

Los Angeles City Council, **Journal/Council Proceedings**
Tuesday, **February 28, 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: Buscaino, Englander, Garcetti, Huizar, Koretz, LaBonge, Perry, Reyes, Zine and President Wesson (10); Absent: Alarcón, Cárdenas, Krekorian, Parks and Rosendahl (5)

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
FEBRUARY 22, 2012

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 12

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 1-2

ITEM NO. (1) - PUBLIC HEARING CLOSED - LIEN CONFIRMED

Adopted to Confirm Lien, Ayes (11); Absent: Cárdenas, Englander, Krekorian and Perry (4)

[11-1595](#)
CD 8

CONTINUED CONSIDERATION OF HEARING APPEALS OR OBJECTIONS to Department of Building and Safety report and confirmation of lien to cover the cost of barricading of all openings, cleaning and fencing of the lot at 5356 South West Boulevard. (Lien: \$19,204.56)

(Continued from Council meeting of January 18, 2012)

ITEM NO. (2) - RECEIVED AND FILED, INASMUCH AS LIEN HAS BEEN PAID

Adopted to Receive and File, Unanimous Vote (11); Absent: Alarcón, Cárdenas, Krekorian and Rosendahl (4)

[11-1857](#)
CD 7

CONTINUED CONSIDERATION OF HEARING PROTESTS relative to Department of Building and Safety report and confirmation of lien against property located at 11264 North Bartee Avenue, APN 2664-002-019. (Lien: \$620.51)

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 11264 North Bartee 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 \$620.51 on the above referenced property.

(Continued from Council meeting of February 7, 2012)

Items for Which Public Hearings Have Been Held - Items 3-19

ITEM NO. (3) - ADOPTED - FORTHWITH

Adopted, Ayes (12); Absent: Cárdenas, Krekorian and Perry (3)

[11-1318](#)

PUBLIC WORKS COMMITTEE REPORT and COMMUNICATION FROM THE EXECUTIVE EMPLOYEE RELATIONS COMMITTEE (EERC) relative to the appointment of Mr. Nazario Saucedo as the permanent Director of the Bureau of Street Services.

A. PUBLIC WORKS COMMITTEE REPORT

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. Nazario Saucedo as the Director of the Bureau of Street Services, is APPROVED and CONFIRMED.

Ethics Commission Review: Pending.

Background Check Review: Pending.

Community Impact Statement: None submitted.

TIME LIMIT FILE - FEBRUARY 28, 2012

(LAST DAY FOR COUNCIL ACTION - FEBRUARY 28, 2012)

B. COMMUNICATION FROM THE EERC

Recommendation for Council action:

RESOLVE that the salary rate for the position of permanent Director, Bureau of Street Services, Public Works Department, shall be ESTABLISHED as recommended by the Mayor and approved by the EERC on February 14, 2012.

(Council may recess to Closed Session, pursuant to Government Code Section 54957.6, relative to the above salary recommendation)

**Adopted, Ayes (11); Absent: Alarcón, Cárdenas, Krekorian and Rosendahl (4)
(Item Nos. 4-18)**

ITEM NO. (4) - ADOPTED

[09-2052](#)

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to the withdrawal of the appointment of Ms. Sharon Delugach to the Board of Recreation and Park Commissioners.

Recommendation for Council action:

RECEIVE and FILE the Mayor's appointment of Ms. Sharon Delugach to the Board of Recreation and Park Commissioners for the term ending June 30, 2014, inasmuch as the nominee has withdrawn from further consideration.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (5) - ADOPTED

[09-2762](#)

ARTS, PARKS, HEALTH, AND AGING COMMITTEE REPORT relative to the withdrawal of the appointment of Mr. James Bova to the Human Relations Commission.

Recommendation for Council action:

NOTE and FILE the November 10, 2009 and November 13, 2009 Communications from the Mayor relative to the nomination of Mr. James Bova to the Human Relations Commission for the term ending June 30, 2012, inasmuch as Mr. Bova has requested that his name be withdrawn from consideration.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (6) - ADOPTED

[09-0808-S2](#)

ARTS, PARKS, HEALTH, AND AGING COMMITTEE REPORT relative to accepting a \$15,000 grant from the Getty Foundation and Research Institute.

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

1. AUTHORIZE the General Manager, Department of Cultural Affairs (DCA), or designee, to accept a grant award from the Getty Foundation in the amount of \$15,000.
2. AUTHORIZE the General Manager, DCA, or designee, to negotiate and execute the grant award and agreement on behalf of the City and submit a grant agreement with the Getty Foundation and Research Institute, subject to the City Attorney approval as to form and legality.
3. AUTHORIZE the General Manager, DCA, or designee, to receive and expend Getty Foundation and Research Institute grant funds for all activities for all eligible activities and expenses.
4. AUTHORIZE the Controller to increase appropriation by \$15,000 into the DCA Grant Fund 337, Account 216F.
5. AUTHORIZE the General Manager, DCA, or designee, to prepare any Controller instructions needed to implement actions approved by the Council and Mayor on matters presented in or from the December 20, 2011 DCA report, as attached to the Council file; and further AUTHORIZE the General Manager of the DCA, or designee, to make any necessary technical adjustments; and AUTHORIZE the Controller to implement these instructions.

Fiscal Impact Statement: The DCA reports that there is no fiscal impact to the General Fund.

Community Impact Statement: None submitted.

ITEM NO. (7) - ADOPTED

[09-2839-S1](#)

ARTS, PARKS, HEALTH, AND AGING COMMITTEE REPORT relative to application for grant funds from the Proposition 84 Sustainable Communities Planning Grant and Incentives Program.

Recommendation for Council action:

NOTE and FILE the April 21, 2010 Department of Recreation and Parks report relative to application for grant funds from the Proposition 84 Sustainable Communities Planning Grant and Incentives Program.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (8) - ADOPTED

[10-0095-S1](#)

ARTS, PARKS, HEALTH, AND AGING COMMITTEE REPORT relative to accepting a \$17,000 grant from the National Endowment for the Arts (NEA) Big Read Program for Fiscal Year (FY) 2011-12.

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

1. AUTHORIZE the General Manager, Department of Cultural Affairs (DCA), or designee, to submit a grant award from the NEA in the amount of \$17,000 for a ten-month grant period for the Big Read Program.
2. AUTHORIZE the General Manager, DCA, or designee, to negotiate and execute the grant award and agreement on behalf of the City and submit the required reporting in connection with the grant, as detailed in the December 20, 2011 DCA report, attached to the Council file, subject to the City Attorney approval as to form and content.
3. AUTHORIZE the DCA to receive and expend NEA grant funds for all activities for all eligible purposes, for a ten-month grant period.
4. AUTHORIZE the Controller to:
 - a. Establish a new appropriation account within Fund 337, Cultural Affairs Grants, to be labeled "The Big Read FY 11/12".
 - b. Appropriate \$17,000 received from the NEA into the newly established Fund 337, "The Big Read FY 11/12".
5. AUTHORIZE the General Manager, DCA, or designee, to prepare any Controller instructions needed to implement actions approved by the Council and Mayor on matters presented in or from the December 20, 2011 DCA report, as attached to the Council file; and further AUTHORIZE the General Manager, DCA, or designee, to make any necessary technical adjustments; and AUTHORIZE the Controller to implement these instructions.

Fiscal Impact Statement: The DCA reports that there is no impact to General Fund 100.

Community Impact Statement: None submitted.

ITEM NO. (9) - ADOPTED

10-0095-S2

ARTS, PARKS, HEALTH, AND AGING COMMITTEE REPORT relative to submitting an application to the National Endowment for the Arts (NEA) Big Read Program for Fiscal Year (FY) 2012-13.

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

1. AUTHORIZE the General Manager, Department of Cultural Affairs (DCA), or designee, to submit a grant application to the NEA in the amount of \$20,000 for "The Big Read".
2. AUTHORIZE the General Manager, DCA, or designee, to submit all necessary documents relative to the grant, subject to the City Attorney approval as to form and content.
3. AUTHORIZE the DCA to expend for the purposes of a minimum 1:1 match a percentage of full-time salaries equivalent to \$10,000 from Fund 100, Account 1010, and up to \$10,000 in part-time salaries from Fund 100, Account 1070.

4. AUTHORIZE the General Manager, DCA, or designee, to prepare any Controller instructions needed to implement actions approved by the Council and Mayor on matters presented in or from the January 11, 2012 DCA report, as attached to the Council file; and further AUTHORIZE the General Manager of the DCA, or designee, to make any necessary technical adjustments; and AUTHORIZE the Controller to implement these instructions.

Fiscal Impact Statement: The DCA reports that there is no impact to General Fund 100.

Community Impact Statement: None submitted.

ITEM NO. (10) - ADOPTED

11-0508

ARTS, PARKS, HEALTH, AND AGING COMMITTEE REPORT relative to accepting a grant for \$14,256 for the California Arts Council for the LA Music Program.

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

1. AUTHORIZE the General Manager, Department of Cultural Affairs (DCA), or designee to accept a grant award from the California Arts Council in the amount of \$14,256 for the period of October 1, 2011 through September 30, 2012.
2. AUTHORIZE the General Manager, DCA, or designee, to negotiate and execute the grant award and agreement on behalf of the City and submit said grant agreement with the California Arts Council, subject to the approval of the City Attorney as to form and content.
3. AUTHORIZE the General Manager, DCA, or designee, to receive and expend California Arts Council for all eligible activities and expenses, for the period of October 1, 2011 through September 30, 2012.
4. AUTHORIZE the Controller to:
 - a. Establish a new appropriation account within Fund 337, Cultural Affairs Grants, to be labeled "Music LA 11/12".
 - b. Appropriate \$14,256 received from the California Arts Council into the newly established account within Fund 337, "Music LA 11/12."
5. AUTHORIZE the General Manger, DCA, or designee, to prepare any Controller instructions needed to implement actions approved by the Council and Mayor on matters presented in or deriving from the January 26, 2012 DCA report, as attached to the Council file; and/or further AUTHORIZE the Controller to make necessary technical adjustments, subject to review by the City Administrative Officer; and AUTHORIZE the Controller to implement these instructions.

Fiscal Impact Statement: The DCA reports that there is no fiscal impact to the General Fund.

Community Impact Statement: None submitted.

ITEM NO. (11) - ADOPTED

[11-1756](#)

ARTS, PARKS, HEALTH, AND AGING COMMITTEE REPORT relative to the Pico/Genessee Community Pocket Park Trust Fund No. 917 for Fiscal Year (FY) 2009-10 and FY 2010-11.

Recommendation for Council action:

NOTE and FILE the October 13, 2011 City Clerk reports relative to Pico/Genessee Community Pocket Park Trust Fund No. 917 for FY 2009-10 and FY 2010-11.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (12) - ADOPTED

[12-0058](#)

ARTS, PARKS, HEALTH, AND AGING COMMITTEE REPORT relative to the Whale Tail Grants Program/Cabrillo Pier Fishing Program.

Recommendation for Council action:

NOTE and FILE the December 21, 2011 and February 2, 2012 Department of Recreation and Parks reports relative to the Whale Tail Grants Program/Cabrillo Pier Fishing Program.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (13) - ADOPTED

[12-0095](#)

[09-2518](#)

ARTS, PARKS, HEALTH, AND AGING COMMITTEE REPORT relative to the Los Angeles County Health Facilities - Olive View Medical Center, accountability of funds for the 1st and 2nd Quarters of 2011 (July 1, 2011 through December 31, 2011).

Recommendation for Council action:

NOTE and FILE the October 5, 2011 and January 10, 2012 County of Los Angeles Department of Auditor-Controller reports relative to Los Angeles County Health Facilities - Olive View Medical Center, accountability of funds for the 1st and 2nd Quarters of 2011 (July 1, 2011 through December 31, 2011).

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (14) - ADOPTED

[12-0227](#)

ARTS, PARKS, HEALTH, AND AGING COMMITTEE REPORT relative to the Sprite Spark Parks Grant to fund an outdoor basketball court refurbishment project at the Hollywood Recreation Center.

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

1. APPROVE, retroactively, the submission of a Sprite Spark Parks grant application to the National Recreation and Parks Association (NRPA) to fund an outdoor basketball court refurbishment project at the Hollywood Recreation Center.
2. AUTHORIZE and DESIGNATE the General Manager, Department of Recreation and Parks (RAP), Executive Officer, or Assistant General Manager, as the agent to conduct all negotiations, execute and submit all documents, including, but not limited to applications, agreements, amendments, and payment requests and so on, which may be necessary for the completion of the project/projects as detailed in the February 14, 2012 RAP report, attached to the Council file.
3. AUTHORIZE the General Manager, RAP, to accept and receive the Sprite Spark Parks Grant in an amount up to \$15,000 from the NRPA for an outdoor basketball court refurbishment project at the Hollywood Recreation Center.
4. AUTHORIZE the RAP's Chief Accounting Employee to establish the necessary account within "Recreation and Parks Grant" Fund 205 to accept the Sprite Spark Parks grant in an amount up to \$15,000.

Fiscal Impact Statement: Neither the Chief Legislative Analyst or the City Administrative Officer has completed a financial analysis of this report.

Community Impact Statement: None submitted.

ITEM NO. (15) - ADOPTED

[11-0809-S9](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to the Investment Report for the month ending October 31, 2011.

Recommendation for Council action:

NOTE and FILE the Investment Report submitted by the Office of Finance for the month ending October 31, 2011.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (16) - ADOPTED

[11-0809-S10](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to the Investment Report for the month ending November 30, 2011.

Recommendation for Council action:

NOTE and FILE the Investment Report submitted by the Office of Finance for the month ending November 30, 2011.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (17) - ADOPTED

[11-0809-S11](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to the Investment Report for the month ending December 31, 2011.

Recommendation for Council action:

NOTE and FILE the Investment Report submitted by the Office of Finance for the month ending December 31, 2011.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (18) - ADOPTED

[11-2054](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to the sale of five surplus personal computers at below market value to EI Rescate.

Recommendations for Council action, pursuant to Motion (Reyes - Zine):

1. FIND that EI Rescate is eligible to purchase five surplus personal computers at below market value (\$1.00, each) in accordance with Los Angeles Administrative Code (LAAC) Sec. 22.547 (Donation of Surplus City Equipment), as amended by the Council on November 28, 2006 (Council file No. 04-1822), inasmuch as discarding/recycling/transporting the surplus equipment produces a net financial cost to the City which can be documented.
2. REQUEST the City Attorney to expedite preparation of the appropriate documents to effectuate the sale and transfer of the above identified surplus equipment at below market value to EI Rescate.

3. INSTRUCT the City Clerk to inform El Rescate [Salvador Sanabria, Executive Director, 1501 West 8th Street, Suite 100, Los Angeles, CA 90017, (213) 387-3284] that the above mentioned surplus equipment must be claimed within 60 days from the date of Council approval of the request, at which time it will revert to the City's surplus equipment pool for disposal by the Department of General Services.

Fiscal Impact Statement: The Chief Legislative Analyst reports that the sale of five personal computers to El Rescate, at below market value, is consistent with the City's Financial Policies since discarding, recycling or transporting the equipment produces a net financial cost to the City. This below market sale will increase the General Fund by \$5.00.

Community Impact Statement: None submitted.

ITEM NO. (19) - CONTINUED TO MARCH 7, 2012

Adopted to Continue, Unanimous Vote (11); Absent: Alarcón, Cárdenas, Krekorian and Rosendahl (4)

[12-0130](#)
CD 11

TRANSPORTATION COMMITTEE REPORT relative to reviewing and preparing comments on the traffic analysis in the Draft Environmental Impact Report (DEIR) for the Bergamot Transit Village Center project.

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

1. DIRECT the Los Angeles Department of Transportation:
 - a. In consultation with the Planning Department, to review and prepare comments on the traffic analysis in the DEIR for the Bergamot Transit Village Center project.
 - b. Present the DEIR comments to Council prior to the deadline for submission to the City of Santa Monica.
2. REQUEST that the City of Santa Monica extend the deadline for submitting comments on the DEIR for the Bergamot Transit Village Center project.

Fiscal Impact Statement: 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 20-21

(10 Votes Required for Consideration)

ITEM NO. (20) - ADOPTED

Adopted, Ayes (13); Absent: Cárdenas and Krekorian (2)

[07-0417](#)

CD 14

MITIGATED NEGATIVE DECLARATION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to vacating 14th Street between Central and Naomi Avenues (VAC E1401075).

Recommendations for Council action:

1. REAFFIRM the FINDINGS of August 12, 2009, that the vacation of 14th Street between Central and Naomi Avenues (VAC E1401075) will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the documents constituting the record of proceedings in this matter are located in Council file No. 07-0417 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV-2009-315-MND] filed on February 5, 2009.
2. REAFFIRM the FINDINGS of August 12, 2009, 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. 12-1401075 for the vacation of 14th Street between Central and Naomi Avenues (VAC E1401075).
4. INSTRUCT the City Clerk to transmit, following Council adoption, Resolution to Vacate No. 12-1401075 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.

ITEM NO. (21) - ADOPTED, *AS AMENDED - FORTHWITH - SEE FOLLOWING

Adopted as Amended, Ayes (13); Absent: Cárdenas and Krekorian (2)

[11-1529-S4](#)

MOTION (LABONGE - WESSON) relative to changing the regularly scheduled meeting day and time of the Trade, Commerce and Tourism Committee.

Recommendation for Council action:

CHANGE, pursuant to Section 2.2 of the Administrative Code, the regularly scheduled meeting day and time of the Trade, Commerce and Tourism Committee from 8:45 a.m. on the 1st and 3rd Tuesdays to 10:00 a.m. on the ~~1st and 3rd~~ *2nd and 4th Mondays, this change to be effective immediately upon adoption of this Motion.

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

12-0265

MOTION (PARKS - PERRY) relative to additional funding for the Los Angeles Department of Transportation's Council District bus program in Council District Eight.

11-0888-S2

MOTION (BUSCAINO - ENGLANDER) relative to accepting a donation from Warren E&P, Inc. for beautification improvements within the Wilmington Community in Council District 15.

12-0266

MOTION (PERRY - PARKS) relative to funding for costs associated with the use of the mobile stage by the Midnight Mission on March 16, 2012.

11-0295-S1

MOTION (PARKS - LABONGE) relative to funding for the Nineteenth Anniversary Los Angeles Women's Theatre Festival and the Annual Champagne GALA and Awards Ceremony from March 22-25, 2012.

10-0480-S1

MOTION (REYES - PARKS) relative to the MacArthur Park Neighborhood Council lease approval for office space at 2500 Wilshire Boulevard, Suite 816, Los Angeles, CA 90057.

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

12-0270

RESOLUTION (ROSENDAHL - ZINE) relative to declaring March 20, 2012 as National Native American HIV/AIDS Awareness Day in the City of Los Angeles.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

12-0004 - LACMA Docent Council 50th Anniversary

LaBonge - Garcetti - All Councilmembers

Stephen David Simon

Rosendahl - Garcetti - All Councilmembers

LAPD Lieutenant Chris E. Berglund

Englander - Buscaino

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

[12-0003](#) - Luigi Dal Ponte

Garcetti

Agnes E. Williams

Buscaino

Alarcón, Buscaino, Garcetti, Huizar, Koretz, LaBonge, Parks, Reyes, Rosendahl, Zine and President Wesson (11); Absent: Cárdenas, Englander, Krekorian and Perry (4)

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL