Los Angeles City Council, Journal/Council Proceedings  
Friday, August 17, 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: Cárdenas, Englander, Huizar, Koretz, LaBonge, Parks, Perry, Reyes, Zine and President Wesson (10); Absent: Alarcón, Buscaino, Garcetti, Krekorian and Rosendahl (5)


COMMEMORATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 10

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

Items for Which Public Hearings Have Been Held - Items 1-7

ITEM NO. (1) - CONTINUED TO AUGUST 31, 2012

Adopted to Continue, Unanimous Vote (10); Absent: Alarcón, Buscaino, Garcetti, Krekorian and Rosendahl (5)

11-0086-S5

MOTION (WESSON for CARDENAS - KREKORIAN) relative to the return of assets conveyed from the former Community Redevelopment Agency of Los Angeles to the City, pursuant to an Order to Reverse from the California State Controller and ABX1 26.

(Housing, Community and Economic Development 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://www.lacouncilfile.com for background documents.)
ITEM NO. (2) - ADOPTED

Adopted, Ayes (10); Absent: Alarcón, Buscaino, Garcetti, Krekorian and Rosendahl (5)

12-0902
CD 8

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an appeal for property located at 4051-59 South Leimert Boulevard.

Recommendation for Council action:

RECEIVE and FILE the appeal filed by the Empowerment Congress West Area Neighborhood Development Council from the entire determination of the Zoning Administrator regarding the operation of the 7-Eleven (formerly 7 Kings Liquor) located at 4051-59 South Leimert Boulevard, inasmuch as the appeal was withdrawn.

Applicant: City of Los Angeles, Office of Zoning Administration

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (3) - ADOPTED - SEE FOLLOWING

Adopted, Ayes (14); Absent: Rosendahl (1)

12-0002-S58

COMMUNICATION FROM CHIEF LEGISLATIVE ANALYST and RESOLUTION (PERRY - LABONGE) relative to the City’s position to support the Californians Against Sexual Exploitation Act (CASE ACT) ballot initiative which would strengthen penalties against human traffickers and protect sexually exploited children.

(Rules, Elections and Intergovernmental Relations 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://www.lacouncilfile.com for background documents.)

ADOPTED

RULES, ELECTIONS AND INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT and RESOLUTION relative to the City’s position to support the Californians Against Sexual Exploitation Act ballot initiative (CASE Act) which would strengthen penalties against human traffickers and protect sexually exploited children.

Recommendation for Council action, pursuant to Resolution (Perry - LaBonge), SUBJECT TO THE CONCURRENCE OF THE MAYOR:
ADOPT the accompanying RESOLUTION to include in the City’s 2011-12 State Legislative Program SUPPORT for the CASE Act ballot initiative which would strengthen penalties against human traffickers and protect sexually exploited children.

Fiscal Impact Statement: None submitted by the Chief Legislative Analyst. The City Administrative Officer has not completed a financial analysis of this report.

Community Impact Statement: None submitted.

Adopted, Ayes (10); Absent: Alarcón, Buscaino, Garcetti, Krekorian and Rosendahl (5) (Item Nos. 4-7)

ITEM NO. (4) - ADOPTED - SEE FOLLOWING

12-0002-S74
RESOLUTION (LABONGE - GARCETTI) relative to the City’s position to support H.R. 6252, H.R. 6267, and S. 3471 to exempt from federal taxation the value of Olympic medals won by United States Olympians during the 2012 Olympic Games.

(Rules, Elections and Intergovernmental Relations 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://www.lacouncilfile.com for background documents.)

ADOPTED

RULES, ELECTIONS AND INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT and RESOLUTION relative to the City’s position to support H.R. 6252, H.R. 6267, and S. 3471 to exempt from federal taxation the value of Olympic medals won by United States Olympians during the 2012 Olympic Games.

Recommendation for Council action, pursuant to Resolution (LaBonge - Garcetti), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

ADOPT the accompanying RESOLUTION to include in the City’s 2011-12 Federal Legislative Program SUPPORT for H.R. 6252, H.R. 6267, and S. 3471 to exempt from federal taxation the value of Olympic medals won by United States Olympians during the 2012 Olympic Games.

Fiscal Impact Statement: None submitted by the Chief Legislative Analyst. The City Administrative Officer has not completed a financial analysis of this report.

Community Impact Statement: None submitted.
ITEM NO. (5) - ADOPTED

12-0926

ADMINISTRATIVE EXEMPTION and TRADE, COMMERCE, AND TOURISM COMMITTEE
REPORT relative to proposed Fifth Amendment to Contract No. DA-4159 with Kaye Scholer, LLP for
legal services related to federal regulatory issues and litigation matters for Los Angeles World
Airports (LAWA).

Recommendations for Council action:

1. ADOPT the determination by the Board of Airport Commissioners (Board) 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. APPROVE the Fifth Amendment to Contract No. DA-4159 with Kaye Scholer, LLP.

3. CONCUR with the Board’s action of April 16, 2012, by Resolution No. 24762 authorizing the
Executive Director to execute the Fifth Amendment to Contract No. DA-4159 with Kaye Scholer,
LLP for legal services related to federal regulatory issues and litigation matters for LAWA.

Fiscal Impact Statement: The City Administrative Officer reports that approval of the proposed Fifth
Amendment will have no impact on the General Fund. Funding for Contract DA-4159 with Kaye
Scholer, LLP is available in the FY2011-12 LAWA Operating Budget. Additional funding, if needed,
will be requested as part of the annual budget process. This project complies with the Department of
Airports’ adopted Financial Policies.

Community Impact Statement: None submitted.

TIME LIMIT FILE - AUGUST 20, 2012
(LAST DAY FOR COUNCIL ACTION - AUGUST 17, 2012)

ITEM NO. (6) - ADOPTED

12-0928

ADMINISTRATIVE EXEMPTION and TRADE, COMMERCE, AND TOURISM COMMITTEE
REPORT relative to proposed Seventh Amendment to Agreement No. 2519 with Kaye Scholer, LLP
for professional legal services.

Recommendations for Council action:

1. ADOPT the determination by the Los Angeles Harbor Department (Port) 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. APPROVE the Seventh Amendment to Agreement No. 2519 with Kaye Scholer, LLP for professional legal services.

Fiscal Impact Statement: The City Administrative Officer reports that approval of the request by the Port for the proposed seventh amendment to Agreement No. 2519 with Kaye Scholer, LLP, for outside legal services to assist the Office of the City Attorney, will extend its existing contract by one additional year, to January 3, 2014, for a total of seven years, and increase the compensation by $288,000 to a maximum total of $8,041,679. The existing contract amount is a total of approximately $7.7 million. There is a current contract balance of $64,400 that the Port and City Attorney expects to use in the 2011/2012 fiscal year budget. Since the Port is bound only by the City Debt Management Policies, the City Financial Policies are not applicable. There is no impact on the City General Fund.

Community Impact Statement: None submitted.

TIME LIMIT FILE - AUGUST 20, 2012
(LAST DAY FOR COUNCIL ACTION - AUGUST 17, 2012)

ITEM NO. (7) - ADOPTED

CATEGORICAL EXEMPTION and TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT relative to proposed First Amendment for Foreign-Trade Zone (FTZ) Developer Agreement No. 2539 between the City of Los Angeles Harbor Department and Port LA Distribution Center L.P., and Port LA Distribution Center II, L.P. Site 14.

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, Section 1(14) of the Los Angeles City CEQA Guidelines.

2. APPROVE the First Amendment for FTZ Developer Agreement No. 2539 between the City of Los Angeles Harbor Department and Port LA Distribution Center L.P., and Port LA Distribution Center II, L.P. Site 14.

Fiscal Impact Statement: The City Administrative Officer reports that the proposed First Amendment with FTZ Developer Agreement No. 2539 with Port LA Distribution Center, L.P., and Port LA Distribution Center II, L.P. (Contractor) is for the development of a site within the Los Angeles FTZ Site No. 14 in San Pedro, California. The Contractor has paid an initial fee of $2,500 to the Port for the continued development of FTZ Site No. 14 during the initial five-year term of the contract. There will be no additional payment to the Port. The proposed Agreement with the Contractor will have no impact on the City General Fund.

Community Impact Statement: None submitted.
Items for Which Public Hearings Have Not Been Held - Items 8-12
(10 Votes Required for Consideration)

Adopted, Ayes (10); Absent: Alarcón, Buscaino, Garcetti, Krekorian and Rosendahl (5)
(Item Nos. 8a-8b)

ITEM NO. (8) - ADOPTED

12-0005-S442
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 August 10, 2012:

12-0005-S442
CD 14

a. Property at 3061 East Ganahl Street (Case No. 151535).
   Assessor I.D. No. 5229-005-006

12-0005-S443
CD 14

b. Property at 3061 East Ganahl Street (Case No. 199430).
   Assessor I.D. No. 5229-005-006

ITEM NO. (9) - ADOPTED - FORTHWITH

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

11-1357-S1
CONSIDERATION OF MOTION (KREKORIAN - BUSCAINO) relative to scheduling “Revenue Day” for Tuesday, August 21, 2012.

Recommendations for Council action:

1. INSTRUCT the City Clerk to schedule Revenue Day for Tuesday, August 21, 2012.

2. INSTRUCT the City Administrative Officer and Chief Legislative Analyst to present to the City Council an update on the status of revenue items, as well as other possible revenue proposals for
generating, enhancing or improving collection of City revenues, including measures that would require voter approval, and that the Office of Finance present a status of revenue collection efforts.

Community Impact Statement:  None submitted.

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

ITEM NO. (10) - ADOPTED

Adopted, Ayes (10); Absent: Alarcón, Buscaino, Garcetti, Krekorian and Rosendahl (5)

11-1593-S4

MOTION (HUIZAR - WESSON) relative to funding for the Fuego Tech Fire Rangers Program.

Recommendation for Council action:

AUTHORIZE the General Manager, Community Development Department, or designee, to:

a. Designate Barrio Action Youth & Family Center as the sub-recipient (fiscal agent) for the Fuego Tec Fire Rangers Program (Project ID: 3807) in the 38th Program Year Community Development Consolidated Plan-Fifth Year Action Plan.

b. Execute a contract with Barrio Action Youth & Family Center, in an amount not to exceed $85,000 in Community Development Block Grant funds, to implement the Fuego Tech Fire Rangers project, subject to the approval by the City Attorney.

c. Make technical adjustments as needed to effectuate the intent of the above action.

d. Amend the Consolidated Plan if necessary.

ITEM NO. (11) - ADOPTED - SET FOR HEARING ON SEPTEMBER 11, 2012

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

12-1263

CD 4

MOTION (LABONGE - GARCETTI) relative to Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) Hearing to finance/refinance the acquisition, construction, improvement, renovations, equipping, and/or certain other matters related to Notre Dame High School located at 13645 Riverside Drive.

Recommendations for Council action:
1. CONDUCT a TEFRA hearing on **SEPTEMBER 11, 2012** for Notre Dame High School, a California public benefit corporation, to incur on or more tax-exempt loans, in an aggregate principal amount not to exceed $8,000,000 to finance/refinance the acquisition, construction, improvement, renovations, equipping, and/or certain other matters related to Notre Dame High School located at 13645 Riverside Drive, Los Angeles, 91423 (Council District Four).

2. INSTRUCT the City Clerk to schedule a TEFRA Hearing on the agenda for the City Council meeting to be held on **SEPTEMBER 11, 2012** located at the John Ferraro Council Chamber, Room 340, City Hall, 200 North Spring Street, Los Angeles, CA 90012.

3. INSTRUCT the City Clerk to place on the agenda for the City Council meeting to be held on **SEPTEMBER 11, 2012** consideration of the TEFRA hearing results and adoption of the TEFRA hearing resolution to follow the conduct of the public hearing.

4. AUTHORIZE Hawkins, Delafield & Wood LLP, bond counsel, to publish the required public hearing notice in a qualified local newspaper, on behalf of the City Council, with publication cost to be reimbursed by the School.

**ITEM NO. (12) - MAP APPROVED - CITY ENGINEER REPORT ADOPTED**

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

**12-1238**

**CD 11**

FINAL MAP OF TRACT NO. 66247 for property located at 11500 National Boulevard, lying southeasterly of National Boulevard and southwesterly of Butler Avenue.  
(Approve Subdivision Improvement Agreement and Contract with attached security documents)  
(ADOPT City Engineer Report)  
(ADOPT Bond No. C-120657)  
(Quimby Fee: $56,376)  
Applicants: 11500 National I, LLC  
Yefim Tsalyuk, PE, PLS  
ITF and Associate, Inc.

**MOTION ADOPTED UPON FINDINGS BY COUNCIL THAT THE NEED TO TAKE ACTION AROSE SUBSEQUENT TO THE POSTING OF THE COUNCIL AGENDA FOR FRIDAY, AUGUST 17, 2012, PURSUANT TO GOVERNMENT CODE SECTION 54954.2(b)(2) AND COUNCIL RULE 23**

ADOPTED - FORTHWITH

Findings on Need to Act - Adopted, Ayes (12); Absent: Cárdenas, Rosendahl and Zine (3)

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

**12-0002-S81**
RESOLUTION (ENGLANDER - WESSON) relative to the City’s position in opposition of AB 845 which seeks to prohibit a local government from restricting or limiting the importation of solid waste based on the place of origin inasmuch as it diminishes local control.

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

ADOPT the accompanying RESOLUTION to hereby OPPOSE AB 845 which seeks to prohibit a local government from restricting or limiting the importation of solid waste based on the place of origin inasmuch as it diminishes local control.

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

12-1318
MOTION (PARKS - PERRY) relative to funding for the production of a 30 minute educational and curriculum video to tell the story of Mayor Tom Bradley’s life and legacy.

12-1317
MOTION (ALARCON - PARKS) relative to funding any aspect of the summer program at the Boys & Girls Club of the San Fernando Valley.

11-1433-S2
MOTION (HUIZAR - CARDENAS - GARCETTI - ALARCON - REYES) relative to transferring and expending funds for this year’s annual El Grito de Dolores celebration which will take place on September 15 and 16, 2012.

12-0011-S23
MOTION (REYES - KREKORIAN) relative to funding for additional graffiti abatement crews in Council District One.

12-1322

12-1323
MOTION (ALARCON - BUSCAINO) relative to funding for additional graffiti abatement crews in Council District One.

12-1324
MOTION (BUSCAINO - GARCETTI for ROSENAHL) relative to initiating street vacation proceedings to vacate Osage Avenue from Manchester Avenue to approximately 630 feet southerly thereof.

12-1327
MOTION (BUSCAINO - GARCETTI for ROSENAHL) relative to initiating street vacation proceedings to vacate Keswick Street, and the variable width and 30 feet wide future street
easements between Vantage Avenue and Laurel Canyon Boulevard southerly of Stagg Street.

09-2449
MOTION (KREKORIAN - REYES) relative to amending Council actions of June 30, 2010 and November 4, 2009 relative to settlement in the case entitled Rufino and Lugarda Sigala v. City of Los Angeles.

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

12-1328
RESOLUTION (LABONGE - WESSON - et. al) relative to congratulating the City of London for the outstanding 2012 Summer Games in London.

COMMENDATORY RESOLUTION ADOPTED IN HONOR OF:

12-0004-S2 - Jeffrey David Siggers Zine - Huizar - All Councilmembers

At the conclusion of this day's Council Session
ADJOURNING MOTION WAS ADOPTED in tribute to the memory of:

12-0003-S2 - Matt Manoukian Krekorian - All Councilmembers

Alarcón, Buscaino, Englander, Garcetti, Huizar, Koretz, Krekorian, LaBonge, Parks, Perry, Reyes and President Wesson (12); Absent: Cárdenas, Rosendahl and Zine (3)

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk PRESIDENT OF THE CITY COUNCIL
Regular meeting recessed at 12:21 p.m.
Special meeting convened at 12:21 p.m.
Special meeting adjourned at 12:27 p.m.
Regular meeting convened at 12:27 p.m.