

Los Angeles City Council, **Journal/Council Proceedings**  
Tuesday, **April 3, 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, Buscaino, Englander, Garcetti, Koretz, LaBonge, Parks, Perry, Zine and President Wesson (10); Absent: Cárdenas, Huizar, Krekorian, Reyes and Rosendahl (5)**

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF  
MARCH 28, 2012

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 11

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

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

**ITEM NO. (1) - CONTINUED TO MAY 4, 2012**

**Adopted to Continue, Unanimous Vote (12); Absent: Huizar, Krekorian and Reyes (3)**

[11-0549](#)  
CD 10

HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the disestablishment of the Jefferson Park merchant-based Business Improvement District, pursuant to Section 36500 et seq. of the California Streets and Highways Code.

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

1. HEAR PROTESTS against the disestablishment of the Jefferson Park merchant-based Business Improvement District.
2. PRESENT and ADOPT the accompanying ORDINANCE disestablishing the Jefferson Park merchant-based Business Improvement District.

(Pursuant to Council adoption of Ordinance of Intention No. 182082 on March 6, 2012.)

**ITEM NO. (2) - PUBLIC HEARING CLOSED - ADOPTED - SEE BELOW**

[11-0812](#)

et al.

HEARING PROTEST, APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien for nuisance abatement costs and/or Los Angeles Municipal Code (LAMC) violations.

Recommendation for Council action:

HEAR PROTEST, APPEALS OR OBJECTIONS relative to proposed lien for nuisance abatement costs and/or LAMC violations provided for under the LAMC and the Los Angeles Administrative Code and CONFIRM said lien for the following properties:

**RECEIVED AND FILED - INASMUCH AS LIEN HAS BEEN PAID**

**Adopted to Receive and File, Unanimous Vote (12); Absent: Huizar, Krekorian and Reyes (3)**

[11-0812](#)

CD 8

a. 112 East 84th Street aka: 8412-14 South Main Street. (Lien: \$1,506.96)

**ADOPTED TO CONFIRM LIEN**

**Adopted to confirm lien, Ayes (14); Absent: Reyes (1)**

[12-0022](#)

CD 15

b. 1533 East 101st Street. (Lien: \$9,278.40)

**CONTINUED TO APRIL 17, 2012**

**Adopted to Continue, Unanimous Vote (12); Absent: Huizar, Krekorian and Reyes (3)**

[12-0023](#)

CD 15

c. 10516 South Kalmia Street. (Lien: \$20,506.51)

**ADOPTED TO CONFIRM LIEN**

**Adopted to confirm lien, Ayes (14); Absent: Reyes (1)**

[12-0024](#)

CD 5

d. 4007 North Hayvenhurst Avenue. (Lien: \$13,835.40)

**RECEIVED AND FILED - INASMUCH AS LIEN HAS BEEN PAID**

**Adopted to Receive and File, Unanimous Vote (12); Absent: Huizar, Krekorian and Reyes (3)**

[12-0035](#)

CD 15

e. 217 West 115th Street (Front and Rear Dwelling).

(Lien: \$11,307.41)

**ADOPTED TO CONFIRM LIEN**

**Adopted to confirm lien, Ayes (14); Absent: Reyes (1)**

[12-0036](#)

CD 8

f. 549 West Colden Avenue (Front and Rear Dwelling).

(Lien: \$9,344.14)

**Adopted, Ayes (12); Absent: Huizar, Krekorian and Reyes (3)  
(Item Nos. 3-4)**

**ITEM NO. (3) - PUBLIC HEARING CLOSED - CITY ENGINEER INSTRUCTED TO PROCEED**

[06-0623](#)

CD 3

HEARING PROTESTS relative to the vacation of Glade Avenue from Clarendon Street to its northerly terminus (Re-Application) (VAC E1400991).

(Categorical Exemption, Findings and Public Works Committee report adopted on March 6, 2012)

**ITEM NO. (4) - PUBLIC HEARING CLOSED - CITY ENGINEER INSTRUCTED TO PROCEED**

[11-1289](#)

CD 1

HEARING PROTESTS relative to the vacation of an alley easterly of Westlake Avenue from Wilshire Boulevard to 225 feet southerly thereof (VAC E1401174).

(Categorical Exemption, Findings and Public Works Committee report adopted on March 6, 2012)

## Items for Which Public Hearings Have Been Held - Items 5-14

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

Adopted as Amended, Ayes (14); Absent: Reyes (1)

#### [11-0617-S2](#)

ENERGY AND ENVIRONMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to adding Section 10.5.2 to Article 1 of Division 10 of the Los Angeles Administrative Code (LAAC) for the purchase of renewable energy and associated interconnection agreements; including a presentation from the Los Angeles Department of Water and Power (LADWP) relative to its Feed-In-Tariff (FIT) program and interconnection agreements proposal.

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

1. CONCUR with the Board of Water and Power Commissioners' (Board) action of December 6, 2011, Resolution No. 012-122, adding Section 10.5.2 to Article 1 of Division 10 of the LAAC for the purchase of renewable energy and associated interconnection agreements by the LADWP, as detailed in the Board's December 7, 2011 report, attached to the Council file.
2. PRESENT and ADOPT the accompanying ORDINANCE adding Section 10.5.2 to Article 1 of Division 10 of the LAAC to provide the Board the authority to enter into contracts for the purchase of local renewable energy and related interconnection agreements and to authorize the Board to delegate that authority to the General Manager.
3. REQUEST the LADWP to report back on a price point by August 2012 and to provide a status report on a quarterly basis relative to the number of applicants, installation, megawatts installed, and compliance with Senate Bill No. 32 (SB 32).

Fiscal Impact Statement: The City Administrative Officer reports that the request for approval of the LADWP for an ordinance for the purchase of long-term offers of renewable energy purchase contracts and interconnection agreements will result in an expenditure from the Power Revenue Fund and funded in each subsequent budget; however, it is not possible to determine the fiscal impact at this time due to fluctuations in the solar market. The FIT program will be funded in each subsequent budget. Since the LADWP is bound only by the City Debt Management Policies, the City Financial Policies are not applicable. Approval of the proposed resolution will have no impact on the City's General Fund.

Community Impact Statement: None submitted.

### ADOPTED

#### AMENDING MOTION (LABONGE - HUIZAR)

Recommendation for Council action:

**ENCOURAGE the Los Angeles Department of Water and Power to reach out to the Community College District, Los Angeles Unified School District, and all public buildings, City and County, within the service area for the benefit of this program.**

**Adopted, Ayes (12); Absent: Huizar, Krekorian and Reyes (3)  
(Item Nos. 6-14)**

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

[12-0268](#)

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to the sale of a non-exclusive easement to Southern California Edison (SCE), over City property under the control of the Department of Recreation and Parks, for the upgrade of existing overhead facilities with the addition of fiber optic cable.

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

PRESENT and ADOPT the accompanying ORDINANCE authorizing and providing for the sale of an easement to SCE, a California Corporation, to allow for the upgrade of existing overhead facilities, which currently consist of electrical distribution lines among other things, and the inclusion of fiber optic cables.

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

Community Impact Statement: None submitted.

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

[11-0531](#)

AUDITS AND GOVERNMENTAL EFFICIENCY COMMITTEE REPORT relative to the Fiscal Year (FY) 2009-10 Single Audit.

Recommendations for Council action:

1. NOTE and FILE the March 31, 2011 Controller report relative to the FY 2009-10 Single Audit.
2. DIRECT the General Managers of the relevant non-compliant City departments to report to the Audits and Governmental Efficiency Committee every six months in regard to measures taken to remedy the deficiencies identified in the March 31, 2011 Controller report for the FY 2009-10 Single Audit.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

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

[11-0571](#)

AUDITS AND GOVERNMENTAL EFFICIENCY COMMITTEE REPORT relative to the Performance Audit of the Renewable Portfolio Standard Program of the Los Angeles Department of Water and Power (LADWP).

Recommendations for Council action:

1. NOTE and FILE the April 7, 2011 and September 6, 2011 Controller reports relative to the Performance Audit of the Renewable Portfolio Standard Program of the LADWP.
2. REQUEST the LADWP to conduct an audit of its property holdings in regard to determining if there are holdings that are surplus to the LADWP's needs.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

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

[12-0263](#)

ENERGY AND ENVIRONMENT COMMITTEE REPORT relative to the Carl Moyer Program/Mobile Source Air Pollution grants.

Recommendations for Council action:

1. AUTHORIZE the General Manager, Department of General Services (GSD), or designee, to prepare and submit applications for various grant funding opportunities related to air quality improvement projects and purchases. This includes grant funding applications for mobile source emission reduction projects from the United States Department of Energy and its contractors, United States Environmental Protection Agency, California Air Resources Board, California Energy Commission, Mobile Source Air Pollution Reduction Review Committee, and South Coast Air Quality Management District including Carl Moyer Program, Air Quality Investment Program, Advanced Technology Demonstration Programs, and similar local, state or federal grant funding programs that may be offered to reduce emissions and improve air quality.
2. INSTRUCT the General Manager, GSD, or designee, to report back to the Mayor and City Council for the purposes of accepting any funds rewarded.

Fiscal Impact Statement: The GSD reports that applying for these grants is not anticipated to have a fiscal impact on the General Fund. In the event grant funds are awarded, the Department will return to City Council to request authority to accept any awarded funds. Fiscal impacts associated with acceptance of the award will be identified at that time.

Community Impact Statement: None submitted.

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

[12-0249](#)  
CD 8

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to a lease amendment between the City and Kids in Sports, a nonprofit organization, extending the current lease term for the premises at the EXPO Center for an additional 15 years and clarifying that the second floor conference room is not part of the premises under lease.

Recommendations for Council action:

1. APPROVE the proposed lease amendment with Kids in Sports to extend Lease Agreement No. C-105590 by 15 years to September 30, 2033 and clarify that the use of the second floor conference room is not included as part of the premises under the lease, subject to the review and approval of the City Attorney.
2. AUTHORIZE the President and Secretary of the Board of Recreation and Park Commissioners to execute the proposed lease amendment with Kids in Sports.

Fiscal Impact Statement: The City Administrative Officer reports that the proposed lease amendment, which involves extending the term of the agreement for 15 years and clarifying that the second floor conference room is not included in the premises under the lease, will have no impact to the General Fund.

Community Impact Statement: None submitted.

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

[12-0426](#)

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to the execution of a contract with Verizon California Incorporated (Verizon) to continue to provide telecommunications services through its Centranet system to various small City facilities.

Recommendation for Council action:

AUTHORIZE the General Manager, Information Technology Agency (ITA), to execute a personal services contract with Verizon for the provision of telecommunications services for a term of five years effective February 10, 2012 through February 9, 2017 with total compensation not to exceed \$7.5 million, subject to the approval of the City Attorney.

Fiscal Impact Statement: The City Administrative Officer reports that the proposed telecommunication services contract with Verizon has a term of five years and total compensation not to exceed \$7.5 million. First-year funding for the proposed contract in the amount of \$1.49 million is included within the ITA's 2011-12 Adopted Budget Communication Services account. Remaining contract expenditures will be subject to future annual appropriations within the Adopted Budget. Since budgeted funds are available for the first year of the proposed contract and future payments are subject to future appropriation, the recommendation of this report complies with the City's Financial Policies.

Community Impact Statement: None submitted.

## ITEM NO. (12) - ADOPTED

[12-0219](#)  
CD 8

CATEGORICAL EXEMPTION and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to mitigating adverse impact on the community caused by the operation of the Pine Tree Motel located at 3821 South Western Avenue.

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

1. FIND that this action is categorically exempt from the California Environmental Quality Act pursuant to Article III, Section 1, Class 21, Category 2 of the City's Environmental Guidelines.
2. ADOPT the FINDINGS of the Zoning Administrator, acting on behalf of the Director of Planning, as the Findings of Council.
3. RESOLVE TO DENY THE APPEAL filed by Nilkants, Inc. and Ankur Patel (Richard Gibson, Esq., Gibson Law PC, Representative) from the entire determination of the Zoning Administrator and THEREBY IMPOSE operating conditions on the operation of the Pine Tree Motel located at 3821 South Western Avenue, inasmuch as the business was found to be a nuisance and required modification of its operation to mitigate adverse impacts to the surrounding area.

Applicant: City of Los Angeles, Office of Zoning Administration DIR 2011-2593(RV)

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - APRIL 21, 2012

(LAST DAY FOR COUNCIL ACTION - APRIL 20, 2012)



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

[11-1376](#)

TRANSPORTATION COMMITTEE REPORT relative to the City of Los Angeles Public Carshare Program Request for Proposals (RFP).

Recommendations for Council action:

1. AUTHORIZE the General Manager, Los Angeles Department of Transportation (LADOT), to finalize and release the City of Los Angeles Public Carshare Program RFP within the next 30 days.
2. DIRECT the LADOT to report to the Transportation Committee in 150 days with an update on the awarding of the contract.

Fiscal Impact Statement: The LADOT reports that this action will not impact the General Fund inasmuch as the RFP is designed to provide full cost recovery for all direct and indirect costs associated with city expenditures. The selected provider will be required to compensate all revenue lost to the city due to the removal of parking meters or the elimination of revenue generating off-street parking spaces. Moreover, the RFP requires the selected proposer to provide the city with a share of revenue generated for infrastructure improvements in neighborhoods where Carshare vehicles are hosted. Furthermore, additional general fund revenue will be generated from the issuance of parking citations to violators of parking restrictions where Carshare vehicles are housed.

Community Impact Statement: None submitted.

**ITEM NO. (14) - ADOPTED**

[11-1376-S1](#)

TRANSPORTATION COMMITTEE REPORT relative to allowing the Los Angeles Department of Transportation (LADOT) to use city-owned and controlled off-street parking spaces in the existing Carshare Program.

Recommendation for Council action:

REQUEST that the City Attorney prepare an ordinance to amend 80.58.1 of the Los Angeles Municipal Code to include city-owned and controlled off-street parking spaces in the existing Carshare program, as indicated in Attachment 1 of the LADOT report to Council dated March 1, 2012 (attached to the Council file).

Fiscal Impact Statement: The LADOT reports that this action will not impact the General Fund. The Department's Parking Permits Division, which oversees the Carshare Program, was moved to a newly created special fund called the "Parking Permit Program Revenue Fund." Moreover, with the inclusion of additional spaces under the umbrella of the Carshare Program there will likely be an increase in citation revenue to the General Fund.

Community Impact Statement: None submitted.

## **Items for Which Public Hearings Have Not Been Held - Items 15-16**

(10 Votes Required for Consideration)

### **ITEM NO. (15) - ADOPTED**

**Adopted, Ayes (14); Absent: Reyes (1)**

[12-0445](#)

CONSIDERATION OF MOTION (ROSENDAHL - ZINE) relative to grant funding for the "Bike Safe LA" program.

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

AUTHORIZE the Los Angeles Department of Transportation to apply for, accept funds, and execute a grant from the California Office of Traffic Safety, in the amount of \$250,000, for the "Bike Safe LA" program.

Community Impact Statement: None submitted.

(Transportation Committee waived consideration of the above matter)

### **ITEM NO. (16) - ADOPTED**

**Adopted, Ayes (14); Absent: Reyes (1)**

[12-0447](#)

RESOLUTION (PERRY - PARKS) relative to declaring April 12, 2012 as Woody Guthrie Day in the City of Los Angeles.

Recommendation for Council action:

RESOLVE to DECLARE April 12, 2012 as Woody Guthrie Day in the City of Los Angeles.

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

### 12-0490

MOTION (ROSENDAHL for REYES - PERRY) relative to funding for the Plaza Morazan beautification project.

### 12-0491

MOTION (BUSCAINO - LABONGE) relative to the Harbor Department requesting City Council to approve the travel, under the special circumstances provisions, to the State of Arizona on April 12, 2012, to attend a meeting at the headquarters of American Presidents Line (APL).

## **COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS**

Upon his request, and without objection, Councilmember Reyes was excused to leave at 11:30 a.m. from the Council session of Tuesday, April 10, 2012 due to City business.

Upon his request, and without objection, Councilmember Cardenas was excused from Council sessions of Friday, April 13, 2012 and Friday, April 27, 2012 both due to City business.

Upon his request, and without objection, Councilmember Huizar was excused to leave at 11:45 a.m. from Council session of Wednesday, April 25, 2012 due to City business.

Upon his request, and without objection, Councilmember Koretz was excused from Council session of Wednesday, April 25, 2012 due to City business.

Upon his request, and without objection, Councilmember Parks was excused from Council session of Friday, April 27, 2012 due to City business.

## **COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:**

12-0004 - Children's Assault Treatment Services

(Cardenas - Englander)

Volunteer League of the San Fernando Valley 60th Anniversary

(Cardenas - Englander)

Barbara Perttula

(Englander - Buscaino)

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

<a href="#">12-0003</a> - Corporal Roberto Cazarez	(Buscaino - All Councilmembers)
Pope Shenouda III	(Perry)
Joe Kimberling	(Koretz - Rosendahl - LaBonge)
Sister Charleen Munana	(Parks - Perry)

**Alarcón, Buscaino, Cárdenas, Englander, Garcetti, Huizar, Koretz, Krekorian, LaBonge, Parks, Perry, Rosendahl, Zine and President Wesson (14); Absent: Reyes (1)**

**Whereupon the Council did adjourn.**

ATTEST: June Lagmay, CITY CLERK

By	
Council Clerk	PRESIDENT OF THE CITY COUNCIL