (13); Absent: Perry (1)
(Item Nos. 27-30)**

ITEM NO. (27) - ADOPTED

[11-1830](#)
CD 8

COMMUNICATION FROM VICE CHAIR AND MEMBER, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE relative to an Exclusive Negotiating Agreement (ENA) with Figueroa Corridor Land Company for the proposed redevelopment of Community Redevelopment Agency of Los Angeles (CRA/LA)-owned property located at 3685 South Vermont Avenue into a mixed-use project of 54 affordable housing units and 14,500 square feet of commercial space.

Recommendations for Council action:

1. ACKNOWLEDGE and UNDERSTAND that the California Supreme Court (Court) in the case entitled California Redevelopment Association v. Matosantos stayed certain portions of Assembly Bills (AB) x1-26 and x1-27. 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 Court's stay and the provisions of AB x1-26 and AB x1-27 that are not subject to the stay. The Court has indicated that it will issue a ruling by January 15, 2012.
2. APPROVE the CRA/LA's implementation of an affordable housing project in the Exposition/University Park Redevelopment Project Area (Project Area) under the Cooperation Agreement for certain CRA/LA-funded capital improvements, public improvements and affordable housing projects dated March 10, 2011 between the CRA/LA and the City (Cooperation Agreement), subject to the conditions of the Court's stay and the provisions of Assembly Bill x1-26 and Assembly Bill x1-27 that are not subject to the stay.
3. AUTHORIZE the Chief Executive Officer, CRA/LA, or designee, to execute an ENA with the Figueroa Corridor Land Company (Developer) for the proposed redevelopment of CRA/LA-owned property located at 3685 South Vermont Avenue within the Project Area for a 270-day term with two 90-day extensions of the ENA, subject to the conditions of the Court's stay and the provisions of AB x1-26 and AB x1-27 that are not subject to the stay.
4. AMEND the CRA/LA's FY 2011-12 Budget to recognize a Developer deposit in the amount of \$25,000 to be deposited into budgeted line item Affordable Housing to fund CRA/LA consultant expenses related to redevelopment of said property, pending resolution of the litigation.

Fiscal Impact Statement: The Chief Legislative Analyst reports that there is no impact to the General Fund.

Community Impact Statement: None submitted.

ITEM NO. (28) - ADOPTED

[09-1901-S1](#)

COMMUNICATION FROM CHAIR, PUBLIC SAFETY COMMITTEE relative to Los Angeles Police Department (LAPD) DNA status reports for the months of July, August, and September 2011.

Recommendation for Council action:

NOTE and FILE the September 15, 2011, October 4, 2011, and November 1, 2011 Board of Police Commissioners reports relative to the LAPD DNA status reports for the months of July, August, and September 2011, as attached to the Council file.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (29) - ADOPTED

[09-2423](#)

COMMUNICATION FROM CHAIR AND MEMBER, PUBLIC SAFETY COMMITTEE relative to the status of Vandalism and Graffiti Trust Fund No. 870.

Recommendation for Council action:

NOTE and FILE the October 13, 2011 City Clerk report relative to the status of Vandalism and Graffiti Trust Fund No. 870.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (30) - ADOPTED

[10-0252](#)

COMMUNICATION FROM CHAIR, PUBLIC SAFETY COMMITTEE relative to the activities of the Los Angeles Police Department's (LAPD) Revolving Training Fund (RTF) for the period January 1 through June 30, 2010.

Recommendation for Council action:

NOTE and FILE the August 18, 2011 LAPD report relative to the activities of the LAPD's RTF for the period January 1 through June 30, 2010, as attached to the Council file.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (31) - CONTINUED TO DECEMBER 7, 2011

Adopted to Continue, Unanimous Vote (11); Absent: Alarcón, Perry and Wesson (3)

[10-0555](#)

COMMUNICATION FROM CHAIR AND MEMBER, PUBLIC SAFETY COMMITTEE relative to the Los Angeles Police Department's (LAPD) DNA Quarterly Report for the Third Quarter of 2011.

Recommendation for Council action:

NOTE and FILE the November 1, 2011 Board of Police Commissioners report relative to the LAPD's DNA Quarterly Report for the Third Quarter of 2011.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (32) - ADOPTED

Adopted, Ayes (11); Absent: Alarcón, Perry and Wesson (3)

[11-0693](#)

COMMUNICATION FROM CHAIR AND MEMBER, PUBLIC SAFETY COMMITTEE relative to the US 9th Circuit Court of Appeals Decision in the case of Bryan v. McPherson and the Los Angeles Police Department's (LAPD) Use of Force Policy.

Recommendation for Council action:

NOTE and FILE the August 8, 2011 Board of Police Commissioners report relative to the US 9th Circuit Court of Appeals Decision Bryan v. McPherson and the LAPD's Use of Force Policy.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (33) - ADOPTED

Adopted, Ayes (11); Absent: Alarcón, Perry and Wesson (3)

[11-1526](#)

COMMUNICATION FROM CHAIR AND MEMBER, PUBLIC SAFETY COMMITTEE relative to implementing a program similar to the Graffiti Point of Purchase Recorded Identification Program in Portland, Oregon.

Recommendation for Council action:

NOTE and FILE the Motion (Zine - Wesson) relative to implementing a program similar to the Graffiti Point of Purchase Recorded Identification Program in Portland, Oregon.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

**Adopted, Ayes (13); Absent: Perry (1)
(Item Nos. 34-37)**

ITEM NO. (34) - ADOPTED

[11-1845](#)

COMMUNICATION FROM CHAIR AND MEMBER, PUBLIC SAFETY COMMITTEE relative to proposed Amendment No. 2 to Contract No. C-102634 with Lend Lease (US) Construction, Inc. (Lend Lease; formerly known as Bovis Lend Lease, Inc.) for program and construction management for the Proposition F- Fire/Paramedic, Air Operations Facilities.

Recommendation for Council action:

APPROVE and AUTHORIZE the President or two members of the Board of Public Works to execute Amendment No. 2 to Contract No. C-102634 with Lend Lease to extend the contract term for five years through October 1, 2017 in an amount not to exceed \$21,200,000, subject to review of the City Attorney.

Fiscal Impact Statement: The City Administrative Officer reports that the proposed amendment extends the term of Contract No. C-102634 with Lend Lease with no fiscal impact on the General Fund. The maximum compensation of \$21.2 million for these services are paid by the Proposition F General Obligation Bond.

Community Impact Statement: None submitted.

ITEM NO. (35) - ADOPTED

11-1904

COMMUNICATION FROM CHAIR AND MEMBER, PUBLIC SAFETY COMMITTEE relative to proposed contract amendments and supplemental agreement with Lynden J. and Associates (Lynden), Kennedy Court Reporters and Transcription, Inc. (Kennedy), and Huntington Court Reporters and Transcription, Inc. (Huntington) for court hearing reporter services.

Recommendation for Council action:

AUTHORIZE the following, subject to review of the City Attorney:

- a. Third Amendment to Contract No. C-110676 with Lynden.
- b. Third Amendment to Contract No. C-110674 with Kennedy.
- c. Second Amendment and supplemental agreement to Contract No. C-110675 with Huntington.

Fiscal Impact Statement: The City Administrative Officer (CAO) reports that no additional General Fund appropriation is required. The recommendation, as contained in the November 9, 2011 CAO report, attached to the Council file, does not obligate the City to expend any funds, as service is provided only on an as-requested basis. The total amount authorized for this purpose is \$1,100,000, which is budgeted within the Los Angeles Police Department's Contractual Services account. This complies with the City's Financial Policies in that one-time revenue is used to support one-time costs.

Community Impact Statement: None submitted.

ITEM NO. (36) - ADOPTED

[10-1739](#)

COMMUNICATION FROM CHAIR AND MEMBER, PUBLIC SAFETY COMMITTEE relative to acceptance of a grant award of \$862,338 for the period July 1, 2011 to June 30, 2012 from the California Emergency Management Agency (CalEMA) Law Enforcement and Victim Services Division for the City Attorney's Victim Assistance Program.

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

1. AUTHORIZE the City Attorney or his designee to approve the contract between the City and the County of Los Angeles, as detailed in the October 31, 2011 City Administrative Officer (CAO) report, attached to the Council file, in the amount of \$862,338 for the period of July 1, 2011 to June 30, 2012.
2. AUTHORIZE the City Attorney or his designee to accept the funding in the amount of \$862,338 from the County of Los Angeles and to execute the contract as described above in Recommendation No. 1, subject to the approval of the Office of the City Attorney as to form and legality.
3. AUTHORIZE the Controller to:
 - a. Establish a receivable from the County of Los Angeles in the amount of \$862,338.
 - b. Upon receipt of grant funds establish the following appropriation accounts within Fund 368/12, City Attorney Grant Fund, as follows:

Account 12H301 - Personal Services	\$851,838
Account 12H303 - Operating Expenses	\$ 10,500
4. REQUEST the City Attorney to submit invoices to the County of Los Angeles on a monthly basis to ensure that the General Fund is reimbursed in a timely manner.
5. REQUEST the City Attorney to reimburse the General Fund for salaries, operating expenses and fringe benefits from the City Attorney Grant Fund, Fund 368/12 upon receipt of reimbursements from the County.
6. AUTHORIZE the City Attorney 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.

Fiscal Impact Statement: The CAO reports that the total cost of the 2011-12 Victim Assistance Program is \$1,073,157 of which \$862,338 will be reimbursed by the County of Los Angeles for salaries, operating expenses, and fringe benefits. The General Fund impact will be \$210,819 which is the City's match of \$132,974 for fringe benefits and an additional contribution of \$77,845 for overhead. No additional appropriation is needed as these are continuing positions. The acceptance of the grant funds is consistent with the City's Financial Policies in that one time revenue will support one-time expenditures.

Community Impact Statement: None submitted.

ITEM NO. (37) - ADOPTED

[09-1566](#)

CD 9

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to vacating the alley south of 35th Street to its easterly terminus, and future street easement from Grand Avenue to approximately 173 feet westerly thereof (VAC E1400795).

Recommendations for Council action:

1. REAFFIRM the FINDINGS of August 11, 2010 that the vacation of the alley south of 35th Street to its easterly terminus, and future street easement from Grand Avenue to approximately 173 feet westerly thereof, pursuant to the City of Los Angeles Environmental Guidelines, is exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(3) of the City of Los Angeles Environmental Guidelines.
2. REAFFIRM the FINDINGS of August 11, 2010, that this vacation is in substantial conformance with the General Plan pursuant to Section 556 of the Los Angeles City Charter.
3. ADOPT the accompanying RESOLUTION TO VACATE No.11-1400795 for the vacation of the alley south of 35th Street to its easterly terminus, and future street easement from Grand Avenue to approximately 173 feet westerly thereof.
4. INSTRUCT the City Clerk to transmit, following Council adoption, Resolution to Vacate No. 11-1400795 to the Land Development Group of the Bureau of Engineering for recordation of said Resolution with the Los Angeles County Recorder.

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

ENVIRONMENTAL WORK COMPLETED FOR THIS PROJECT

ITEM NO. (38) - CONTINUED TO DECEMBER 2, 2011

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

[11-1931](#)

CD 14

CONSIDERATION OF MOTION (HUIZAR - KORETZ) relative to the issuance of a permit allowing street trenching with the installation of telephone, fire hydrant, fire service, street lighting, domestic water service and any other public improvements required on San Fe Street, between Palmetto Street and Fourth Street without the requirement of resurfacing the entire block from curb to curb.

Recommendations for Council action:

1. INSTRUCT the Bureau of Engineering (BOE), to issue permits to allow street trenching in conjunction with the installation of telephone, fire hydrant, fire service, street lighting, domestic water service and any other public improvements required on San Fe Street, between Palmetto Street and Fourth Street without the requirement of resurfacing the entire block from curb to curb as would otherwise be required under Section 62.06.D of the Los Angeles Municipal Code.
2. REQUIRE the applicant to repair and resurface the cut area in accordance with BOE requirements.

Community Impact Statement: None submitted.

(Public Works Committee waived consideration of the above matter)

ITEM NO. (39) - ADOPTED

Adopted, Ayes (11); Absent: Alarcón, Perry and Wesson (3)

[09-2541-S1](#)

CD 9

MOTION (PERRY - REYES) relative to funding for relocation payments associated with the Slauson Central Retail Center.

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

1. ALLOCATE/TRANSFER/APPROPRIATE \$259,074.53 in the Council District Nine portion of the AB 1290 Fund No. 53P, Account No. G304 (Redevelopment Projects - Services) to the Community Redevelopment Agency of Los Angeles for relocation payments associated with the Slauson Central Retail Center.
2. AUTHORIZE the Chief Legislative Analyst to make any technical corrections or clarifications to the above fund transfer instructions in order to effectuate the intent of this Motion and, AUTHORIZE the Controller to implement these instructions.

Adopted, Ayes (13); Absent: Perry (1)
(Item Nos. 40-43)

ITEM NO. (40) - ADOPTED

[11-1970](#)

CD 8

MOTION (PARKS - PERRY) relative to funding for the construction of angled parking stalls in the Leimert Park area.

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

1. TRANSFER from the Council District Eight portion of the AB 1290 Fund No. 53P, Account No. G304 (Redevelopment Projects - Services) for the construction of angled parking stalls in the Leimert Park area as follows:

- a. \$8,500 to Department of Transportation Fund No. 100/94, Salaries Overtime, Account No. 1090.
 - b. \$4,600 to Department of Transportation Fund No. 100/94, Contractual Services, Account No. 3040.
 - c. \$1,000 to Department of Transportation Fund No. 100/94, Paint and Signs, Account No. 3350.
2. AUTHORIZE the Chief Legislative Analyst to make any technical corrections or clarifications to the above fund transfer instructions in order to effectuate the intent of this Motion and AUTHORIZE the Controller to implement these instructions.

ITEM NO. (41) - ADOPTED

[11-1970-S1](#)

CD 8

MOTION (PARKS - PERRY) relative to funding for the design of angled parking stalls in the Leimert Park area.

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

1. TRANSFER \$5,000 in the Council District Eight portion of the AB 1290 Fund No. 53P, Account No. G304 (Redevelopment Projects - Services) to Department of Transportation Fund No. 100/94, Salaries Overtime, Account No. 1090 for the design of angled parking stalls in the Leimert Park area.
2. AUTHORIZE the Chief Legislative Analyst to make any technical corrections or clarifications to the above fund transfer instructions in order to effectuate the intent of this Motion and, AUTHORIZE the Controller to implement these instructions.

ITEM NO. (42) - ADOPTED

[11-0010-S25](#)

MOTION (PERRY - PARKS) relative to reinstating the reward offer in the death of Kemberly Arrue for an additional six months.

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

REAFFIRM Council's findings and REINSTATE the reward offer relative to the death of Kemberly Arrue (Council action of May 6, 2011, Council file No. 11-0010-S25) for an additional period of six months from the publication of the offer of reward by the Office of the City Clerk and, further, that the sum of \$50,000 shall be the aggregate maximum sum of any payment or payments of a City reward in this instance.

ITEM NO. (43) - ADOPTED

[11-0010-S30](#)

MOTION (ZINE - REYES) relative to reinstating the reward offer in the death of Juan Rivera for an additional six months.

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

REAFFIRM Council's findings and REINSTATE the reward offer relative to the death of Juan Rivera (Council action of June 10, 2011, Council file No. 11-0010-S30) for an additional period of six months from the publication of the offer of reward by the Office of the City Clerk and, further, that the sum of \$50,000 shall be the aggregate maximum sum of any payment or payments of a City reward in this instance.

Closed Sessions - Items 44-45

ITEM NO. (44) - MEETING HELD - ACTION TAKEN IN CLOSED SESSION

[11-1837](#)

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 Sipple, et al. v. The City of Alameda, et al., Los Angeles Superior Court Case No. BC 462270. (This matter involves a class action tax refund lawsuit brought by various plaintiffs against numerous public entities for collecting taxes on internet access charges in violation of federal law.)

(Budget and Finance Committee considered the above matter in Closed Session on November 14, 2011)

(Continued from Council meeting of November 23, 2011)

ITEM NO. (45) - MEETING HELD - ACTION TAKEN IN CLOSED SESSION

[11-1884](#)

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 City of Los Angeles v. The State Board of Equalization and the City of Pomona, Los Angeles Superior Court Case No. BS124950. (This matter arises from the City's petition for writ of mandamus against Pomona and the State Board of Equalization that was granted by the trial court and is pending appeal.)

(Budget and Finance Committee considered the above matter in Closed Session on November 14, 2011)

(Continued from Council meeting of November 23, 2011)

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

[11-1994](#)

MOTION (KREKORIAN - HUIZAR) relative to the Department of Cultural Affairs and the Department of Aging presenting their needs assessments study about senior artists to the City Council.

[11-1995](#)

MOTION (KREKORIAN - REYES) relative to the creation of the Laurel Canyon Corridor Sign District.

[11-0010-S49](#)

MOTION (KORETZ - ENGLANDER) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Edmundo Lorenzo on September 25, 2011.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon his request, and without objections, Councilmember Huizar was excused to arrive at 10:30 a.m. to the Council session of Wednesday, November 30, 2011 due to City business.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

[11-0004](#) -S3 - Susan Huntley

(LaBonge - Garcetti - All Councilmembers)

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

[11-0003-S3](#) - Eloise Bohnett

(Koretz - Rosendahl)

Donnie Eugene Woods Sr.

(Parks - Perry)

Margie Petersen

(LaBonge - All Councilmembers)

George Harrison

(LaBonge - All Councilmembers)

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

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL