

Los Angeles City Council, **Journal/Council Proceedings**
Friday, **September 21, 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, Cárdenas, Englander, Garcetti, Koretz, Krekorian, LaBonge, Parks, Perry, Reyes and President Wesson (12); Absent: Huizar, Rosendahl and Zine (3)

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
SEPTEMBER 18, 2012

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 11

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

Item Noticed for Public Hearing - Item 1

ITEM NO. (1) - CONTINUED TO SEPTEMBER 25, 2012

Adopted to Continue, Unanimous Vote (6); Absent: HUIZAR, ROSENDAHL, ZINE (3)

[12-1070](#)

CD 1

CONTINUED CONSIDERATION OF HEARING COMMENTS relative to application for determination of "Public Convenience or Necessity" for alcohol sales for off-site consumption at La Bonita Mini Market located at 1163-65 West Venice Boulevard, Los Angeles, 90015.

Application filed by: Ernesto Anibal Hernandez Murillo (Luis Garcia, Representative)

TIME LIMIT FILE - OCTOBER 18, 2012

(LAST DAY FOR COUNCIL ACTION - OCTOBER 17, 2012)

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

(Continued from Council meeting of Tuesday, September 4, 2012)

Items for Which Public Hearings Have Been Held - Items 2-6

Adopted, Ayes (12); Absent: HUIZAR, ROSENDAHL, ZINE (3)
(Item Nos. 2-6)

ITEM NO. (2) - ADOPTED

[12-1286](#)

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the reappointment of Mr. James E. Silcott to the South Los Angeles Area Planning Commission.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Mr. James E. Silcott to the South Los Angeles Area Planning Commission for the term ending June 30, 2017, is APPROVED and CONFIRMED. Mr. Silcott resides in Council District 10. (Current Commission gender composition: M=2; F=3)

Ethics Commission Review: Complete.

Community Impact Statement: None submitted.

TIME LIMIT FILE - SEPTEMBER 28, 2012

(LAST DAY FOR COUNCIL ACTION - SEPTEMBER 28, 2012)

ITEM NO. (3) - ADOPTED

[12-1277](#)

TRANSPORTATION COMMITTEE REPORT relative to the reappointment of Mr. David Malcolm Carson to the Board of Transportation Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Mr. David Malcolm Carson to the Board of Transportation Commissioners for the term ending June 30, 2017, is APPROVED and CONFIRMED. Mr. Carson resides in Council District 10. (Current commission gender composition: M = 5; F = 2)

Ethics Commission Review: Complete.

Community Impact Statement: None submitted.

TIME LIMIT FILE - SEPTEMBER 27, 2012

(LAST DAY FOR COUNCIL ACTION - SEPTEMBER 25, 2012)

ITEM NO. (4) - ADOPTED

[10-2385-S5](#)

TRANSPORTATION COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to establishing the Bicycle Plan Trust Fund to collect developer mitigation fees to be used for bicycle-related projects and programs.

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

PRESENT and ADOPT the accompanying ORDINANCE adding Article 26 to Chapter 5 of Division 5 of the Los Angeles Administrative Code to establish the Bicycle Plan Trust Fund.

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. (5) - ADOPTED - FORTHWITH

[12-0663-S1](#)

MOTION (CARDENAS - HUIZAR) relative to authorization to reprogram \$33,440.05 in Community Development Block Grant American Recovery and Reinvestment Act funds to the existing Public Improvement Project in the California Hospital Corridor, and related actions.

(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 www.lacouncilfile.com for background documents.)

ADOPTED

COMMUNICATION FROM CHAIR, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE relative to authorization to reprogram \$216,877.58 in Community Development Block Grant (CDBG) American Recovery and Reinvestment Act (ARRA) funds to the existing Public Improvement Project in California Hospital Corridor, and related actions.

Recommendation for Council action, as initiated by Motion (Cárdenas - Huizar), SUBJECT TO THE APPROVAL OF THE MAYOR:

1. **APPROVE** the reprogramming of CDBG ARRA funds as follows:
 - a. **Decrease funding as follows:**

<u>Project</u>	<u>Amount Decrease</u>	<u>Total Funding for Project</u>
Youth Employment Program (GRYD)	\$440.05	\$539,559.95
Community Development Department (CDD)	\$33,000.00	\$1,146,527.00
LAHD - Analysis of Impediments to Fair Housing Choice	\$25,530.93	\$76,469.07
City Administrative Officer (CAO) Lanzit Industrial Park	\$4,869.66	\$26,850.34
	<u>\$155,036.94</u>	\$1,064,963.06
Total:	<u>\$216,877.58</u>	

b. Increase funding to the following project:

<u>Project</u>	<u>Amount Increase</u>	<u>Total Funding for Project</u>
Public Improvement Project in California Hospital Corridor - BOSS	<u>\$216,877.58</u>	\$1,343,746.58
Total:	<u>\$216,877.58</u>	

2. AUTHORIZE the Controller to:

a. Decrease appropriations within the ARRA-CDBG Fund No. 51N as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
22F122	Community Development	\$83,789.06
22F212	Lanzit	\$129,656.68
22F299	Related Costs	\$30,056.82
22F221	Summer Night Lights	\$440.05
22F575	Small Business Fund	\$32,262.97
22G122	Community Development	\$2,190.65
22G299	Related Costs	\$776.01
22H122	Community Development	\$136,300.56
22H299	Related Costs	\$44,916.14
22G212	Lanzit	\$25,380.26
22G310	CAO/Controller	\$4,869.66
22G322	CDD-ADM	\$3.00
22G600	Fair Housing	\$25,530.93
22H184	Public Works Street Lighting	<u>\$5,296.83</u>
	Total:	\$519,469.62

b. Decrease appropriations within the MBOC Fund No. 575/46 as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
46F206	CDBG-ARRA Contractual	\$7,262.97
46F207	CDBG-ARRA Supplies	\$5,000.00
46F208	CDBG-ARRA Equipment	\$5,000.00
46F209	CDBG-ARRA Marketing	\$5,000.00
46F210	CDBG-ARRA Outreach Training Events	\$10,000.00
	Total:	\$32,262.97

c. Increase appropriations within the ARRA-CDBG Fund No. 51N/22 as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
22F209	Public Infrastructure	\$216,877.58
22F209	Public Infrastructure	\$5,296.83
22J122	Community Development	\$39,724.00
22J146	Mayor's Office	\$23,812.00
22J294	Related Costs - Mayor's Office	\$8,450.97
22J299	Related Costs	\$10,806.70
	Total:	\$304,968.08

d. Increase appropriations within Fund No.100/22 as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
001010	Salaries	\$29,954.00
006010	Operating Supplies	\$2,824
006030	Leases	\$6,946.00
	Total:	\$39,724.00

e. Increase appropriations in the amount of \$23,812 in Account No. 001070 Salaries-As-Needed within Fund No. 100/46.

3. AUTHORIZE the General Manager, CDD, or designee, to prepare Controller instructions and/or make any technical adjustments that may be required and are consistent with this action, subject to the approval of the CAO, and AUTHORIZE the Controller to implement these instructions.

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

Community Impact Statement: None submitted.

ITEM NO. (6) - ADOPTED

[12-1306](#)

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the inclusion of the Los Angeles Department of Water and Power General Office (John Ferraro) Building at 111 North Hope Street in the list of Historic-Cultural Monuments.

Recommendations for Council action:

1. ADOPT the FINDINGS of the Cultural Heritage Commission (CHC) as the Findings of the Council.
2. APPROVE the recommendation of the CHC relative to the inclusion of the Los Angeles Department of Water and Power General Office (John Ferraro) Building at 111 North Hope Street in the list of Historic-Cultural Monuments.

Applicant: City of Los Angeles

CHC 2012-1944 HCM

Fiscal Impact Statement: The CHC reports that such designation in and of itself has no fiscal impact. Future applications for permits may cause minimal administrative costs.

Community Impact Statement: None submitted.

TIME LIMIT FILE - OCTOBER 31, 2012

(LAST DAY FOR COUNCIL ACTION - OCTOBER 31, 2012)

Items for Which Public Hearings Have Not Been Held - Items 7-13

(10 Votes Required for Consideration)

Adopted, Ayes (12); Absent: HUIZAR, ROSENDAHL, ZINE (3)
(Item Nos. 7a-7c)

ITEM NO. (7) - ADOPTED

[12-0005-S494](#)

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 September 14, 2012:

[12-0005-S494](#)

CD 4

- a. Property at 2729 North Griffith Park Boulevard (Case No. 335696).
Assessor I.D. No. 5433-025-016

[12-0005-S495](#)

CD 9

- b. Property at 1320 East 46th Street (Case No. 269274).
Assessor I.D. No. 5107-011-012

- c. Property at 2235 West Ewing Street (Case No. 343624).
Assessor I.D. No. 5422-017-022

ITEM NO. (8) - ADOPTED - TO THE MAYOR FORTHWITH

Adopted, Ayes (12); Absent: HUIZAR, ROSENDAHL, ZINE (3)

[12-1444](#)

COMMUNICATION FROM THE DEPARTMENT OF RECREATION AND PARKS relative to a proposed Lease Agreement with the Metropolitan Water District of Southern California (MWD) for the use of a 17-acre site known as the Jensen Filtration Plant in Granada Hills and proposed sub-lease agreement with the Granada Hills Youth Recreation Center, Inc. (GHYRC) for the use of the Jensen Filtration Plant for youth sports activities.

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

1. APPROVE the Lease Agreement, substantially in the form, as detailed in the September 6, 2012 Board of Recreation and Parks Commissioners (Board) report (attached to the Council file) with the MWD for the use of a 17-acre site, also known as the Jensen Filtration Plant in Granada Hills, for youth sports activities, subject to approval of the City Attorney as to form.
2. APPROVE the Sub-Lease Agreement, as detailed in the September 6, 2012 Board report (attached to the Council file) with the GHYRC for the use of the Jensen Filtration Plant for youth sports activities, subject to approval of the City Attorney as to form.
3. AUTHORIZE the Board President and Secretary to execute the Lease Agreement and Sub-Lease Agreement, as detailed above in Recommendation Nos. 1 and 2, upon receipt of the necessary approvals.

Fiscal Impact Statement: The Department of Recreation and Parks reports there will be no fiscal impact to the Department's General Fund associated with this project. The past due rent owed is \$5,304, which covers the period of November 1, 2010 through the execution of the proposed new lease later this year. The payment to the Los Angeles Department of Water and Power will be paid from Fund 302, Department 89, Account No. 89823M. All costs for the management, operation and maintenance of the site will be provided by GHYRC.

Community Impact Statement: None submitted.

(Arts, Parks, Health, and Aging Committee waived consideration of the above matter)

ITEM NO. (9) - ADOPTED - TO THE MAYOR FORTHWITH

Adopted, Ayes (12); Absent: HUIZAR, ROSENDAHL, ZINE (3)

[12-0921](#)

CONTINUED CONSIDERATION OF COMMUNICATION FROM THE BOARD OF WATER AND POWER and RESOLUTION relative to the agreement between the Metropolitan Water District of Southern California (Metropolitan) and the Los Angeles Department of Water and Power (LADWP) for the use of two lagoons for the handling of water treatment solids.

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

CONCUR with the Board of Water and Power Commissioners' action of June 19, 2012, Resolution No. 012-277, authorizing the execution of the Use Agreement with Metropolitan and the LADWP for the use of the property located at 13101 Sepulveda Boulevard, Sylmar, California for water treatment solids produced at Metropolitan's Joseph Jensen Water Treatment Plant.

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

Community Impact Statement: None submitted.

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

(Continued from Council meeting of September 14, 2012)

ITEM NO. (10) - ADOPTED, AS AMENDED - FORTHWITH - SEE FOLLOWING

Adopted as Amended, Ayes (12); Absent: HUIZAR, ROSENDAHL, ZINE (3)

[12-1443](#)

CD 13

MOTION (GARCETTI - REYES) relative to authorizing the Bureau of Street Services (BOSS) to issue a permit to allow a street cut at 5430 West San Fernando Road to facilitate the installation of a water connection without the requirement of resurfacing the entire block from curb-to-curb as would be required by Los Angeles Municipal Code (LAMC) Section 62.06(d).

Recommendations for Council action:

1. AUTHORIZE the BOSS to issue a permit to allow a street cut by the Los Angeles Department of Water and Power at 5430 West San Fernando Road to facilitate the installation of a water connection without the requirement of resurfacing the entire block from curb-to-curb, as would be required under Section 62.06 (d) of the LAMC.
2. REQUIRE the applicant to repair and resurface the cut area in accordance with the requirements of the BOSS.

Community Impact Statement: None submitted.

(Public Works Committee waived consideration of the above matter)

ADOPTED

AMENDING MOTION (GARCETTI - REYES)

Recommendations for Council action:

1. **AUTHORIZE the Bureau of Engineering to issue a permit to allow a street cut by the Los Angeles Department of Water and Power at 5430 West San Fernando Road to facilitate the installation of a water connection without the requirement of resurfacing the entire block from curb-to-curb, as would be required under Section 62.06 (d) of the LAMC.**
2. **REQUIRE the applicant to repair and resurface the cut area in accordance with the requirements of the Bureau of Engineering.**

ITEM NO. (11) - ADOPTED

Adopted, Ayes (12); Absent: HUIZAR, ROSENDAHL, ZINE (3)

[12-0026-S1](#)

CD 4

MOTION (LABONGE - KREKORIAN) relative to funding to support community services in Council District Four.

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

TRANSFER \$50,000 in the Council District Four portion of Council Fund No. 100/28, Account No. 1010 (Salaries - General) to the General City Purposes Fund No. 100/56, Account No. 0704 (CD-4 Community Services) to support community services in Council District Four.

ITEM NO. (12) - ADOPTED

Adopted, Ayes (12); Absent: HUIZAR, ROSENDAHL, ZINE (3)

[12-1472](#)

CD 4

MOTION (LABONGE - GARCETTI) relative to funding to keep the Griffith Park swimming pool open on weekends from Labor Day through September 30, 2012.

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

1. **TRANSFER / APPROPRIATE \$11,967 in the AB1290 Fund No. 53P, Account No. 281204 (CD 4 Redevelopment Projects - Services) to the Recreation and Parks Fund No. 302/88, Account 1070 (Salaries - As Needed) to keep the Griffith Park swimming pool open on weekends from Labor Day through September 30, 2012.**

2. AUTHORIZE the Department of Recreation and Parks to make any technical corrections or clarifications to the above instructions in order to effectuate the intent of this Motion.

ITEM NO. (13) - ADOPTED - FORTHWITH

Adopted, Ayes (12); Absent: HUIZAR, ROSENDAHL, ZINE (3)

[12-1004](#)

MOTION (ALARCON - WESSON) relative to amending prior Council action of August 29, 2012 approving the acceptance of grant funds from the California Department of Aging (AP-1213-25 and HI-1213-25) and the 2012-16 Area Plan.

Recommendation for Council action:

AMEND prior Council action of August 29, 2012 approving the acceptance of grant funds from the California Department of Aging (AP-1213-25 and HI-1213-25) and the 2012-16 Area Plan (Council file No. 12-1004) to include the following new recommendation:

“9. Authorize the General Manager, Los Angeles Department of Aging, or designee, to approve and execute the: (1) FY 2012-13 State of California, Department of Aging, Standard Agreement No. AP-1213-25; (2) the State of California Standard Agreement No. HI-1213-25; and, (3) 2012-16 Area Plan.”

Item for Which Public Hearing Has Not Been Held - Item 14

(10 Votes Required for Consideration)

ITEM NO. (14) - ADOPTED - FORTHWITH

Adopted, Ayes (12); Absent: HUIZAR, ROSENDAHL, ZINE (3)

[12-1431](#)

CONTINUED CONSIDERATION OF RESOLUTION (GARCETTI - REYES) relative to declaring September 23, 2012 as Central American Independence Day in the City of Los Angeles.

Recommendation for Council action:

RESOLVE to DECLARE September 23, 2012 as Central American Independence Day in the City of Los Angeles.

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

[12-1523](#)

MOTION (PARKS - PERRY) relative to funding for various street, sidewalk, median and related neighborhood improvement activities in Council District Eight.

[12-1524](#)

MOTION (REYES - PERRY) relative to funding for the operational costs of the Artgricultural Market Place.

[12-0010-S9](#)

MOTION (PERRY - PARKS) relative to reinstating the reward offer in the death of Fernando Hernandez for an additional six months.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

12-0004-S2 - German-American Day, October 6, 2012	LaBonge - Garcetti - All Councilmembers
80th Anniversary	
James Herman Banning & Thomas C. Allen	
Historic Transcontinental Flight	LaBonge - Wesson - All Councilmembers
Food Day	Wesson - Garcetti
Liz Torres	Garcetti - Buscaino - All Councilmembers
Cleve Jones	Garcetti - Buscaino - All Councilmembers
American Apparel	Garcetti - Buscaino - All Councilmembers

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

12-0003-S2 - Father John	Reyes - All Councilmembers
Michael Sherman Hoffer	LaBonge - All Councilmembers
Charlotte Koehler Imislund	Perry - All Councilmembers
Carl Clarke McCraven	Alarcón - All Councilmembers

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

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL