Los Angeles City Council, Journal/Council Proceedings
Wednesday, April 25, 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, Garcetti, Huizar, Krekorian, LaBonge, Parks and Zine (10); Absent: Koretz, Perry, Reyes, Rosendahl and President Wesson (5)


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 NO. (1) - PUBLIC HEARING CLOSED - ORDINANCE OVER TO MAY 2, 2012

Adopted to Close Public Hearing, Ordinance over One Week, Ayes (10); Absent: Koretz, Perry, Reyes, Rosendahl and President Wesson (5)

11-0216-S1
CD 3

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the installation and maintenance of DELANO STREET (NEAR ETIWANTA AVENUE) LIGHTING DISTRICT - A'13-L1170047 (Assessment Project to Install 8 New Modern Streetlights).

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

1. FIND that a majority protest exists in the Street Lighting Maintenance Assessment District and therefore the assessment cannot be enacted.

2. PRESENT and ADOPT the accompanying ORDINANCE abandoning all proceedings relating to the above lighting district, in accordance with Sections 6.1 to 6.15 and Sections 6.95 to 6.127 of the Los Angeles Administrative Code and California Government Code Section 53753 (Proposition 218).
3. INSTRUCT the Director, Bureau of Street Lighting, to assure that the streetlights are not installed or are removed from service if previously installed.

(Public Hearing held March 28, 2012)

(Continued from Council meeting of April 18, 2012)

**Items for Which Public Hearings Have Been Held - Items 2-8**

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

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

**12-0467**

PERSONNEL AND ANIMAL WELFARE COMMITTEE REPORT and ORDIANCE FIRST CONSIDERATION relative to the amendment of the Los Angeles Administrative Code (LAAC) for the 2011-12 to 2013-14 Fiscal Year (FY) salaries for non-represented employees of the Los Angeles Department of Water and Power (LADWP).

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

PRESENT and ADOPT the accompanying ORDINANCE amending Section 4.900.1 of the LAAC for the 2011-12 to 2013-14 FY salaries for non-represented employees of the LADWP.

Fiscal Impact Statement: None submitted by the City Attorney. 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 (10); Absent: Koretz, Perry, Reyes, Rosendahl and President Wesson (5)

(Item Nos. 3-8)

**ITEM NO. (3) - ADOPTED**

**12-0497**

ARTS, PARKS, HEALTH, AND AGING COMMITTEE REPORT relative to applying to grants from the Kaiser Permanente Operation Splash Program for 2012 and the Kaiser Permanente "Rethink Your Drink" campaign.

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

1. APPROVE retroactively the submission of a Kaiser Permanente Operation Splash Program 2012 grant application to the Kaiser Permanente to fund the Department of Recreation and Parks (RAP) aquatics programming and a supplemental program for Kaiser Permanente "Rethink Your Drink" campaign.
2. DESIGNATE the General Manager, Executive Officer, or Assistant General Manager of the RAP, 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(s).

3. AUTHORIZE the RAP’s General Manager to accept and receive the Kaiser Permanente Operation Splash Program 2012 grant in an amount of $265,000 from the Kaiser Permanente to fund the RAP aquatics programming and a supplemental program for Kaiser Permanente’s "Rethink Your Drink" campaign.

4. AUTHORIZE the RAP’s Chief Accounting Employee to establish the necessary account within "Recreation and Parks Grant" Fund 205 to accept the 2012 Serving Communities grant in an amount of $265,000.

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

Community Impact Statement: None submitted.

ITEM NO. (4) - ADOPTED - TO THE MAYOR FORTHWITH 12-0557

ARTS, PARKS, HEALTH, AND AGING COMMITTEE REPORT relative to applying for funding under the Proposition 84 Urban Greening Planning Grant Program for the Downtown Los Angeles Open Space Master Plan Project.

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

1. ADOPT the accompanying RESOLUTION authorizing the City of Los Angeles to apply for funds under the Proposition 84 Urban Greening Planning Grant Program for the Downtown Los Angeles Open Space Master Plan Project and designates the General Manager, Department of Recreation and Parks (RAP), or designee, as the agent to conduct all negotiations, sign and submit all documents, including but not limited to grant applications, agreements, amendments, and payment requests, which may be necessary for the completion of the Project.

2. AUTHORIZE the RAP's General Manager to accept and receive a $250,000 grant for the creation of a Downtown Los Angeles Open Space Master Plan from the State of California Natural Resources Agency.

3. AUTHORIZE the RAP's Chief Accounting Employee to establish the necessary account within "Recreation and Parks Grant" Fund 205 to accept the Proposition 84 Urban Greening Planning Grant Program in the amount of approximately $250,000 for the Downtown Los Angeles Open Space Master Plan project.

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

Community Impact Statement: None submitted.
ITEM NO. (5) - ADOPTED

10-1667-S1

BUDGET AND FINANCE COMMITTEE REPORT relative to approval of a fee waiver for the Glamour Gowns 2012 event at the Los Angeles Convention Center.

Recommendations for Council action, pursuant to Motion (Perry - Reyes), SUBJECT TO THE APPROVAL OF THE MAYOR:

1. FIND that the "Glamour Gowns 2012" event, sponsored by CASA of Los Angeles, serves a public purpose in that it provides high-school aged girls in foster care with dresses and accessories for a special event while instilling self-esteem, self confidence and a feeling of self-worth.

2. APPROVE the fee waiver for the "Glamour Gowns 2012" event, in the amount of $7,259 for Convention Center room rental fees, in accordance with the Convention Center Fee Subsidy Policy approved by the City Council on July 30, 2008 (Council file No. 08-0598).

3. INSTRUCT the City Administrative Officer (CAO) to include instructions in a future Financial Status Report to transfer funds from the Council District portion of the General City Purposes Fund, Council District Community Services line item to reimburse the Convention Center for this fee waiver.

Fiscal Impact Statement: Neither the CAO nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

ITEM NO. (6) - ADOPTED

11-1957

BUDGET AND FINANCE COMMITTEE REPORT relative to approval to record a lien for unpaid taxes against property owned by Center For Healthy Living, Inc.

Recommendation for Council action:

RECEIVE and FILE the Office of Finance report to record a lien for unpaid taxes in the amount of $6,432.27 against property owned by Center For Healthy Living, Inc., inasmuch as the matter has been resolved.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

[Council may recess into Closed Session pursuant to Government Code Section 54956.9(c) to confer with its legal counsel relative to the above matter]
ITEM NO. (7) - ADOPTED

12-0374
CD 1

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the inclusion of the Young-Gribling Residence located at 3320 North Griffin Avenue in the list of Historic-Cultural Monuments.

Recommendations for Council action:

1. ADOPT the FINDINGS of the Cultural Heritage Commission (CHC) as the Findings of the Council.

2. APPROVE the recommendation of the CHC relative to the inclusion of the Young-Gribling Residence located at 3320 North Griffin Avenue in the list of Historic-Cultural Monuments.

Owner: Paul B. Greestein and Dydia Y. Delysier
Applicant: Charles J. Fisher

CHC 2012-50 HCM

Fiscal Impact Statement: The CHC reports that such designation in and of itself has no fiscal impact. Future applications for permits may cause minimal administrative costs.

Community Impact Statement: None submitted.

TIME LIMIT FILE - MAY 30, 2012
(LAST DAY FOR COUNCIL ACTION - MAY 30, 2012)

ITEM NO. (8) - ADOPTED

12-0375
CD 4

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the inclusion of the Thorsen Residence located at 103 North Ridgewood Place in the list of Historic-Cultural Monuments.

Recommendations for Council action:

1. ADOPT the FINDINGS of the Cultural Heritage Commission (CHC) as the Findings of the Council.

2. APPROVE the recommendation of the CHC relative to the inclusion of the Thorsen Residence located at 103 North Ridgewood Place in the list of Historic-Cultural Monuments.

Owner: Joseph and Elizabeth (Lindsay) Gallagher
Applicant: Charles J. Fisher

CHC 2012-59 HCM
Fiscal Impact Statement: The CHC reports that such designation in and of itself has no fiscal impact. Future applications for permits may cause minimal administrative costs.

Community Impact Statement: None submitted.

TIME LIMIT FILE - MAY 30, 2012
(LAST DAY FOR COUNCIL ACTION - MAY 30, 2012)

Items for Which Public Hearings Have Not Been Held - Items 9-16
(10 Votes Required for Consideration)

Adopted, Ayes (11); Absent: Koretz, Reyes, Rosendahl and President Wesson (4)
(Item Nos. 9a-9f,10-12)

ITEM NO. (9) - ADOPTED

12-0005-S209
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 18, 2012:

12-0005-S209
CD 1
a. Property at 1253 West Sixth Street (Case No. 351034).
   Assessor I.D. No. 5153-022-009

   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 16, 2012)

12-0005-S210
CD 10
b. Property at 3039 South Eighth Street (Case No. 293074).
   Assessor I.D. No. 5051-036-017

   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on September 9, 2010)

12-0005-S211
CD 10
c. Property at 5363 West Edgewood Place (Case No. 318428).
   Assessor I.D. No. 5084-016-041

   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on January 13, 2011)
d. Property at 5210 West Romaine Street (Case No. 126915).
   Assessor I.D. No. 5535-024-027
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on September 27, 2007)

e. Property at 120 North Avenue 63 (Case No. 138627).
   Assessor I.D. No. 5493-014-007
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on November 29, 2007)

f. Property at 4716 East Twining Street (Case No. 325227).
   Assessor I.D. No. 5213-035-012
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on April 14, 2011)

ITEM NO. (10) - ADOPTED

COMMUNICATION FROM CHAIR, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE relative to amending the Healthy Neighborhoods Policy to include Leadership in Energy and Environmental Design (LEED) certification requirements for financially assisted projects.

Recommendation for Council action:

RECEIVE and FILE the Chief Legislative Analyst report dated October 7, 2009 and the Community Redevelopment Agency of Los Angeles report dated July 2, 2009 relative to amending the Healthy Neighborhoods Policy to include LEED certification requirements for financially assisted projects.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (11) - ADOPTED

COMMUNICATION FROM CHAIR, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE relative to authorization to execute an Amend and Restate Loan Agreement with Chinatown Metro Apartments, L.P. for the Chinatown Metro Apartments Project at 808-10 North Spring Street.
Recommendation for Council action:

RECEIVE and FILE the Community Redevelopment Agency of Los Angeles report dated December 1, 2011 relative to authorization to execute an Amend and Restate Loan Agreement in the amount of $3,600,000, with Chinatown Metro Apartments, L.P., to convert the loan from a two-year Acquisition Loan to a 55-year Construction and Permanent Loan payable out of residual receipts from the operation of the Chinatown Metro Apartments Project at 808-10 North Spring Street in the Chinatown Redevelopment Project Area.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (12) - ADOPTED

10-0780
CD 14

COMMUNICATION FROM CHAIR, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE relative to participation in a $240,000 County Department of Public Health RENEW Grant to implement the Boyle Heights Living Streets Initiative.

Recommendation for Council action:

RECEIVE and FILE the Community Redevelopment Agency of Los Angeles report dated May 6, 2010 relative to participation in a $240,000 County Department of Public Health RENEW Grant to implement the Boyle Heights Living Streets Initiative within the Adelante Eastside Redevelopment Project Area.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (13) - ADOPTED

Adopted, Ayes (11); Absent: Koretz, Reyes, Rosendahl and President Wesson (4)

10-2324

COMMUNICATION FROM CHAIR, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE relative to guidelines for implementation of an Economic Development Opportunity Fund.

Recommendation for Council action:

RECEIVE and FILE the Community Redevelopment Agency of Los Angeles (CRA/LA) report dated August 19, 2010 relative to guidelines for implementation of the CRA/LA-wide Economic Development Opportunity Fund.
ITEM NO. (14) - ADOPTED
Adopted, Ayes (11); Absent: Koretz, Reyes, Rosendahl and President Wesson (4)

COMMUNICATION FROM THE COMMUNITY DEVELOPMENT DEPARTMENT (CDD) relative to recognition of the CDD for performance excellence by the California Council for Excellence.

Recommendation for Council action:

NOTE and FILE the CDD report dated February 29, 2012 relative to recognition of the CDD by the California Council for Excellence (CCE) with a Silver Level Eureka Award for Performance Excellence, and recognition by the CCE of the CDD’s eight FamilySource Centers with California Prospector Awards.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

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

ITEM NO. (15) - ADOPTED
Adopted, Ayes (10); Absent: Huizar, Koretz, Reyes, Rosendahl and President Wesson (5)

MOTION (GARCETTI - LABONGE) relative to inviting representatives from Peace Over Violence to the City Council on April 25, 2012, Denim Day in L.A.

Recommendation for Council action:

INVITE representatives from Peace Over Violence to discuss trends and issues in sexual assault prevention and services for survivors before the City Council on April 25, 2012, Denim Day in L.A.

ITEM NO. (16) - ADOPTED
Adopted, Ayes (10); Absent: Huizar, Koretz, Reyes, Rosendahl and President Wesson (5)

MOTION (ENGLANGER - CARDENAS) relative to funding for additional support of local neighborhood programs services and needs in Council District 12.
Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. TRANSFER / APPROPRIATE the unallocated balance in the AB1290 Fund No. 53P, Account No. 281212 (CD 12 Redevelopment Projects - Services) to the General City Purposes Fund No. 100/56, Account No. 0712 (CD 12 Community Services) for additional support of local neighborhood programs services and needs in Council District 12.

2. AUTHORIZE the City Clerk to make clarifications or technical corrections to the above fund transfer instructions as may be necessary to implement the intent of this Motion.

Closed Session - Item 17

ITEM NO. (17) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Adopted in Open Session, Ayes (10); Absent: Huizar, Koretz, Reyes, Rosendahl and President Wesson (5)

12-0105

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to the case entitled Communities Actively Living Independent and Free, et al. v. City of Los Angeles, et al., United States District Court Case No. CV09-0287-CBM (RZx). (This case concerns allegations that the City violates the Americans with Disabilities Act and related laws with regard to its emergency plans.)

(Budget and Finance Committee considered the above matter in Closed Session on April 9, 2012)

ADOPTED

MOTION (KREKORIAN - ENGLANDER)

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

APPROVE a settlement of the Plaintiff's attorneys’ fees and costs in the total sum of $2.1 million, payable to Disability Rights Advocates, from Fund 100/59, Account 009770.

APPROVED by the Budget and Finance Committee (Krekorian - Englander - Cárdenas - Rosendahl - Koretz “yes”) at its meeting on April 16, 2012, in Closed Session as permitted by Government Code Section 54956.9(a).
MOTION ADOPTED UPON FINDINGS BY COUNCIL THAT THE NEED TO TAKE ACTION AROSE SUBSEQUENT TO THE POSTING OF THE COUNCIL AGENDA FOR WEDNESDAY, APRIL 25, 2012, PURSUANT TO GOVERNMENT CODE SECTION 54954.2(b)(2) AND COUNCIL RULE 23.

ADOPTED - FORTHWITH

Findings on Need to Act - Adopted, Ayes (10); Absent: Huizar, Koretz, Reyes, Rosendahl and President Wesson (5)
Motion (Perry - Parks - Garcetti) Adopted, Ayes (10); Absent: Huizar, Koretz, Reyes, Rosendahl and President Wesson (5)

03-0010-S29

MOTION (PERRY - PARKS - GARCETTI) relative to reinstating the reward offer for the “Teardrop Rapist” for an additional six months.

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

REAFFIRM Council’s findings and REINSTATE the reward offer relative to the “Teardrop Rapist” (Council action of July 7, 2003, Council File No. 03-0010-S29) for an additional period of six months from the publication of the offer of reward by the Office of the City Clerk and, further, that the sum of $50,000 shall be the aggregate maximum sum of any payment or payments of a City reward in this instance.

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

12-0010-S14

MOTION (CARDENAS - BUSCAINO - ENGLANDER) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the armed robberies throughout the City of Los Angeles on November 18, 2011, December 17, 2011, January 13, 2012, February 16, 2012, and February 17, 2012.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

12-0004-S1 - Eddie Merrins
Zine for Rosendahl - Buscaino for Koretz - Krekorian

Alarcón, Buscaino, Cádiz, Cárdenas, Englander, Garcetti, Krekorian, LaBonge, Parks, Perry and Zine (10); Absent: Huizar, Koretz, Reyes, Rosendahl and President Wesson (5)
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 10:45 a.m.
Special meeting convened at 10:45 a.m.
Special meeting adjourned at 10:52 a.m.
Regular meeting convened at 10:52 a.m.