

Los Angeles City Council, **Journal/Council Proceedings**
Wednesday, **August 8, 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, Garcetti, Huizar, Koretz, Krekorian, LaBonge, Parks, Perry, Reyes and President Wesson (11); Absent: Cárdenas, Englander, Rosendahl and Zine (4)

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
AUGUST 3, 2012

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 24

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 - ADOPTED - SEE FOLLOWING

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

[10-0913](#)
CD 14

CATEGORICAL EXEMPTION, INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to the condemnation of real property located at 503 Ducommun Street in Los Angeles to be used as a bus maintenance and inspection facility for DASH Downtown and Commuter Express buses.

SUBMITS WITHOUT RECOMMENDATION the following recommendations of the City Attorney, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. FIND that the Re-evaluation of the Mitigated Negative Declaration adequately describes the potential impacts of the project and no additional environmental clearance is necessary beyond the previously approved mitigation measures.
2. FIND that no additional environmental review is necessary under California Environmental Quality Act Guidelines §15162 in connection with the adoption of the proposed ordinance. Furthermore, the project qualifies for a Class D Categorical Exclusion under the Federal Highway Administration's guidelines for implementation of the National Environmental Policy Act (23 CFR 771.117(d)(8)).

3. PRESENT and ADOPT the accompanying ORDINANCE finding that the public interest and necessity require the condemnation of property and improvements located at 503 Ducommun Street, Los Angeles, for a Downtown Bus Maintenance and Inspection Facility, a public use.
4. DIRECT staff to take all action necessary to authorize payment for this acquisition from the Federal Transit Administration Fund Number 94Y315.
5. AUTHORIZE the City Attorney's Office to make the necessary deposit of probable just compensation and seek an order from the Court to obtain pre-judgment possession of the property.
6. AUTHORIZE the Department of General Services to continue attempting to acquire title to the property in fee simple absolute through a negotiated purchase and, if successful, to execute all documents necessary to accomplish the transfer of this interest to the City.

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

Community Impact Statement: None submitted.

ADOPTED

CATEGORICAL EXEMPTION, INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to the condemnation of real property located at 503 Ducommun Street in Los Angeles to be used as a bus maintenance and inspection facility for DASH Downtown and Commuter Express buses (Item No. 1, Council file No. 10-0913), SUBJECT TO THE APPROVAL OF THE MAYOR:

1. **FIND that the Re-evaluation of the Mitigated Negative Declaration adequately describes the potential impacts of the project and no additional environmental clearance is necessary beyond the previously approved mitigation measures.**
2. **FIND that no additional environmental review is necessary under California Environmental Quality Act Guidelines §15162 in connection with the adoption of the proposed ordinance. Furthermore, the project qualifies for a Class D Categorical Exclusion under the Federal Highway Administration's guidelines for implementation of the National Environmental Policy Act (23 CFR 771.117(d)(8).**
3. **PRESENT and ADOPT the accompanying ORDINANCE finding that the public interest and necessity require the condemnation of property and improvements located at 503 Ducommun Street, Los Angeles, for a Downtown Bus Maintenance and Inspection Facility, a public use.**
4. **DIRECT staff to take all action necessary to authorize payment for this acquisition from the Federal Transit Administration Fund Number 94Y315.**
5. **AUTHORIZE the City Attorney's Office to make the necessary deposit of probable just**

compensation and seek an order from the Court to obtain pre-judgment possession of the property.

6. **AUTHORIZE** the Department of General Services to continue attempting to acquire title to the property in fee simple absolute through a negotiated purchase and, if successful, to execute all documents necessary to accomplish the transfer of this interest to the City.

ITEM NO. (2) - PUBLIC HEARING CLOSED - ADOPTED

Adopted, Ayes (11); Absent: Cárdenas, Englander, Rosendahl and Zine (4)

[12-1145](#)

CD 3

HEARING PROTESTS relative to Office of Finance report requesting approval to record lien against Americana Warner Center for unpaid taxes.

Recommendation for Council action:

APPROVE and AUTHORIZE the Office of Finance to record a lien for unpaid taxes in the amount stated, pursuant to Los Angeles Municipal Code Section 21.15(o) for Americana Warner Center LLC. (Lien: \$ 6,701.54)

Items for Which Public Hearings Have Been Held - Items 3-10

ITEM NO. (3) - ADOPTED

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

[12-0600-S156](#)

BUDGET AND FINANCE COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to amending the Los Angeles Municipal Code (LAMC) to reduce the number of people eligible to receive a subsidy of the Solid Waste Collection, Transfer, Recycling, Recovery of Waste Resources and Disposal Fee.

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

PRESENT and ADOPT the accompanying ORDINANCE relative to amending Subdivision 3 of Subsection (b) of Section 66.41 of Article 6.1 of Chapter VI of the LAMC to reduce the number of people eligible to receive a subsidy of the Solid Waste Collection, Transfer, Recycling, Recovery of Waste Resources and Disposal Fee.

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

Community Impact Statement: None submitted.

ITEM NO. (4) - ADOPTED

Adopted, Ayes (11); Absent: Cárdenas, Englander, Rosendahl and Zine (4)

[11-0023-S11](#)

AD HOC COMMITTEE ON DOWNTOWN STADIUM AND CONVENTION CENTER RENOVATION REPORT relative to a Supplemental Fee Agreement (SFA) with the L.A. Event Center, LLC (LAEC) and the L.A. Convention Hall, LLC (LACH).

Recommendation for Council action:

REQUEST and AUTHORIZE the Mayor to approve and execute the proposed SFA between the Planning Department and LAEC and LACH for the review of the EIR and related analysis for the development of the Convention Center Modernization and Event Center Project, for a term of ten years, subject to the approval of the City Attorney as to form and legality.

Fiscal Impact Statement: The City Administrative Officer reports that this action will not impact the General Fund. The costs will be fully reimbursed by both standard processing fees and supplemental fees paid by LAEC and LACH into the Planning Case Process Fund No. 520/68, Balance Sheet Account 2200. This action complies with City financial policies inasmuch as the actual cost of the work performed by the Planning Department will be reimbursed by a private developer.

Community Impact Statement: None submitted.

ITEM NO. (5) - ADOPTED, AS AMENDED - SEE FOLLOWING

To Adopt as Amended, Ayes (12); Absent: Englander, Rosendahl and Zine (3)

[09-1305](#)

PUBLIC WORKS COMMITTEE REPORT relative to the expansion of current posted street sweeping routes.

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

INSTRUCT the City Administrative Officer (CAO) to prepare a report analyzing the financial impacts of the proposed alternatives as stated in the Bureau of Street Services report.

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

Community Impact Statement: None submitted.

ADOPTED

MOTION (CARDENAS - REYES)

Recommendations for Council action:

- 1. INSTRUCT the Bureau of Street Services to work with the City Administrative Officer (CAO) in preparing the report to analyze moving the City from weekly posted routes to bi-weekly posted routes and the number of additional miles that could be swept.**
- 2. INSTRUCT the Bureau of Street Services and the CAO to include in their report.**
 - a. The schedule and frequency of posted sweeping routes in other California cities.**
 - b. The following factors when determining street sweeping policy**
 - 1. The number of people on the sidewalk in transit dependent areas.**
 - 2. The impact of high volume traffic, both cars and pedestrians, on trash build-up.**
- 3. INSTRUCT the Los Angeles Department of Transportation and the CAO to report back regarding how the City can best convey fair notice of parking restrictions on signage.**

**Adopted, Ayes (11); Absent: Cárdenas, Englander, Rosendahl and Zine (4)
(Item Nos. 6-9)**

ITEM NO. (6) - ADOPTED

[12-0412](#)
CD 1

CATEGORICAL EXEMPTION and PUBLIC WORKS COMMITTEE REPORT relative to vacating an alley southerly of Olympic Boulevard between Albany Street and Blaine Street (VAC E1401106).

Recommendations for Council action:

- 1. FIND that the vacation of an alley southerly of Olympic Boulevard between Albany Street and Blaine Street is exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(3) of the City's Environmental Guidelines.**
- 2. ADOPT the FINDINGS of the City Engineer dated January 28, 2009, as the Findings of the Council, as modified by the Public Works Committee, attached to Council file No. 12-0412.**
- 3. FIND that the street vacation proceedings pursuant to the Public Streets, Highways and Service Easements Vacation Law be instituted for the vacation of the public right-of-way indicated below and shown colored blue on Exhibit B of the January 28, 2009 City Engineer report, attached to the Council file:**

Alley southerly of Olympic Boulevard between Albany Street and Blaine Street.

4. ADOPT the accompanying City Engineer report dated January 28, 2009 to approve the vacation.
5. INSTRUCT the City Clerk to set a public hearing date for **SEPTEMBER 12, 2012**.

Fiscal Impact Statement: The City Engineer reports that the petitioner has paid a fee of \$16,050 for the investigation of this request pursuant to Section 7.42 of the Administrative Code. Any deficit fee to recover the cost pursuant to Section 7.44 of the Administrative Code will be required of the petitioner.

Community Impact Statement: None submitted.

ITEM NO. (7) - ADOPTED

12-1027

PUBLIC WORKS COMMITTEE REPORT relative to proposed First Amendments to ten contracts for on-call emergency demolition services.

Recommendation for Council action:

AUTHORIZE the Board of Public Works to execute the proposed First Amendments to extend the term by four years, retroactively from March 16, 2012 through March 15, 2016, for the following ten contracts:

- a. Contract No. 111412 with National Demolition Contractors.
- b. Contract No. 111413 with Specialized Environmental, Inc.
- c. Contract No. 111414 with T & M Construction.
- d. Contract No. 111415 with Three D Service Company, Inc.
- e. Contract No. 111416 with Todd Construction & Demolition
- f. Contract No. 111418 with Allied Industries, Inc. DBA Allied Environmental Services.
- g. Contract No. 111419 with NCM Demolition & Remediation, LP (formerly CST Environmental, Inc.).
- h. Contract No. 111420 with Interior Demolition, Inc.
- i. Contract No. 111421 with J & G Industries, Inc.
- j. Contract No. 111422 with K & H Construction, Inc.

Fiscal Impact Statement: The City Administrative Officer reports that there is no fiscal impact to the General Fund as the proposed First Amendments will extend the term of the existing contracts to provide sufficient time for the Bureau to establish a new on-call list. The contracts make no guarantee of work and all work will be issued on a project by project basis and subject to the availability of project funds. The recommendation in this report complies with the City's Financial Policies as project funds will support project expenditures.

Community Impact Statement: None submitted.

ITEM NO. (8) - ADOPTED - FORTHWITH

12-1151

CONTINUED CONSIDERATION OF RULES, ELECTIONS AND INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT relative to proposed amendments to City Council Rules; specifically City Council Rule numbers 6, 7, 8, 11, 12, 15, 16, 17, 18, 21, 22, 23, 28, 32, 34, 39, 48, 49, 51, 53, 54, 56, 61, 64, 69, 70, 71 and 74.

Recommendation for Council action:

APPROVE the proposed amendments to City Council Rules as specified in Exhibit 1 of the City Attorney report dated July 27, 2012, attached to the Council file.

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

Community Impact Statement: None submitted.

ITEM NO. (9) - ADOPTED

12-0919

TRANSPORTATION COMMITTEE REPORT relative to a rate adjustment for private ambulance service in the City of Los Angeles.

Recommendations for Council action:

1. FIND that due to changes in industry costs, a rate adjustment for private ambulance service in the City of Los Angeles is needed.
2. FIND that use of the rate study for the 2011-12 private ambulance service rate adjustment is appropriate.

3. FIND that the Los Angeles Department of Transportation's (LADOT) proposed schedule of rates and charges shown in LADOT's report to the Board of Transportation Commissioners dated June 14, 2012 (attached to the Council file) and in proposed Board Order No. 601 is just, reasonable, non-discriminatory, and non-preferential for all permitted private ambulance transportation services.
4. APPROVE the 2011-12 private ambulance service rate adjustment, as approved by the Board of Transportation Commissioners at its meeting held June 14, 2012.
5. REQUEST that the City Attorney prepare and present an ordinance approving resolution of the Board of Transportation Commissioners, designated as Board Order No. 601, fixing rates and charges for private ambulance service in the City of Los Angeles.

Fiscal Impact Statement: The LADOT reports that this action will not impact the General Fund. The rates and charges are those charged to customers. They do not affect the fees paid to the City for permitting private ambulance vehicles.

Community Impact Statement: None submitted.

ITEM NO. (10) - ADOPTED

Adopted, Ayes (9); Noes: Parks and Perry (2); Absent: Cárdenas, Englander, Rosendahl and Zine (4)

[12-0920](#)

TRANSPORTATION COMMITTEE REPORT relative to the non-ambulatory passenger vehicle service rate adjustment in the City of Los Angeles.

Recommendations for Council action (LaBonge - Huizar: "Yes," Parks "No"):

1. FIND that due to changes in industry costs, a rate adjustment for non-ambulatory passenger vehicle service in the City of Los Angeles is needed.
2. FIND that use of the approved rate study methodology for the 2011-12 non-ambulatory passenger vehicle service rate adjustment is appropriate.
3. FIND that the Los Angeles Department of Transportation's (LADOT) proposed schedule of rates and charges shown in the Department's report to the Board of Transportation Commissioners dated June 14, 2012 (attached to the Council file) and in proposed Board Order No. 602 is just, reasonable, non-discriminatory, and non-preferential for all permitted non-ambulatory passenger vehicle service.
4. APPROVE the 2011-12 non-ambulatory passenger vehicle service rate adjustment, as approved by the Board of Transportation Commissioners at its meeting held June 14, 2012.
5. REQUEST that the City Attorney prepare and present an ordinance approving resolution of the Board of Transportation Commissioners, designated as Board Order No. 602, fixing rates and charges for non-ambulatory passenger vehicle service in the City of Los Angeles.

Fiscal Impact Statement: LADOT reports that this action will not impact the General Fund. The rates and charges are those charged to customers. They do not affect the fees paid to the City for permitting non-ambulatory passenger vehicles.

Community Impact Statement: None submitted.

Items for Which Public Hearings Have Not Been Held - Items 11-30

(10 Votes Required for Consideration)

ITEM NO. (11) - ADOPTED

Adopted, Ayes (11); Absent: Cárdenas, Englander, Rosendahl and Zine (4)

[12-1050](#)

COMMUNICATION FROM THE MAYOR relative to the reappointment of Ms. Lucelia K. Hooper to the Board of Commissioners for the Housing Authority of the City of Los Angeles.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Ms. Lucelia K. Hooper to the Board of Commissioners for the Housing Authority of the City of Los Angeles for the term ending June 30, 2014 is APPROVED and CONFIRMED. Ms. Hooper resides in Council District 15. (Current commission gender composition: M = 2; F = 5; Vacant = 0)

Ethics Commission Review: Pending.

Community Impact Statement: None submitted.

(Housing, Community and Economic Development Committee waived consideration of the above matter)

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

(Item Nos. 12-17)

ITEM NO. (12) - ADOPTED

[12-0990](#)

CD 12

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Independence Avenue and Rinaldi 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 June 28, 2012.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **OCTOBER 10, 2012** as the hearing date for the maintenance of the Independence Avenue and Rinaldi Street Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$672.85 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: October 3, 2012)

ITEM NO. (13) - ADOPTED

[12-0991](#)
CD 5

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Wilkinson Avenue and Weddington 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 June 28, 2012.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **OCTOBER 10, 2012** as the hearing date for the maintenance of the Wilkinson Avenue and Weddington Street Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$90.42 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: October 3, 2012)

ITEM NO. (14) - ADOPTED

[12-0992](#)
CD 7

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Larkspur Street and El Dorado Avenue 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 June 28, 2012.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **OCTOBER 10, 2012** as the hearing date for the maintenance of the Larkspur Street and El Dorado Avenue Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$700.34 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: October 3, 2012)

ITEM NO. (15) - ADOPTED

[12-0993](#)

CD 15

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Sanford Avenue and "F" 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 June 28, 2012.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **OCTOBER 10, 2012** as the hearing date for the maintenance of the Sanford Avenue and "F" Street Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$1,069.78 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: October 3, 2012)

ITEM NO. (16) - ADOPTED

[12-0994](#)

CD 6

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Sheldon Street and Rincon Avenue 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 June 28, 2012.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **OCTOBER 10, 2012** as the hearing date for the maintenance of the Sheldon Street and Rincon Avenue Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$108.71 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: October 3, 2012)

ITEM NO. (17) - ADOPTED

[12-0294](#)
CD 4

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and ORDINANCE FIRST CONSIDERATION relative to the dedication of City-owned real property as Public Street lying on Hollywood Boulevard and Van Ness Avenue.
(Right of Way No. APCC 2007-4862 [SPE/SPP])

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

1. FIND that the dedication of City-owned real property as public street lying on Hollywood Boulevard and Van Ness Avenue is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(4) of the City's Environmental Guidelines.
2. FIND that the City-owned real property lying on Hollywood Boulevard and Van Ness Avenue shown attached on the Exhibit Map of the January 30, 2012 City Engineer report and attached to the Council file, be dedicated, accepted, and established as part of Hollywood Boulevard and Van Ness Avenue, all public streets of said City.
3. FIND that pursuant to Section 556 of the City Charter, that this dedication, acceptance and establishment of City-owned real property as public street is in substantial conformance with the purpose, intent and provisions of the General Plan.
4. PRESENT and ADOPT the accompanying ORDINANCE effectuating the dedication, acceptance and establishment of certain real property owned by the City of Los Angeles, lying on the on Hollywood Boulevard and Van Ness Avenue, a public street of said City.
5. INSTRUCT the Real Estate Division of the Bureau of Engineering to record the Ordinance, as detailed above in Recommendation No.4, with the County Recorder.

6. INSTRUCT the City Clerk to forward a copy of the Council action on this project be forwarded to the Real Estate Division of the Bureau of Engineering for processing.

Fiscal Impact Statement: The City Engineer reports that this action is being processed under IDO No. 16D005.

**Adopted, Ayes (11); Absent: Cárdenas, Englander, Rosendahl and Zine (4)
(Item Nos. 18a-18g)**

ITEM NO. (18) - ADOPTED

[12-0005-S424](#)

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 1, 2012:

[12-0005-S424](#)

CD 9

- a. Property at 663 East 38th Street (Case No. 307563).
Assessor I.D. No. 5121-006-025

[12-0005-S425](#)

CD 9

- b. Property at 663 East 38th Street (Case No. 347595).
Assessor I.D. No. 5121-006-025

[12-0005-S426](#)

CD 10

- c. Property at 1336 South Hudson Avenue (Case No. 155961).
Assessor I.D. No. 5083-026-020

[12-0005-S427](#)

CD 10

- d. Property at 4026 South West Boulevard (Case No. 353682).
Assessor I.D. No. 5032-013-006

[12-0005-S428](#)

CD 13

- e. Property at 1128 North Manzanita Street (Case No. 293020).
Assessor I.D. No. 5429-010-010

[12-0005-S429](#)

CD 13

- f. Property at 1128 North Manzanita Street (Case No. 319232).
Assessor I.D. No. 5429-010-010

[12-0005-S430](#)

CD 13

- g. Property at 1128 North Manzanita Street (Case No. 340828).
Assessor I.D. No. 5429-010-010

ITEM NO. (19) - ADOPTED, AS AMENDED - SEE FOLLOWING

To Adopt as Amended, Ayes (12); Absent: Englander, Rosendahl and Zine (3)

[11-0023-S10](#)

COMMUNICATION FROM CHAIR AND MEMBER, AD HOC COMMITTEE ON DOWNTOWN STADIUM AND CONVENTION CENTER RENOVATION relative to developing an art program master plan for the LA Event Center, New Hall, Gil Lindsay Plaza, and Farmers Field Stadium project.

Recommendations for Council action:

1. APPROVE the proposal of the Department of Cultural Affairs to create an Arts Oversight Committee (AOC) to develop a master plan for art on the campus that incorporates the Los Angeles Convention Center, Los Angeles Events Center, and the Staples Center, as amended.
2. DIRECT the Department of Cultural Affairs to:
 - a. Include a representative of the Ninth Council District Office as a member of the AOC with oversight of AOC's recommendations and selections of AOC members.
 - b. Designate the Pico Passage, including the area west of the 110 Freeway, as a project art zone for the placement of public art and other related activities.
 - c. Report to Council with the final proposal to be developed by AOC.

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

Community Impact Statement: None submitted.

ADOPTED

MOTION (REYES - PERRY)

Recommendation for Council action:

DIRECT the Department of Cultural Affairs to include a Community Based Artist as a member of the Arts Oversight Committee.

**Adopted, Ayes (11); Absent: Cárdenas, Englander, Rosendahl and Zine (4)
(Item Nos. 20-30)**

ITEM NO. (20) - ADOPTED

[12-0884](#)

CD 1

COMMUNICATION FROM CHAIR, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE and RESOLUTION relative to authority to issue up to \$11 million in tax-exempt Multi-family Housing Revenue Bonds for the Taylor Yards Apartments Project, located at 1311 North San Fernando Road, Los Angeles.

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

1. ADOPT the accompanying RESOLUTION attached to the Los Angeles Housing Department (LAHD) transmittal dated May 29, 2012 (Transmittal) (Council file No. 12-0884) authorizing the issuance of up to \$11 million in tax-exempt multi-family housing revenue bonds for the development of the Taylor Yard Apartments Project (Project) located at 1311 N. San Fernando Road, Los Angeles, California 90065 in Council District 1.
2. APPROVE the related Project bond documents, in substantial conformance with the draft documents provided as attachments to the LAHD Transmittal, subject to the approval of the City Attorney as to form.
3. AUTHORIZE the General Manager, LAHD, or designee, to negotiate and execute the Project bond documents, subject to the approval of the City Attorney as to form.

Fiscal Impact Statement: The City Administrative Officer reports there is no impact to the General Fund. The borrower will pay all costs associated with the issuance of the bonds, and the City bears no financial responsibility for repayment. Approval of the recommendations will enable the Taylor Yard Apartments Project to secure funding to construct affordable housing. The City's Debt Management Policy is not applicable as no City funds are being used to issue the bonds.

Community Impact Statement: None submitted.

ITEM NO. (21) - ADOPTED

[12-0901](#)

COMMUNICATION FROM CHAIR, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE relative to authorization to execute a second amendment to the contract with Urban Futures, Inc. (UFI), to extend the term by 12 months to June 30, 2013, for UFI to conduct occupancy monitoring of affordable housing.

Recommendation for Council action:

AUTHORIZE the General Manager, Los Angeles Housing Department, or designee, to negotiate and execute a Second Amendment to Contract No. C-118528 with Urban Futures, Inc. to increase compensation by \$480,000 for a total contract amount of \$1,167,742 and to extend the contract term by 12 months from July 1, 2012 to June 30, 2013, subject to the review and approval of the City Attorney as to form and legality.

Fiscal Impact Statement: The City Administrative Officer reports that there is no impact on the General Fund. The Municipal Housing Finance Fund and HOME Investment Partnerships Program grant provide \$300,000 and \$180,000 respectively for a total of \$480,000 during Fiscal Year 2012-13. The recommendation complies with the City's Financial Policies in that the cost of services will be fully funded by a budget appropriation.

Community Impact Statement: None submitted.

ITEM NO. (22) - ADOPTED

[12-0952](#)

COMMUNICATION FROM CHAIR AND MEMBER, PUBLIC SAFETY COMMITTEE relative to the donation of executive leadership training services for Los Angeles Fire Department (LAFD) senior leadership staff.

Recommendation for Council action:

AUTHORIZE the LAFD to accept the donation of executive leadership training services valued at \$8,865 from the Los Angeles Fire Foundation for LAFD senior leadership staff.

Fiscal Impact Statement: The LAFD reports that this action will not impact the General Fund.

Community Impact Statement: None submitted.

ITEM NO. (23) - ADOPTED

[12-0953](#)

COMMUNICATION FROM CHAIR AND MEMBER, PUBLIC SAFETY COMMITTEE relative to the donation of products and services to be provided by the International Association Fire Chiefs TV (IAFC TV) for the Los Angeles Fire Department (LAFD).

Recommendation for Council action:

AUTHORIZE the LAFD to accept the donation of products and services that IAFC TV will provide during the Fire-Rescue International 2012 Event valued at \$19,500 from the Los Angeles Fire Foundation.

Fiscal Impact Statement: The LAFD reports that this action will not impact the General Fund.

Community Impact Statement: None submitted.

ITEM NO. (24) - ADOPTED

[11-1809](#)

CD 8

CATEGORICAL EXEMPTION and COMMUNICATION FROM THE CITY ENGINEER relative to an offer to dedicate an easement for street purposes at the southwest corner of the intersection of Hyde Park Boulevard and Eighth Avenue (Right of Way No. 36000-1849).

Recommendations for Council action:

1. FIND that the offer to dedicate an easement for street purposes at the southwest corner of the intersection of Hyde Park Boulevard and 8th Avenue (Right of Way No. 36000-1849) is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(19) of the City's Environmental Guidelines.
2. AUTHORIZE the Board of Public Works to acquire the easement for street purposes at the southwest corner of the intersection of Hyde Park Boulevard and 8th Avenue (Right of Way No. 36000-1849), substantially as shown hatched on the attached Exhibit Map in the October 20, 2011 City Engineer report, attached to the Council file.
3. INSTRUCT the City Clerk to forward a copy of the Council action on this project to the Real Estate Division of the Bureau of Engineering for processing.

Fiscal Impact Statement: The City Engineer reports that a \$3,317 fee for processing this report was paid pursuant to Sections 7.3 and 7.41.1 of the Administrative Code. No additional City Funds are needed.

ITEM NO. (25) - ADOPTED

[12-0972](#)

CD 5

CATEGORICAL EXEMPTION and COMMUNICATION FROM THE CITY ENGINEER relative to an offer to dedicate an easement for slope purposes lying on the south side of Summitridge Drive east of Ferrari Drive (Right of Way No. 36000-1913).

Recommendations for Council action:

1. FIND that the offer to dedicate an easement for slope purposes lying on the south side of Summitridge Drive east of Ferrari Drive (Right of Way No. 36000-1913) is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(19) of the City's Environmental Guidelines.
2. AUTHORIZE the Board of Public Works to acquire the easement for slope purposes lying on the south side of Summitridge Drive east of Ferrari Drive (Right of Way No. 36000-1913), as depicted on the Exhibit Map in the June 28, 2012 City Engineer report, attached to the Council file.
3. INSTRUCT the City Clerk to forward a copy of the Council action on this project be forwarded to

the Real Estate Division of the Bureau of Engineering for processing.

Fiscal Impact Statement: The City Engineer reports that a \$3,317 fee for processing this report was paid pursuant to Sections 7.3 and 7.41.1 of the Administrative Code. No additional City Funds are needed.

ITEM NO. (26) - ADOPTED

[08-3266](#)

CD 14

NEGATIVE DECLARATION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to vacating Mission Road and Seventh Street Vacation District (VAC E1400458).

Recommendations for Council action:

1. REAFFIRM the FINDINGS of July 25, 2012, that the vacation of Mission Road and Seventh Street Vacation District (VAC E1400458) will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the documents constituting the record of proceedings in this matter are located in Council File No. 08-3266 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 Negative Declaration [BE 347-99] file on August 12, 1999.
2. REAFFIRM the FINDINGS of July 25, 2012, that this vacation is in substantial conformance with the General Plan pursuant to Section 556 of the Los Angeles City Charter.
3. ADOPT the accompanying RESOLUTION TO VACATE No. 12-1400458 for the vacation of Mission Road and Seventh Street Vacation District (VAC E1400458).
4. INSTRUCT the City Clerk to transmit, following Council adoption, Resolution to Vacate No. 12-1400458 to the Land Development Group of the Bureau of Engineering for recordation of said Resolution with the Los Angeles County Recorder.

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

ITEM NO. (27) - ADOPTED

[12-0973](#)

CD 4

CATEGORICAL EXEMPTION and COMMUNICATION FROM THE CITY ENGINEER relative to an offer to dedicate an easement for street purposes on the southeast side of Fredonia Drive southwest of Kentucky Drive (Right of Way No. 36000-1908).

Recommendations for Council action:

1. FIND that the offer to dedicate an easement for street purposes on the southeast side of Fredonia

Drive southwest of Kentucky Drive (Right of Way No. 36000-1908) is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(19) of the City's Environmental Guidelines.

2. AUTHORIZE the Board of Public Works to acquire the easement for street purposes on the southeast side of Fredonia Drive southwest of Kentucky Drive (Right of Way No. 36000-1908), as depicted on the Exhibit Map in the June 27, 2012 City Engineer report, attached to the Council file.
3. INSTRUCT the City Clerk to forward a copy of the Council action on this project be forwarded to the Real Estate Division of the Bureau of Engineering for processing.

Fiscal Impact Statement: The City Engineer reports that a \$3,317 fee for processing this report was paid pursuant to Sections 7.3 and 7.41.1 of the Administrative Code. No additional City Funds are needed.

ITEM NO. (28) - ADOPTED

[11-0935-S1](#)

CD 6

MOTION (CÁRDENAS - BUSCAINO) relative to funding to assist the summer aquatics program at Panorama High School in Council District Six.

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

1. TRANSFER / APPROPRIATE \$15,937 in the AB1290 Fund No. 53P, Account No. 281206 (CD 6 Redevelopment Projects - Services) to the Recreation and Parks Fund No. 301, Account No. MRPXX402 to assist in funding the summer aquatics program at Panorama High School, including programming, personnel, permits, and maintenance; and, DIRECT / AUTHORIZE the Department of Recreation and Parks to prepare and execute the necessary document(s) with, and/or payment(s) to the Los Angeles Unified School District, or any other agency, organization, or entity, as appropriate, in the above amount, for the above purpose, subject to the approval of the City Attorney, if needed.
2. AUTHORIZE the Department of Recreation and Parks to make any corrections or clarifications to the above instructions in order to effectuate the intent of this Motion.

ITEM NO. (29) - ADOPTED

[12-1179](#)

MOTION (GARCETTI - ENGLANDER) relative to funding for services in connection with the Council District 13 special reception for the L.A. Business Travel Association in the City Hall Tom Bradley Room on August 9, 2012.

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

TRANSFER / APPROPRIATE \$348 from the Unappropriated Balance Fund No. 100/58 to the General Services Fund No. 100/40, as follows: \$174 to Account No. 1090 (Salaries - Overtime), and \$174 to Account No. 1070 (Salaries - As Needed), for services in connection with the August 9, 2012 Council District 13 special reception for the L.A. Business Travel Association in the City Hall Tom Bradley Room - said funds to be reimbursed to the General Fund by the L.A. Business Travel Association.

ITEM NO. (30) - MAP APPROVED - CITY ENGINEER REPORT ADOPTED

[12-1164](#)

CD 12

FINAL MAP OF TRACT NO. 61793 for property located at 16310 San Fernando Mission Boulevard lying westerly of Woodley Avenue.

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

(ADOPT City Engineer Report)

(ADOPT Bond No. C-120655)

(Quimby Fee: \$59,508)

Applicants: BS Vercom, LLC
Permco Engineering

Closed Sessions - Items 31-35

Adopted in Open Session, Ayes (11); Absent: Cárdenas, Englander, Rosendahl and Zine (4)
(Item Nos. 31-35)

ITEM NO. (31) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

[10-1606](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to settlement in the case entitled Brendan Collins, et al. v. City of Los Angeles, Los Angeles Superior Court Case No. BC 330749. (This case arises out of the City of Los Angeles' collection of emergency response costs arising from traffic accidents caused by class members while driving under the influence of alcohol or drugs.)

(Budget and Finance Committee considered the above matter in Closed Session on July 30, 2012)

ADOPTED

MOTION (KREKORIAN - KORETZ)

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

- 1. AUTHORIZE the City Attorney to expend up to \$186,999.32 to pay a judgment for pre-judgment interest and settlement of attorneys' fees in the above entitled matter from City Attorney Fund 100/59, Account No. 9770.**

2. AUTHORIZE the City Attorney to draw demands thereon as follows:

- a. **\$51,999.32 in pre-judgment interest to class members directly.**
- b. **\$135,000 for attorneys' fees to S. Chandler Visher, Trustee.**

3. AUTHORIZE the City Attorney, or designee, without further action by the City Council, to oversee administration of the settlement, including mailing of class payments (regarding pre-judgment interest), to make necessary technical adjustments, and to prepare Controller instructions, subject to the approval of the City Administrative Officer, and AUTHORIZE the Controller to implement the instructions.

This matter was approved by the Budget and Finance Committee (Krekorian - Englander - Cárdenas "yes") at its meeting on July 30, 2012, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (32) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

[10-1820](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to settlement in the case entitled City of Los Angeles v. Unified Parking Service, Inc., Los Angeles Superior Court Case No. BC 465912. (This matter involves an offer of settlement made by Unified Parking Service, Inc. to resolve the City's action against it for breach of settlement agreement.)

(Budget and Finance Committee to consider the above matter in Closed Session on August 6, 2012)

ADOPTED

MOTION (KREKORIAN - KORETZ)

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

APPROVE an offer of compromise relating to Unified Parking Service, Inc. (Unified), in which Unified agrees to pay to the City a total of \$957,000 to stipulate that the Sheriff release to the City an additional approximately \$50,428.52, which was collected through keeper and bank levies, and to dismiss its Cross-Complaint against the City. In exchange, the City would agree to dismiss with prejudice the Complaint it has filed against it for breach of its settlement agreement with the City and to release Unified for all known liabilities to date.

This matter was approved by the Chair and Member of the Budget and Finance Committee (Krekorian - Koretz "yes") at its meeting on August 6, 2012, in Closed Session as permitted by Government Code Section 54956.9 (a).

ITEM NO. (33) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

[11-1834-S1](#)

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 award of attorneys' fees after appeal settlement in the case entitled Michael Hunt, Matthew Dowd v. City of Los Angeles, United States District Court Case No. CV 06-04691 DDP (SSx). (This case arises out of constitutional challenges to Los Angeles Municipal Code Sections 42.15 and 63.44.)

(Budget and Finance Committee considered the above matter in Closed Session on July 30, 2012)

ADOPTED

MOTION (KREKORIAN - KORETZ)

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

- 1. AUTHORIZE the City Attorney to expend \$128,007.50 for an award of attorney's fees after appeal in the above-entitled matter from City Attorney fund 100/59 Account No. 9770.**
- 2. AUTHORIZE the City Attorney to draw a demand thereon in the amount of \$128,045.38, subject to the accumulation of additional interest after July 25, 2012, payable to Rohde & Victoroff Client Trust Account. This amount includes post-judgment interest from the date of the Order (May 31, 2012) until the anticipated payment date of July 25, 2012.**
- 3. AUTHORIZE the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer, and AUTHORIZE the Controller to implement the instructions.**

This matter was approved by the Budget and Finance Committee (Krekorian - Cárdenas "yes" - Englander "no") at its meeting on July 30, 2012, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (34) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

[12-1006](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to settlement in the case entitled Posner v. City of Los Angeles, Los Angeles Superior Court Case No. BC 455850 (6121 Sister Elsie Drive, Los Angeles). (This case arises from a storm drain back up on October 7, 2010, that flooded the plaintiffs' home and dug deep gouges on slopes of their property.)

(Budget and Finance Committee considered the above matter in Closed Session on July 30, 2012)

ADOPTED

MOTION (KREKORIAN - KORETZ)

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

- 1. AUTHORIZE the City Attorney to expend \$400,000 in settlement of the above-entitled matter from City Attorney Fund 100/59, Account No. 9770 [Funding source should be Stormwater Pollution Abatement (SPA) Fund loan to the SPA Fund.]**
- 2. AUTHORIZE the City Attorney to draw a demand thereon in said amount payable to James Geffner Client Trust Account.**
- 3. AUTHORIZE the City Attorney, or designee, to execute the necessary documents to carry out the necessary documents to carry out the settlement in accordance with the above terms.**

This matter was approved by the Budget and Finance Committee (Krekorian - Cárdenas - Englander “yes”) at its meeting on July 30, 2012, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (35) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

[12-1024](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to settlement in the case entitled Paul Fassoth v. City of Los Angeles, United States District Court Case No. CV10-7880 MMM. (This matter arises from an incident which occurred on August 5, 2009, involving members of the Los Angeles Police Department.)

(Budget and Finance Committee considered the above matter in Closed Session on July 30, 2012)

ADOPTED

MOTION (KREKORIAN - KORETZ)

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

- 1. AUTHORIZE the City Attorney to expend \$200,000 in settlement of the above-entitled matter from City Attorney Fund 100/59, Account No. 009770.**
- 2. AUTHORIZE the City Attorney to draw a demand thereon in said amount payable to John R. Cogorno, Michel F. Mills and Paul Fassoth.**
- 3. AUTHORIZE the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer, and AUTHORIZE the Controller to implement the instructions.**

This matter was approved by the Budget and Finance Committee (Krekorian - Cárdenas “yes” - Englander “no”) at its meeting on July 30, 2012, in Closed Session as permitted by Government Code Section 54956.9(a).

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

[12-0011-S20](#)

MOTION (LABONGE - KREKORIAN) relative to funding to repair a concrete alley west of Larchmont Boulevard, north of First Street.

[12-0798-S1](#)

MOTION (PARKS - PERRY) relative to funding for various community charter bus services in Council District Eight.

[12-1228](#)

MOTION (BUSCAINO - PERRY) relative to funding for security services to be provided by the Los Angeles Conservation Corps at the 109 th Street pool in Watts for the 2012 summer season.

[12-0010-S35](#)

MOTION (PARKS - 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 Craig Sykes on December 16, 2010.

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

[12-1227](#)

RESOLUTION (BUSCAINO - HUIZAR) relative to declaring August 11, 2012 as National 811 Day in the City of Los Angeles.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

[12-0004-S2](#) - Better Vision for Children Foundation

(Garcetti - Koretz)

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

[12-0003-S2](#) - Marvin Hamlisch

(LaBonge - All Councilmembers)

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

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL