

Los Angeles City Council, **Journal/Council Proceedings**

Friday, **August 3, 2012**

Van Nuys City Hall, 14410 Sylvan Street, Van Nuys, CA 91401 - 10 am

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

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

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
JULY 31, 2012

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 11

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

Items Noticed for Public Hearing - Items 1-2

ITEM NO. (1) - PUBLIC HEARING CLOSED - MOTION ADOPTED TO DENY APPLICATION - FORTHWITH

Adopted to Deny Application, Ayes (11); Absent: Buscaino, Cárdenas, Perry and Rosendahl (4)

[12-0675](#)

CD 3

CONTINUED CONSIDERATION OF HEARING COMMENTS relative to Application for Determination of "Public Convenience or Necessity" for the sale of alcoholic beverages for off-site consumption at Walgreens neighborhood pharmacy, located at 18430 Sherman Way.

Recommendations for Council action:

1. DETERMINE that the "Public Convenience or Necessity" WILL NOT be served by the sale of alcoholic beverages for off-site consumption at Walgreens neighborhood pharmacy located at 18430 Sherman Way, Reseda, 91335, inasmuch as the site is located in a high crime reporting district.
2. DENY the application for Determination of "Public Convenience or Necessity" for the sale of alcoholic beverages for off-site consumption at 18430 Sherman Way, based upon the above finding and the negative influence associated with the sale of alcohol in the concerned community.

3. INSTRUCT the City Clerk to transmit this determination to the State Department of Alcoholic Beverage Control as the required findings under Business and Professions Code Section 23958.4.

Application filed by: Walgreens Co., c/o Robert Silverman (Armbruster Goldsmith & Delvac, attn: Matt Dzurec, representative)

TIME LIMIT FILE - AUGUST 6, 2012

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

(Continued Council from Council meeting of June 13, 2012)

ITEM NO. (2) - RECEIVED AND FILED

Adopted to Receive and File, Unanimous Vote (11); Absent: Buscaino, Cárdenas, Perry and Rosendahl (4)

[12-0726](#)

CD 14

CONTINUED CONSIDERATION OF HEARING COMMENTS relative to application for determination of "Public Convenience or Necessity" for alcohol sales for off-site consumption at AM/PM market, car wash, and gas station located at 2740 East Olympic Boulevard, Los Angeles, 90023.

Application filed by: Shahram Mousavi, M&M Auto Spa, Inc., AM/PM Market (Sherrie Olson - PLRC, representative)

TIME LIMIT FILE - AUGUST 15, 2012

(LAST DAY FOR COUNCIL ACTION - AUGUST 15, 2012)

(Findings and Council recommendations required relative to the above application)

(Continued from Council meeting of July 3, 2012)

Items for Which Public Hearings Have Been Held - Items 3-8

**Adopted, Ayes (11); Absent: Buscaino, Cárdenas, Perry and Rosendahl (4)
(Item Nos. 3-8)**

ITEM NO. (3) - ADOPTED

[11-1349-S2](#)

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and RESOLUTION relative to authorization to destroy certain obsolete records from the Department of Transportation, Bureau of Parking Operations Support and Adjudication, Research and Compliance Division, for the period of September 1, 2006 to February 28, 2007.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION to authorize the destruction of certain obsolete records from the Department of Transportation, Bureau of Parking Operations Support and Adjudication, Research and Compliance Division, for the period of September 1, 2006 to February 28, 2007.

Fiscal Impact Statement: The City Clerk reports that the retention of 127 records boxes beyond the required retention time period, based on industry commercial standard rates, will continue to cost the City the equivalent of a minimum of \$20.57 per month, or \$246.89 per year.

[These records will be retained for a period of 60 days after the City Council's action to authorize their destruction to allow for public inspection. Contact the Records Management Division at (213) 473-8449 or via email at Todd.Gaydowski@lacity.org to arrange for inspection of records.]

Community Impact Statement: None submitted.

ITEM NO. (4) - ADOPTED

[11-1349-S3](#)

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and RESOLUTION relative to authorization to destroy certain obsolete records from the Department of Transportation, Bureau of Parking Operations Support and Adjudication, Research and Compliance Division, for the period of February 22, 2006 to November 30, 2006.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION to authorize the destruction of certain obsolete records from the Department of Transportation, Bureau of Parking Operations Support and Adjudication, Research and Compliance Division, for the period of February 22, 2006 to November 30, 2006.

Fiscal Impact Statement: The City Clerk reports that the retention of 93 records boxes beyond the required retention time period, based on industry commercial standard rates, will continue to cost the City the equivalent of a minimum of \$14.51 per month, or \$174.10 per year.

[These records will be retained for a period of 60 days after the City Council's action to authorize their destruction to allow for public inspection. Contact the Records Management Division at (213) 473-8449 or via email at Todd.Gaydowski@lacity.org to arrange for inspection of records.]

Community Impact Statement: None submitted.

ITEM NO. (5) - ADOPTED

[11-1349-S4](#)

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and RESOLUTION relative to authorization to destroy certain obsolete records from the Department of Transportation, Bureau of Parking Operations Support and Adjudication, for the period of January 1, 2004 to December 31, 2006.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION to authorize the destruction of certain obsolete records from the Department of Transportation, Bureau of Parking Operations Support and Adjudication, for the period of January 1, 2004 to December 31, 2006.

Fiscal Impact Statement: The City Clerk reports that the retention of 143 records boxes beyond the required retention time period, based on industry commercial standard rates, will continue to cost the City the equivalent of a minimum of \$22.31 per month, or \$267.70 per year.

[These records will be retained for a period of 60 days after the City Council's action to authorize their destruction to allow for public inspection. Contact the Records Management Division at (213) 473-8449 or via email at Todd.Gaydowski@lacity.org to arrange for inspection of records.]

Community Impact Statement: None submitted.

ITEM NO. (6) - ADOPTED

[12-0198](#)

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and RESOLUTION relative to authorization to destroy certain obsolete records from the Department of Animal Services, various divisions, for the period of January 1, 1987 to July 1, 2006.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION to authorize the destruction of certain obsolete records from the Department of Animal Services, various divisions, for the period of January 1, 1987 to July 1, 2006.

Fiscal Impact Statement: The City Clerk reports that the retention of 812 records boxes beyond the required retention time period, based on industry commercial standard rates, will continue to cost the City the equivalent of a minimum of \$126.67 per month, or \$1,520.04 per year.

[These records will be retained for a period of 60 days after the City Council's action to authorize their destruction to allow for public inspection. Contact the Records Management Division at (213) 473-8449 or via email at Todd.Gaydowski@lacity.org to arrange for inspection of records.]

Community Impact Statement: None submitted.

ITEM NO. (7) - ADOPTED

[12-0708](#)

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and RESOLUTION relative to authorization to destroy certain obsolete records from the Los Angeles City Employees' Retirement System (LACERS) for the period of 1975 to 2004.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION to authorize the destruction of certain obsolete records from the LACERS for the period of 1975 to 2004.

Fiscal Impact Statement: The City Clerk reports that the retention of 50 records boxes beyond the required retention time period, based on industry commercial standard rates, will continue to cost the City the equivalent of a minimum of \$7.80 per month, or \$93.60 per year.

[Approval is sought to destroy these documents prior to the expiration of their full retention time period. These records have been imaged pursuant to the conditions of Los Angeles Administrative Code Section 12.4, and the image files will be maintained in two different file locations for the balance of their required retention time period. Dispensation with the usual 60-day hold from the date of Council approval is also requested because the image copies are as readily available as the paper documents. Contact the Records Management Division at (213) 473-8449 or via email at Todd.Gaydowski@lacity.org to arrange for inspection of records.]

Community Impact Statement: None submitted.

ITEM NO. (8) - ADOPTED

[12-0727](#)

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and RESOLUTION relative to authorization to destroy certain obsolete records from the Department of General Services, Asset Management Division, for the period of January 6, 2001 to May 24, 2003.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION to authorize the destruction of certain obsolete records from the Department of General Services, Asset Management Division, for the period of January 6, 2001 to May 24, 2003.

Fiscal Impact Statement: The City Clerk reports that the retention of three records boxes beyond the required retention time period, based on industry commercial standard rates, will continue to cost the City the equivalent of a minimum of \$.47 per month, or \$5.64 per year.

[These records will be retained for a period of 60 days after the City Council's action to authorize their destruction to allow for public inspection. Contact the Records Management Division at (213) 473-8449 or via email at Todd.Gaydowski@lacity.org to arrange for inspection of records.]

Community Impact Statement: None submitted.

Items for Which Public Hearings Have Not Been Held - Items 9-18

(10 Votes Required for Consideration)

ITEM NO. (9) - ADOPTED

Adopted, Ayes (11); Absent: Buscaino, Cárdenas, Perry and Rosendahl (4)
(Item Nos. 9a-9d)

[12-0005-S418](#)

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 July 27, 2012:

[12-0005-S418](#)

CD 1

- a. Property at 1326 South Valencia Street (Case No. 263386).
Assessor I.D. No. 5135-034-005

[12-0005-S419](#)

CD 1

- b. Property at 1326 South Valencia Street (Case No. 336736).
Assessor I.D. No. 5135-034-005

[12-0005-S420](#)

CD 11

- c. Property at 9058 South Reading Avenue (Case No. 320185).
Assessor I.D. No. 4125-011-046

[12-0005-S421](#)

CD 13

- d. Property at 2128 West Elsinore Street (Case No. 336422).
Assessor I.D. No. 5402-034-004

ITEM NO. (10) - ADOPTED - FORTHWITH

Adopted, Ayes (11); Absent: Buscaino, Cárdenas, Perry and Rosendahl (4)

[11-0584](#)

CD 12

COMMUNICATION FROM CHAIR, EDUCATION AND NEIGHBORHOODS COMMITTEE relative to an application to name a community Northridge.

Recommendations for Council action:

1. APPROVE the application naming a community Northridge, within the boundaries as detailed in the attached Bureau of Engineering map dated June 5, 2011 contained in the Council File.
2. INSTRUCT all relevant departments to perform the necessary requirements to effectuate the naming of this community, including, but not limited to, the installation of signs.

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

Community Impact Statement: Yes.

For Proposal: Northridge East Neighborhood Council

Against Proposal: North Hills West Neighborhood Council

ITEM NO. (11) - ADOPTED - FORTHWITH

Adopted, Ayes (11); Absent: Buscaino, Cárdenas, Perry and Rosendahl (4)

[11-0645](#)

CD 12

COMMUNICATION FROM CHAIR, EDUCATION AND NEIGHBORHOODS COMMITTEE relative to an application to name a community Sherwood Forest.

Recommendations for Council action:

1. APPROVE the application naming a community Sherwood Forest, within the boundaries as detailed in the attached Bureau of Engineering map dated September 2, 2011 contained in the Council File.
2. INSTRUCT all relevant departments to perform the necessary requirements to effectuate the naming of this community, including, but not limited to, the installation of signs.

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

Community Impact Statement: None submitted.

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

Adopted as Amended, Ayes (11); Absent: Buscaino, Cárdenas, Perry and Rosendahl (4)

[12-1053](#)

COMMUNICATION FROM THE MAYOR relative to the exemption from the Civil Service provisions of the City Charter of one Principal Project Coordinator and two Project Assistant positions for the Bureau of Sanitation (BOS).

Recommendation for Council action:

APPROVE the exemption of one Principal Project Coordinator and two Project Assistant positions for the BOS from the Civil Service provisions of the City Charter, pursuant to Charter Section 1001(b)(1).

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - AUGUST 14, 2012

(LAST DAY FOR COUNCIL ACTION - AUGUST 14, 2012)

(Personnel and Animal Welfare Committee waived consideration of the above matter)

ADOPTED

AMENDING MOTION (KORETZ - KREKORIAN)

Recommendation for Council action:

PROVIDE resolution authority for the two Project Assistant (Class Code 1542) positions, through June 30, 2013, subject to allocation by the Civil Service Commission.

**Adopted, Ayes (11); Absent: Buscaino, Cárdenas, Perry and Rosendahl (4)
(Item Nos. 13-15)**

ITEM NO. (13) - ADOPTED

[12-1154](#)

MOTION (ENGLANDER - WESSON) relative to a reimbursement received from the U.S. Geological Survey for City staff temporarily assigned with that agency.

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

1. TRANSFER / APPROPRIATE / MOVE / ALLOCATE \$26,490.17 from fund 100/28, Revenue Source 5161 to Fund 100/28, Appropriation Account 001070 (To Be Employed As Needed) representing a reimbursement received from the U.S. Geological Survey for City staff temporarily assigned with that agency. This fund transfer is the final reimbursement for fiscal year 2011-12.
2. TRANSFER in the same manner as detailed above, all future funds received in fiscal year 2012-13 from this source for this purpose.
3. AUTHORIZE the City Clerk to make any technical corrections or clarifications to the above fund transfer instructions in order to effectuate the intent of this Motion.

ITEM NO. (14) - ADOPTED

[12-0938-S1](#)

CD 12

MOTION (ENGLANDER - BUSCAINO) relative to funding to supplement weed abatement services for Council District 12.

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

1. APPROVE the expenditure of \$30,000 from the Sunshine Canyon Community Amenities Trust Fund to supplement weed abatement services for Council District 12
2. TRANSFER \$30,000 from the Sunshine Canyon Community Amenities Trust Fund No. 699 to the Department of Public Works, Fund 100/74, Account 3040 (Contractual Services) to fund additional weed abatement service solely for the benefit of Council District 12.
3. AUTHORIZE the Chief Legislative Analyst, or designee, to make technical changes to clarify and to implement the intent of this Motion.

ITEM NO. (15) - ADOPTED

[12-0011-S19](#)

CD 12

MOTION (ENGLANDER - BUSCAINO) relative to funding to supplement weed abatement services in Council District 12.

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

1. APPROVE the expenditure of \$30,000 from Council District 12's portion of the Street Furniture Revenue Fund to supplement weed abatement services for Council District 12.
2. TRANSFER \$30,000 from the Council District 12's portion of the Street Furniture Revenue Fund No. 43D/50 to the Department of Public Works, Fund 100/74, Account 3040 (Contractual Services) to fund additional weed abatement service solely for the benefit of Council District 12.
3. AUTHORIZE the Chief Legislative Analyst, or designee, to make technical changes to clarify and to implement the intent of this Motion.

ITEM NO. (16) - CONTINUED TO AUGUST 31, 2012

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

[03-0010-S62](#)

MOTION (KREKORIAN - KORETZ) relative to reinstating the reward offer in the deaths of Michael Tardio and Christopher Monson for an additional six months.

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

REAFFIRM Council's findings and REINSTATE the reward offer relative to the deaths of Michael Tardio and Christopher Monson (Council action of December 8, 2003, Council file No. 03-0010-S62) for an additional period of six months from the publication of the offer of reward by the Office of the City Clerk and, further, that the sum of \$75,000 shall be the aggregate maximum sum of any payment or payments of a City reward in this instance.

**Adopted, Ayes (11); Absent: Buscaino, Cárdenas, Perry and Rosendahl (4)
(Item Nos. 17-18)**

ITEM NO. (17) - ADOPTED

[12-0010-S31](#)

MOTION (REYES - PERRY) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Edward Melgar on March 20, 2012.

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

1. PROVIDE an offer of reward in the amount of \$50,000 for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Edward Melgar on March 20, 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.

ITEM NO. (18) - ADOPTED

[12-0010-S32](#)

MOTION (PERRY - PARKS) relative to an offer of reward for information leading to the identification, apprehension, and conviction of Jesus Lopez, the person(s) responsible for the deaths of Thomas Gibson, Faustino Sanchez and Friedrich Allmendinger on June 28, 1996.

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

1. PROVIDE an offer of reward in the amount of \$75,000 for information leading to the identification, apprehension, and conviction of Jesus Lopez, the person(s) responsible for the deaths of Thomas Gibson, Faustino Sanchez and Friedrich Allmendinger on June 28, 1996.
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.

RECONSIDERATION OF ITEM NO. 28 FROM COUNCIL MEETING OF WEDNESDAY, AUGUST 1, 2012

CONTINUED TO AUGUST 28, 2012

Adopted to Reconsider, Ayes (11); Absent: Buscaino, Cárdenas, Perry and Rosendahl (4)

Adopted to Continued, Unanimous Vote (11); Absent: Buscaino, Cárdenas, Perry and Rosendahl (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.

Community Impact Statement: None submitted.

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

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

12-1186

MOTION (HUIZAR - ALARCON) relative to funding for community amenities in Council District 14.

12-1185

MOTION (GARCETTI - KREKORIAN) relative to funding to meet the City's contractual obligations with the Los Angeles Neighborhood Land Trust.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

12-0004-S2 - Hyepin Christine Im - Pioneer Woman Council District 4

LaBonge - Wesson

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

[12-0003-S2](#) - Dr. Gene Jerome Pawlawski

Englander

William Fitz-Gibbon

Krekorian

Sonia Bogen

Koretz

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

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL