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


PUBLIC TESTIMONY ON NON-AGENDA ITEMS AT THE CALL OF THE CHAIR - An opportunity for public testimony was provided.

Items Noticed for Public Hearing - Items 1-4

Adopted, Ayes (12); Absent: Englander, LaBonge and Parks (3) (Item Nos. 1-4)

ITEM NO. (1) - PUBLIC HEARING CLOSED - ADOPTED

12-0701


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


2. PRESENT and ADOPT the accompanying ORDINANCE, if protests denied and assessment confirmed, in accordance with Section 6.95-6.127 of the Los Angeles Administrative Code.

(Ordinance of Intention adopted on May 29, 2012)
ITEM NO. (2) - PUBLIC HEARING CLOSED - ADOPTED

HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the proposed maintenance and operation of the annual assessment of the 2012-13 - Los Angeles City Lighting District.

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

1. HEAR PROTESTS against the proposed maintenance and operation of the annual assessment of the 2011-12 - Los Angeles City Lighting District.

2. PRESENT and ADOPT the accompanying ORDINANCE, if protests denied and assessment confirmed, in accordance with Section 6.95-6.127 of the Los Angeles Administrative Code.

(Ordinance of Intention adopted on May 29, 2012)

ITEM NO. (3) - PUBLIC HEARING CLOSED - ADOPTED

HEARING PROTESTS and ORDINANCES FIRST CONSIDERATION relative to the proposed maintenance and operation of the annual assessment of the 2012-13 - Proposition 218 Confirmed Street Lighting Assessment District.

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

1. HEAR PROTESTS against the proposed maintenance and operation of the annual assessment of the 2012-13 - Proposition 218 Confirmed Street Lighting Assessment District.

2. PRESENT and ADOPT the accompanying ORDINANCE, if protests denied and assessment confirmed, in accordance with Section 6.95-6.127 of the Los Angeles Administrative Code, for the proposed maintenance and operation of the annual assessment of the 2012-13 - Proposition 218 Confirmed Street Lighting Assessment District - Benefiting Footage Method.

3. PRESENT and ADOPT the accompanying ORDINANCE, if protests denied and assessment confirmed, in accordance with Section 6.95-6.127 of the Los Angeles Administrative Code, for the proposed maintenance and operation of the annual assessment of the 2012-13 - Proposition 218 Confirmed Street Lighting Assessment District - Land Use Method.

(Ordinance of Intention adopted on May 29, 2012)
ITEM NO. (4) - PUBLIC HEARING CLOSED - ADOPTED

11-0215-S1
CD 6

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the installation and maintenance of OTTOMAN STREET (NEAR ARLETA AVENUE) LIGHTING DISTRICT - A’13-L1170048 (Assessment Project to Install 3 New Modern Streetlights).

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

1. DENY the protests and confirm the assessments.

2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of 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).

(Public Hearing held March 28, 2012)

(Continued from Council meeting of June 20, 2012)

Items for Which Public Hearings Have Been Held - Items 5-14

ITEM NO. (5) - ADOPTED - SEE FOLLOWING

Adopted, Ayes (10); Absent: Cardenas, Englander, Garcetti, LaBonge and Parks (5)

12-0773

COMMUNICATION FROM THE MAYOR relative to the reappointment of Mr. Martin Cooper to the Quality and Productivity Commission.

Recommendation for Council action:

RESOLVE that the Mayor’s reappointment of Mr. Martin Cooper to the Quality and Productivity Commission for the term ending September 6, 2015 is APPROVED and CONFIRMED. Mr. Cooper resides in Council District Five. (Current Board gender composition: M = 13; F = 2)

Ethics Commission Review: Pending.

Background Check Review: Pending.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JULY 12, 2012

(LAST DAY FOR COUNCIL ACTION - JULY 3, 2012)
(Audits and Governmental Efficiency 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.)

ADOPTED

AUDITS AND GOVERNMENTAL EFFICIENCY COMMITTEE REPORT relative to the reappointment of Mr. Martin Cooper to the Quality and Productivity Commission.

Recommendation for Council action:

RESOLVE that the Mayor’s appointment of Mr. Martin Cooper to the Quality and Productivity Commission for the term ending September 6, 2015 is APPROVED and CONFIRMED. Mr. Cooper resides in Council District 5. (Current Board gender composition: M = 13; F = 2)

Ethics Commission Review: Pending.

Background Check Review: Pending.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JULY 12, 2012

(LAST DAY FOR COUNCIL ACTION - JULY 3, 2012)

Adopted, Ayes (11); Absent: Englander, LaBonge, Parks and Reyes (4)
(Item Nos. 6-8)

ITEM NO. (6) - ADOPTED

12-0633

ORDINANCE SECOND CONSIDERATION approving permanent Board Order No. 12-7105 approving the license agreement and establishing the Licensing Fee Schedule for commercial use of Harbor Department Photographs.

[Motion (LaBonge - Buscaino) adopted in lieu of Trade, Commerce and Tourism Committee Report recommendations on June 20, 2012]

ITEM NO. (7) - ADOPTED

11-0988

ARTS, PARKS, HEALTH, AND AGING COMMITTEE REPORT relative to authorization to submit a grant application to the Montrose Settlements Restoration Program (MSRP) Fishing Outreach Mini-Grant to provide funding for the Cabrillo Beach Pier Fishing Program for the summer of 2012.
Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. RETROACTIVELY APPROVE the submission of an MSRP Fishing Outreach Mini-Grants proposal to provide funding for the Cabrillo Beach Pier Fishing Program (CBPFP) for the summer of 2012 in an amount up to $10,000.

