

Los Angeles City Council, **Journal/Council Proceedings**  
Wednesday, **July 25, 2012**  
John Ferraro Council Chamber, Room 340, City Hall - 10 am

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

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

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF  
JULY 20, 2012

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 19

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

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## **Items Noticed for Public Hearing - Items 1-16**

**ITEM NO. (1) - PUBLIC HEARING HELD - CONTINUE HEARING AND PRESENT ORDINANCE ON  
AUGUST 15, 2012**

**Adopted, Ayes (11); Absent: Cardenas, Huizar, Koretz and Rosendahl (4)**

[12-0563](#)  
CD 7

HEARING PROTESTS against the proposed improvement and maintenance of the Foothill Boulevard and Sayre Street Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Foothill Boulevard and Sayre Street Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on May 2, 2012 - Continue hearing and present Ordinance on August 15, 2012 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**Adopted, Ayes (10); Absent: Cardenas, Huizar, Koretz, Krekorian and Rosendahl (5)  
(Item Nos. 2-5)**

**ITEM NO. (2) - PUBLIC HEARING HELD - CONTINUE HEARING AND PRESENT ORDINANCE ON  
AUGUST 15, 2012**

[12-0575](#)

CD 2

HEARING PROTESTS against the proposed improvement and maintenance of the Sunland Boulevard and Penrose Street Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Sunland Boulevard and Penrose Street Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on May 2, 2012 - Continue hearing and present Ordinance on August 15, 2012 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**ITEM NO. (3) - PUBLIC HEARING HELD - CONTINUE HEARING AND PRESENT ORDINANCE ON  
AUGUST 15, 2012**

[12-0576](#)

CD 10

HEARING PROTESTS against the proposed improvement and maintenance of the Jefferson Boulevard and Bronson Avenue Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Jefferson Boulevard and Bronson Avenue Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on May 2, 2012 - Continue hearing and present Ordinance on August 15, 2012 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**ITEM NO. (4) - PUBLIC HEARING HELD - CONTINUE HEARING AND PRESENT ORDINANCE ON  
AUGUST 15, 2012**

[12-0611](#)

CD 11

HEARING PROTESTS against the proposed improvement and maintenance of the Belford and Manchester Avenues No. 1 Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Belford and Manchester Avenues No. 1 Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on May 2, 2012 - Continue hearing and present Ordinance on August 15, 2012 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**ITEM NO. (5) - PUBLIC HEARING HELD - CONTINUE HEARING AND PRESENT ORDINANCE ON AUGUST 15, 2012**

[12-0612](#)

CD 11

HEARING PROTESTS against the proposed improvement and maintenance of the Topham Street and Lindley Avenue No. 1 Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Topham Street and Lindley Avenue No. 1 Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on May 2, 2012 - Continue hearing and present Ordinance on August 15, 2012 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**ITEM NO. (6) - PUBLIC HEARING CLOSED - NO APPEALS - LIEN CONFIRMED**

**Adopted to Confirm Lien, Ayes (11); Absent: Cardenas, Huizar, Koretz and Rosendahl (4)**

[10-1192](#)

CD 5

HEARING APPEALS against the annual confirmation of assessments for the maintenance of the sidewalks for Westwood Village Sidewalk Maintenance District - W.O. EXX71375.

**Adopted, Ayes (10); Absent: Cardenas, Huizar, Koretz, Krekorian and Rosendahl (5)  
(Item Nos. 7-11)**

**ITEM NO. (7) - PUBLIC HEARING CLOSED - NO APPEALS - LIEN CONFIRMED**

[10-1193](#)

CD 6

HEARING APPEALS against the annual confirmation of assessments for the maintenance of the sidewalks for Van Nuys and Victory Boulevards (and other streets) Sidewalk Maintenance District - W.O. EXX71822.

**ITEM NO. (8) - PUBLIC HEARING CLOSED - NO APPEALS - LIEN CONFIRMED**

[11-1076](#)

CD 5

HEARING APPEALS against the annual confirmation of assessments for the maintenance of the sidewalks for Ventura Boulevard (Kester Avenue to Beverly Glen Boulevard) Sidewalk Maintenance District - W.O. E6000067.

**ITEM NO. (9) - PUBLIC HEARING CLOSED - NO APPEALS - LIEN CONFIRMED**

[11-1077](#)

CD 4

HEARING APPEALS against the annual confirmation of assessments for the maintenance of the sidewalks for Wilshire Miracle Mile Sidewalk Maintenance District - W.O. E6000022.

**ITEM NO. (10) - PUBLIC HEARING CLOSED - PROTEST DENIED - CITY ENGINEER INSTRUCTED TO PROCEED**

[06-2469](#)

CD 15

HEARING PROTESTS relative to the vacation of a T-shaped alley southerly of 108th Street and easterly of Clovis Avenue (VAC E1401013).

(Environmental Impact Report, Findings and Public Works Committee report adopted on May 25, 2012)

**ITEM NO. (11) - PUBLIC HEARING CLOSED - PROTEST DENIED - CITY ENGINEER INSTRUCTED TO PROCEED**

[06-2764](#)

CD 10

HEARING PROTESTS relative to the vacation of Seventh Street from Catalina Street to its westerly terminus (VAC E1401020).

(Categorical Exemption, Findings and Public Works Committee report adopted on May 25, 2012)

**ITEM NO. (12) - CONTINUED TO SEPTEMBER 19, 2012**

**Adopted to Continue, Unanimous Vote (10); Absent: Cardenas, Huizar, Koretz, Krekorian and Rosendahl (5)**

[07-2149](#)

CD 5

HEARING PROTESTS relative to vacating an excess right-of-way along Lookout Mountain Avenue (northeasterly side) adjacent to lots 213, 215 and 217 of Lookout Mountain Park (VAC E1401071).

(Categorical Exemption, Findings and Public Works Committee report adopted on May 25, 2012)

**ITEM NO. (13) - PUBLIC HEARING CLOSED - PROTEST DENIED - CITY ENGINEER INSTRUCTED TO PROCEED**

**Adopted, Ayes (11); Absent: Cardenas, Huizar, Koretz and Rosendahl (4)**

[11-1822](#)

CD 14

HEARING PROTESTS relative to the vacation of Avenue 66 (portion of westerly side) adjacent to Lot 3, Parkdale Heights Tract (VAC E1401168).

(Categorical Exemption, Communication from the City Engineer and Findings adopted on June 20, 2012)

**ITEM NO. (14) - PUBLIC HEARING CLOSED - NO PROTEST OR APPEALS - LIEN CONFIRMED**

**Adopted to Confirm Lien, Ayes (11); Absent: Cardenas, Huizar, Koretz and Rosendahl (4)**

[12-0282](#)

CONTINUED CONSIDERATION OF HEARING PROTEST, APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien for nuisance abatement costs and/or non-compliance of code violations/Annual Inspection costs, pursuant to Los Angeles Municipal Code (LAMC) and/or Los Angeles Administrative Code (LAAC).

Recommendation for Council action:

HEAR PROTESTS, APPEALS OR OBJECTIONS relative to proposed lien for nuisance abatement costs and/or non-compliance of code violations/Annual Inspection costs, pursuant to LAMC and/or LAAC and CONFIRM said lien for the property at 3605 South Moore Street. (Lien: \$2,944.56)

(Continued from Council meeting of June 12, 2012)

**ITEM NO. (15) - SEE BELOW**

[12-1025](#)

et al.

HEARING PROTESTS relative to Office of Finance reports requesting approval to record liens against taxpayers for unpaid taxes.

Recommendation for Council action:

APPROVE and AUTHORIZE the Office of Finance to record a lien for unpaid taxes in the amounts stated below, pursuant to Los Angeles Municipal Code Section 21.15(o) for the following:

**PUBLIC HEARING CLOSED - LIEN CONFIRMED**

**Adopted to Confirm Lien, Ayes (10); Absent: Cardenas, Huizar, Koretz, Krekorian and Rosendahl (5)**

[12-1025](#)

CD 10

- a. All Star Wireless Communications Inc. (Lien: \$78,570.11)

**RECEIVED AND FILED**

**Adopted to Receive and File, Ayes (10); Absent: Cardenas, Huizar, Koretz, Krekorian and Rosendahl (5)**

[12-1026](#)

CD 5

- b. Sony/ATV Music Publishing LLC (Lien: \$27,006.16)

**ITEM NO. (16) - PUBLIC HEARING CLOSED - ADOPTED - FORTHWITH TO THE MAYOR**

**Adopted, Ayes (11); Absent: Cardenas, Huizar, Koretz and Rosendahl (4)**

[12-0936](#)

CD 4

HEARING COMMENTS and RESOLUTION pursuant to the Tax and Equity and Fiscal Responsibility Act of 1982 (TEFRA) relative to the issuance of tax exempt loan(s) for the finance/refinance and acquisition, construction, improvement, renovations, equipping and/or certain other matters relating to the Buckley School located at 3900 Stansbury Avenue.

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

1. HOLD a public hearing as required by Section 147(f) of the Internal Revenue Code of 1986 regarding the proposed issuance by the California Municipal Finance Authority to incur one or more tax exempt loans in an aggregate principal amount not to exceed \$40,000,000 to finance/refinance and acquisition, construction, improvement, renovations, equipping and/or certain other matters relating to the Buckley School located at 3900 Stansbury Avenue, Los Angeles, CA 91423.
2. ADOPT the accompanying RESOLUTION approving the issuance of Tax Exempt Loans by the California Municipal Finance Authority for the finance/refinance and acquisition, construction, improvement, renovations, equipping and/or certain other matters relating to the Buckley School located at 3900 Stansbury Avenue.

(Scheduled pursuant to Council action of June 26, 2012)

## Items for Which Public Hearings Have Been Held - Items 17-27

### ITEM NO. (17) - ADOPTED - SEE FOLLOWING

**Adopted, Ayes (11); Absent: Cardenas, Huizar, Koretz and Rosendahl (4)**

COMMUNICATIONS FROM THE DEPARTMENT OF NEIGHBORHOOD EMPOWERMENT relative to its implementation and expenditure plan to conduct the 2012 Neighborhood Council elections and expend funds authorized in the Department's Fiscal Year 2012-13 Proposed Budget for the elections.

(Education and Neighborhoods 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 [www.lacouncilfile.com](http://www.lacouncilfile.com) for background documents.)

### ADOPTED

**COMMUNICATION FROM CHAIR, EDUCATION AND NEIGHBORHOODS COMMITTEE relative to an implementation and expenditure plan for the 2012 Neighborhood Council elections.**

**Recommendations for Council action:**

- 1. INSTRUCT the Department of Neighborhood Empowerment (DONE) to:**
  - a. Report back within 90 days with details relative to Neighborhood Council (NC) encumbrances and expenditures for each NC relative to outreach activities for the 2012 NC elections.**
  - b. Report back within 90 days after completion of the 2012 election with an after action report, to include, but not limited to, best practices, NC challenges, NC concerns, DONE expenditures, and any related matters.**
- 2. INSTRUCT the City Clerk to report back with the results of a second survey (of Neighborhood Councils relative to conducting NC elections) and include recommendations on the administration of the 2014 NC elections.**
- 3. INSTRUCT the City Administrative Officer (CAO), Chief Legislative Analyst (CLA), and DONE to report, with assistance from the Board of Neighborhood Commissioners, to develop a cost sharing plan for the 2014 election cycle.**
- 4. INSTRUCT the CAO, the CLA, and DONE to implement the proposed cost sharing Recommendation No. 3 above in the 2012 election cycle if there are shortfalls in the NC election process.**
- 5. NOTE and FILE the DONE reports dated June 4, 2012 and May 11, 2012 relative to its implementation and expenditure plan for the 2012 NC elections.**

**Fiscal Impact Statement:** The CAO and the CLA reports that funding in the amount of \$550,696 for the 2012 NC elections is provided in the Department of Neighborhood Empowerment's 2012-13 Adopted Budget and is subject to Mayor and Council approval. The funding for the administration of the 2012 NC elections can be reduced, if a contribution in the amount of \$475 for each selection process/board affirmation and \$1,550 for each election process was required of Neighborhood Councils.

**Community Impact Statement:** None submitted.

**Adopted, Ayes (10); Absent: Cardenas, Huizar, Koretz, Krekorian and Rosendahl (5)  
(Item Nos. 18-27)**

**ITEM NO. (18) - ADOPTED**

[12-0584](#)

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and RESOLUTION relative to authorization to destroy certain obsolete records from the Department of Public Works, Bureau of Street Services, Urban Forestry Division, for the period of January 1, 1985 to December 1, 2005.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION to authorize the destruction of certain obsolete records from the Department of Public Works, Bureau of Street Services, Urban Forestry Division, for the period of January 1, 1985 to December 1, 2005.

**Fiscal Impact Statement:** The City Clerk reports that the retention of 24 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 \$3.74 per month, or \$44.88 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](mailto:Todd.Gaydowski@lacity.org) to arrange for inspection of records.]

**Community Impact Statement:** None submitted.

**ITEM NO. (19) - ADOPTED**

[12-0585](#)

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and RESOLUTION relative to authorization to destroy certain obsolete records from the Department of Public Works, Bureau of Sanitation, Administration Office, for the period of March 1, 1987 to June 30, 1998.

Recommendation for Council action:



ADOPT the accompanying RESOLUTION to authorize the destruction of certain obsolete records from the Department of Public Works, Bureau of Sanitation, Administration Office, for the period of March 1, 1987 to June 30, 1998.

Fiscal Impact Statement: The City Clerk reports that the retention of 303 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 \$47.27 per month, or \$567.24 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](mailto:Todd.Gaydowski@lacity.org) to arrange for inspection of records.]

Community Impact Statement: None submitted.

## ITEM NO. (20) - ADOPTED

[12-0586](#)

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and RESOLUTION relative to authorization to destroy certain obsolete records from the Department of Public Works, Bureau of Street Lighting, Administrative Services Division, for the period of January 1, 1979 to May 31, 1983.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION to authorize the destruction of certain obsolete records from the Department of Public Works, Bureau of Street Lighting, Administrative Services Division, for the period of January 1, 1979 to May 31, 1983.

Fiscal Impact Statement: The City Clerk reports that the retention of 16 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 \$2.50 per month, or \$30.00 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](mailto:Todd.Gaydowski@lacity.org) to arrange for inspection of records.]

Community Impact Statement: None submitted.

## ITEM NO. (21) - ADOPTED

[12-0597](#)

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and RESOLUTION relative to authorization to destroy certain obsolete records from the Board of Public Works, Office of Accounting, for the period of July 1, 1971 to December 31, 1997.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION to authorize the destruction of certain obsolete records from the Board of Public Works, Office of Accounting, for the period of July 1, 1971 to December 31, 1997.

Fiscal Impact Statement: The City Clerk reports that the retention of 182 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 \$28.39 per month, or \$340.68 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](mailto:Todd.Gaydowski@lacity.org) to arrange for inspection of records.]

Community Impact Statement: None submitted.

## ITEM NO. (22) - ADOPTED

[12-0598](#)

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and RESOLUTION relative to authorization to destroy certain obsolete records from the Department of Public Works, Bureau of Engineering, Architectural Division, for the period of September 1, 1948 to October 31, 2001.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION to authorize the destruction of certain obsolete records from the Department of Public Works, Bureau of Engineering, Architectural Division, for the period of September 1, 1948 to October 31, 2001.

Fiscal Impact Statement: The City Clerk reports that the retention of 68 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 \$10.61 per month, or \$127.32 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](mailto:Todd.Gaydowski@lacity.org) to arrange for inspection of records.]

Community Impact Statement: None submitted.

## ITEM NO. (23) - ADOPTED

[12-0599](#)

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and RESOLUTION relative to authorization to destroy certain obsolete records from the Department of Public Works, Board of Public Works, for the period of April 1, 1963 to December 31, 1991.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION to authorize the destruction of certain obsolete records from the Department of Public Works, Board of Public Works, for the period of April 1, 1963 to December 31, 1991.

Fiscal Impact Statement: The City Clerk reports that the retention of 192 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 \$29.95 per month, or \$359.40 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](mailto:Todd.Gaydowski@lacity.org) to arrange for inspection of records.]

Community Impact Statement: None submitted.

## **ITEM NO. (24) - ADOPTED**

### 12-0601

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and RESOLUTION relative to authorization to destroy certain obsolete records from the Department of Public Works, Bureau of Engineering, Project Management Division, for the period of April 29, 1992 to December 31, 1993.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION to authorize the destruction of certain obsolete records from the Department of Public Works, Bureau of Engineering, Project Management Division, for the period of April 29, 1992 to December 31, 1993.

Fiscal Impact Statement: The City Clerk reports that the retention of 92 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 \$17.48 per month, or \$209.76 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](mailto:Todd.Gaydowski@lacity.org) to arrange for inspection of records.]

Community Impact Statement: None submitted.

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

### 12-0622

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and RESOLUTION relative to authorization to destroy certain obsolete records from the Department of Public Works, Bureau of Engineering, for the period of January 1, 1950 to December 31, 2002.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION to authorize the destruction of certain obsolete records from the Department of Public Works, Bureau of Engineering, for the period of January 1, 1950 to December 31, 2002.

Fiscal Impact Statement: The City Clerk reports that the retention of 290 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 \$45.24 per month, or \$542.88 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](mailto:Todd.Gaydowski@lacity.org) to arrange for inspection of records.]

Community Impact Statement: None submitted.

## ITEM NO. (26) - ADOPTED

[12-0464](#)

CD 1

PUBLIC WORKS COMMITTEE REPORT relative to the implementation of roadway and sidewalk modifications for Wilshire Boulevard in lieu of the existing standards.

Recommendation for Council action, as initiated by Motion (Reyes - Parks):

INSTRUCT the Bureau of Engineering, the Los Angeles Department of Transportation, the Department of City Planning, and the Bureau of Street Lighting to work cooperatively with the applicant through the B-Permit process to adopt a new roadway standard for the segment of Wilshire Boulevard between Lucas Avenue and Witmer Street to implement a half roadway width of 37 feet and a sidewalk width of 15 feet all within a 52 foot half-width right of way for Wilshire Boulevard in lieu of the existing standards.

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

Community Impact Statement: None submitted.

## ITEM NO. (27) - ADOPTED

[12-0197](#)

TRANSPORTATION COMMITTEE REPORT relative to the administrative procedures for processing requests from the Council and Mayor to not enforce certain parking restrictions.

Recommendation for Council action:

RECEIVE and FILE Los Angeles Department of Transportation report to Council dated June 19, 2012 (attached to the Council file), relative to the administrative procedures for processing requests from the Council and Mayor to not enforce certain parking restrictions in the Los Angeles Municipal Code.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

## **Items for Which Public Hearings Have Not Been Held - Items 28-33**

(10 Votes Required for Consideration)

**Adopted, Ayes (10); Absent: Cardenas, Huizar, Koretz, Krekorian and Rosendahl (5)  
(Item Nos. 28a-28j)**

### **ITEM NO. (28) - ADOPTED**

#### [12-0005-S376](#)

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 18, 2012:

#### [12-0005-S376](#)

CD 1

- a. Property at 3037 West 12th Street (Case No. 46502).  
Assessor I.D. No. 5080-010-041

#### [12-0005-S377](#)

CD 6

- b. Property at 7860 North Ventura Canyon Avenue (Case No. 358110).  
Assessor I.D. No. 2301-012-103

#### [12-0005-S378](#)

CD 8

- c. Property at 517 West 92nd Street (Case No. 276092).  
Assessor I.D. No. 6039-016-027

#### [12-0005-S379](#)

CD 8

- d. Property at 8103 South Hoover Street (Case No. 282588).  
Assessor I.D. No. 6032-006-007

#### [12-0005-S380](#)

CD 9

- e. Property at 1038 West Vernon Avenue (Case No. 217016).  
Assessor I.D. No. 5017-032-020

[12-0005-S381](#)

CD 13

- f. Property at 1615 North Golden Gate Avenue (Case No. 289365).  
Assessor I.D. No. 5429-023-005

[12-0005-S382](#)

CD 13

- g. Property at 1212 North Sanborn Avenue (Case No. 298948).  
Assessor I.D. No. 5429-012-014

[12-0005-S383](#)

CD 13

- h. Property at 726 North Lucile Avenue (Case No. 304182).  
Assessor I.D. No. 5401-002-013

[12-0005-S384](#)

CD 14

- i. Property at 1612 East Pleasant Avenue (Case No. 151009).  
Assessor I.D. No. 5174-024-011

[12-0005-S385](#)

CD 14

- j. Property at 2620 East Dobinson Street (Case No. 244193).  
Assessor I.D. No. 5177-012-012

**ITEM NO. (29) - ADOPTED, AS AMENDED - SEE FOLLOWING**

**Adopt as Amended, Ayes (10); Absent: Cardenas, Huizar, Koretz, Rosendahl and Zine (5)**

[09-1914-S13](#)

COMMUNICATION FROM CHAIR, JOBS AND BUSINESS DEVELOPMENT COMMITTEE relative to the evaluation of the City's taxing system for radio and television broadcasting industries and the different taxing methods, including a maximum tax similar to the entertainment production cap.

Recommendations for Council action, pursuant to Motion (Garcetti - Krekorian):

1. INSTRUCT the Chief Legislative Analyst (CLA) and Chief Administrative Officer (CAO), with the assistance of the Office of Finance, to re-evaluate the City's taxing system for radio and television broadcasting industries and report back on different taxing methods, including a maximum tax similar to the entertainment production cap.
2. INSTRUCT the CAO to work with the Office of Finance and report back to the Jobs and Business Development Committee relative to the establishment of a minimum tax and its impact on the entertainment cap.
3. INSTRUCT the Office of Finance to report back to the Jobs and Business Development Committee relative to the consistency on agency fees, impact of a minimum tax for entertainment cap on the general fund, and impact on the general fund if extended to broadcasting.

Fiscal Impact Statement: Neither the CAO nor the CLA completed a financial analysis of this report.

Community Impact Statement: None submitted.

## **ADOPTED**

### **AMENDING MOTION (GARCETTI - LABONGE)**

#### **Recommendations for Council action:**

**INSTRUCT the City Administrative Officer and the Chief Legislative Analyst with the assistance of the Office of Finance, to report back to the Jobs and Business Development Committee on October 10, 2012 relative to:**

- a. An evaluation of the City's taxing system for radio and television broadcasting industries and the different taxing methods, including a maximum tax similar to the entertainment production cap.**
- b. The establishment of a minimum tax and its impact on the entertainment cap.**
- c. The consistency on agency fees, impact of a minimum tax for entertainment cap on the general fund, and impact on the general fund if extended to broadcasting.**

## **ITEM NO. (30) - ADOPTED, AS AMENDED - SEE FOLLOWING**

**Adopt as Amended, Ayes (10); Absent: Cardenas, Huizar, Koretz, Rosendahl and Zine (5)**

### [12-0564-S1](#)

COMMUNICATION FROM CHAIR, JOBS AND BUSINESS DEVELOPMENT COMMITTEE relative to the status of all fees charged for film and television productions and the impact of waiving all City fees for television pilots filmed substantially in the City.

#### Recommendations for Council action, pursuant to Motion (Garcetti - Krekorian):

1. INSTRUCT the City Administrative Officer (CAO) to report on the status of all fees charged for film and television productions and the impact of waiving all City fees for television pilots filmed substantially in the City.
2. INSTRUCT the Los Angeles Fire Department, Department of Recreation and Parks, and Los Angeles Department of Transportation to report on the status of fees charged for film and television productions.
3. REQUEST that FilmLA develop a fee waiver incentive to support television pilot productions filmed substantially in the City.

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

Community Impact Statement: None submitted.

**ADOPTED**

**AMENDING MOTION (GARCETTI - LABONGE)**

**Recommendations for Council action:**

**INSTRUCT the City Administrative Officer and the Chief Legislative Analyst with the assistance of the Office of Finance, to report back to the Jobs and Business Development Committee on October 10, 2012 relative to:**

- a. **The status of all fees charged for film and television productions and the impact of waiving all City fees for television pilots filmed substantially in the City.**
- b. **The status of fees charged for film and television productions.**
- c. **The status of a fee waiver incentive to support television pilot productions filmed substantially in the City.**

**Adopted, Ayes (10); Absent: Cardenas, Huizar, Koretz, Krekorian and Rosendahl (5)  
(Item Nos. 31-32)**

**ITEM NO. (31) - ADOPTED - FORTHWITH TO THE MAYOR**

[10-1186](#)

COMMUNICATION FROM BOARD OF PUBLIC WORKS and RESOLUTION relative to submitting applications for, and accepting payments from, the Used Oil Payment Program (Program) for Fiscal Years (FYs) 2012-13 through 2014-15.

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

1. ADOPT the accompanying RESOLUTION [Transmittal No. 1 attached to the Board of Public Works (Board) report dated June 18, 2012] authorizing the submittal of applications for the Program for FYs 2012-13 through 2014-15.
2. APPROVE the acceptance of the Program payment, estimated at \$1 million.
3. AUTHORIZE the Director, Bureau of Sanitation (BOS), or designee, to:
  - a. Submit applications to the Department of Resources Recycling and Recovery (CalRecycle) for the Program.
  - b. Accept payments from CalRecycle.
  - c. Conduct all negotiations with respect to the Program.



- d. Provide additional information with respect to the Program.
  - e. Execute and submit all documents, including, but not limited to, applications, agreements, and amendments which may be necessary to secure funding with respect to the Program, subject to the review of the City Attorney as to form and legality.
4. INSTRUCT the BOS to report annually on the status of the Program.

Fiscal Impact Statement: The Board reports that the grant funds will maintain the existing used oil and used oil filter collection and recycling program. Failure to accept and request the funds from the CalRecycle will eliminate the funding available to the City to conduct its used oil and used oil filters collection program. There is no fiscal impact on the General Fund, as all program expenditures are from special funds.

Community Impact Statement: None submitted.

(Energy and Environment Committee waived consideration of the above matter)

## **ITEM NO. (32) - ADOPTED - FORTHWITH TO THE MAYOR**

08-0508-S5

CDs 9 & 14

COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER relative to the project status and additional funding request for the First Street Viaduct and Street Widening Project.

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

1. AUTHORIZE the increase of \$4,324,740 in the total project budget for the 1st Street Viaduct Widening and Historical Railing Project from \$87,752,686 to \$92,077,426.
2. AUTHORIZE the return of \$2,500,000 in front funding within the Transportation Grant Fund No. 655 from the First Street Bridge Account No. 809 to the Valley Boulevard Grade Separation Account No. 405.
3. AUTHORIZE the return of \$2,500,000 in front funding from the Transportation Grant Fund No. 655, Valley Boulevard Grade Separation Account No. 405 to the Proposition C Anti-Gridlock Fund No. 540, Transportation Grant Fund Work Program Account No. 94H656 and increase the appropriation of the Transportation Grant Fund Work Program Account No. 94H656 by \$2,500,000.
4. AUTHORIZE the return of \$3,243,000 in front funding from the Transportation Grant Fund No. 665, First Street Bridge Account No. 809 to the Proposition C Anti-Gridlock Fund No. 540, Transportation Grant Fund Work Program Account No. 94H656 and increase the appropriation of the Transportation Grant Fund Work Program Account No. 94H656 by \$3,243,000.
5. TRANSFER and APPROPRIATE \$4,324,740 in match funds from the Proposition C Anti-Gridlock Fund No. 540, Transportation Grant Fund Work Program Account No. 94H656 to the Transportation Grant Fund No. 655, First Street Bridge Project Account No. 94H809.

6. AUTHORIZE the City Administrative Officer (CAO) to make technical corrections to the instructions in this motion that are necessary to implement the Council's intention.

Fiscal Impact Statement: The CAO reports that approval of this action will not affect the General Fund, but will authorize the conversion of \$4,324,740 in Transportation Grant Fund (TGF) monies from cash flow funding to project funding. The Bureau of Engineering (BOE) will continue to seek other funding sources to replace the increased TGE funding. The remainder of the TGF cash flow (\$1,418,260) and any savings that result from BOE efforts will be returned to TGF.

Community Impact Statement: None submitted.

(Public Works Committee waived consideration of the above matter)

### **ITEM NO. (33) - MAP AND BOND APPROVED - CITY ENGINEER REPORT ADOPTED**

**Adopted, Ayes (10); Absent: Cardenas, Huizar, Koretz, Krekorian and Rosendahl (5)**

[12-1035](#)  
CD 14

FINAL MAP OF TRACT NO. 71170 for property located at 1457 West Colorado Boulevard lying westerly of Hardwick Street.

(Approve Subdivision Improvement Agreement and Contract with attached security documents)

(ADOPT City Engineer Report)

(ADOPT Bond No. C-120650)

(Quimby Fee: \$34,152)

(Less Dwelling Unit Construction Tax: \$1,600)

Applicants: Warren Calonzo  
HB Land Surveying

### **Closed Sessions - Items 34-35**

#### **ITEM NO. (34) - NO ACTION TAKEN**

[11-1834-S2](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to the case entitled Matt Dowd, et al. v. City of Los Angeles, United States District Court Case No. CV 09-6731. (This lawsuit arises out of facial and as-applied challenges to both Los Angeles Municipal Code Section 42.15 regarding vending and performance activities on the Venice Boardwalk, and Los Angeles City Council Rule of Decorum, Rule 12.)

**ITEM NO. (35) - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTWITH - SEE FOLLOWING**

**Adopted in Open Session, Ayes (10); Absent: Cardenas, Huizar, Koretz, Rosendahl and Zine (5)**

[12-0951](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to payment of judgment in the case entitled Damian Ramirez v. City of Los Angeles, Los Angeles Superior Court Case No. NC 043826. (This matter arises from an incident which occurred on November 9, 2009, involving members of the Los Angeles Police Department.)

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

**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 \$477,590.46 plus accrued interest at the rate of seven percent on the judgment portion only (\$326,495.46) for the judgment, costs and attorneys fee award following the jury trial in the above-entitled matter from City Attorney Fund 100/59, Account No. 009770.**
2. **AUTHORIZE the City Attorney to draw a demand thereon in said amount payable to Sayre & Levitt LLP Client Trust Account, Damian Ramirez and Department of Health Care Services.**
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.**

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

**COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:**

[12-0004-S2](#) - Rascal Flatt

(Garcetti - LaBonge)

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

[12-0003-S2](#) - Alejandro "Alex" Gallardo

(Alarcon - All Councilmembers)

Thaddeus "Ted" Kedzierski

(Buscaino - All Councilmembers)

Anthony R. Gonzales

(Parks - All Councilmembers)

Dave Howard

(Krekorian - Wesson - All Councilmembers)

Jim Scott

(LaBonge - All Councilmembers)

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

**Whereupon the Council did adjourn.**

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL