

Los Angeles City Council, **Journal/Council Proceedings**
Tuesday, **April 24, 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, Cárdenas, Englander, Huizar, Koretz, Krekorian, LaBonge, Parks, Rosendahl, and Zine (11); Absent: Garcetti, Perry, Reyes and President Wesson (4)

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
APRIL 18, 2012

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 11

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) - PUBLIC HEARING CLOSED - LIEN CONFIRMED AS AMENDED - SEE FOLLOWING

Adopt as Amended, Ayes (12); Absent: Garcetti, Reyes and President Wesson (3)

[11-1419](#)
CD 11

CONTINUED CONSIDERATION OF HEARING PROTESTS relative to Department of Building and Safety report and confirmation of lien against property located at 1068 North Villa Grove Drive, APN 4409-007-003. (Lien: \$2,106.93)

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 1068 North Villa Grove Drive, 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 \$2,106.93 on the above referenced property.

(Continued from Council meeting of April 11, 2012)

ADOPTED

AMENDING MOTION (ROSENDAHL - ZINE)

Recommendation for Council action:

WAIVE the late charge/collection fee of \$1,375.00, **WAIVE** the accumulated interest charge of \$128.93, **REDUCE** the amount of the lien to \$603.00, and **AUTHORIZE** the Department of Building and Safety to make technical corrections or clarifications as may be necessary to implement the intent of this Motion.

Item for Which Public Hearing Has Been Held - Item 2

ITEM NO. (2) - ADOPTED

Adopted, Ayes (12); Absent: Krekorian, Reyes and President Wesson (3)

[12-0475](#)

CONTINUED CONSIDERATION OF ENERGY AND ENVIRONMENT COMMITTEE REPORT relative to the preliminary Fiscal Year (FY) 2012-13 Los Angeles Department of Water and Power (LADWP) proposed budget.

Recommendation for Council action:

NOTE and FILE the March 29, 2012 Board of Water and Power Commissioners report relative to the preliminary FY 2012-13 LADWP proposed budget.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

(Continued from Council meeting of April 17, 2012)

Items for Which Public Hearings Have Not Been Held - Items 3-14

(10 Votes Required for Consideration)

ITEM NO. (3) - ADOPTED

Adopted, Ayes (12); Absent: Garcetti, Reyes and President Wesson (3)

[11-0367-S1](#)

CD 10

COMMUNICATION FROM CHAIR, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE relative to approval for Minor Variations for signage from the Mid-City Recovery Redevelopment Plan's signage standards to allow five signs in excess of 100 square feet each on the Midtown Crossing retail development located at 4550 West Pico Boulevard.

Recommendation for Council action:

RECEIVE and FILE the Community Redevelopment Agency of Los Angeles report dated November 21, 2011 relative to approval for Minor Variations for signage from the Mid-City Recovery Redevelopment Plan's signage standards to allow five signs in excess of 100 square feet each, in lieu of the 100 square foot maximum, on the Midtown Crossing retail development located at 4550 West Pico Boulevard in the Mid-City Recovery Redevelopment Project Area.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (4) - CONTINUED TO MAY 1, 2012 - AS AMENDED - SEE FOLLOWING

Adopted to Continue, Unanimous Vote (11); Absent: Garcetti, Perry, Reyes and President Wesson (4)

[11-0994](#)

CONTINUED CONSIDERATION OF COMMUNICATION FROM CHAIR, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE relative to rules, regulations and/or practices related to restricting relatives of any person who has invested in, developed, or managed City-subsidized housing from living in a unit within said housing development.

Recommendations for Council action:

1. INSTRUCT the General Manager, Los Angeles Housing Department (LAHD), to work with the City Attorney to make the appropriate modifications (as detailed in the LAHD transmittal dated March 13, 2012, attached to the Council file No. 11-0994) to pertinent documents, including, but not limited to, loan documents, regulatory agreements, ordinances, management plans and land use covenants.
2. INSTRUCT the Chief Legislative Analyst to provide a report on this matter to the Council for its consideration.

Fiscal Impact Statement: The LAHD reports that there is no impact on the General Fund.

Community Impact Statement: None submitted.

(Continued from Council meeting of April 17, 2012)

CONTINUED

AMENDING MOTION (ALARCON - ZINE)

Recommendation for Council action:

REQUEST the City Attorney to clarify that the City's conflict of interest policy includes language that city staff who work directly on a housing development or housing project are prohibited from receiving a city loan to lease or purchase a housing unit within the same project.

CONTINUED

AMENDING MOTION (CARDENAS - ZINE)

Recommendation for Council action:

REQUEST the City Attorney to include in the City's conflict of interest policy that elected officials, including his or her spouse/partner, who participated in the deliberative process, vote or consideration of a legislative action regarding a residential housing project are prohibited from receiving a city loan and/or living, leasing or purchasing a residential unit within said project; including receiving a loan, a modification of a loan or a forgiveness of debt in that development from the developer of the project or the developer's spouse/partner.

And that violation of said conflict of interest policy includes a severe financial penalty to the elected official and/or consideration for removal from office.

ITEM NO. (5) - ADOPTED

Adopted, Ayes (12); Absent: Garcetti, Reyes and President Wesson (3)

[12-0251](#)

COMMUNICATIONS FROM CITY ENGINEER and STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION relative to Notice of Intention to relinquish collateral facilities along Route 405 Freeway on Dickens Street from Sepulveda Boulevard to Ventura Boulevard.

Recommendation for Council action:

ACCEPT the relinquishment of Dickens Street as proposed in the Notice of Intention to Relinquish Highway Right of Way, Road 7-LA-405-PM 38.7/39.4, issued by the California Department of Transportation on February 15, 2012.

Fiscal Impact Statement: The City Engineer reports that there is no impact to the General Fund at this time.

Community Impact Statement: None submitted.

(Public Works Committee waived consideration of the above matter)

**Adopted, Ayes (11); Absent: Garcetti, Perry, Reyes and President Wesson (4)
(Item Nos. 6-7)**

ITEM NO. (6) - ADOPTED

[12-0527](#)

CD 14

CATEGORICAL EXEMPTION and COMMUNICATION FROM THE CITY ENGINEER relative to an offer to dedicate an easement for street purposes on the southeasterly sideline of Scandia Way east of Avenue 42 (Right of Way No. 36000-1884).

Recommendations for Council action:

1. FIND that the offer to dedicate an easement for street purposes on the southeasterly sideline of Scandia Way east of Avenue 42 (Right of Way No. 36000-1884) is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(19) of the City's Environmental Guidelines.
2. AUTHORIZE the Board of Public Works to acquire the easement for street purposes on the southeasterly sideline of Scandia Way east of Avenue 42 (Right of Way No. 36000-1884), as depicted on the Exhibit Map in the April 9, 2012 City Engineer report, attached to the Council file.
3. INSTRUCT the City Clerk to forward a copy of the Council action on this project to the Real Estate Division of the Bureau of Engineering for processing.

Fiscal Impact Statement: The City Engineer reports that a \$3,317 fee for processing this report was paid pursuant to Sections 7.3 and 7.41.1 of the Administrative Code. No additional City Funds are needed.

ITEM NO. (7) - ADOPTED

[11-1584](#)
CD 13

CONSIDERATION OF MOTION (GARCETTI - LABONGE) relative to waiving fees associated with the vacation of the Park Drive and Ewing Street Vacation District.

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

INSTRUCT the Bureau of Engineering to waive up to \$5,350 in fees associated with the vacation of the Park Drive and Ewing Street Vacation District (VAC E1401028) (Council file No. 06-2819).

Community Impact Statement: None submitted.

(Budget and Finance Committee waived consideration of the above matter)

ITEM NO. (8) - ADOPTED

Adopted, Ayes (11); Absent: Krekorian, Reyes, Zine and President Wesson (4)

[12-0537](#)

CONSIDERATION OF MOTION (ROSENDAHL - BUSCAINO) relative to a proposal to discontinue Zoning Administration hearings in the West Los Angeles Municipal Building and San Pedro City Hall locations.

Recommendation for Council action:

DIRECT the Planning Department to:

- a. Immediately halt its plan to discontinue holding Zoning Administration hearings in the West Los Angeles Municipal Building and San Pedro City Hall locations.
- b. Report on its decision to no longer hold initial Office of Zoning Administration hearings for case applications with projects located within the West Los Angeles and Coastal-Harbor geographic areas at either the West Los Angeles Municipal Building or San Pedro City Hall locations beginning May 1, 2012.
- c. Explain why the West Los Angeles and Coastal-Harbor geographic areas of the City were slated as the regions of the City where initial Zoning Administration hearings would be held at Downtown City Hall instead of the communities where they are located, and the criteria used to make this administrative policy decision.

Community Impact Statement: None submitted.

(Planning and Land Use Management Committee waived consideration of the above matter)

ITEM NO. (9) - ADOPTED - TO THE MAYOR FORTHWITH

Adopted, Ayes (12); Absent: Garcetti, Reyes and President Wesson (3)

[12-0002-S29](#)

CONSIDERATION OF RESOLUTION (CARDENAS - WESSON) relative to the City's position on the Middle Class Scholarship Act and any legislation that rebuilds the accessibility of a college education for all deserving, qualified students.

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

ADOPT the accompanying RESOLUTION to include in the City's 2012-13 State Legislation Program, SUPPORT of Assembly Bill (AB) 1500 and 1501 and any legislation that rebuilds the accessibility of a college education for all deserving, qualified students.

Community Impact Statement: None submitted.

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

ITEM NO. (10) - ADOPTED

Adopted, Ayes (11); Absent: Garcetti, Huizar, Reyes and President Wesson (4)

[12-0011-S9](#)

CD 10

MOTION (WESSON - ZINE) relative to funding for various security services for the transit public near a transit hub in Council District 10.

Recommendations for Council action:

1. ALLOCATE \$36,000 in the Council District 10 portion of the Street Furniture Revenue Fund No. 43D/50 to the Korean Chamber of Commerce of Los Angeles for various security services for the transit public near a transit hub in Council District 10.
2. DIRECT the Bureau of Street Services to prepare the necessary document(s) with, and/or payment(s) to the Korean Chamber of Commerce of Los Angeles, or any other agency or organization, as appropriate, in the above amount, from the above source, and for the above purpose, subject to the approval of the City Attorney as to form, if needed; and AUTHORIZE the Councilmember of the District to execute any such documents on behalf of the City.
3. AUTHORIZE the Bureau of Street Services to make any technical corrections or clarification as necessary to the above instructions in order to effectuate the intent of this Motion.

**Adopted, Ayes (11); Absent: Garcetti, Perry, Reyes and President Wesson (4)
(Item Nos. 11-13)**

ITEM NO. (11) - ADOPTED

[12-0011-S10](#)

CD 6

MOTION (CARDENAS - BUSCAINO) relative to funding for enhanced community beautification services in Council District Six.

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

1. TRANSFER \$24,000 in the Council District Six portion of the Street Furniture Revenue Fund 43D/50 to the Board of Public Works Fund 100/74 Account No. 3040 (Contractual Services) to be allocated as follows for enhanced community beautification services in Council District Six: \$16,000 to the Northeast Valley Graffiti Busters and \$8,000 to Sun Valley Graffiti Busters.
2. AUTHORIZE the Board of Public Works, Office of Community Beautification to prepare the necessary documents and payments to these organizations, in these amounts, and for the above purpose and, if necessary, amend the existing contracts with these organizations to include the expanded scope of work and increased funding as set forth above.
3. AUTHORIZE the Bureau of Street Services as well as the Department of Public Works Office of Accounting to make any technical corrections or clarification as necessary to the above instructions in order to effectuate the intent of this Motion.

ITEM NO. (12) - ADOPTED

[10-0723-S2](#)

MOTION (REYES - ZINE) relative to accepting a grant from the Getty Foundation for the Multicultural Undergraduate Summer Internship Program.

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

1. ACCEPT the grant in the amount of \$4,000 from the Getty Foundation and work immediately with the Getty Foundation to commence the search and selection for an intern to participate in the Multicultural Undergraduate Summer Internship program.
2. RECEIVE and DEPOSIT these funds into the City Planning Grants Trust Fund No. 46Y.
3. AUTHORIZE the Controller to appropriate a like amount into the City Planning Grant Trust Fund, Fund No. 46Y/68, Account 68H202, Preservation Internship, for disbursement of fund.
4. AUTHORIZE the City Administrative Officer to make any necessary technical corrections.

ITEM NO. (13) - ADOPTED

[10-0636-S3](#)

CD 14

MOTION (HUIZAR - GARCETTI) relative to declaring Fiesta Broadway to be a Special Event at a major venue as defined in Los Angeles Municipal Code (LAMC) Section 41.20.1(c).

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

1. DETERMINE Fiesta Broadway to be a Special Event at a major venue as defined in the LAMC Section 41.20.1(c).
2. AUTHORIZE the Department of Public Works, Bureau of Street Services, to issue a permit and collect permit fees for the conduct of Fiesta Broadway (April 29, 2012), a production of All Access Entertainment, in installments (for a total estimated amount of \$36,573) per LAMC Section 41.20.1(c) and in accordance with the schedule of payments as set forth below:
 - a. \$12,191 to be paid prior to the issuance of a permit by the Bureau of Street Services.
 - b. \$12,191 on June 1, 2012.
 - c. \$12,191 on July 1, 2012.
3. AUTHORIZE the Councilmember of the 14th District to execute the attached agreement between the City and Access Entertainment.

ITEM NO. (14) - MAPS APPROVED - CITY ENGINEER REPORTS ADOPTED

**Adopted, Ayes (11); Absent: Krekorian, Reyes, Zine and President Wesson (4)
(Item Nos. 14a-14b)**

[12-0559](#)

et al. FINAL MAPS in the various Council Districts.

Recommendation for Council action:

APPROVE the Final Maps and ADOPT the City Engineer Reports as detailed in the various listed Council files, including bonds, agreements, contracts and other related issues as specified:

[12-0559](#)

CD 2

- a. FINAL MAP OF TRACT NO. 66342 for property located at 4325 Stern Avenue lying northerly of Ventura Boulevard.
(Bond No. C-120190)
(Quimby Fee: \$15,660)
Applicants: Hakop Gevdzhayan
Jerry M. Crowley

[12-0560](#)

CD 7

- b. FINAL MAP OF TRACT NO. 66942 for property located at 13389 West Hubbard Avenue lying northwesterly of Hubbard Street and southwesterly of Fenton Avenue.
(Bond No. C-120191)
(Quimby Fee: \$63,336)
Applicants: HMD, LLC
Alliance Land Planning & Engineering, Inc.

Closed Session - Item 15

ITEM NO. (15) - MEETING HELD - NO ACTION TAKEN

[08-0923-S16](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer or discuss with, or receive advice from, its legal counsel regarding pending litigation in cases entitled Americans for Safe Access et al. v. City of Los Angeles, Los Angeles Superior Court (LASC), Lead Case No. BC 433942 (and all related actions) and The People of the State of California v. Natural Ways Always, et al. / Natural Ways Always, Inc. v. City, et al., LASC Case No. BC 460799 (and related cases). (The pending litigation includes more than 50 separate lawsuits and cross-complaints filed against the City by medical marijuana dispensaries, owners, operators, and patients. The lawsuits challenge the City's medical marijuana ordinance on a wide variety of legal grounds and seek to enjoin enforcement of the City's ordinance.)

(Planning and Land Use Management and Public Safety Committees waived consideration of the above matter)

Item for Which Public Hearing Has Not Been Held - Item 16

(10 Votes Required for Consideration)

ITEM NO. (16) - ADOPTED

Adopted, Ayes (11); Absent: Krekorian, Reyes, Zine and President Wesson (4)

[10-0475-S9](#)

MOTION (HUIZAR - KORETZ) relative to authorizing the City Administrative Office (CAO) and the Chief Legislative Analyst (CLA) to execute an amendment to the existing agreement with PA Consulting.

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

1. AUTHORIZE the CAO and the CLA, in conjunction with the Office of Public Accountability (OPA), to execute an amendment (Amendment No. 2) to the existing agreement with PA Consulting (Contract No. C-118747, Council file No. 10-0475-S7 & S8), for an additional \$380,000, for a period not to exceed 180 days, for a contract total of \$1,516,000 to provide the OPA with resource support, including knowledge/date transfer regarding the Los Angeles Department of Water and Power (LADWP) budget, financial plans and operations in order to facilitate the OPA's review of the LADWP's rate proposal.
2. DESIGNATE the OPA, in conjunction with the CAO and CLA, as a supervisory and coordinating entity of Amendment No. 2 services and that contract costs up to \$380,000 be expended/paid from the OPA Fiscal Year 2011-12 Budget upon the execution of services.
3. AUTHORIZE the Controller to TRANSFER \$65,000 from Account 1010 Salaries General to Account 3040 Contractual Services, Fund 100/10 to support the contract authorization.
4. URGE the OPA and INSTRUCT the Personnel Department, including the CAO and CLA, to expedite the OPA's plan for long-term staffing and report on its status in 30 days.

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

12-0202-S1

MOTION (PARKS - PERRY) relative to funding for the purchase and installation of security cameras in and around Jackie Tatum Park in Council District Eight.

12-0608

MOTION (GARCETTI - LABONGE) relative to funding for the 2012 Summer Youth Employment Program in Council District 13.

12-0609

MOTION (GARCETTI - LABONGE) relative to funding for services in connection with the December 16, 2011 Council District 13 special reception for the United Service Workers West SEIU Local 1877 in the City Hall Tom Bradley Room.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon his request, and without objections, Councilmember Cárdenas was excused from the Council session of Tuesday, May 1, 2012 due to City Business.

Upon his request, and without objections, Councilmember Garcetti was excused to leave at 11:00 a.m. from the Council sessions of Tuesday, May 1, 2012 and Tuesday, May 8, 2012 both due to City Business.

Upon his request, and without objections, Councilmember Rosendahl was excused from the Council session of Tuesday, May 15, 2012 due to Personal Business.

Upon his request, and without objections, Councilmember Zine was excused from the Council session of Friday, May 18, 2012 due to Personal Business.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

[12-0004-S1](#) Cordelia Kelsey
Senior Clerk Typist
Los Angeles Police Department (LaBonge - Krekorian)

Alexandre Baum (LaBonge - Krekorian)

Shushi, Republic of Artsakh (Krekorian - LaBonge - Koretz - Cárdenas - Zine)

AIDS Healthcare Foundation (Rosendahl - Garcetti)

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

[12-0003-S1](#) Jesse John Brisco (Rosendahl - All Councilmembers)

Mary Cedillo (Huizar - All Councilmembers)

Dr. E. Richard Brown, PhD (Garcetti - All Councilmembers)

Jim Davis (LaBonge - Garcetti - All Councilmembers)

Eight American Service Men
Operation Eagle Claw
32 Year Anniversary (April 24, 1980) (Koretz - Rosendahl)

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

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By
Council Clerk PRESIDENT OF THE CITY COUNCIL