

Los Angeles City Council, **Journal/Council Proceedings**  
Friday, **January 13, 2012**  
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, Garcetti, Huizar, Koretz, Krekorian, LaBonge, Perry, Reyes, Zine and President Wesson (10); Absent: Cárdenas, Englander, Parks and Rosendahl (4)**

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF  
JANUARY 10, 2012

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - NONE

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

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## **Items Noticed for Public Hearings - Items 1-4**

**ITEM NO. (1) - CONTINUED TO FEBRUARY 7, 2012**

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

[11-1410](#)  
CD 2

CONTINUED CONSIDERATION OF HEARING PROTESTS relative to Department of Building and Safety report and confirmation of lien against property located at 10124 West McBroom Street, APN 2543-005-021. (Lien: \$568.85)

Recommendations for Council action:

1. HEAR PROTESTS relative to a proposed lien recorded against property located at 10124 West McBroom Street, to recover the costs of annual inspection invoices, 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 \$568.85 on the above referenced property.

(Continued from Council meeting of December 13, 2011)

**ITEM NO. (2) - CONTINUED TO JANUARY 27, 2012**

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

[11-1412](#)  
CD 2

CONTINUED CONSIDERATION OF HEARING PROTESTS relative to Department of Building and Safety report and confirmation of lien against property located at 11109 North Leolang Avenue, APN 2552-037-007. (Lien: \$2,206.02)

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 11109 North Leolang Avenue, 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 \$2,206.02 on the above referenced property.

(Continued from Council meeting of December 13, 2011)

**ITEM NO. (3) - CONTINUED TO FEBRUARY 14, 2012**

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

[11-1039](#)  
CD 7

CONTINUED CONSIDERATION OF HEARING PROTESTS relative to Department of Building and Safety report and confirmation of lien against property located at 15508 West Vincennes Street, APN 2656-017-004. (Lien: \$2,290.53)

Recommendations for Council action:

1. HEAR PROTESTS relative to a proposed lien recorded against property located at 15508 West Vincennes Street, to recover the costs of annual inspection invoices, 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 \$2,290.53 on the above referenced property.

(Continued from Council meeting of December 14, 2011)

**ITEM NO. (4) - PUBLIC HEARING CLOSED - MOTION ADOPTED TO GRANT APPLICATION**

**Adopted to Grant Application, Ayes (10); Absent: Cárdenas, Englander, Parks and Rosendahl (4)**

11-1870  
CD 5

HEARING COMMENTS relative to application for determination of "Public Convenience or Necessity" for the sale of alcoholic beverages for off-site consumption and on-site tasting at Trader Joe's specialty retail market located at 175 South Fairfax Avenue.

Recommendations for Council action:

1. DETERMINE that the issuance of a liquor license at Trader Joe's specialty retail market located at 175 South Fairfax Avenue, Los Angeles, 90048, will serve the "Public Convenience or Necessity" and will not tend to create a law enforcement problem.
2. GRANT the Application for Determination of "Public Convenience or Necessity" for the sale of alcoholic beverages for off-site consumption and on-site tasting at 175 South Fairfax Avenue.
3. INSTRUCT the City Clerk to transmit this determination to the State Department of Alcoholic Beverage Control as the required findings under Business and Professions Code Section 23958.4.

Applicant: Trader Joe's (Brett Engstrom, Art Rodriguez and Associates, representative)

TIME LIMIT FILE - JANUARY 31, 2012

(LAST DAY FOR COUNCIL ACTION - JANUARY 31, 2012)

**Items for Which Public Hearings Have Been Held - Items 5-6**

**Adopted, Ayes (10); Absent: Cárdenas, Englander, Parks and Rosendahl (4)**  
**(Item Nos. 5-6)**

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

10-2283-S2

COMMUNICATIONS FROM THE BOARD OF FIRE COMMISSIONERS AND THE CITY ADMINISTRATIVE OFFICER relative to the extension of the 2010 Federal Emergency Management Agency grant award term to October 30, 2012, and a re-appropriation of funds in the amount of \$226,302 for the purchase of equipment for use by the Los Angeles Fire Department's Urban Search and Rescue program.

(Public Safety Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)

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

**ADOPTED**

**COMMUNICATION FROM CHAIR AND MEMBER, PUBLIC SAFETY COMMITTEE** relative to the extension of the 2010 Federal Emergency Management Agency (FEMA) grant award term and a re-appropriation of funds for the purchase of equipment for use by the Los Angeles Fire Department's (LAFD) Urban Search and Rescue (USAR) program.

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

1. **TRANSFER \$226,302 from Fund No. 100/38, Account No. 1012 (Salaries, Sworn) to, Fund No. 335/38, Account No. 010R, to support the necessary expense and purchase of equipment items that will be reimbursed by the FEMA grant.**
2. **AUTHORIZE the Fire Chief, or designee, to deposit the FEMA grant funds received under this cooperative agreement into Fund No. 335/38 (Fire Department Grants).**
3. **TRANSFER FEMA grant funds, from Fund No. 335/38 to Fund No.100/38, Account 1012 (Sworn Salaries), based on LAFD submissions to the City Administrative Officer (CAO) documenting actual costs incurred for this FEMA Urban Search and Rescue no-match Cooperative Agreement Program through the end of the extended grant term of October 31, 2012.**
4. **TRANSFER the uncommitted balance of advanced funds as of May 1, 2012, from Fund No. 335/38, Appropriation Account No. 010R to Fund No. 100/38, Account No. 1012 (Sworn Salaries) to meet payroll need.**

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

**Community Impact Statement:** None submitted.

**ITEM NO. (6) - ADOPTED - TO THE MAYOR FORTHWITH - SEE FOLLOWING**

[11-1941](#)

COMMUNICATIONS FROM THE BOARD OF FIRE COMMISSIONERS AND THE CITY ADMINISTRATIVE OFFICER relative to the 2011 Federal Emergency Management Agency grant award in the amount of \$1,085,078 for the Los Angeles Fire Department's Urban Search and Rescue program for the period August 1, 2011, through January 31, 2013.

(Public Safety Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)

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

**ADOPTED**

**COMMUNICATION FROM CHAIR AND MEMBER, PUBLIC SAFETY COMMITTEE relative to the 2011 Federal Emergency Management Agency (FEMA) grant award for the Los Angeles Fire Department's (LAFD) Urban Search and Rescue (USAR) program.**

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

- 1. AUTHORIZE the LAFD to accept the grant award from the FEMA for the LAFD's USAR Task Force and execute a no-match cooperative agreement in the amount of \$1,085,078 for the term August 1, 2011, through January 31, 2013, subject to the approval of the City Attorney as to form and legality.**
- 2. AUTHORIZE the Controller to transfer up to \$250,000 from Fund No. 100/38, Account 1012 to Fund No. 335/38 (Fire Department Grants), account to be determined, to support the purchase of necessary expense and equipment items that will be reimbursed by the FEMA grant for the period August 1, 2011, through January 31, 2013.**
- 3. AUTHORIZE the LAFD to deposit the FEMA grant funds received under this cooperative agreement into Fund 335/38, account number to be determined.**
- 4. AUTHORIZE the Controller to transfer FEMA grant funds from Fund 335/38 to Fund 100/38, Account 4681 for fringe benefits upon submission of proper documentation by the LAFD of actual costs incurred through January 31, 2013.**
- 5. AUTHORIZE the Controller to transfer FEMA grant funds from Fund 335/38 to various salary accounts within Fund 100/38, upon submission of proper documentation by the LAFD of actual costs incurred from the continued development and maintenance of USAR Response System resources through January 31, 2013, subject to the approval of the City Administrative Officer (CAO).**
- 6. AUTHORIZE the Controller to transfer the uncommitted balance of advanced funds as of May 1, 2012 from Fund No. 335/38, Appropriation Account to be determined, to Fund No. 100/38, Account 1012 Sworn salary, to meet payroll needs.**
- 7. RESOLVE that continued resolution authority for the following three positions in the LAFD for the period August 1, 2011, through January 31, 2013, is APPROVED:**

<u>No.</u>	<u>Code</u>	<u>Class Title</u>
2	2142-1	Fire Captain I
1	9184-2	Management Analyst II

- 8. AUTHORIZE the LAFD to negotiate and execute:**
  - a. Seven sole source, personal services contracts, each with a sum not to exceed \$99,000 during the period of this grant, for specialized services required by FEMA, as follows: Canine Search Specialist (two contracts), Medical Team Managers (four contracts) and Structural Engineering Specialist (one contract).**

- b. A sole source contract with Providence Health System - Southern California, DBA Providence Saint Joseph Medical Center, not to exceed \$99,000, during the period of this grant, for medical cache maintenance, as required by FEMA.
  - c. A contract with Westchester Medical Group, not to exceed \$55,000, during the period of this grant, for medical examinations for California Task Force 1 (CA-TF 1) members, as required by FEMA.
  - d. A contract with MyDBSolutions, not to exceed \$6,000, during the period of this grant, for CA-TF1 cache database maintenance, as required by FEMA.
  - e. A sole source contract with UCLA Medical Center, not to exceed \$99,000, during the period of this grant, to purchase snake anti-venom upon deployment, as required by FEMA.
9. INSTRUCT the LAFD to authorize payments for contracts delineated in Recommendation No. 8 in a total amount not to exceed \$250,000, unless a FEMA authorized deployment occurs.
10. AUTHORIZE the LAFD to prepare Controller instructions for any technical adjustments consistent with this action, subject to the approval of the CAO; and, AUTHORIZE the Controller to implement the instructions.

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

**Community Impact Statement:** None submitted.

## Items for Which Public Hearings Have Not Been Held - Items 7-10

(10 Votes Required for Consideration)

### ITEM NO. (7) - ADOPTED

Adopted, Ayes (10); Absent: Cárdenas, Englander, Parks and Rosendahl (4)  
(Item Nos. 7a-7e)

#### [12-0005-S5](#)

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 January 5, 2012:

[12-0005-S5](#)

CD 4

- a. Property at 4743 West Beverly Boulevard (Case No. 343377).  
Assessor I.D. No. 5522-033-004

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on October 20, 2011)

[12-0005-S6](#)

CD 9

- b. Property at 126 West 59th Street (Case No. 162389).  
Assessor I.D. No. 6005-012-009

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on January 31, 2008)

[12-0005-S7](#)

CD 9

- c. Property at 126 West 59th Street (Case No. 196377).  
Assessor I.D. No. 6005-012-009

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 14, 2008)

[12-0005-S8](#)

CD 13

- d. Property at 2335 West Avenue 31 (Case No. 313204).  
Assessor I.D. No. 5456-011-009

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

[12-0005-S9](#)

CD 15

- e. Property at 1627 West 206th Street (Case No. 336591).  
Assessor I.D. No. 7351-007-018

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 30, 2011)

**ITEM NO. (8) - CONTINUED TO JANUARY 20, 2012**

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

[11-0980](#)

CD 14

CONTINUED CONSIDERATION OF COMMUNICATION FROM CHAIR AND MEMBER, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE relative to execution of a Purchase and Sale Agreement to sell vacant, industrial land at 2760 East Washington Boulevard to the Ely Keenberg Revocable Trust for \$1.2 million minus any escrow related fees, and related actions.

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 Bill (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 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 as determined by the Court. The Court ruling on the legal challenge to the legislation is anticipated by January 15, 2012.
2. RECOGNIZE that the Purchase and Sale Agreement for the property at 2760 East Washington Boulevard (Property) was executed prior to the Court stay and is a pre-existing contract that creates an obligation on behalf of the CRA/LA. The Office of the City Attorney states that typically the Court stay does not impact escrow closures if certain parameters are met. It is anticipated that escrow will close on December 20, 2011 provided a No Further Action letter is generated by the Los Angeles County on the Property remediation and no new documents need to be executed.
3. AMEND the CRA/LA Budget and Work Program in the year that the sale occurs and ACCEPT the proceeds from the proposed sale of CRA/LA-owned land parcel located at 2760 East Washington Boulevard in the approximate amount of \$1,200,000 minus any related escrow expenses and place such funds in Budget Line Item Economic Development (EA2190).

Fiscal Impact Statement: The City Administrative Officer reports that there is no impact on the City General Fund. Approval of the recommendation will result in the receipt of approximately \$1,200,000 by the CRA/LA from the proposed sale of CRA/LA-owned land located at 2760 East Washington Boulevard (Property). Funds generated from the Property sale will be used to provide gap financing for a proposed mixed-use project at the southeast corner of East First Street and North Boyle Avenue. 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 they are consistent with the CRA/LA's Budget and Work Program for the Project Area.

Community Impact Statement: None submitted.

(Continued from Council meeting of December 13, 2011)

**Adopted, Ayes (10); Absent: Cárdenas, Englander, Parks and Rosendahl (4)  
(Item Nos. 9-10)**

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

12-0047  
CD 3

MOTION (ZINE - HUIZAR) relative to funding for maintaining and enhancing various street and public infrastructure projects in Council District Three.

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



1. APPROVE the following fund transfers utilizing Council District Three portion of AB 1290 Fund No. 53P, Account No. G304 (Redevelopment Projects - Services), for the below listed Council District Three Project:

a. Transfer / Appropriate \$700,000 to the below listed Accounts in the Street Services Fund No. 100/86, in the amounts specified, for maintaining and enhancing various street and public infrastructure projects in Council District Three:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1010	Salaries, General	\$ 400,000
1100	Hiring Hall Salaries	15,000
1120	Hiring Hall Benefits	15,000
3030	Construction Expense	155,000
3040	Contractual Services	65,000
6020	Operating Supplies	<u>50,000</u>
	Total	\$ 700,000

2. AUTHORIZE the Chief Legislative Analyst and Bureau of Street Services to make any technical corrections or clarifications to the above fund transfer instructions in order to effectuate the intent of this Motion.

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

[12-0050](#)  
CD 14

MOTION (HUIZAR - REYES) and RESOLUTION relative to assigning the Mountains Recreation and Conservation Authority the right to apply for excess Proposition A grant funds for the acquisition of land adjacent to Elriya Canyon Park in Council District 14.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION to assign the Mountains Recreation and Conservation Authority the right to apply for excess Proposition A grant funds derived from the Los Angeles County's First Supervisorial District in the amount of \$145,000 for the acquisition of approximately 1.44 acres of land adjacent to Elriya Canyon Park in Council District 14.

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

[12-0011](#)

MOTION (REYES - HUIZAR) relative to funding for installation of banners in the Angelino Heights area in Council District One.

[12-0083](#)

MOTION (REYES - HUIZAR) relative to naming the intersection of South Vermont Avenue and West Pico Boulevard as Monsignor Oscar A. Romero Square in Council District One.

[12-0026](#)

MOTION (LABONGE - GARCETTI) relative to rescinding prior Council action of January 10, 2012, regarding the allocation of Council District Four AB 1290 funds.

[12-0081](#)

MOTION (HUIZAR - KREKORIAN) relative to installing street banners announcing the 125th Anniversary of Occidental College.

[11-0010-S29](#)

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

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

<a href="#">12-0003</a> - Eva Elizabeth McCoy	Garcetti - All Councilmembers
Roger Carrick	Garcetti - Koretz
Francisco Javier Rodriguez, Jr.	Zine
Art Rogers	LaBonge - All Councilmembers

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

**Whereupon the Council did adjourn.**

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk	PRESIDENT OF THE CITY COUNCIL
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Regular meeting recessed at 10:35 a.m.  
 Special meeting convened at 10:35 a.m.  
 Special meeting adjourned at 10:39 a.m.  
 Regular meeting convened at 10:39 a.m.