

Los Angeles City Council, **Journal/Council Proceedings**  
Tuesday, **May 8, 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, Cárdenas, Englander, Garcetti, Huizar, LaBonge, Perry, Reyes, Zine and President Wesson (10); Absent: Alarcón, Koretz, Krekorian, Parks and Rosendahl (5)**

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF  
MAY 2, 2012

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 23

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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 for Which Public Hearings Have Been Held - Items 1-20**

### **ITEM NO. (1) - ADOPTED**

**Adopted, Ayes (12); Absent: Krekorian, Parks and Rosendahl (3)**

#### [12-0521](#)

ARTS, PARKS, HEALTH, AND AGING COMMITTEE REPORT relative to the appointment of Mr. Douglas M. Mancino to the El Pueblo de Los Angeles Historical Monument Authority.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. Douglas M. Mancino to the El Pueblo de Los Angeles Historical Monument Authority for the term ending June 30, 2014 is APPROVED and CONFIRMED. Mr. Mancino resides in Council District five. (Current Board gender composition: M = 4; F = 4; Vacant = 1)

Ethics Commission Review: Pending.

Background Check Review: Complete.

Community Impact Statement: None submitted.

TIME LIMIT FILE - MAY 27, 2012

(LAST DAY FOR COUNCIL ACTION - MAY 25, 2012)

**ITEM NO. (2) - ADOPTED, AS AMENDED - SEE FOLLOWING**

**Adopted as Amended, Ayes (12); Absent: Krekorian, Parks and Rosendahl (3)**

[09-2832](#)

CD 13

MITIGATED NEGATIVE DECLARATION AND ADDENDUM, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a Zone and Height District Change request for property located at 1800-02 North Argyle Avenue and 6217, 6221-6223 West Yucca Street.

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

1. FIND that this project 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 Mitigated Negative Declaration reflects the independent judgment of the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council File No. 09-2832 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 and Addendum to the Initial Study/Mitigated Negative Declaration [NG-12-147-PL] filed on May 2, 2012.
2. ADOPT the FINDINGS of the Los Angeles City Planning Commission (LACPC) as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the LACPC, effecting a Zone and Height District Change from C4-2D-SN to (T)(Q)C4-2-SN for the construction of a new 116,027 square foot, 16-story, 225-room hotel including 6,000 square feet of meeting space, and 3,000 square feet of restaurant space located at 1800-1802 North Argyle Avenue and 6217, 6221-6223 West Yucca Street, subject to Conditions of Approval, as modified by the Planning and Land Use Management (PLUM) Committee and attached to Council file No. 09-2832.

Applicant: CFRI-NCA Hollywood Venture, LLC, David Nix

Representative: Jeffer, Mangels, Butler & Marmaro, LLP

CPC 2007-1178-ZC-HD-CU-CUB-ZAA-SPR

4. REMOVE the (T) Tentative classification as described in detail on the sheet(s) attached to the Council file.
5. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.
6. ADVISE the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
7. ADVISE the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination filing.

Fiscal Impact Statement: The LACPC reports that there is no General Fund impact as administrative costs are recovered through fees.

Community Impact Statement: None submitted.

TIME LIMIT FILE - MAY 8, 2012

(LAST DAY FOR COUNCIL ACTION - MAY 8, 2012)

**ADOPTED**

**AMENDING MOTION (GARCETTI - LABONGE)**

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

**INSTRUCT the Chief Legislative Analyst to evaluate the financial requirements of the hotel project located at Argyle and Yucca and recommend appropriate forms of economic development support by the City.**

**ADOPTED**

**AMENDING MOTION (GARCETTI - LABONGE)**

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

**ADOPT the additional recommendation below:**

**“The City waives all highway dedication requirements for the Project, as set forth in Los Angeles Municipal Code Section 12.37, and determines that an additional dedication is not necessary to meet the mobility needs for the next twenty years.”**

**ADOPTED**

**AMENDING MOTION (GARCETTI - BUSCAINO)**

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

**AUTHORIZE the Chief Legislative Analyst to accept up to \$200,000 from the developer and to contract with a hotel financial consultant to conduct the necessary independent analysis.**

**Adopted, Ayes (10); Absent: Alarcón, Koretz, Krekorian, Parks and Rosendahl (5)  
(Item Nos. 3-5)**

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

[12-0212](#)

**ARTS, PARKS, HEALTH, AND AGING COMMITTEE REPORT relative to the withdrawal of the nomination of Mr. Miguel Luna for appointment to the Human Relations Commission.**

Recommendation for Council action:

RECEIVE and FILE the February 10, 2012 and March 19, 2012 Communications from the Mayor and March 1, 2012 Ethics Commission report relative to the nomination of Mr. Miguel Luna for appointment to the Human Relations Commission, inasmuch as Mr. Luna has requested withdrawal from further consideration.

Community Impact Statement: None submitted.

#### **ITEM NO. (4) - ADOPTED**

[12-0409](#)

ARTS, PARKS, HEALTH, AND AGING COMMITTEE REPORT relative to the assignment of the Rudman Partnership interest in Oil and Gas Lease No. 208 to Cascade Resources, LLC (Cascade Resources).

Recommendations for Council action:

1. REQUEST the City Attorney to prepare and present an Ordinance for the assignment of interest in the Oil and Gas Lease Agreement No. 208 at O'Melveny Park from The Rudman Partnership to Cascade Resources, and incorporate previous assignments approved by the Board of Recreation and Park Commissioners that have not been approved by Ordinance.
2. AUTHORIZE the President and Secretary of the Board of Recreation and Park Commissioners (Board) to execute the appropriate document relative to the proposed assignment of The Rudman Partnership's 18.75 percent interest in the Oil and Gas Lease Agreement No. 208 at O'Melveny Park to Cascade Resources LLC., subject to the review and approval of the City Attorney and after the Ordinance, as detailed above in Recommendation No. 1, is in effect.

Fiscal Impact Statement: The City Administrative Officer reports that the proposed assignment of interest in the O'Melveny Park Oil and Gas Lease Agreement No. 208 will have no impact to the General Fund. Any revenues from the lease agreement would be deposited in the Recreation and Parks Fund.

Community Impact Statement: None submitted.

#### **ITEM NO. (5) - ADOPTED**

[12-0504](#)

ARTS, PARKS, HEALTH, AND AGING COMMITTEE REPORT relative to amending the Los Angeles Municipal Code (LAMC) in connection with City Hall Park and surrounding Civic Center landscape and hardscape areas.

Recommendation for Council action:

RECEIVE and FILE the Motion (Huizar - Alarcón) relative to amending the LAMC in connection with City Hall Park and surrounding Civic Center landscape and hardscape areas.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

**ITEM NO. (6) - CONTINUED TO MAY 9, 2012**

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

[12-0605](#)

ARTS, PARKS, HEALTH, AND AGING COMMITTEE REPORT relative to amending the Los Angeles Municipal Code (LAMC) to establish uniform and coordinated rules regarding greenway areas in the Civic Center to include City Hall Park.

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

REQUEST the City Attorney to prepare and present an ordinance, in consultation with the Los Angeles County Counsel, to establish uniform and coordinated rules regarding greenway areas in the Civic Center, including City Hall Park.

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.

**Adopted, Ayes (10); Absent: Alarcón, Koretz, Krekorian, Parks and Rosendahl (5)  
(Item Nos. 7-20)**

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

[11-0126-S4](#)

PUBLIC SAFETY COMMITTEE REPORT relative to the status and activities of the Supplemental Police Account.

Recommendation for Council action:

NOTE and FILE Board of Police Commissioners report to Council dated March 30, 2012 (attached to the Council file), relative to the status and activities of the Supplemental Police Account for the period October through December, 2011.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

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

[11-1354](#)

PUBLIC SAFETY COMMITTEE REPORT relative to a transfer of grant funds from the Fire Department to the Emergency Management Department (EMD) to support the Great California Shakeout 2011 exercise.

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

1. AUTHORIZE the Mayor, or designee, to:
  - a. Modify the existing 2010 State Homeland Security Grant Program budget and reappropriate \$250,000 to EMD to fund the Great California Shakeout 2011 exercise.
  - b. Negotiate and execute a contract with Constant & Associates to design a neighborhood emergency preparedness and response plan for EMD, for a term of up to 15 months during the grant performance period in an amount not to exceed \$250,000, 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 49T/46, as follows:

	<u>Fund/Dept</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
FROM:	49T/46	46H138	LAFD Salaries	\$ 250,000
	<u>Fund/Dept</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
TO:	49T/46	46H735	EMD Contractual	\$ 250,000

3. AUTHORIZE the Mayor, or designee, to prepare Controller instructions for any necessary technical adjustments consistent with this action, subject to the approval of the City Administrative Officer (CAO); and, AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: The CAO reports that this action does not impact the General Fund. Approval of the above recommendations allows for the continued expenditure of 2010 State Homeland Security Program grant funds. This action is in compliance with City financial policies in that grant funds are sufficient to support grant activities.

Community Impact Statement: None submitted.

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

[12-0176](#)

PUBLIC SAFETY COMMITTEE REPORT relative to the 2010 Infrastructure Protection Grant Program: Buffer Zone Protection Program grant award.

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

1. AUTHORIZE the Chief of Police, or designee, to:

- a. Accept the 2010 Infrastructure Protection Program: Buffer Zone Protection Program Grant in the amount of \$1,140,000 from the California Emergency Management Agency (Cal-EMA) through the County of Los Angeles for the period August 2, 2011, through February 28, 2013.
  - b. Execute the sub-recipient agreement with the County and to negotiate, execute, and submit any other necessary agreements and documents, subject to the approval of the City Attorney as to form and legality.
2. AUTHORIZE the Police Department to submit grant reimbursement requests to the grantor and deposit grant receipts in the Police Department Grant Trust Fund No. 339/70.
  3. AUTHORIZE the Controller to establish a grant receivable in Fund 339 in the amount of \$1,140,000 and establish an appropriation account, account number to be determined, within Fund 339, Department 70, for the receipt and disbursement of grant funds.
  4. AUTHORIZE the Police Department to spend up to the grant amount of \$1,140,000 in accordance with the grant award agreement and requirements.
  5. AUTHORIZE the Mayor, or designee, to prepare Controller's instructions for any necessary technical adjustments consistent with this action, subject to the approval of the City Administrative Officer (CAO); and, AUTHORIZE that the Controller implement the instructions.

Fiscal Impact Statement: The CAO reports that this action does not impact the General Fund. Approval of the above recommendations will allow for the expenditure of grant funds. This action is in compliance with City financial policies in that grant funds are sufficient to support grant activities.

Community Impact Statement: None submitted.

## ITEM NO. (10) - ADOPTED

[12-0364](#)

PUBLIC SAFETY COMMITTEE REPORT relative to a donation of sixteen pallets of Crystal Geyser iced tea for use by Los Angeles Fire Department (LAFD) members during and after major incidents.

Recommendation for Council action:

AUTHORIZE the LAFD to accept a donation of sixteen pallets of Crystal Geyser iced tea with an estimated value of approximately \$17,000 from the LAFD Foundation for use by LAFD members during and after major incidents, and THANK the donors for this generous gift.

Fiscal Impact Statement: The LAFD reports that this action will not impact the General Fund.

Community Impact Statement: None submitted.

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

[12-0365](#)

PUBLIC SAFETY COMMITTEE REPORT relative to a donation of 14 Ferno EZ-Glide Stair Chairs for use by the Los Angeles Fire Department's (LAFD) Emergency Medical Services (EMS) Division to move patients during EMS incidents.

Recommendation for Council action:

AUTHORIZE the LAFD to accept a donation of 14 Ferno EZ-Glide Stair Chairs valued at \$29,036.36 from the LAFD Foundation for use by the Fire Department's EMS Division to move patients during EMS incidents, and THANK the donor for this generous gift.

Fiscal Impact Statement: The LAFD reports that this action will not impact the General Fund.

Community Impact Statement: None submitted.

**ITEM NO. (12) - ADOPTED**

[12-0366](#)

PUBLIC SAFETY COMMITTEE REPORT relative to a donation of travel and accommodation expenses for ten civilian and sworn Los Angeles Fire Department (LAFD) employees to attend the Celebrating Excellence 2012 Conference.

Recommendation for Council action:

AUTHORIZE the LAFD to accept a donation in the amount of \$7,130 from the LAFD Foundation for the travel and accommodation expenses of ten civilian and sworn LAFD employees to attend the Celebrating Excellence 2012 Conference, and THANK the donor for this generous gift.

Fiscal Impact Statement: The LAFD reports that this action will not impact the General Fund.

Community Impact Statement: None submitted.

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

[12-0449](#)

PUBLIC SAFETY COMMITTEE REPORT relative to a donation of an Automatic Vehicle Locator (AVL) system for use by the Los Angeles Police Department (LAPD).

Recommendation for Council action:

AUTHORIZE the LAPD to accept a donation of an AVL system, valued at \$249,608, from the Los Angeles Police Foundation, and THANK the donor for this generous gift.

Fiscal Impact Statement: None submitted by the LAFD. 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. (14) - ADOPTED - TO THE MAYOR FORTHWITH**

[12-0476](#)

PUBLIC SAFETY COMMITTEE REPORT relative to the 2012 Minor Decoy/Shoulder Tap Program grant award for use by the Los Angeles Police Department (LAPD).

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

1. AUTHORIZE the Chief of Police, or designee, to:
  - a. Retroactively apply for and accept the 2012 Minor Decoy/Shoulder Tap Mini- Program grant award in the amount of \$10,000 from the United States Department of Justice, Office of Justice Programs for the period February 1, 2012, through June 30, 2012.
  - b. Execute the 2012 Minor Decoy/Shoulder Tap Mini-Grant Award Agreement on behalf of the City and submit all necessary documents relative to the grant award and to negotiate, execute, and submit any other necessary agreements and documents relative to the grant, subject to the approval of the City Attorney as to form and legality.
2. AUTHORIZE the LAPD to submit grant reimbursement requests to the grantor and deposit grant receipts in the Police Department Grant Trust Fund No. 339/70.
3. AUTHORIZE the Controller to:
  - a. Establish a grant receivable in Fund 339 in the amount of \$10,000 and establish an appropriation account to be determined within Fund 33970, for disbursement of the 2012 Minor Decoy/Shoulder Tap grant funds.
  - b. Increase appropriations on an as-needed basis from Fund 339/70, account number to be determined to Fund 100/70, Account No. 001092 Sworn Overtime by an amount not to exceed \$10,000.
4. AUTHORIZE the LAPD to prepare Controller's instructions for any technical adjustments consistent with this action, subject to the approval of the City Administrative Officer (CAO); and, REQUEST that the Controller implement the instructions.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. Acceptance of the grant does not require a direct match. The cost of Police Department overtime activities for this program is limited to the amount of the grant and previously budgeted funds. The above recommendations comply with City financial policies as one-time revenue is used for one-time expenses.

Community Impact Statement: None submitted.

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

[12-0514](#)

PUBLIC SAFETY COMMITTEE REPORT relative to a donation of a laser mapping device for use by the Los Angeles Police Department (LAPD).

Recommendation for Council action:

AUTHORIZE the LAPD to accept a donation of a Leica Viva TS 15 Imaging Total Station laser mapping device, valued at \$35,268, from the Los Angeles Police Foundation, and THANK the donor for this generous gift.

Fiscal Impact Statement: None submitted by the LAPD. 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. (16) - ADOPTED**

[12-0515](#)

PUBLIC SAFETY COMMITTEE REPORT relative to a donation of exercise equipment for use by the Los Angeles Police Department's (LAPD) 77th Street Area.

Recommendation for Council action:

AUTHORIZE the LAPD to accept a donation of exercise equipment, valued at \$22,986.69, from the 77th Street Charitable Foundation, for use by the LAPD's 77th Street Area, and THANK the donor for this generous gift.

Fiscal Impact Statement: None submitted by the LAPD. 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. (17) - ADOPTED**

[12-0114](#)

CD 7

NEGATIVE DECLARATION and PUBLIC WORKS COMMITTEE REPORT relative to the compliance and project approval for the North Valley Fire Station No. 7 (W.O. NO. E170093B).

Recommendation for Council action:

1. FIND that this project will not cause significant impacts, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act (CEQA); that the Negative Declaration reflects the independent judgment of the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council File No. 12-0114 in the custody of the City Clerk; and ADOPT the CEQA Initial Study/Negative Declaration (W.O. NO. E170093B).

2. APPROVE the project as described in the Initial Study.

Fiscal Impact Statement: The City Engineer reports that the project has a budget of approximately \$18,100,000. The funding is from surplus Proposition F Fire Facilities General Obligation Bond Program savings, program contingency and accrued interest.

Community Impact Statement: None submitted.

## ITEM NO. (18) - ADOPTED

[12-0126](#)

CD 14

PUBLIC WORKS COMMITTEE REPORT relative to the temporary closure of Industrial Street between Central Avenue and Alameda Street.

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

INSTRUCT the City Engineer, with the assistance of the Los Angeles Police Department and the Los Angeles Department of Transportation, to report with recommendations for the temporary closure of Industrial Street between Central Avenue and Alameda Street pursuant to Section 21101.4 of the State Vehicle Code for reasons of public safety.

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.

## ITEM NO. (19) - ADOPTED

[12-0444](#)

CD 9

PUBLIC WORKS COMMITTEE REPORT relative to the B-Permit Process regarding the easement, widening, sidewalk improvements, and other modifications to Eighth Street and Grand Avenue in the Central City Community Plan area.

Recommendations for Council action, as initiated by Motion (Perry - Parks):

1. DIRECT the Los Angeles Department of Transportation (LADOT) to work cooperatively with the applicant to allow for a 23-foot half roadway, 22-foot sidewalk and no sidewalk easement on the north side of Eighth Street between Olive Street and Grand Avenue.
2. DIRECT the Bureau of Street Lighting to work cooperatively with the applicant in deterring the movement of existing street lights during the widening of this sidewalk.
3. INSTRUCT the Planning Department, Bureau of Engineering and LADOT, through the Downtown Streets Standards Committee, to update the Street Standards to reflect these street cross sections.

4. DIRECT the Bureau of Engineering, the Planning Department and any other appropriate City department, bureau or agency to work cooperatively with the applicant:
  - a. Through the B-Permit process to provide a new curb and gutter to reflect the half street width, and explore the feasibility of non-standard drainage options, if necessary, to direct storm runoff from the public sidewalk into the public storm system for Eighth Street.
  - b. Through the B-Permit process to vacate 5 feet of previously dedicated land for the entire length of the project site along Grand Avenue, including the required corner cut at the intersection with Eighth Street above elevation 281.75 feet.
  - c. Through the Vacation process to vacate the previously dedicated 15 feet by 15 feet corner cut at the intersection of Olive Street and 8th Street above elevation 281.75 feet.

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.

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

#### **ITEM NO. (20) - ADOPTED**

[12-0513](#)

PUBLIC WORKS COMMITTEE REPORT relative to contract with FSJ Architects, Inc. for pre-qualified on-call architectural consultant services for various municipal facilities projects.

Recommendations for Council action:

1. APPROVE Amendment No, 2 to Contract No. C-106420 between the City of Los Angeles and FSJ Architects, Inc (formerly Fisher Sehgal Yanez, Inc.), to extend the total contract term from March 23, 2012 to March 23, 2016 for pre-qualified on-call architectural consultant services for various municipal facilities projects.
2. AUTHORIZE the President or two members of the Board of Public Works to execute Amendment No, 2 to Contract No. C-106420.

Fiscal Impact Statement: The Board of Public Works reports that the project work covered by proposed Amendment No. 2 will have an additional impact to the General Fund.

Community Impact Statement: None submitted.

## Items for Which Public Hearings Have Not Been Held - Items 21-26

(10 Votes Required for Consideration)

**Adopted, Ayes (10); Absent: Alarcón, Koretz, Krekorian, Parks and Rosendahl (5)**  
**(Item Nos. 21a-21f)**

### ITEM NO. (21) - ADOPTED

#### [12-0005-S227](#)

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 30, 2012:

#### [12-0005-S227](#)

CD 4

- a. Property at 370 North Wilton Place (Case No. 351046).  
Assessor I.D. No. 5522-030-024

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on December 15, 2011)

#### [12-0005-S228](#)

CD 9

- b. Property at 435 East 84th Street (Case No. 210490).  
Assessor I.D. No. 6030-029-009

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on December 11, 2008)

#### [12-0005-S229](#)

CD 9

- c. Property at 297 East 43rd Place (Case No. 226448).  
Assessor I.D. No. 5113-009-023

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 30, 2009)

#### [12-0005-S230](#)

CD 9

- d. Property at 435 East 84th Street (Case No. 329470).  
Assessor I.D. No. 6030-029-009

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 24, 2011)

[12-0005-S231](#)

CD 9

- e. Property at 940 East 41st Street (Case No. 358673).  
Assessor I.D. No. 5115-024-013

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on January 5, 2012)

[12-0005-S232](#)

CD 14

- f. Property at 600 North Soto Street (Case No. 325432).  
Assessor I.D. No. 5177-022-016

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 5, 2011)

**ITEM NO. (22) - ADOPTED - SEE FOLLOWING**

**Adopted, Ayes (11); Absent: Garcetti, Krekorian, Parks and Rosendahl (4)**

[11-0547](#)

CD 11

CATEGORICAL EXEMPTION and COMMUNICATION FROM THE BOARD OF AIRPORT COMMISSIONERS relative to proposed First Amendment to Lease with Raytheon Company to address fire protection requirements and to modify the area leased at Los Angeles International Airport.

Recommendations for Council action:

1. ADOPT the determination by the Board of Airport Commissioners that the proposed action is exempt under the California Environmental Quality Act (CEQA) as provided in Article III, Section 1(18)(c) of the Los Angeles City CEQA Guidelines.
2. APPROVE the First Amendment to Lease with Raytheon Company to address fire protection requirements and to modify the area leased at Los Angeles International Airport.

Fiscal Impact Statement: The City Administrative Officer reports that approval of the proposed Amendment between Raytheon Company and the Department of Airports will have no impact on the General Fund. The current Lease provides approximately \$800,000 per year in gross revenue and Airports staff anticipates that the Department will receive an additional \$25,099 in annual revenue during the remaining term of the Lease, which will expire in April 2021, excluding the extension-option. This project complies with the Department of Airports adopted Financial Policies.

Community Impact Statement: None submitted.

TIME LIMIT FILE - MAY 10, 2012

(LAST DAY FOR COUNCIL ACTION - MAY 9, 2012)

(Scheduled pursuant to Charter Section 606)

**ADOPTED**

**MOTION (LABONGE - KORETZ)**

**Recommendations for Council action:**

1. **ADOPT** the determination by the Board of Airport Commissioners that the proposed action is exempt under the California Environmental Quality Act (CEQA) as provided in Article III, Section 1 (18) (c) of the Los Angeles City CEQA Guidelines.
2. **APPROVE** the First Amendment to Lease with Raytheon Company to address fire protection requirements and to modify the area leased at Los Angeles International Airport.

**ITEM NO. (23) - ADOPTED**

**Adopted, Ayes (11); Absent: Garcetti, Krekorian, Parks and Rosendahl (4)**

[12-0272](#)

CDs 5 & 11

CONSIDERATION OF MOTION (ROSENDAHL - KORETZ) relative to adding the Multimodal Performance Measures Study, Westwood Angled Parking (WAP) Study, and Venice Parking Impact (VPI) In-Lieu Fee Study to the Westside Mobility Plan.

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

1. **AUTHORIZE** and **INSTRUCT** the Los Angeles Department of Transportation (LADOT) to add the preparation of a Multimodal Performance Measures (Multimodal) Study, WAP Study and VPI In-Lieu Fee Study to the task-list established in the current Westside Mobility Plan project scope of work.
2. **AUTHORIZE** the LADOT to expend an amount not to exceed \$42,000 from the West Los Angeles Transportation Improvement and Mitigation Program, Fund No. 681, and \$57,299 from the Coastal Corridor Specific Plan, Fund No. 447, for costs incurred related to preparing the Multimodal, WAP, and VPI studies for inclusion in the Westside Mobility Plan project.

Community Impact Statement: None submitted.

(Transportation Committee waived consideration of the above matter)

**ITEM NO. (24) - ADOPTED - TO THE MAYOR FORTHWITH**

**Adopted, Ayes (11); Absent: Garcetti, Krekorian, Parks and Rosendahl (4)**

[12-0002-S25](#)

CONSIDERATION OF RESOLUTION (KORETZ – KREKORIAN) relative to the City's position on SB 1366 (DeSaulnier) which would require that every person whose firearm is lost or stolen to notify local law enforcement within 48 hours.

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

ADOPT the accompanying RESOLUTION to include in the City's 2011-12 State Legislative Program, SUPPORT for SB 1366 (DeSaulnier) which would require that every person whose firearm is lost or stolen to notify local law enforcement within 48 hours of the time the person knew or reasonably should have known that the firearm had been lost or stolen.

Community Impact Statement: None submitted.

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

#### **ITEM NO. (25) - ADOPTED**

**Adopted, Ayes (11); Absent: Garcetti, Krekorian, Parks and Rosendahl (4)**

[12-0011-S11](#)

CD 13

MOTION (GARCETTI - LABONGE) relative to funding for the Hollywood Beautification Team to conduct maintenance activities at the Sunset Triangle Plaza.

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

1. UTILIZE / ALLOCATE / APPROPRIATE \$10,000 in the Council District 13 portion of the Street Furniture Revenue Fund No. 43D/50 for the Hollywood Beautification Team maintenance activities at the Sunset Triangle Plaza.
2. DIRECT the Bureau of Street Services to prepare and execute the necessary document(s), and/or payment(s) to Hollywood Beautification Team, or any other agency or organization, as appropriate, in the above amount and for the above purpose.
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.

#### **ITEM NO. (26) - ADOPTED**

**Adopted, Ayes (10); Absent: Alarcón, Koretz, Krekorian, Parks and Rosendahl (5)**

[12-0649](#)

CD 12

MOTION (ENGLANDER - GARCETTI) relative to installing street banners identifying the North Hills West Neighborhood Council.

Recommendations for Council action:



1. APPROVE the street banner program identifying the North Hills West Neighborhood Council, as a City of Los Angeles Non-Event Street Banner program.
2. APPROVE the content of the street banner design, as attached to the Council file.

## **Items for Which Public Hearing Have Been Held - Items 27-28**

### **ITEM NO. (27) - ADOPTED - TO THE MAYOR FORTHWITH**

**Adopted, Ayes (12); Absent: Krekorian, Parks and Rosendahl (3)**

#### 11-1496

ARTS, PARKS, HEALTH, AND AGING COMMITTEE REPORT, RESOLUTION OF INTENTION and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to proposed Proposition K Assessment for Fiscal Year (FY) 2012-13 and related actions.

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

1. ADOPT the City Engineer's Report for the 2012-13 Proposition K Assessment (Attachment 10 of the April 19, 2012 LA for Kids Steering Committee report and attached to the Council file).
2. ADOPT the accompanying RESOLUTION OF INTENTION to levy an assessment authorized by Proposition K, pursuant to the Landscaping and Lighting Act of 1972 (Attachment 11 of the April 19, 2012 LA for Kids Steering Committee report and attached to the Council file).
3. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION to levy an assessment authorized by Proposition K, pursuant to the Landscaping and Lighting Act of 1972 (Attachment 12 of the April 19, 2012 LA for Kids Steering Committee report and attached to the Council file).
4. APPROVE the 2011-12 Proposition K Maintenance awards totaling \$3,008,769 as detailed in Attachment 9 of the April 19, 2012 LA for Kids Steering Committee report and attached to the Council file.
5. APPROVE the reprogramming of 2011-12 funding allocations, as detailed in Attachments 1 and 13 of the April 19, 2012 LA for Kids Steering Committee report and attached to the Council file.
6. APPROVE the 2011-12 Proposition K Inflation and Interest awards totaling \$4,617,098 as detailed in Attachment 14 of the April 19, 2012 LA for Kids Steering Committee report and attached to the Council file.
7. AUTHORIZE the City Engineer to execute or amend grant agreements with Proposition K grantees that are recommended for 2011-12 project allocations, as detailed in Attachment 1 of the April 19, 2012 LA for Kids Steering Committee report and attached to the Council file, as needed to effectuate the 2011-12 maintenance awards (Attachment 9) and reprogramming actions as detailed in Attachment 13 of the April 19, 2012 LA for Kids Steering Committee report and attached to the Council file, subject to approval of the City Attorney.

8. AUTHORIZE the Controller to:
- a. Adjust accounts to reflect the 2011-12 maintenance awards as detailed in Attachment 9 of the April 19, 2012 LA for Kids Steering Committee report and attached to the Council file; inflation awards as detailed in Attachment 14 of the April 19, 2012 LA for Kids Steering Committee report and attached to the Council file; and reprogramming actions as detailed in Attachment 13 of the April 19, 2012 LA for Kids Steering Committee report and attached to the Council file in the following funds, pursuant to instructions to be provided by the City Administrative Officer (CAO): Proposition K Projects Fund No. 43K, Proposition K Maintenance Fund No. 43L and Proposition K Administration Fund No. 43M.
  - b. Transfer and appropriate \$1,624 in Proposition K interest earnings (Fund 43K, Revenue Code No. 4403) to a new account within the Proposition K Projects Fund No. 43K, pursuant to instructions to be provided by the CAO and in accordance with the project interest awards reflected in the attached 2011-12 Inflation and Interest Award Recommendations (Attachment 14 of the April 19, 2012 LA for Kids Steering Committee report and attached to the Council file).
9. INSTRUCT the City Clerk to publish notice by **MAY 23, 2012** of a public hearing to take place on **JUNE 5, 2012**, at 10:00 A.M. during the regular Council meeting.
10. INSTRUCT the City Clerk to set an agenda item for public hearing on the Council agenda, to include the following actions:
- a. With respect to the projects in List 1 of Attachment 8 of the April 19, 2012 LA for Kids Steering Committee report and attached to the Council file:
    - 1) Find that each of these projects is STATUTORILY OR CATEGORICALLY exempt from the California Environmental Quality Act under the applicable State and City CEQA Guidelines.
    - 2) Direct the Department of Recreation and Parks (RAP) and/or the Bureau of Engineering (BOS) to prepare Notice(s) of Exemption or Notice(s) of Determination reflecting Council's actions and file such notices with the City and County Clerks within five working days of the City Council's final action confirming the 2012-13 Assessment and Engineer's Report.
  - b. With respect to the projects in List 3 of Attachment 8 of the April 19, 2012 LA for Kids Steering Committee report and attached to the Council file:

Acknowledge that the City Council's action is exempt from CEQA under Article II, section 2.i of the City's CEQA guidelines, because the underlying project has already been evaluated and processed in accordance with the City CEQA Guidelines.
  - c. With respect to the projects in List 5 of Attachment 8 of the April 19, 2012 LA for Kids Steering Committee report and attached to the Council file:

Acknowledge that these are projects that may be considered for funding after CEQA compliance. No further action is required at this time.

- d. Present and Adopt the Ordinance Confirming the Assessment, as prepared and transmitted by the City Attorney, confirming the assessments and approving the diagram for the District for Fiscal Year 2012-13.
- e. Instruct the City Engineer to record a Notice of Assessment with the County Recorder.
- f. Approve the 2012-13 Five Year Plan for the L.A. for Kids Program and related schedules, as set forth in Attachments 1, 2, 3, 4 and 7 of the April 19, 2012 LA for Kids Steering Committee report and attached to the Council file.
- g. Approve the 2012-13 allocation of administrative funds up to the following amounts within Proposition K Fund 43M:

<u>Department</u>	<u>Amount</u>
PW/Bureau of Engineering	\$278,083
PW/Board Office of Accounting	136,457
Office of the City Administrative Officer	97,000
Office of the Chief Legislative Analyst	<u>33,356</u>
	\$544,896

Total

- h. Instruct the Information Technology Agency to prepare and transmit the necessary computer tape or compact disk, as appropriate, to the County containing the assessment levy information confirmed by the City Council for FY 2012-13 for each parcel in the Assessment District.
- i. Authorize the City Engineer to negotiate and execute Proposition K grant agreements with grantees that are recommended for 2012-13 project allocations (Attachment 1 of the April 19, 2012 LA for Kids Steering Committee report and attached to the Council file), except for competitive projects awarded to City departments, subject to approval of the City Attorney.
- j. Authorize the Controller to:
  - 1) Set up accounts for the 2012-13 Proposition K assessment in the following Funds pursuant to instructions to be provided by the City Administrative Officer: Proposition K Projects Fund No. 43K; Proposition K Maintenance Fund No. 43L; and, Proposition K Administration Fund No. 43M.
  - 2) Increase the 2012-13 appropriations for the Information Technology Agency by \$50,000 from Proposition K Fund 43K110, Account No. (TBD) - Information Technology Agency to Fund 100/32, Account 9350 c Communication Service Request.
  - 3) Transfer cash from Proposition K Fund 43K110 on as-needed basis upon proper documentation from the Information Technology Agency and approval by the BOE Program Managers and the CAO.

- k. Instruct the City Engineer, CAO, CLA and Board of Public Works, Office of Accounting to submit journal voucher requests supported by documentation of work order charges for program administrative and project construction management staffing costs to the CAO.
- l. Instruct the Department of General Services to submit expenditure reports to BOE, RAP, and CAO on a monthly basis.
- m. Authorize the City Engineer to make technical corrections to the City Engineer's Report to reflect the intent of this Council action.

Fiscal Impact Statement: The CAO reports that adoption of an Ordinance and Resolution of Intention to levy the Proposition K: L.A. for Kids Assessment for FY 2012-13 indicates the Council's intention to levy assessments totaling \$25 million to acquire and construct park and recreational facilities. The assessment can only be used for capital improvements, acquisition of land, program administration and maintenance of completed projects. The cost of operating Proposition K projects as they are completed in future years will be funded by the annual operating budget adopted for City departments and with independent funding for projects operated by external entities. A total of \$4.17 million will be reimbursed to the General Fund in FY 2012-13 for program administration, maintenance and project delivery expenses. This funding includes both ongoing and one-time revenues that are available from funds remaining for completed Proposition K projects.

The Department of Recreation and Parks (RAP) reports an annual fiscal impact of \$6.1 million once active Proposition K projects currently in various stages of development become operational over future years. This includes \$3.4 million for maintenance and \$2.7 million for operations (Detailed in Attachments 5 and 6 of the April 19, 2012 LA for Kids Steering Committee report and attached to the Council file). The fiscal impact for completed projects will be offset by Proposition K maintenance funding. The proposed 2011-12 maintenance award for RAP projects totals \$2.2 million.

Community Impact Statement: None submitted.

**ITEM NO. (28) - ADOPTED, AS AMENDED - TO THE MAYOR FORTHWITH - SEE FOLLOWING**

**Adopted as Amended, Ayes (12); Absent: Krekorian, Parks and Rosendahl (3)**

[11-1141](#)

CONTINUED CONSIDERATION OF NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to amending the Los Angeles Municipal Code (LAMC) to require on-site shopping cart containment systems for new retail establishments and major remodels that provide six or more shopping carts for use by patrons.

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

1. FIND that this project 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 Negative Declaration reflects the independent judgment of the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No.11-1141 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 Negative Declaration [ENV-2010-1074-ND] filed on May 27, 2010.
2. ADOPT the FINDINGS of the Los Angeles City Planning Commission, including the Environmental Findings, as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE, amending LAMC Subsection F of Section 12.21 to require on-site shopping cart containment systems for new retail establishments and major remodels that provide six or more shopping carts for use by patrons.

Fiscal Impact Statement: None submitted by the Planning Department and 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.

(Continued from Council meeting of May 4, 2012)

## **ADOPTED**

### **AMENDING MOTION (CARDENAS - ENGLANDER)**

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

**INSTRUCT the City Administrative Officer, with the assistance of the Bureau of Sanitation and the Chief Legislative Analyst, to identify potential revenue sources to support a feasibility study by the Bureau of Sanitation that would examine the creation of development standards for on-site shopping cart containment systems for existing stores and continuance of a retrieval system operated by the Bureau of Sanitation.**

## **Item for Which Public Hearing Has Not Been Held - Item 29**

(10 Votes Required for Consideration)

### **ITEM NO. (29) - ADOPTED - FORTHWITH**

**Adopted, Ayes (11); Absent: Garcetti, Krekorian, Parks and Rosendahl (4)**

#### [12-0421](#)

CONSIDERATION OF MOTION (LABONGE - GARCETTI) relative to new flights of AirBerlin to Los Angeles International Airport (LAX).

Recommendations for Council action:

1. REQUEST the Department of Airports to report on the status of the newly announced flights of AirBerlin to LAX as well as any recommendations to provide needed assistance to facilitate the institution of this new service.
2. THANK AirBerlin for making this commitment to provide nonstop service from Berlin to Los Angeles bringing our communities ties closer together.

Community Impact Statement: None submitted.

(Trade, Commerce and Tourism Committee waived consideration of the above matter)

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

### 12-0694

MOTION (WESSON - CARDENAS) relative to reprogramming Community Development Block Grant funds from Reach for the Top Inc., to the Pico Hauser Retail Plaza Project in Council District 10.

### 12-0690

MOTION (PERRY - REYES) relative to funding for services in connection with the May 8, 2012, Council District Nine Harris Foundation reception in the City Hall Tom Bradley Room.

### 11-0586-S2

MOTION (PERRY - REYES) relative to funding for project costs associated with the rehabilitation of the Estelle Van Meter Multipurpose Center located at 606 East 76th Street in Council District Nine.

### 12-0691

MOTION (PERRY - ZINE) relative to installing street banners announcing the 40th International Convention of the American Federation of State, County and Municipal Employees, AFL-CIO, being held at the Los Angeles Convention Center from June 18-22, 2012.

### 12-0664

MOTION (ENGLANDER - GARCETTI) relative to lease approval for the Granada Hills North Neighborhood Council for office space at 11139 Woodley Avenue, Granada Hills, CA 91344.

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

Upon his request and without objections, Councilmember Krekorian was excused from Council session of Tuesday, May 15, 2012.

Upon his request and without objections, Councilmember Cárdenas was excused from Council sessions of Wednesday, May 16, and Wednesday, May 23, 2012.

Upon her request and without objections, Councilmember Perry was excused to arrive at 11:00 a.m. to Council session of Tuesday, May 22, 2012.

**COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:**

[12-0004-S1](#) - Sergeant II Deborah S. Mastin

Englander - Cárdenas

Detective II Eddie Badillo

Garcetti - Buscaino

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

[12-0003-S1](#) - John Pedone

Englander

Adam Yauch

Koretz

Maurice Sendak

LaBonge

Michael Maloof Jr.

Zine - LaBonge

**Alarcón, Buscaino, Cárdenas, Englander, Koretz, LaBonge, Perry, Reyes, Zine and President Wesson (10); Absent: Garcetti, Huizar, Krekorian, Parks and Rosendahl (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 11:48 a.m.  
Special meeting convened at 11:48 a.m.  
Special meeting adjourned at 11:49 a.m.  
Regular meeting convened at 11:49 a.m.