Los Angeles City Council, **Journal/Council Proceedings** Friday, **April 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, Buscaino, Huizar, Koretz, Krekorian, LaBonge, Parks, Reyes, Rosendahl, Zine and President Wesson (11); Absent: Cárdenas, Englander, Garcetti and Perry (4)

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF APRIL 10, 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 for Which Public Hearings Have Been Held - Items 1-11

Adopted, Ayes (11); Absent: Cárdenas, Englander, Garcetti and Perry (4) (Item Nos. 1-2)

ITEM NO. (1) - ADOPTED

10-2317-S2 CD 9

ARTS, PARKS, HEALTH, AND AGING COMMITTEE REPORT relative to designating the property located at 960 West 62nd Place for use as a public park.

Recommendation for Council action, pursuant to Motion (Perry - Parks):

AUTHORIZE the Manager, Los Angeles Housing Department, to:

- a. Designate the property located at 960 West 62nd Place for use as a public park, if the Department of Recreation and Parks (RAP) is awarded funds under the Proposition K 8th Cycle Request for Proposals (RFP) for the Plaza Vermont Project (Project).
- b. Issue a letter to the General Manager, RAP, to authorize the use of the property located at 960 West 62nd Place as a public park if the RAP is awarded funds under the RFP for the Project.

<u>Fiscal Impact Statement</u>: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

(Housing, Community, and Economic Development Committee waived consideration of the above matter)

ITEM NO. (2) - ADOPTED

12-0394

ARTS, PARKS, HEALTH, AND AGING COMMITTEE REPORT relative to assigning the right to apply for \$43,730 in Proposition A Cities Excess Funds to the Los Angeles Neighborhood Land Trust for the Unidad Park Community Garden Project.

Recommendation for Council action, pursuant to Resolution (Garcetti - Alarcón), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

ADOPT the accompanying RESOLUTION which assigns the Los Angeles Neighborhood Land Trust the right to apply for \$43,730 in Proposition A Cities Excess Funds available to the First Supervisorial District for the Unidad Park Community Garden Project and shall take effect upon its adoption.

<u>Fiscal Impact Statement</u>: 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. (3) - ADOPTED

Adopted, Ayes (11); Absent: Cárdenas, Englander, Garcetti and Perry (4)

12-0457

ARTS, PARKS, HEALTH, AND AGING COMMITTEE REPORT relative to utilization of e-books in the Los Angeles Public Library (LAPL) and the feasibility of library patrons applying for and renewing library cards online.

Recommendation for Council action, pursuant to Motion (Alarcón - Garcetti):

INSTRUCT the Library Department to report:

- a. On the number of e-books available, the average wait period to download a book, and a plan to add additional e-books to the LAPL.
- b. On the ability to allow people to apply for and renew a library card online.

<u>Fiscal Impact Statement</u>: 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. (4) - ADOPTED

Adopted, Ayes (11); Absent: Cárdenas, Englander, Garcetti and Perry (4)

11-0600-S153

BUDGET AND FINANCE COMMITTEE REPORT relative to the Controller's March 1, 2012 Report on revenue estimates.

Recommendation for Council action:

NOTE and FILE the Controller's March 1, 2012 report relative to an estimate of revenue for the upcoming fiscal year as well as an estimate of the amount of revenue required to meet the annual debt service requirements for principal and interest for the City's General Obligation Bonds, submitted pursuant to City Charter Section 311(c).

<u>Fiscal Impact Statement</u>: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (5) - CONTINUED TO APRIL 18, 2012

Adopted to Continue, Unanimous Vote (11); Absent: Cárdenas, Englander, Garcetti and Perry (4)

11-1935

PUBLIC WORKS COMMITTEE REPORT relative to ensuring that all street repairs are completed to City standards.

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

INSTRUCT the Bureau of Contract Administration, with the cooperation of the Bureau of Engineering, to report to the Public Works Committee with recommendations to ensure that all street repairs are completed to City standards.

<u>Fiscal Impact Statement</u>: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

Adopted, Ayes (11); Absent: Cárdenas, Englander, Garcetti and Perry (4) (Item Nos. 6-10)

ITEM NO. (6) - ADOPTED

11-2040 CD 14

CATEGORICAL EXEMPTION and PUBLIC WORKS COMMITTEE REPORT relative to the vacation of Colorado Boulevard (portion of northeasterly side) southeasterly of College View Avenue (VAC E1401171).

Recommendations for Council action:

- 1. FIND that the vacation of Colorado Boulevard (portion of northeasterly side) southeasterly of College View 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 February 8, 2012, 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 February 8, 2012 City Engineer report, attached to the Council file:

Colorado Boulevard (a portion of the northeasterly side), variable width from approximately 26 feet to 15 feet adjoining Lots 5 and 6, Tract No. 2280, southeasterly of College View Avenue.

- 4. ADOPT the accompanying City Engineer report dated February 8, 2012 to approve the vacation.
- INSTRUCT the City Clerk to set a public hearing date for MAY 16, 2012.

<u>Fiscal Impact Statement</u>: The City Engineer reports that to date, an estimated \$10,700 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. (7) - ADOPTED

12-0238 CD 15

ENVIRONMENTAL IMPACT REPORT and PUBLIC WORKS COMMITTEE REPORT relative to vacation of Pioneer Avenue and "E" Street southeasterly of Alameda Street (VAC-E1401176).

Recommendations for Council action:

- 1. ADOPT the findings of the City Engineer on the City Engineer report dated March 14, 2012 relative to initiating vacation proceedings; REAFFIRM the determination of the Final Environmental Impact Report (SCH2003104005) which was certified by the Los Angeles Board of Harbor Commissioners on December 6, 2007, a copy of findings of which is located in Council file No. 12-0238 in the custody of the City Clerk that the vacation of Pioneer Avenue and "E" Street southeasterly of Alameda Street is an integral design element of the relocation of the Pier A rail yard as part of the Berths 136-147 Container Terminal Project which served as the environmental clearance for this vacation.
- 2. ADOPT the FINDINGS of the City Engineer dated March 14, 2012, 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 B of the March 14, 2012 City Engineer report, attached to the Council file:
 - a. Pioneer Avenue from Alameda Street to the terminus of Pioneer Avenue southerly thereof.
 - b. "E" Street between Alameda Street and Pioneer Avenue, including the northerly corner area of "E" Street and Alameda Street.
 - c. The alley westerly of Pioneer Avenue between "E" Street and Alameda Street.
- 4. ADOPT the accompanying City Engineer report dated March 14, 2012 to approve the vacation.
- 5. INSTRUCT the City Clerk to set a public hearing date for MAY 16, 2012.

<u>Fiscal Impact Statement</u>: The City Engineer reports that to date, the petitioner has paid a fee of \$16,050 for the investigation of this request pursuant to Section 7.42 of the Administrative Code. Any deficit fee to recover the cost pursuant to Section 7.44 of the Administrative Code may be required of the petitioner. Maintenance of the public easement by City Forces will be eliminated.

Community Impact Statement: None submitted.

ITEM NO. (8) - ADOPTED

12-0239 CD 15

ENVIRONMENTAL IMPACT REPORT and PUBLIC WORKS COMMITTEE REPORT relative to vacation of alleys located on the southerly side of Alameda Street at Lecouvreur Avenue, Eubank Avenue and Harry Bridges Boulevard (VAC-E1401177).

Recommendations for Council action:

- 1. ADOPT the findings of the City Engineer on the City Engineer report dated March 14, 2012 relative to initiating vacation proceedings; REAFFIRM the determination of the Final Environmental Impact Report (SCH2003104005) which was certified by the Los Angeles Board of Harbor Commissioners on December 6, 2007, a copy of findings of which is located in Council file No. 12-0239 in the custody of the City Clerk that the vacation of Lecouvreur Avenue, Eubank Avenue, Harry Bridges Boulevard and the alleys southeasterly of Alameda Street and westerly of MacFarland Avenue is an integral design element of the relocation of the Pier A rail yard as part of the Berths 136-147 Container Terminal Project which served as the environmental clearance for this vacation.
- 2. ADOPT the FINDINGS of the City Engineer dated March 14, 2012, 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 B of the March 14, 2012 City Engineer report, attached to the Council file:

Variable width and length portions of Lecouvreur Avenue, Eubank Avenue, Harry Bridges Boulevard, and alleys southerly of Alameda Street and westerly of McFarland Avenue.

- 4. ADOPT the accompanying City Engineer report dated March 14, 2012 to approve the vacation.
- 5. INSTRUCT the City Clerk to set a public hearing date for MAY 16, 2012.

<u>Fiscal Impact Statement</u>: The City Engineer reports that to date, the petitioner has paid a fee of \$16,050 for the investigation of this request pursuant to Section 7.42 of the Administrative Code. Any deficit fee to recover the cost pursuant to Section 7.44 of the Administrative Code may be required of the petitioner. Maintenance of the public easement by City Forces will be eliminated.

Community Impact Statement: None submitted.

ITEM NO. (9) - ADOPTED

<u>12-0292</u>

CD 9

PUBLIC WORKS COMMITTEE REPORT relative to naming the intersection of Fifth and Main Streets as "Woody Guthrie Square."

Recommendation for Council action, pursuant to Motion (Parks for Perry - Reyes):

NAME the intersection of Fifth and Main Streets "Woody Guthrie Square" and DIRECT the Los Angeles Department of Transportation to erect permanent ceremonial sign(s) to this effect at this location.

<u>Fiscal Impact Statement</u>: 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. (10) - ADOPTED

12-0419 CD 15

PUBLIC WORKS COMMITTEE REPORT relative to potential options to remedy the recurring roadway problems at the San Pedro Target store located at the corner of North Gaffey and Capitol Drive.

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

REQUEST the City Attorney and Bureau of Engineering report on potential options to remedy the recurring roadway problems at the San Pedro Target store.

<u>Fiscal Impact Statement</u>: 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. (11) - ADOPTED

Adopted, Ayes (11); Absent: Cárdenas, Englander, Garcetti and Perry (4)

12-0054

TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT relative to serving as the host destination for the 44th International Pow Wow organized by U.S. Travel Association.

Recommendation for Council action, pursuant to Motion (LaBonge - Garcetti):

REQUEST that the President of the Los Angeles Convention and Visitors Bureau and the General Manager of the Los Angeles Convention Center report to the Trade, Commerce & Tourism Committee on what type of estimated results that the City of Los Angeles will realize by serving as the host destination for the 44th International Pow Wow organized by U.S. Travel Association.

<u>Fiscal Impact Statement</u>: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis on this report.

Community Impact Statement: None submitted.

Items for Which Public Hearings Have Not Been Held - Item 12-14

(10 Votes Required for Consideration)

Adopted, Ayes (11); Absent: Cárdenas, Englander, Garcetti and Perry (4) (Item Nos. 12a-12g)

ITEM NO. (12) - ADOPTED

12-00<u>05-S186</u>

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 April 6, 2012:

12-0005-S186

CD 8

a. Property at 1853 West 24th Street (Case No. 152976).
Assessor I.D. No. 5058-022-020

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 7, 2008)

12-0005-S187

CD8

b. Property at 2932 South Van Buren Place (Case No. 320750). Assessor I.D. No. 5054-014-017

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 18, 2011)

12-0005-S188

CD9

c. Property at 433 West 58th Street (Case No. 7414).Assessor I.D. No. 5001-037-012

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 15, 2007)

12-0005-S189

CD9

d. Property at 433 West 58th Street (Case No. 258305).
Assessor I.D. No. 5001-037-012

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on January 7, 2010)

12-0005-S190

CD 10

e. Property at 2250 West 20th Street (Case No. 334746). Assessor I.D. No. 5073-027-013

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 18, 2011)

12-0005-S191

CD 15

f. Property at 1405 East 108th Street (Case No. 313289). Assessor I.D. No. 6065-013-023

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 9, 2011)

12-0005-S192

CD 15

g. Property at 1315 North Marine Avenue (Case No. 351675). Assessor I.D. No. 7420-006-023

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on January 26, 2012)

ITEM NO. (13) - ADOPTED

Adopted, Ayes (11); Absent: Cárdenas, Englander, Garcetti and Perry (4)

12-0002-S2

COMMUNICATION FROM THE CHIEF LEGISLATIVE ANALYST and RESOLUTION relative to the City's position on the U.S. Citizenship and Immigration Services (USCIS) proposal to reduce the time that U.S. citizens are separated from immediate relatives who are required to remain outside the United States for immigrant visa application processing.

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

ADOPT the accompanying RESOLUTION to include in the City's 2011-12 Federal Legislative Program SUPPORT of the USCIS proposal to reduce the time that U.S. citizens are separated from immediate relatives who are required to remain outside the United States for immigrant visa application processing.

Community Impact Statement: None submitted.

(Rules, Elections and Intergovernmental Relations Committee waived consideration of the above matter)

ITEM NO. (14) - ADOPTED - TO THE MAYOR FORTHWITH

Adopted, Ayes (11); Absent: Cárdenas, Englander, Garcetti and Perry (4)

10-1954-S1

COMMUNICATIONS FROM THE MAYOR and CITY ADMINISTRATIVE OFFICER (CAO) relative to the approval of a grant term extension and reappropriation of funds for the Fiscal Year 2009 Regional Catastrophic Planning Grant Program (FY09 RCPGP).

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

- 1. AUTHORIZE the Mayor, or designee, to:
 - a. Accept the grant performance period extension for the FY09 RCPGP approved by the California Emergency Management Agency to extend the grant performance period through September 30, 2012 (Attachment 1 of the Communication from the Mayor, attached to Council file No. 10-1954-S1).
 - b. Execute contract amendments with the Los Angeles Long Beach Riverside Urban Area Partner Jurisdictions, including the American Red Cross, the City of Ontario, the City of Riverside, the City of San Bernardino, the City of Simi Valley, the County of Los Angeles, the County of Riverside, and the County of San Bernardino, to extend the grant performance period to September 30, 2012, subject to the approval of the City Attorney as to form and legality.
 - c. Execute contract amendments with Willdan Homeland Solutions and 3Di, Inc. to extend contract terms within the applicable grant performance period to September 30, 2012, subject to the approval of the City Attorney as to form and legality.

2. AUTHORIZE the Controller to:

 Transfer appropriations and create new appropriation accounts within FUND 53E/46 as follows:

TRANSFER FROM:

Fund/Dept	<u>Account</u>	<u>Title</u>	<u>Amount</u>
53E/46	46G299	Related Costs - Mayor's Office	\$17,163.94
53E/46	46G135	Salaries - EMD	314,400.00
53E/46	46G138	Salaries - LAFD	280,000.00
53E/46	46G170	Salaries - LAPD	240,000.00
53E/46	46G143	Salaries - Housing	165,631.20
53E/46	46G905	Expenses - Housing	3,257.90
		Total:	\$1,020,453.04

TRANSFER TO:

Fund/Dept	<u>Account</u>	<u>Title</u>	<u>Amount</u>
53E/46	46H299	Related Costs - Mayor's Office	\$17,163.94
53E/46	46H135	Salaries - EMD	314,400.00
53E/46	46H138	Salaries - LAFD	280,000.00
53E/46	46H170	Salaries - LAPD	240,000.00
53E/46	46H143	Salaries - Housing	165,631.20
53E/46	46H905	Expenses - Housing	3,257.90
		Total:	\$1.020.453.04

b. Transfer appropriations from Fund 53E/46 to the General Fund to reimburse for FY09 RCPGP related expenditures as follows:

TRANSFER FROM:

Fund/Dept	<u>Account</u>	<u>Title</u>	<u>Amount</u>
53E/46	46H135	Salaries - EMD	\$314,400.00
53E/46	46H138	Salaries - LAFD	280,000.00
53E/46	46H170	Salaries - LAPD	240,000.00
53E/46	46H143	Salaries - Housing	165,631.20
53E/46	46H905	Expenses - Housing	3,257.90
		Total:	\$1,003,289.10

TRANSFER TO:

Fund/Dept	<u>Account</u>	<u>Title</u>	<u>Amount</u>
53E/46	001010	Salaries - EMD	\$314,400.00
53E/46	001012	Salaries - LAFD	280,000.00
53E/46	001012	Salaries - LAPD	240,000.00
53E/46	001010	Salaries - Housing	165,631.20
53E/46	002130	Expenses - Housing	3,257.90
		Total:	\$1.003.289.10

c. Transfer appropriations within Code Fund 41M/43 for the purpose of meeting grant match requirements, as follows:

	<u>Account</u>	<u>Title</u>	<u>Amount</u>
FROM:	43H301	Code Enforcement Reserve	\$ 74,336
TO:	43H299	Related Costs - City Dept.	\$ 74,336

Expend funds not to exceed \$74,336 from Fund 41M, Account 43H299, upon proper written demand of the General Manager, Los Angeles Housing Department, or designee.

- d. Instruct the Controller to transfer up to \$17,163.94 from Fund 53E/46, Account 46H299 to the Mayor's General Fund 100/46, Revenue Source No. 5346, for the reimbursement of grant-funded fringe benefits.
- e. Transfer cash from Fund 53E/46 to reimburse the General Fund on an as-needed basis, upon presentation of proper documentation from the Emergency Management, Fire, Police, and Housing Departments subject to the approval of the Mayor's Office of Homeland Security and Public Safety.
- AUTHORIZE the Mayor, or designee, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the CAO, and AUTHORIZE the Controller to implement the instructions.

<u>Fiscal Impact Statement</u>: The CAO reports that there is no impact to the General Fund as a result of these actions. Approval of the recommendations within the CAO report will allow for the continued expenditure of FY09 RCPGP funds. These actions are in compliance with the City's Financial Policies in that grant funds are sufficient to support the grant activities.

Community Impact Statement: None submitted.

(Public Safety Committee waived consideration of the above matter)

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

12-0044

MOTION (KREKORIAN - ROSENDAHL) relative to amending prior Council action of February 22, 2012, regarding settlement in the case entitled <u>Petra Acupanda v. City of Los Angeles</u>, Los Angeles Superior Court Case No. BC 433757.

12-0545

MOTION (WESSON - HUIZAR) relative to Council approving the Third Amendment to the contract with Bell and Howell for Vote-by-Mail automation equipment.

12-0320

MOTION (ROSENDAHL - KORETZ) relative to amending prior Council action of April 11, 2012, regarding the restructuring and re-assignment of the San Gabriel Transit, Inc. d.b.a. City Cab Franchise.

11-1324-S3

MOTION (WESSON - KORETZ) relative to funding for the Palms Elementary School acquisition and installation of two highly visible signs, drought resistant plants and wrought iron fencing to be displayed at the front of the school.

12-0552

MOTION (LABONGE - ZINE) relative to authorizing the Los Angeles Department of Transportation to deploy traffic management personnel to facilitate traffic control on Sixth Street between Fairfax Avenue and Burnside Avenue on April 20, 2012.

12-0551

MOTION (ZINE - KORETZ) relative to installing street banners identifying the Winnetka Neighborhood Council.

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

12-0548

RESOLUTION (HUIZAR - ALARCON) relative to proclaiming America Tropical, a cultural treasure of great artistic value, and declaring April 20, 2012 as Dia de Siqueiros in the City of Los Angeles.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

12-0004-S1 National Community Development Week (Alarcón - Wesson)

Detective Michael Perez (Zine - Buscaino)

Captain Nick Zingo (Zine - Buscaino)

ARPA Institute 20th Anniversary (Krekorian - Koretz)

Harold Avedis Demirjian (Krekorian - Koretz)

Steve Tamashiro

Firefighter III (Rosendahl - Buscaino)

Darling Companion Day (Koretz - Wesson)

National Crime Victims' Rights Week

"Extending the Vision: Reaching Every Victim" (Alarcón - Buscaino)

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

<u>12-0003-S1</u> Ming Qu (Parks - All Councilmembers)

Ying Wu (Parks - All Councilmembers)

Agnes Marie Wilson (Parks)

Lucy Delgado (Huizar)

Delinda Hortencia Fuentes (Huizar - All Coumcilmembers)

Lili Chookasian (Krekorian)

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

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

Ву

Council Clerk PRESIDENT OF THE CITY COUNCIL