2. AUTHORIZE the Department of Recreation and Park’s (RAP) General Manager to accept and receive the MSRP Fishing Outreach Mini-Grant in an amount up to $10,000 from the MSRP to conduct the CBPFP for the summer of 2012.

3. DESIGNATE the RAP’s General Manager, Executive Officer, or Assistant General Manager, 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).

4. AUTHORIZE the RAP’s Chief Accounting Employee to establish the necessary account within “Recreation and Parks Grant” Fund 205 to accept the MSRP grant in an amount up to $10,000 for the CBPFP.

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. (8) - ADOPTED

12-0719

ARTS, PARKS, HEALTH, AND AGING COMMITTEE REPORT relative to authorization to submit grant applications to KaBOOM! in connection with the Let’s Play Spruce Grant Program for further enhancement of five Department of Recreation and Parks (RAP) play spaces.

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

1. RETROACTIVELY APPROVE the submission of Let’s Play Spruce grant applications to KaBOOM! for funds to further enhance or improve a total of five RAP play spaces for a total amount of $3,750.

2. AUTHORIZE the RAP’s General Manager to accept and receive the Let’s Play Spruce grant to further enhance or improve Department play spaces.

3. DESIGNATE the RAP’s General Manager, Executive Officer, or Assistant General Manager, 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.

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. (9) - ADOPTED

Adopted, Ayes (10); Absent: Cardenas, Englander, LaBonge, Parks and Reyes (5)

AUDITS AND GOVERNMENTAL EFFICIENCY COMMITTEE REPORT relative to a review of the City’s commodity purchasing.

Recommendations for Council action:

1. NOTE and FILE the March 20, 2012 and June 4, 2012 City Controller reports relative to a review of the City’s commodity purchasing.

2. INSTRUCT the Department of General Services (GSD) to report on best practices that give the City the best price and meets the needs of user departments.

3. REQUEST the Controller to report on purchasing cards used to purchase commodities with the following information:
   a. Number of cards used Citywide.
   b. Personnel who has access to the purchasing cards.
   c. The annual cost to the City for the purchasing cards.
   d. Tracking mechanisms to prevent waste, fraud, and abuse.

4. INSTRUCT the City Administrative Officer (CAO) and the GSD and REQUEST the City Attorney to review the Local Bid Preference Ordinance to ensure that the purpose of the Ordinance is effective in retaining/creating local jobs.

5. INSTRUCT the GSD to provide a City uniform cost comparison with Los Angeles County and other jurisdictions in regard to commodities purchases.

6. INSTRUCT the GSD to determine the number of City commodity contracts in excess of $1 million which were no included in the Controller’s review of the City’s commodity purchasing.

7. INSTRUCT the CAO to report in regard to potential savings that could be realized from switching from the City’s current cash-based uniform system to a voucher system with a vendor.

Fiscal Impact Statement Submitted: Neither the CAO or the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.
ITEM NO. (10) - ADOPTED

**12-0530**

BUDGET AND FINANCE COMMITTEE REPORT relative to authority to negotiate and execute a lease for the City Attorney’s Office at One World Trade Center in Long Beach, California.

Recommendations for Council action:

1. NOTE and FILE the Department of General Services (GSD) report dated March 29, 2012, attached to the Council file.

2. INSTRUCT the GSD to further explore available office space in the vicinity of the Long Beach courthouse for cost comparison purposes and report back to the Budget and Finance Committee.

3. INSTRUCT the City Administrative Officer to identify General Fund savings that would result from consolidated City Attorney office space and any adjustments to allocations to offset the increased leasing expenses.

Fiscal Impact Statement: The GSD reports that if the fully negotiated deal results in the costs outlined in the March 29, 2012 GSD report, the first year's lease costs will be $104,840, plus parking. If successful negotiations result in terms less than described in the March 29, 2012 GSD report, the lease costs will be somewhat less. The City Attorney's Office would save current expenses of approximately $1,300 per month in courier services and almost $1,000 per year in staff mileage expense. The GSD Asset Management 6030 Leasing Account is currently budgeted for $14,294 per year for the 265-square-foot space leased at 415 West Ocean Boulevard, Long Beach. The new lease would therefore be a maximum increase of $90,546 for the first full year. GSD is requesting that its 2012-13 budget be increased accordingly if this new lease is approved.

Community Impact Statement: None submitted.

(Council referred above matter to Budget and Finance Committee on May 1, 2012)

ITEM NO. (11) - ADOPTED

**12-0049-S1**

PERSONNEL AND ANIMAL WELFARE COMMITTEE REPORT relative to Community Redevelopment Agency of Los Angeles (CRA/LA) employee hiring options for available positions within the City.

Recommendation for Council action:

NOTE and FILE the June 15, 2012 report from the Personnel Department relative to CRA/LA employee hiring options for available positions within the City.
Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

[The City Council may recess to Closed Session, pursuant to Government Code Section 54956.9(b)(1)(3)(c) to confer with its legal counsel relative to the above matter]

ITEM NO. (12) - ADOPTED, AS AMENDED - SEE FOLLOWING

Adopt as Amended, Ayes (10); Absent: Cardenas, Englander, Garcetti, LaBonge and Parks (5)

09-1388
CD 5

MITIGATED NEGATIVE DECLARATION and COMMUNICATION FROM CITY PLANNING DEPARTMENT relative to appeals on a Conditional Use, Variances, and Adjustment for property located at 13079 West Chandler Boulevard.

Applicant: Rabbi Aaron Abend, Chabad of North Hollywood
Representative: Benjamin Reznik, Jeffer Mangels Butler and Mitchell, LLP

Fiscal Impact Statement: None submitted.

Community Impact Statement: None submitted.

ZA-2007-4635 CU
ZV-ZAA-ZAI-1A

[Reconsideration of the Council action of June 19, 2009 made pursuant to Charter Section 245. This matter is before Council pursuant to the writ issued by the Superior Court as directed by the Court of Appeal's decision in West Chandler Boulevard Neighborhood Association, et. al. v. City of Los Angeles (RPI: Chabad of the Valley, Inc.) 198 Cal. App. 4th 1506 (2011).]

(Planning and Land Use Management 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.)

ADOPTED, AS AMENDED

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to appeals, in connection with the construction of a new three-story building in the R1-1 Zone for use as a religious facility, a neighborhood synagogue with associated religious instruction and community activities, for property at 13079 West Chandler.
Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. DETERMINE that the information contained in the Mitigated Negative Declaration (MND) [ENV-2007-1099-MND] has been reviewed and considered, that the MND adequately describes the potential impacts of the project, and that no additional environmental review is necessary under California Environmental Quality Act Guidelines Section 15162.

2. ADOPT the FINDINGS of the Planning and Land Use Management (PLUM) Committee as the Findings of the Council.

3. SUSTAIN the action of the Zoning Administrator dated November 25, 2008 regarding the dismissal of a Zoning Administrator’s Interpretation that the R1-1 Zone applies to the vacated portion of Chandler Boulevard, in connection with the construction of a new three-story building in the R1-1 Zone for use as a religious facility, a neighborhood synagogue with associated religious instruction and community activities, for property located at 13079 West Chandler Boulevard.

4. RESOLVE TO DENY THE APPEAL filed by Rabbi Aaron Abend from part of the determination of the Zoning Administrator, THEREBY DENYING a Variance from Los Angeles Municipal Code (LAMC) Section 12.21.1 to permit a building height of 37 feet for a religious facility in lieu of the 33 feet otherwise permitted in the R1 Zone or in lieu of the 28 feet permitted in the R1 Zone when the roof of the uppermost story of a building has a slope which is less than 25 percent, for property located at 13079 West Chandler Boulevard, subject to Conditions of Approval, approved by the PLUM Committee and attached to the Council file.

5. RESOLVE TO GRANT THE APPEAL filed by Rabbi Aaron Abend from part of the determination of the Zoning Administrator and DENY THE APPEALS filed by Mitchell L. Ramin and Jeff Gantman from part of the determination of the Zoning Administrator, THEREBY APPROVING a Conditional Use to permit the construction, use and maintenance of a religious facility in the R1 Zone, for property located at 13079 West Chandler Boulevard, subject to Conditions of Approval, approved by the PLUM Committee and attached to the Council file.

6. RESOLVE TO GRANT THE APPEAL filed by Rabbi Aaron Abend from part of the determination of the Zoning Administrator and DENY THE APPEALS filed by Mitchell L. Ramin and Jeff Gantman from part of the determination of the Zoning Administrator, THEREBY APPROVING a Variance to permit 5 parking spaces in lieu of 96 spaces required and a Variance to permit no wall enclosure for the parking area, for property located at 13079 West Chandler Boulevard, subject to Conditions of Approval, approved by the PLUM Committee and attached to the Council file.

7. RESOLVE TO GRANT THE APPEAL filed by Rabbi Aaron Abend from part of the determination of the Zoning Administrator and DENY THE APPEALS filed by Mitchell L. Ramin and Jeff Gantman from part of the determination of the Zoning Administrator, THEREBY APPROVING an Adjustment to permit a minimum front yard setback along Ethel
Avenue between 4 feet and 10 feet in lieu of the 20 feet, an Adjustment to permit a northerly side yard adjoining MTA property of zero feet in lieu of the 7 feet, and an Adjustment to permit a varying southerly side yard adjoining Chandler Boulevard between 2 feet and 6 feet in lieu of 7 feet, for property located at 13079 West Chandler Boulevard, subject to Conditions of Approval, approved by the PLUM Committee and attached to the Council file.

Applicant: Rabbi Aaron Abend, Chabad of North
Representative: Benjamin Reznik, Jeffer Mangels Butler and Mitchell, LLP

ZA-2007-4635-CU-ZV-ZAA-ZAI-1A

Fiscal Impact Statement: None submitted by City Planning Department. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis on this report.

Community Impact Statement: None submitted.

ADOPTED

AMENDING MOTION (KORETZ - REYES)

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

1. AMEND Recommendation No. 7 as follows:

RESOLVE TO GRANT THE APPEAL filed by Rabbi Aaron Abend from part of the determination of the Zoning Administrator and DENY THE APPEALS filed by Mitchell L. Ramin and Jeff Gantman from part of the determination of the Zoning Administrator, THEREBY APPROVING an Adjustment to permit a minimum varying front yard setback along Ethel Avenue between 4 feet and 10 11 feet in lieu of the 20 feet, an Adjustment to permit a northerly side yard adjoining MTA property of zero feet in lieu of the 7 feet, and an Adjustment to permit a varying southerly side yard adjoining Chandler Boulevard between 2 feet and 6 feet in lieu of 7 6 feet, for property located at 13079 West Chandler Boulevard, subject to Conditions of Approval, approved by the PLUM Committee and attached to the Council file.

Applicant: Rabbi Aaron Abend, Chabad of North
Representative: Benjamin Reznik, Jeffer Mangels Butler and Mitchell, LLP

2. AMEND the Summary as follows:

At the public hearing held on June 26, 2012, the PLUM Committee considered appeals, in connection with the construction of a new three-story building in the R1-1 Zone for use as a religious facility, a neighborhood synagogue with associated religious instructions and community activities, for property at 13079 West Chandler. During the discussion of this matter, staff from the City Attorney’s Office and the City Planning Department provided an overview of the case and the appeals. The Applicant, the Applicant’s representative, the Appellant, the Appellant’s representative, as well as staff from Council District Five provided testimony. After an opportunity for public comment, the Committee adopted
the additional findings submitted by the Applicant after ascertaining from the Zoning Administrator that there was no new evidence to support a remand to the Zoning Administrator. The Committee then recommended that Council grant in part/deny in part the appeal filed by Rabbi Aaron Abend and deny the appeals filed by Mitchell L. Ramin and Jeff Gantman from part of the determination of the Zoning Administrator for property located at 13079 West Chandler, subject to Conditions of Approval, approved by the PLUM Committee and attached to the Council file. This matter is now forwarded to the Council for its consideration.

Adopted, Ayes (11); Absent: Englander, LaBonge, Parks and Reyes (4)
(Item Nos. 13-14)

ITEM NO. (13) - ADOPTED

12-0876
CD 15

CATEGORICAL EXEMPTION and TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT relative to proposed successor Permit No. 861 with California Sulphur Company (CSC) for a sulfur processing facility in Wilmington.

Recommendations for Council action:

1. ADOPT the determination by the Los Angeles Harbor Department that the proposed action is exempt under the California Environmental Quality Act (CEQA) as provided in Article III, Class 1(14) of the Los Angeles City CEQA Guidelines.

2. APPROVE the successor Permit No. 861 with CSC for a sulfur processing facility in Wilmington.

Fiscal Impact Statement: The City Administrative Officer reports that the proposed lease agreement with CSC will have no impact on the City General Fund and any rental compensation will be deposited into the Harbor Revenue Fund. The proposed rental compensation will be increased by $263,214 per year, from $509,922 or $42,494 per month, respectively, to a proposed rental rate of $773,136 per year or $64,428 per month. The rental rate is based on a 10 percent rate of return on the land value of $25 per square foot derived from a negotiated rate between CSC and the Port. The proposed compensation reflects the Board of Harbor Commissioners’ approved rate of return on land value of 10 percent. The rental compensation will be reset after five years and adjusted annually based on the Consumer Price Index, between a minimum of 2 percent and maximum of 5 percent per year.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JULY 12, 2012

(LAST DAY FOR COUNCIL ACTION - JULY 3, 2012)
ITEM NO. (14) - ADOPTED

COMMUNICATION FROM CHAIR, ARTS, PARKS, HEALTH, AND AGING COMMITTEE and PERSONNEL AND ANIMAL WELFARE COMMITTEE REPORT relative to horse licensing in the City of Los Angeles.

Recommendations for Council action, pursuant to Motion (Alarcón - Englander):

1. INSTRUCT the Animal Services Department (ASD) to improve its horse licensing online process, making the site more user-friendly; and further INSTRUCT the ASD to also work with Council offices and the equine community to publicize horse licensing.

2. REQUEST the City Attorney to prepare and present an Ordinance to amend Los Angeles Municipal Code Section 53.15.1, Equine License Fee, to create a multi-year licensing option and discount, with a 10 percent discount for one year, 20 percent discount for two years, 30 percent discount for three years, 40 percent discount for four years, and 50 percent discount for five years.

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.

Items for Which Public Hearings Have Not Been Held - Items 15-27

(10 Votes Required for Consideration)

Adopted, Ayes (12); Absent: Englander, LaBonge and Parks (3)
(Items Nos. 15-16)

ITEM NO. (15) - ADOPTED

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Gilcrest and Claircrest Drives Lighting District.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated May 16, 2012.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of AUGUST 29, 2012 as the hearing date for the maintenance of the Gilcrest and Claircrest Drives Lighting District, in accordance with Proposition 218, Articles XIIIIC and XIIID of the California Constitution and Government Code Section 53753.
Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $190.60 will be collected annually starting with tax year 2012-13 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: August 22, 2012)

ITEM NO. (16) - ADOPTED

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Colfax Avenue and Sarah Street Lighting District.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated May 15, 2012.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of AUGUST 29, 2012 as the hearing date for the maintenance of the Colfax Avenue and Sarah Street Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $664.17 will be collected annually starting with tax year 2012-13 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: August 22, 2012)

ITEM NO. (17) - ADOPTED, AS AMENDED - ORDINANCE OVER TO JULY 24, 2012 - SEE FOLLOWING

Adopt as Amended, Ayes (10); Absent: Cardenas, Englander, Garcetti, LaBonge and Parks (5)

COMMUNICATIONS FROM THE CITY ATTORNEY and LOS ANGELES CITY PLANNING COMMISSION (LACPC) and ORDINANCES FIRST CONSIDERATION relative to amending Section 13.11 of the Los Angeles Municipal Code (LAMC) to establish the Figueroa and Olympic Sign District.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:
1. FIND that the Mitigated Negative Declaration reflects the independent judgment of the lead agency in the City of Los Angeles; and that the documents constituting the record of proceedings in this matter are located in Council file No. 09-0189 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 [ENV-2007-843-MND] filed on September 19, 2008.

2. ADOPT the FINDINGS of the LACPC, including the Environmental Findings, as the Findings of the Council.

3. ADOPT the accompanying ORDINANCE:

   A. (Exhibit A of the City Attorney report dated April 20, 2012) amending LAMC Section 13.11 to establish the Figueroa and Olympic Sign District and to require the applicant to comply with the City Planning Department's and the Los Angeles Department of Transportation's policies for the ADOPT the accompanying ORDINANCE (Exhibit A of the City Attorney report dated April 20, 2012) amending LAMC Section 13.11 to establish the Figueroa and Olympic Sign District.

   OR

   B. (Exhibit B of the City Attorney report dated April 20, 2012) amending LAMC Section 13.11 to establish the Figueroa and Olympic Sign District and to grandfather the sign and grant it unrestricted animation rights.

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.

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

ADOPTED

AMENDING MOTION (PERRY - WESSON)

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

1. ADOPT the ORDINANCE (Exhibit B of the City Attorney report dated April 20, 2012) amending the Los Angeles Municipal Code Section 13.11 to establish the Figueroa and Olympic Sign District and to grandfather the sign and grant it unrestricted animation rights.

2. CLARIFY Mitigation Measure 1D-15 of the proposed Mitigation Negative Declaration to allow animation on Digital Display Signs (formerly referred to as Electronic Message Display Signs) to indicate that these signs are subject to the restrictions of the proposed ordinance, limiting intensity, image refresh rates and/or unrestricted animation, where applicable.

3. ADOPT the supplemental findings attached to this Motion.
Adopted, Ayes (11); Absent: Englander, LaBonge, Parks and Reyes (4)
(Item Nos. 18a-18g)

ITEM NO. (18) - ADOPTED

12-0005-S348 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 June 20, 2012:

12-0005-S348 CD 4

a. Property at 603 North St. Andrews Place (Case No. 351020).
   Assessor I.D. No. 5522-008-029

   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on October 6, 2011)

12-0005-S349 CD 9

b. Property at 856 West 50th Place (Case No. 229825).
   Assessor I.D. No. 5018-019-021

   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 13, 2009)

12-0005-S350 CD 9

c. Property at 856 West 50th Place (Case No. 272551).
   Assessor I.D. No. 5018-019-021

   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 25, 2010)

12-0005-S351 CD 10

d. Property at 1028 South Serrano Avenue (Case No. 233942).
   Assessor I.D. No. 5080-017-016

   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 16, 2009)

12-0005-S352 CD 13

e. Property at 5139 West Marathon Street (Case No. 314563).
   Assessor I.D. No. 5535-012-017

   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 24, 2011)
f. Property at 1101 North Waterloo Street (Case No. 340740).  
   Assessor I.D. No. 5402-018-028  
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on September 29, 2011)

12-0005-S354  
CD 13  
g. Property at 1524 West Crown Hill Avenue (Case No. 363391).  
   Assessor I.D. No. 5153-018-004  
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on January 19, 2012)

ITEM NO. (19) - ADOPTED

Adopted, Ayes (10); Absent: Cardenas, Englander, LaBonge, Parks and Reyes (5)

11-1783  
COMMUNICATION FROM CHAIR, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE relative to approval of the results of the Request for Proposals for tenant outreach and educational services for the City's Rent Escrow Account Program and Utility Maintenance Program, authority to execute contracts with selected contractors, and related actions.

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

AUTHORIZE the General Manager, Los Angeles Housing Department (LAHD), or designee, to:

a. Execute contracts with the following agencies to provide Rent Escrow Account Program (REAP) and Utility Maintenance Program (UMP) tenant-outreach services, for a term of 12 months, beginning on July 1, 2012 through June 30, 2013, with two one-year options, for a total amount of $420,000, in substantial conformance with the draft Professional Services Agreement attached to the LAHD Transmittal dated April 13, 2012 contained in Council file No. 11-1783 and subject to the following: funding availability; satisfactory contractor performance; compliance with all applicable Federal, State and City regulatory requirements; approval of the City Attorney as to form; and, approval of the Department of Public Works, Bureau of Contract Administration as to adherence with City contracting standards:

<table>
<thead>
<tr>
<th>Contractor</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Los Angeles Center for Law and Justice</td>
<td>$105,000</td>
</tr>
<tr>
<td>Inner City Law Center</td>
<td>$105,000</td>
</tr>
<tr>
<td>Coalition for Economic Survival</td>
<td>$105,000</td>
</tr>
<tr>
<td>Inquilinos Unidos</td>
<td>$105,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$420,000</strong></td>
</tr>
</tbody>
</table>
b. Execute a second amendment to Contract No. C-118559 with Charles and Cynthia Eberly, Inc. DBA The Eberly Company, to provide REAP and UMP landlord-outreach services, for a total amount of up to $183,750 and in substantial conformance with the draft Professional Services Agreement attached to the LAHD Transmittal dated April 13, 2012 contained in Council file No. 11-1783, and subject to the following: funding availability; satisfactory contractor performance; compliance with all applicable Federal, State and City regulatory requirements; approval of the City Attorney as to form; and, approval of the Department of Public Works, Bureau of Contract Administration as to adherence with City contracting standards.

c. Negotiate and execute an additional six-month renewal option as part of the second amendment to Contract No. C-118559 with Charles and Cynthia Eberly Inc. DBA The Eberly Company, to provide REAP and UMP landlord-outreach services, for a total amount of up to $341,250, for a term of 42 months, effective from the date of execution through June 30, 2014, and subject to the following: funding availability; satisfactory contractor performance; compliance with all applicable Federal, State and City regulatory requirements; approval of the City Attorney as to form; and, approval of the Department of Public Works, Bureau of Contract Administration as to adherence with City contracting standards.

d. Prepare Controller instructions and make any necessary technical adjustments consistent with the Council and Mayor actions on this report, subject to the approval of the City Administrative Officer (CAO) and authorize the Controller to implement these instructions.

Fiscal Impact Statement: The CAO reports that there is no impact to the General Fund. The recommendations of this report are in compliance with City Financial Policies in that the $525,000 annual cost of the tenant and landlord-outreach services agreements for the Rent Escrow Account Program and Utility Maintenance Program are funded through Rent Stabilization Trust Funds ($52,500) and Code Enforcement Trust Funds ($472,500) appropriated in the 2012-13 Adopted Budget.

Community Impact Statement: None submitted.

ITEM NO. (20) - ADOPTED

Adopted, Ayes (11); Absent: Englander, LaBonge, Parks and Reyes (4)

12-0903
CD 15

ADMINISTRATIVE EXEMPTION and COMMUNICATION FROM THE BOARD OF HARBOR COMMISSIONERS relative to replacing the commercial paper liquidity provider, increasing the line of credit, and extending the program.

Recommendations for Council action:

1. ADOPT the determination by the Los Angeles Harbor Department that the proposed action is exempt under the California Environmental Quality Act (CEQA) as provided in Article II, Section 2(f) of the Los Angeles City CEQA Guidelines.
2. ADOPT pursuant to the Los Angeles City Charter Section 609 and the Bond Procedural Ordinance of the City of Los Angeles Administrative Code Sections 11.28.1 through 11.28.9, Resolution No. 12-7319 approving, among other matters, the following four principal documents related to the City of Los Angeles Harbor Department’s Commercial Paper Program: the Amended and Restated Issuing and Paying Agent Agreement; the three-year Credit Agreements with Mizuho Corporate Bank, Ltd. and Wells Fargo Bank, National Association; the Mizuho Fee Letter; the Wells Fargo Fee Letter; and, the Offering Memorandum.

Fiscal Impact Statement: The Board reports that with a $50 million increase in liquidity support from $200 million to $250 million, the annual cost of the proposed Line of Credit Agreements of approximately $1 million compares favorably to the current annual cost of $1.55 million. All associated expenses for the CP Program including financial advisory fees, line of credit fees, broker/dealer fees, and issuing and paying agent fees have been budgeted under the Non-Operating expense budget.

Community Impact Statement: None submitted.

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

**ITEM NO. (21) - ADOPTED**

Adopted, Ayes (11); Absent: Cardenas, Engleander, LaBonge and Parks (4)

**12-0904**

CD 7

MOTION (ALARCON - BUSCAINO) relative to funding to repair broken and buckled sidewalks in Council District Seven.

Recommendation for Council action:

DIRECT the City Clerk to place on the Council Agenda for JULY 1, 2012, or soon thereafter as possible, the following recommendations for adoption:

a. Transfer / Appropriate $500,000 in the AB1290 Fund No. 53P, Account No. 281207 (CD 7 Redevelopment Projects - Services) to the below listed accounts in the Street Services Fund No. 100/86, and in the amounts specified, for the “Emergency Sidewalk Improvement Project” to repair broken and buckled sidewalks in Council District Seven:

<table>
<thead>
<tr>
<th>Account</th>
<th>Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>001010</td>
<td>Salaries - General</td>
<td>$180,000</td>
</tr>
<tr>
<td>001090</td>
<td>Salaries - Overtime</td>
<td>80,000</td>
</tr>
<tr>
<td>001100</td>
<td>Hiring Hall Salaries</td>
<td>20,000</td>
</tr>
<tr>
<td>001120</td>
<td>Hiring Hall Benefits</td>
<td>20,000</td>
</tr>
<tr>
<td>003030</td>
<td>Construction Materials</td>
<td>70,000</td>
</tr>
<tr>
<td>003040</td>
<td>Contractual Services</td>
<td>50,000</td>
</tr>
<tr>
<td>006010</td>
<td>Office &amp; Administrative Expense</td>
<td>10,000</td>
</tr>
<tr>
<td>006020</td>
<td>Operating Supplies &amp; Expense</td>
<td>70,000</td>
</tr>
</tbody>
</table>

**Total $500,000**
b. Authorize the Bureau of Street Services to make any technical corrections for clarifications to the above fund transfer instructions in order to effectuate the intent of this Motion.

ITEM NO. (22) - ADOPTED

Adopted, Ayes (11); Absent: Englander, LaBonge, Parks and Reyes (4)

11-1924
CD 10

MOTION (WESSON - BUSCAINO) relative to amending prior Council action of November 22, 2011 regarding the Cochran Avenue Community Greening Project / Board of Public Works / Application for Proposition 84 grants.

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

AMEND prior Council action of November 22, 2011 (Council file No. 11-1924) relative to the Cochran Avenue Community Greening Project / Board of Public Works / Application for Proposition 84 Grants to ADOPT the following action item in lieu of action item No. 7 on the Resolution adopted as part of this action:

7. Appoints the Director of the Office of Community Beautification, Board of Public Works, as agent to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, payment requests and so on, which may be necessary for the completion of the aforementioned project(s).

ITEM NO. (23) - ADOPTED

Adopted, Ayes (12); Absent: Englander, LaBonge and Parks (3)

12-0010-S22

MOTION (GARCETTI - ENGLANDER) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the stabbing assault of two males in Echo Park on May 24, 2012.

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

1. PROVIDE an offer of reward in the amount of $25,000 for information leading to the identification, apprehension, and conviction of the person(s) responsible for the stabbing assault of two males in Echo Park on May 24, 2012.

2. FIND that the subject reward complies with the provisions of Chapter 12, Article 1, Division 19, of the Los Angeles Administrative Code.

3. DIRECT the City Clerk to publish the required notices and/or advertisements to effectuate this reward.
Adopted, Ayes (11); Absent: Englander, LaBonge, Parks and Reyes (4)  
(Item Nos. 24-25)

ITEM NO. (24) - ADOPTED

12-0912  
CD 9

MOTION (BUSCAINO - PERRY) relative to initiating street vacation proceedings to vacate 33rd Street between Figueroa and Flower Streets.

Recommendations for Council action:

1. INITIATE street vacation proceedings, pursuant to California Streets and Highways Code, Division 9, Part 3, Public Streets, Highways and Service Easements Vacation Law to vacate 33rd Street between Figueroa and Flower Streets.

2. DIRECT the Bureau of Engineering to investigate the feasibility of this vacation request.

3. DIRECT the Bureau of Engineering to present its report regarding the feasibility of vacating the requested areas to the Public Works Committee.

4. DIRECT the City Clerk to schedule this request for the City Council’s consideration at the appropriate time under the City’s Street Vacation procedures.

ITEM NO. (25) - ADOPTED

12-0905

MOTION (CARDENAS - ENGLANDER) relative to authorizing the Commission on the Status of Women use of the City Hall Tom Bradley Room on August 17, 2012.

Recommendation for Council action:

AUTHORIZE the Commission on the Status of Women use of the City Hall Tom Bradley Room on August 17, 2012, during normal business hours, to host a breakfast reception for its annual Pioneer Women Celebration.

ITEM NO. (26) - ADOPTED SUBSTITUTE RESOLUTION IN LIEU OF ORIGINAL - SEE FOLLOWING

Substitute Resolution Adopted, Ayes (10); Absent: Cardenas, Englander, Garcetti, LaBonge and Parks (5)

12-0002-S43  

CONTINUED CONSIDERATION OF RESOLUTION (KORETZ - ALARCON - HUIZAR) relative to the City’s position on administrative action which would fully implement and enforce the Clean Air Act in order to reduce mercury and other toxins in the air and carbon in the atmosphere, and oppose efforts to block or delay the Environmental Protection Agency’s (EPA) efforts.

Recommendation for Council action, SUBJECT TO THE CONCURRENCE OF THE MAYOR:
ADOPT the accompanying RESOLUTION to include in the City’s 2012-13 Federal Legislative Program:

a. SUPPORT for any administrative action which would fully implement and enforce the Clean Air Act on the timeline promulgated by the EPA, in order to reduce mercury and other toxins in the air and carbon in the atmosphere, including actions that place nationally applicable limits on mercury pollution from coal-fired power plants, reduce industrial carbon pollution, reduce emissions from passenger cars and trucks, and/or require major new or modified stationary sources of greenhouse pollution to obtain permits and controls for their emissions before beginning construction.

b. OPPOSITION to all efforts by American Public Power Association or others to block or delay these critically important efforts by the EPA.

Community Impact Statement: None submitted.

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

(Continued from Council meeting of June 22, 2012)

ADOPTED

SUBSTITUTE RESOLUTION (KORETZ - HUIZAR - ALARCON)

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

RESOLVE to include in the City’s 2011-12 Federal Legislative Program SUPPORT for fully implementing and enforcing the provisions of the Clean Air Act related to the recent Mercury and Air Toxic Standards rule and the Carbon Pollution Standard and OPPOSITION for any attempt to delay or weaken these important environmental standards.

ITEM NO. (27) - CONTINUED TO AUGUST 1, 2012

Adopted to Continue, Unanimous Vote (11); Absent: Englander, LaBonge, Parks and Reyes (4)

12-0002-S48

CONTINUED CONSIDERATION OF RESOLUTION (KORETZ - GARCETTI) relative to the City's position on legislative and administrative action which would stop the proposed expansion onto federal public lands of the Coal Hollow strip mine in Alton, Utah.

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

ADOPT the accompanying RESOLUTION to include in the City’s 2012-13 Federal Legislative Program, SUPPORT for legislative and administrative action which would stop the proposed expansion onto federal public lands of the Coal Hollow strip mine in Alton, Utah, and would urge the Department of Interior to select the "No Action" alternative identified in the Draft Environmental Impact Statement on this matter, and withdraw the site for coal leasing permanently.
Closed Session - Item 28

ITEM NO. (28) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Adopted in Open Session, Ayes (10); Absent: Cardenas, Englander, Garcetti, LaBonge and Parks (5)

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 Anne Waisgerber v. City of Los Angeles, United States District Court Case No. CV-03246-R-RC. (This lawsuit arises from a Los Angeles Reserve Police Officer's claim of gender discrimination.)

(ACTUALLY IN CLOSED SESSION)

ADOPTED

MOTION (KREKORIAN - KORETZ)

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

1. AUTHORIZE the City Attorney to expend a total of $49,500 in settlement of the above-entitled matter from City Attorney Fund 100/59, Account No. 009760.

2. AUTHORIZE the City Attorney to draw demands thereon as follows:
   a. $26,463.26 made payable to Anne Waisgerber
   b. $23,036.74 made payable to Konell Ruggiero & Konell LLP

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.

4. AUTHORIZE the following non-monetary terms, to which the Los Angeles Police Department has agreed, in settlement of the above-entitled matter:
   a. modification of the adjudication of Personnel Complaint Council file (CF) No. 06-1629 to “Not Resolved,” which “Not Resolved” adjudication shall appear on plaintiff’s Training Evaluation and Management System II report for that Personnel Complaint thereafter
b. remove Personnel Complaint CF No. 06-1629, as per Department practice, from her official personnel folder at Personnel Division, and from her divisional folder

c. provide Plaintiff with Reserve Police Officer Badge number R0175 encased in lucite

d. provide a “retired” Reserve Police Officer badge

e. provide a “retired” Reserve Police Officer identification card, without concealed weapons permit

f. provide a cap piece

g. deem Plaintiff honorably separated from the Reserve Officer Corps effective February 14, 2008

h. provide a certificate of appreciation for thirty-five years of service in the Reserve Officer Corps

i. provide a service pin commensurate with thirty-five years of service in the Reserve Officer Corps

This matter was approved by the Budget and Finance Committee (Krekorian - Englander - Rosendahl - Koretz "yes") at its meeting on June 18, 2012, in Closed Session as permitted by Government Code Section 54956.9(a).

Item for Which Public Hearing Has Been Held - Item 31

ITEM NO. (31) - ADOPTED, AS AMENDED - SEE FOLLOWING

Adopted, As Amended, Ayes (10); Absent: Cardenas, Englander, LaBonge, Parks and Reyes (5)

12-0637

CONTINUED CONSIDERATION OF BUDGET AND FINANCE COMMITTEE REPORT relative to delinquent accounts receivables $5,000 and over per account from the Los Angeles Housing Department (LAHD).

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

1. APPROVE the Board of Review (Board) recommendation to authorize the LAHD to remove from its active accounts receivables 33 invoices totaling $297,448.30, as detailed in the Board report dated April 11, 2012, attached to the Council file.

2. APPROVE the Board recommendation to authorize the LAHD to remove from its active accounts receivables 40 invoices totaling $368,588.98, as detailed in the Board report dated June 6, 2012, attached to the Council file.
Fiscal Impact Statement: The Board reports that the proposed actions will decrease the City's receivable base by $297,448.30 and $368,588.98, respectively.

Community Impact Statement: None submitted.

ADOPTED

AMENDING MOTION (ZINE - KREKORIAN)

Recommendation for Council action:

REFER the Findings of the Board of Review, Report Nos. 012512 and 042512, relative to delinquent accounts for write-off to the Audits and Governmental Efficiency Committee.

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

12-0965
MOTION (ROSENDAHL - BUSCAINO) relative to funding for the 35th Annual Pacific Palisades Will Rogers 5k and 10k July 4th Run & Kids Fun Run.

12-0966
MOTION (ROSENDAHL - BUSCAINO) relative to funding for the Pacific Palisades 4th of July Fireworks Display.

12-0970
MOTION (REYES - ZINE) relative to funding for services in connection with the Planning Department special reception in the City Hall Rotunda on July 26, 2012.

12-0010-S25
MOTION (HUIZAR - GARCETTI) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Frankie Velasquez on May 5, 2012.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

12-0004-S1 - Monsignor Felix S. Diomartich (Wesson for LaBonge - Buscaino)
Pepe Aguilar (Garcetti - LaBonge)
Neil Diamond (Garcetti - LaBonge)
Valerie Bertinelli (Garcetti - Buscaino for LaBonge)
At the conclusion of this day's Council Session
ADJOURNING MOTIONS WERE ADOPTED in tribute to the memory of:

12-0003-S1 - Jennie Martorana (Huizar)

Gad Beck (Kortez - All Councilmembers)

Alarcón, Buscaino, Garcetti, Huizar, Koretz, Krekorian, Perry, Rosendahl, Zine and President Wesson (10); Absent: Cárdenas, Englander, LaBonge, Parks and Reyes (5)

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL

Regular meeting recessed at 10:22 a.m.
Special meeting convened at 10:22 a.m.
Special meeting adjourned at 10:28 a.m.
Regular meeting convened at 10:28 a.m.