

Los Angeles City Council, **Journal/Council Proceedings**
Wednesday, **June 6, 2012**
John Ferraro Council Chamber, Room 340, City Hall - 10 am

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

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

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
JUNE 1, 2012

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - NONE

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 1-7

ITEM NO. (1) - ADOPTED, AS AMENDED - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Adopted as Amended, Ayes (13); Absent: Huizar and LaBonge (2)

[12-0605](#)

ARTS, PARKS, HEALTH, AND AGING COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to amending Los Angeles Municipal Code (LAMC) Sections 63.44 B14(c) and 63.44 D4 to prohibit persons from entering, remaining, staying, or loitering within designated City parks and to further define and restrict camping and lodging within a City park and prohibit the use of tents within all City parks.

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

1. PRESENT and ADOPT the accompanying ORDINANCE amending LAMC Section 63.44 B14 (c) to prohibit persons from entering, remaining, staying, or loitering within designated City Parks with special operating hours, when those parks are closed; and Section 63.44 D4 to further define and restrict camping and lodging within a City park and to prohibit the use of tents within all City Parks.
2. AMEND the accompanying ORDINANCE as described above in Recommendation No. 1 as follows:

Subdivision 4 of Subsection D of LAMC Section 63.44 is amended to read as follows:

4. (a):

(v) Cots, beds, sleeping bags, hammocks, bedrolls, or other sleeping-type equipment could be indicative of camping but that law enforcement officers should use their discretion in enforcing LAMC Section 63.44 et al.

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.

ADOPTED

MOTION (ALARCON - ZINE)

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

ADOPT the accompanying SUBSTITUTE ORDINANCE (1-A) amending Paragraph (c) of Subdivision 14 of Subsection B of Section 63.44 of Chapter VI of the Los Angeles Municipal Code (LAMC) to prohibit persons from entering, remaining, staying or loitering within designated City parks with special operating hours, when those parks are closed, consistent with the restrictions already promulgated in Paragraphs (a) and (b) of Subdivision 14 of Subsection B of Section 63.44 of the LAMC; and amending Subdivision 4 of Subsection D of Section 63.44 of Chapter VI of the LAMC to further define and prohibit camping and lodging within a City park except in locations designated for such purposes, and to restrict the use of tents within all City parks.

ITEM NO. (2) - ADOPTED

Adopted, Ayes (12); Absent: Cárdenas, Koretz and Rosendahl (3)

[11-1717](#)

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to the sale of the Tupper Tobias Village Childcare Center located at 9273 Tobias Avenue in Panorama City (Around the Korner Center for School-Age Enrichment).

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

1. AUTHORIZE the General Manager, Los Angeles Housing Department (LAHD), or designee, to negotiate and execute a Loan Agreement (LA) and Purchase and Sales Agreement (PSA) with Around the Korner Center for School-Age Enrichment, for the provision of child care services and as a service repayment for the acquisition of a facility for an amount not to exceed \$325,000, for a 20-year period, in substantial conformance with the draft LA and PSA attached to the City Administrative Officer (CAO) Report dated May 29, 2012 contained in Council file No. 11-1717, and subject to the: review and approval of the City Attorney as to form and legality, satisfactory contractor performance, departmental needs, and compliance with all applicable contracting requirements.

2. PRESENT and ADOPT the accompanying ORDINANCE affecting the sale of the Tupper Tobias Village Childcare Center at its appraised value of \$325,000 with service repayment to be provided for a 20-year period.

Fiscal Impact Statement: The CAO reports that there is no impact to the General Fund. Approval of these recommendations would authorize the LAHD to execute a LA and PSA with Around the Korner Center for School-Age Enrichment. These agreements will establish a service payback structure valued at \$325,000 for a term of 20 years through the provision of child care services. The funding for capital loans provided to agencies for the acquisition of property are approved by the Mayor and Council from Community Development Block Grant funds in the Housing and Urban Development Consolidated Plan, and the City's Financial Policies do not apply.

Community Impact Statement: None submitted.

**Adopted, Ayes (11); Absent: Cárdenas, Koretz, Krekorian and Rosendahl (4)
(Item Nos. 3-7)**

ITEM NO. (3) - ADOPTED - TO THE MAYOR FORTHWITH - SEE FOLLOWING

[11-0828](#)

COMMUNICATIONS FROM THE CITY ATTORNEY AND THE CITY ADMINISTRATIVE OFFICER relative to a request to amend and increase funding for outside counsel contracts.

(Budget and Finance Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)

(Click on the above hyperlink or go to <http://cityclerk.lacity.org/lacityclerkconnect/index.cfm> for background documents.)

[Council may recess to Closed Session pursuant to Government Code Sections 54956.9(a) to confer with its legal counsel on the above matter.]

ADOPTED

BUDGET AND FINANCE COMMITTEE REPORT relative to a request to amend and increase funding for outside counsel contracts.

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

1. **AUTHORIZE** the Controller to TRANSFER \$589,000 from the Unappropriated Balance, City Attorney Outside Counsel Including Workers' Compensation line item to the City Attorney, Fund 100/12, Account 009301.
2. **AUTHORIZE** the Controller to disencumber \$380,447.63 from prior-year encumbrances and reappropriate \$380,400 to Fund 100/12, Account 009301:

<u>Fiscal Year</u>	<u>Reference No.</u>	<u>Firm/Case</u>	<u>Amount</u>
2007	CO7111751A	Liebert, Cassidy & Whitmore/Gravina	\$19,688.85
2009	CO9108962A	Bird Marella/Wallace	\$46,565.96
	CO9113612A	Manning & Mardner/May Day	\$3,120.00
	CO9115552A	Kronick/Fiscal Emergency	\$7,730.00
2010	CO0108962A	Bird Marella/Wallace	\$101,518.79
	CO0111570A	Albright, Yee & Schmit/Tso	\$5,256.76
	CO0111591A	Orrick, Herrington & Sutcliffe/TUT	\$10,865.41
	CO0111607A	Ivie, McNeil & Wyatt/Lee	\$5,441.35
	CO0111751A	Liebert, Cassidy & Whitmore/Gravina	\$10,000.00
	CO0112986A	Meyers, Nave, Riback, Silver & Wilson/Hills	\$544.02
	CO0114347A	Meyers, Nave, Riback, Silver & Wilson/Las Lomas	\$10.57
	CO0117389A	Liebert, Cassidy & Whitmore/Alaniz	\$37,229.59
2011	CO01110452A	Lewis, Brisbois, Bisgaard & Smith/Workers' Comp	\$2,722.70
	CO01111576A	Albright, Yee, & Schmit/Nunez	\$17,243.08
	CO1111749A	Liebert, Cassidy & Whitmore/Batts	\$50,255.98
	CO1113673A	Albright, Yee, & Schmit/Tomassi	\$17,303.02
	CO1118926A	Liebert, Cassidy & Whitmore/Burns	<u>\$44,951.55</u>
Total			\$380,447.63

3. AUTHORIZE the City Attorney's Office to increase the maximum compensation for the following contracts by the amount indicated:

Albright, Yee & Schmit (C 119634)	\$200,000
Albright, Yee & Schmit (C 119635)	165,000
Burke, Williams, Sorensen (C 115056)	60,000
Colantuono & Levin (C 106214)	75,000
Drinker Biddle & Reath (C 113455)	100,000
Liebert Cassidy & Whitmore (C 113155)	5,000
Liebert Cassidy & Whitmore (C 117390)	6,500
Liebert Cassidy & Whitmore (C 118837)	100,000
Meyers Nave (C 118838)	150,000
Meyers Nave (C 120019)	<u>125,600</u>
Total	\$987,100

4. AUTHORIZE the City Attorney to amend the following contracts with new contract terms as follows:

Liebert Cassidy & Whitmore C117391 - Extend term to May 31, 2014
 Liebert Cassidy & Whitmore C117390 - Extend term to May 31, 2014

5. **AUTHORIZE** the Office of the City Attorney to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer (CAO) and **AUTHORIZE** the Controller to implement the instructions.
6. **INSTRUCT** the CAO to review any additional outside counsel funding requests as part of the 2012-13 Financial Status Reports, and include an analysis of the potential to use in-house staff, instead.

Fiscal Impact Statement: The CAO reports that there is no additional impact to the General Fund. The requested General Fund amount of \$589,000 will be provided from available funds in the Unappropriated Balance, Outside Counsel Including Workers' Compensation line item. These recommendations are in compliance with the City's Financial Policies as budgeted funds are being used to fund these expenditures.

Community Impact Statement: None submitted.

[Council may recess to Closed Session, pursuant to Government Code Section 54956.9(a) to confer with its legal counsel relative to the above matter]

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

[11-1256](#)

PUBLIC SAFETY COMMITTEE REPORT relative to 2011 Urban Area Security Initiative (UASI) grant award for the Los Angeles/Long Beach Urban Area.

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

1. **AUTHORIZE** the Mayor, or designee, to:
 - a. Accept on behalf of the City of Los Angeles and the Los Angeles/Long Beach Urban Area, the Fiscal Year (FY) 2011 UASI Homeland Security Grant in the amount of \$58,035,381 from the California Emergency Management Agency (CalEMA), for the period November 18, 2011, to April 30, 2014.
 - b. Submit to the grantor on behalf of the City of Los Angeles and the Los Angeles/Long Beach Urban Area, requests for drawdown of funds for payment or reimbursements of City and partner jurisdiction funds expended for approved grant purposes.
 - c. Execute Memoranda of Agreements, subject to the approval of the City Attorney as to form and legality, for the distribution of the FY 2011 UASI grant funds, for a term of 31 months with the Port of Los Angeles (POLA) and Los Angeles World Airports (LAWA), consistent with the approved grant budgets.

- d. Execute sub-recipient agreements, subject to the approval of the City Attorney as to form and legality, for the distribution of the FY 2011 UASI grant funds, for a term of up to 31 months within the applicable performance period with Los Angeles/Long Beach Urban Area partner jurisdictions including: Alhambra, Beverly Hills, Burbank-Glendale-Pasadena Airport Authority, a joint powers authority; Burbank, Compton, Culver City, Glendale, Inglewood, Los Angeles County, Long Beach, Manhattan Beach, Montebello, Monterey Park, Pasadena, Santa Fe Springs, Santa Monica, Signal Hill, South Pasadena, Torrance, Vernon, Interagency Communications Interoperability Systems (ICIS) Joint Powers Authority (JPA), and the Los Angeles Regional Interoperable Communications System (LA-RICS) JPA, consistent with the approved grant budgets and in accordance with the pro forma Agreement identified as Attachment 7 of the Mayor's report to Council dated April 18, 2012 (attached to the Council file).
 - e. With the assistance of General Managers of affected City departments, release Requests for Proposals (RFP), evaluate proposals, and negotiate contracts for the purchase of approved equipment, training, exercise, and planning items, including consulting services, as detailed in the FY 2011 UASI budget.
 - f. Execute, on behalf of the City, the contracts referenced in Attachment 6 of the Mayor's April 18, 2012, report to Council for a term of up to 31 months within the applicable performance period, subject to the approval of the City Attorney as to form and legality.
 - g. Receive, deposit into, and disburse from a new FY 2011 UASI Homeland Security Grant Fund, the grant funds from the FY 2011 UASI grant award.
2. INSTRUCT the City of Los Angeles Police, Fire, General Services, and Emergency Management Departments, Information Technology Agency (ITA), LAWA, and POLA to provide quarterly reports to the Mayor, which the Mayor's Office will compile and forward to the City Administrative Officer (CAO) and Chief Legislative Analyst (CLA), relative to RFPs, contracts, and other procurements undertaken and completed for approved FY 2011 UASI grant projects within their respective entities.
 3. AUTHORIZE the Controller, or designee, to:
 - a. Establish a new interest-bearing fund entitled "FY11 UASI Homeland Security Grant Fund," administered by the Mayor's Office, and create a receivable in the Fund in the amount of \$58,035,381 for the FY 2011 UASI grant.
 - b. Expend and receive funds upon presentation of documentation and proper demand by the Mayor's Office of Homeland Security and Public Safety to reimburse City departments and the Los Angeles/Long Beach Urban Area participants for approved FY 2011 UASI Homeland Security grant expenditures.
 - c. Adopt the accompanying FY 2011 UASI Grant Budget (Attachment 3 of the Mayor's April 18, 2012 report to Council); and, AUTHORIZE the Mayor to create new appropriation accounts within the new FY 2011 UASI Homeland Security Grant Fund No. XXX for the FY 2011 UASI Grant, as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
46H901	LAPD	\$ 4,742,851.00
46H902	LAFD	3,849,322.00
46H903	EMD	793,258.00
46H916	GSD	121,307.00
46H904	ITA	1,671,659.00
46H918	Mayor's Office LA-RICS Position	151,186.00
46H908	Grant Mgmt and Admin.	2,811,769.00
46H909	Port of LA	391,814.00
46H910	LAWA	396,307.00
46H668	Partner Jurisdictions	19,697,224.00
46H669	LA-RICS Joint Powers Authority	21,074,763.00
46H914	ICIS Joint Powers Authority	<u>2,333,921.00</u>
	Total	\$58,035,381.00

- d. Transfer appropriations and create new appropriation accounts within the FY 2011 UASI Homeland Security Grant Fund No. XXX/46, as follows:

	<u>Fund/Dept</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
From:	XXX/46	46H901	LAPD	\$ 960,128.00
	XXX/46	46H908	Grant Mgmt. and Admin.	250,000.00
	XXX/46	46H918	Mayor's Office LA-RICS Position	<u>151,186.00</u>
			Total	\$1,361,314.00

	<u>Fund/Dept</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
To:	XXX/46	46H170	LAPD	\$ 960,128.00
	XXX/46	46H146	Mayor	312,082.59
	XXX/46	46H299	Related Costs	<u>89,103.41</u>
			Total	\$1,361,314.00

- e. Transfer appropriations from FY 2011 UASI Homeland Security Grant Fund No. XXX/46, to the General Fund to reimburse the General Fund for FY 2011 UASI expenditures, as follows:

	<u>Fund/Dept</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
From:	XXX/46	46H170	LAPD	\$ 960,128.00
	XXX/46	46H146	Mayor	312,082.59
	XXX/46	46H299	Related Costs	<u>89,103.41</u>
			Total	\$1,361,314.00

	<u>Fund/Dept</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
To:	100/70	1092	Sworn Overtime	\$960,128.00
	100/46	1020	Salaries, Grant Reimbursed	194,475.00
	100/46	1020	Salaries, Grant Reimbursed (LARICS)	117,607.59
	100/46	5346	Related Costs	55,525.00
	100/46	5346	Related Costs LARICS	<u>33,578.41</u>
			Total	\$1,361,314.00

- f. Transfer cash from Fund XXX/46 to reimburse the General Fund, on an as-needed basis, upon presentation of proper documentation from the Los Angeles Fire, Police, General Services, and Emergency Management Departments, ITA, and the Mayor's Office, subject to the approval of the Mayor's Office of Homeland Security and Public Safety.
4. RESOLVE that position authority for one Fire Battalion Chief (Class Code 2152) position within the Los Angeles Fire Department is APPROVED.
5. RESOLVE that position authority for one Police Lieutenant II (Class Code 2232-2) position within the Los Angeles Police Department is APPROVED.
6. AUTHORIZE the Mayor, or designee, to prepare Controller instructions for any necessary technical adjustments consistent with this action, subject to the approval of the CAO; and, AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. Approval of the above recommendations will provide allocations to various City departments and Los Angeles/Long Beach Urban Area Partner Jurisdictions totaling \$58,035,381 from the FY 2011 UASI grant award. No matching funds are required. The salaries and fringe benefits of the positions provided by FY 2011 UASI are fully funded by FY 2011 UASI and various other Homeland Security Grant funds. This action is in compliance with City financial policies as all grant eligible costs are fully covered by grant funds.

Community Impact Statement: None submitted.

ITEM NO. (5) - ADOPTED - TO THE MAYOR FORTHWITH

[12-0731](#)

PUBLIC SAFETY COMMITTEE REPORT relative to a grant award to fund a temporary Housing and Mortgage Securities Specialist in the City Attorney's Office.

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

1. AUTHORIZE the City Attorney to approve the accompanying disbursement between the City and the California Attorney General's Foreclosure Crisis Recovery Fund, and AUTHORIZE the City Attorney, or designee, to execute the grant award on behalf of the City, subject to the approval of the City Attorney as to form and legality.
2. AUTHORIZE the City Attorney, or designee, to accept the disbursement in the amount of \$75,000 from the California Attorney General's Foreclosure Crisis Recovery Fund to fund the temporary Housing and Mortgage Securities Specialist.

3. AUTHORIZE the Controller to:

- a. Establish a receivable in the amount of \$75,000 in Fund 368, City Attorney Grant Fund.
- b. Establish the following appropriation account in Fund 368/12:

Account 12H9205	Contractual Services	\$75,000
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4. AUTHORIZE the City Attorney, 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 will not impact the General Fund. Approval of the above recommendations will allow for the disbursement of funds from the California Attorney General's Foreclosure Crisis Recovery Fund. There is no required match for this grant. The above recommendations are in compliance with City financial policies in that one-time revenue will be used to support this one-time expenditure.

Community Impact Statement: None submitted.

ITEM NO. (6) - ADOPTED

[11-0941](#)
CD 15

TRANSPORTATION COMMITTEE REPORT relative to removing the on-street parking meters in downtown San Pedro and Wilmington in order to encourage visitors to these small business areas.

Recommendation for Council action, as initiated by Motion (Hahn - LaBonge):

DIRECT the Los Angeles Department of Transportation to report to the Transportation Committee relative to:

- a. Removing the on-street parking meters in downtown San Pedro and Wilmington in order to encourage visitors to these small business areas.
- b. A fiscal impact of the proposal, the revenue lost over the last four years as a result of eliminating the City's parking meter fees during the holiday season, and consideration of the potential for reducing parking turnover and parking space availability caused by the removal of parking meters.

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

Community Impact Statement: Yes
Support: Wilmington Neighborhood Council

ITEM NO. (7) - ADOPTED

[11-0941-S1](#)

CD 15

TRANSPORTATION COMMITTEE REPORT relative to decreasing the parking meter rates in San Pedro and Wilmington by 50 percent.

Recommendation for Council action, as initiated by Motion (Buscaino - Rosendahl):

DIRECT the Los Angeles Department of Transportation to:

- a. Conduct the necessary traffic investigation and surveys in order decrease to the parking meter rates in San Pedro and Wilmington by 50 percent.
- b. Report to the Transportation Committee relative to the fiscal impact of the proposal, the revenue lost over the last four years as a result of eliminating parking meter fees during the holiday season, and consideration of the potential for reducing parking turnover and parking space availability caused by the removal of parking meters.

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.

Items for Which Public Hearings Have Not Been Held - Items 8-15

(10 Votes Required for Consideration)

ITEM NO. (8) - CONTINUED TO JUNE 8, 2012

Adopted to Continue, Unanimous Vote (11); Absent: Cárdenas, Koretz, Krekorian and Rosendahl (4)

[12-0452](#)

COMMUNICATION FROM THE MAYOR relative to the reappointment of Mr. Gregory Lippe to the Board of Fire and Police Pension Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Mr. Gregory Lippe to the Board of Fire and Police Pension Commissioners for the term ending June 30, 2017 is APPROVED and CONFIRMED. Mr. Lippe resides in Council District Three. (Current Board gender composition: M=4; F=0).

Ethics Commission Review: Complete.

Background Check Review: Complete.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JUNE 8, 2012

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

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

Adopted, Ayes (11); Absent: Cárdenas, Koretz, Krekorian and Rosendahl (4)
(Item Nos. 9a-9l, 10-15)

ITEM NO. (9) - ADOPTED

[12-0005-S284](#)

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 reports of May 29, 2012 and June 1, 2012:

[12-0005-S284](#)

CD 8

- a. Property at 1249 West 73rd Street (Case No. 106205).
Assessor I.D. No. 6019-010-026

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 24, 2007)

[12-0005-S285](#)

CD 8

- b. Property at 1249 West 73rd Street (Case No. 208418).
Assessor I.D. No. 6019-010-026

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on November 13, 2008)

[12-0005-S286](#)

CD 8

- c. Property at 1249 West 73rd Street (Case No. 309236).
Assessor I.D. No. 6019-010-026

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on November 10, 2010)

[12-0005-S287](#)

CD 8

- d. Property at 116 East 99th Street (Case No. 277935).
Assessor I.D. No. 6052-001-009

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on November 10, 2010)

[12-0005-S288](#)

CD 8

- e. Property at 116 East 99th Street (Case No. 333277).
Assessor I.D. No. 6052-001-009

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 14, 2011)

[12-0005-S289](#)

CD 8

- f. Property at 847 East 97th Street (Case No. 332522).
Assessor I.D. No. 6050-019-019

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 19, 2011)

[12-0005-S290](#)

CD 9

- g. Property at 297 East 43rd Place (Case No. 371318).
Assessor I.D. No. 5113-009-023

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on April 12, 2012)

[12-0005-S291](#)

CD 11

- h. Property at 2609 South Ocean Front Walk (Case No. 361998).
Assessor I.D. No. 4226-019-003

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 9, 2012)

FORTHWITH

[12-0005-S292](#)

CD 13

- i. Property at 323 North La Fayette Park Place (Case No. 317988).
Assessor I.D. No. 5156-024-017

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

[12-0005-S293](#)

CD 15

- j. Property at 972 West 20th Street (Case No. 284421).
Assessor I.D. No. 7462-012-114

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 8, 2010)

[12-0005-S294](#)

CD 15

- k. Property at 729 North Sanford Avenue (Case No. 361230).
Assessor I.D. No. 7424-020-013

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 2, 2012)

FORTHWITH

[12-0005-S295](#)

CD 13

- I. Property at 209 North Belmont Avenue (Case No. 354966).
Assessor I.D. No. 5159-011-015

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

ITEM NO. (10) - ADOPTED

[12-1300-S1](#)

COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER (CAO) relative to request for a 90-day extension to report back on the implementation of the Safer Sex in the Adult Film Industry Ordinance (Ordinance No. 181989).

Recommendation for Council action:

AUTHORIZE a 90-day extension for the Working Group to report to Council on the City's ability to implement and enforce the Safer Sex in the Adult Film Industry Ordinance (Ordinance No. 181989).

Fiscal Impact Statement: The CAO reports that the recommendation contained in the May 16, 2012 CAO report, attached to the Council file, will have no impact on the General Fund as it is a request for time extension only.

Community Impact Statement: None submitted.

(Arts, Parks, Health and Aging Committee waived consideration of the above matter)

ITEM NO. (11) - ADOPTED

[12-0745](#)

CD 13

COMMUNICATION FROM THE CITY ENGINEER relative to the installation of the name of PATRICIA HEATON on the Hollywood Walk of Fame.

Recommendation for Council action:

APPROVE the installation of the name of Patricia Heaton at 6533 Hollywood Boulevard.

Fiscal Impact Statement: The City Engineer reports that there is no General Fund impact.

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

[12-0602](#)

CONSIDERATION OF MOTION (GARCETTI - LABONGE) relative to the extension of the Workforce Investment Board/Local Elected Officials (WIB/LEO) agreement by six months from February 16, 2012 to August 16, 2012.

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

1. AUTHORIZE an extension of the WIB/LEO agreement by six months from February 16, 2012 to August 16, 2012.
2. INSTRUCT the Workforce Investment Board and the Community Development Department (CDD) to transmit the WIB/LEO agreement for Council review and approval in two weeks.
3. INSTRUCT the Chief Legislative Analyst to review the WIB/LEO agreement and consult with representatives of the WIB, Mayor's Office, City Administrative Officer and CDD, and report to Council with recommended changes.

Community Impact Statement: None submitted.

(Jobs and Business Development and Housing, Community and Economic Development Committees waived consideration of the above matter)

ITEM NO. (13) - ADOPTED

[12-0783](#)

CD 7

MOTION (ALARCON - GARCETTI) relative to funding for support of seven neighborhood councils in Council District Seven.

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

1. TRANSFER/APPROPRIATE \$70,000 in the AB 1290 Fund No. 53P, Account No. 281207 (CD 7 Redevelopment Projects - Services) to the General City Purposes Fund No. 100/56, Account No. 0707 (CD 7 Community Services) for support of seven neighborhood councils in Council District Seven.
2. AUTHORIZE the City Clerk to make any technical corrections or clarifications to the above instructions in order to effectuate the intent of this Motion.

ITEM NO. (14) - ADOPTED

[12-0799](#)

CD 7

MOTION (ALARCON - WESSON) relative to funding for various improvements and activities at the Fox & Laurel Park, soon to be known as Tiger Park, in Council District Seven.

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

1. ALLOCATE \$21,500 in the AB 1290 Fund No. 53P, Account No. 281207 (CD 7 Redevelopment Projects - Services) to the Los Angeles Neighborhood Land Trust to be used for the completion of the Fox & Laurel Pocket Park, soon to be known as Tiger Park, including project management and project financing in the amount of \$15,000 and the Tiger Park mural project in the amount of \$6,500.
2. DIRECT/AUTHORIZE the City Clerk to prepare the necessary document(s) with, and/or payment(s) to Los Angeles Neighborhood Land Trust, or any other agency, organization, or entity, as appropriate, in the above amount, for the above purpose, subject to the approval of the City Attorney, if needed, and, AUTHORIZE the Councilmember of the District to execute any such documents on behalf of the City.
3. TRANSFER/APPROPRIATE \$28,028.48 in the AB 1290 Fund No. 53P, Account No. 281207 (CD 7 Redevelopment Projects - Services) to the Los Angeles Department of Water and Power Fund No. 705/98, Account No. 0000 for water mainline and power conduit installation at the above-named park.
4. AUTHORIZE the City Clerk to make any technical corrections or clarifications to the above instructions in order to effectuate the intent of this Motion.

ITEM NO. (15) - ADOPTED

[12-0800](#)

CD 6

MOTION (CARDENAS - HUIZAR) relative to installing street banners promoting the Van Nuys Neighborhood Council.

Recommendations for Council action:

1. APPROVE the street banner program promoting participating in Van Nuys Neighborhood Council activities, as a City of Los Angeles Non-Event Street Banner Program.
2. APPROVE the content of the street banner, attached to the Council file.

Closed Sessions - Items 16-19

Adopted in Open Session, Ayes (13); Absent: Cárdenas and Huizar (2)
(Item Nos. 16-19)

ITEM NO. (16) - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

[12-0621](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to a settlement discussion in the case entitled Asteria Tan Lobitana v. City of Los Angeles, Los Angeles Superior Court Case No. BC 459454. (This matter involves a vehicle versus pedestrian traffic accident which occurred at the intersection of Edenhurst Avenue and Los Feliz Boulevard, in the City of Los Angeles.)

(Budget and Finance Committee to consider the above matter in Closed Session on June 4, 2012)

ADOPTED

MOTION (KREKORIAN - ENGLANDER)

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

1. AUTHORIZE the City Attorney to expend a total of \$1,800,000 in settlement of the above-entitled matter from City Attorney Fund 100/59, Account No. 009770.
2. AUTHORIZE the City Attorney to draw demands thereon as follows:
 - a. \$700,000 made payable to BHG Structured Settlements, Inc. (Tax ID 47-0793577)
 - b. \$700,000 made payable to MetLife Tower Resources Group, Inc. (Tax ID 13-4047186)
 - c. \$400,000 made payable to Law Offices of Gary C. Eto Client Trust Fund
3. AUTHORIZE the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer, and AUTHORIZE the Controller to implement the instructions.

This matter was approved by the Budget and Finance Committee (Krekorian - Rosendahl - Koretz "yes") at its meeting on June 4, 2012, in Closed Session as permitted by Government Code Section 54956.9(a).

**ITEM NO. (17) - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH -
SEE FOLLOWING**

[12-0670](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to a settlement discussion in the case entitled Juan Rodriguez v. City of Los Angeles, Los Angeles Superior Court Case No. BC 454229. (This matter involves an alleged personal injury as a result of a traffic collision at the intersection of Western Avenue and Ninth Street, involving two on-duty Los Angeles Police Department patrol vehicles and the plaintiff's vehicle.)

(Budget and Finance Committee to consider the above matter in Closed Session on June 4, 2012)

ADOPTED

MOTION (KREKORIAN - ENGLANDER)

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

1. **AUTHORIZE** the City Attorney to expend a total of \$150,000 in settlement of the above-entitled matter from City Attorney Fund 100/59, Account No. 009770.
2. **AUTHORIZE** the City Attorney to draw a demand thereon in the amount of \$150,000 and made payable to Gilbert and Stern, LLP and Juan Rodriguez.
3. **AUTHORIZE** the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer, and **AUTHORIZE** the Controller to implement the instructions.

This matter was approved by the Budget and Finance Committee (Krekorian - Rosendahl - Koretz "yes") at its meeting on June 4, 2012, in Closed Session as permitted by Government Code Section 54956.9(a).

**ITEM NO. (18) - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH -
SEE FOLLOWING**

[12-0671](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to a settlement discussion in the case entitled Lawrence Ervin v. City of Los Angeles, Los Angeles Superior Court Case No. BC 463252. (This matter involves an alleged personal injury as a result of a traffic collision with an on-duty Los Angeles Police Department patrol vehicle and Plaintiff, who was on the sidewalk at Wall and 5th Street in the City of Los Angeles.)

(Budget and Finance Committee to consider the above matter in Closed Session on June 4, 2012)

ADOPTED

MOTION (KREKORIAN - ENGLANDER)

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

- 1. AUTHORIZE the City Attorney to expend a total of \$1,100,000 in settlement of the above-entitled matter from City Attorney Fund 100/59, Account No. 009770.**
- 2. AUTHORIZE the City Attorney to draw demands thereon as follows:**
 - a. \$651,760 made payable to the Law Offices of Wayne McClean and Lawrence Ervin**
 - b. \$448,240 made payable to Liberty Life Assurance Company of Boston**
- 3. AUTHORIZE the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer, and AUTHORIZE the Controller to implement the instructions.**

This matter was approved by the Budget and Finance Committee (Krekorian - Rosendahl - Koretz "yes") at its meeting on June 4, 2012, in Closed Session as permitted by Government Code Section 54956.9(a).

**ITEM NO. (19) - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH -
SEE FOLLOWING**

[12-0672](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to a settlement discussion in the case entitled Peter McKenna v. City of Los Angeles, Los Angeles Superior Court Case No. BC450304. (This matter involves an alleged personal injury as a result of a trip and fall on May 31, 2010, on the basketball court at Harbor Highland Park in San Pedro.)

(Budget and Finance Committee to consider the above matter in Closed Session on June 4, 2012)

ADOPTED

MOTION (KREKORIAN - ENGLANDER)

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

- 1. AUTHORIZE the City Attorney to expend a total of \$500,000 in settlement of the above-entitled matter from City Attorney Fund 100/59, Account No. 009770.**
- 2. AUTHORIZE the City Attorney to draw a demand thereon in the amount of \$500,000 and made payable to Wesierski and Zurek, LLP and Peter McKenna.**

3. **AUTHORIZE the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer, and AUTHORIZE the Controller to implement the instructions.**

This matter was approved by the Budget and Finance Committee (Krekorian - Rosendahl - Koretz "yes") at its meeting on June 4, 2012, in Closed Session as permitted by Government Code Section 54956.9(a).

Mayor's Veto Message - Item 20

ITEM NO. (20) - CONTINUED TO JUNE 8, 2012

Adopted to Continue, Unanimous Vote (11); Absent: Cárdenas, Koretz, Krekorian and Rosendahl (4)

[12-0600](#)

CONTINUED CONSIDERATION OF THE MAYOR'S VETO MESSAGE eliminating in its entirety the Gang Reduction and Youth Development Office line item in the Unappropriated Balance in the amount of \$5,348,825 on page 39 of the Budget Resolution and correspondingly restoring the Gang Reduction and Youth Development Office line item in the General City Purposes on page 36 of the Budget Resolution by \$5,348,825, for a total appropriation of \$21,662,245.

10 VOTES REQUIRED TO OVERRIDE

(Council has five days, excluding Saturdays, Sundays, and holidays to override the Mayor's veto, pursuant to Charter Section 315)

TIME LIMIT FILE - JUNE 7, 2012

(LAST DAY FOR COUNCIL ACTION - JUNE 6, 2012)

Item for Which Public Hearing Has Been Held - Item 21

ITEM NO. (21) - ADOPTED, AS AMENDED - SEE FOLLOWING

Adopted as Amended, Ayes (13); Absent: Huizar and LaBonge (2)

[12-0647](#)

CONTINUED CONSIDERATION OF HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to an amendment to the Foreclosure Registry Program Ordinance (No. 181185) that deletes the ability for lenders, beneficiaries, or trustees to opt out of the Foreclosure Registry Program registration requirement if they register with the Mortgage Electronic Registration System.

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

REQUEST the City Attorney to prepare and present an amendment to the Foreclosure Registry Program Ordinance (No. 181185) within 30 days that deletes the ability for lenders, beneficiaries, or trustees to opt out of the Foreclosure Registry Program registration requirement if they register with the Mortgage Electronic Registration System.

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

AMENDING MOTION (REYES - GARCETTI)

Recommendation for Council action:

INSTRUCT the Los Angeles Housing Department to report back with a list of property owners who are currently in foreclosure and to identify which lender(s) currently holds the subject property's note.

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

[12-0826](#)

MOTION (ALARCON - HUIZAR) relative to a Tax Equity and Fiscal Responsibility Act of 1982 hearing for charter school revenue bonds to finance acquisition and renovations for educational facilities to be located at 7350 North Figueroa Street, Los Angeles in Council District 14 and at 11500 Eldridge Avenue, Lake View Terrace in Council District Seven.

[12-0010-S19](#)

MOTION (WESSON - ENGLANDER) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Samuel Michel on April 10, 2012.

[11-0231-S1](#)

MOTION (PERRY - PARKS) relative to funding for services in connection with the February 15, 2012, Council District Nine Trailblazer Reception in the City Hall Tom Bradley Room.

[12-0011-S13](#)

MOTION (PERRY - PARKS) relative to installing street banners promoting the historic Central Avenue Jazz Festival.

[12-0011-S14](#)

MOTION (PERRY - REYES) relative to funding for the purchase and installation of security cameras at South Los Angeles Wetland Park in Council District Nine.

[10-1047-S2](#)

MOTION (LABONGE - BUSCAINO) relative to a request to consider closing Runyon Canyon at 5:00 p.m. during the Fourth of July holiday to protect the public from the danger posed by fireworks.

[04-0010-S19](#)

MOTION (PERRY - REYES) relative to reinstating the reward offer in the death of Erica Carpinteyro for an additional six months.

[12-0827](#)

MOTION (BUSCAINO - KREKORIAN) relative to initiating street vacation proceedings to vacate limited airspace, subsurface, and street vacation of portion of General Thaddeus Kosciuszko Way between Grand Avenue and Hope Street.

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

[12-0003-S1](#) - Oscar Duncan

Rosendahl

Ray Bradbury

Perry - All Councilmembers

Vernon Rucks

Perry

Ella Lyles

Perry

Franklin Donovan Murphy

Parks - Alarcón

Robert F. Kennedy

Buscaino

Alarcón, Buscaino, Cárdenas, Englander, Garcetti, Koretz, Krekorian, Parks, Perry, Reyes, Rosendahl, Zine and President Wesson (13); Absent: Huizar and LaBonge (2)

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL