

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

**\*\*\*ALL ITEMS FORTHWITH\*\*\***

(For further details see Official Council Files)

**(For communications referred by the President see Referral Memorandum)**

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

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF  
SEPTEMBER 19, 2012

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 28

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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 1-8**

**ITEM NO. (1) - REFERRED TO ENERGY AND ENVIRONMENT COMMITTEE**

**Adopted to Refer, Unanimous Vote (12); Absent: ALARCON, PERRY, ROSENDAHL (3)**

[11-2098](#)

CONTINUED CONSIDERATION OF COMMUNICATION FROM THE DEPARTMENT OF WATER AND POWER relative to proposed water rate restructure and increases for the Los Angeles Department of Water and Power.

(Continued from Council meeting of August 22, 2012)

**Adopted to Close Public Hearing, Ayes (11); Absent: ALARCON, BUSCAINO, PERRY, ROSENDAHL (4)  
(Item Nos. 2-4)**

**ITEM NO. (2) - PUBLIC HEARING CLOSED - BALLOT TABULATION ON OCTOBER 2, 2012**

[12-1041](#)

CD 15

HEARING PROTESTS relative to the establishment of the San Pedro Historic Waterfront and Business Improvement District, pursuant to Section 53753 of the California Government Code, Section 36600 et seq. of the California Streets and Highways Code and Article XIII D of the California Constitution.

(Pursuant to Council adoption of Ordinance No. 182188 on July 31, 2012. Public announcement of the tabulation of ballots is on Tuesday, October 2, 2012.)

**ITEM NO. (3) - PUBLIC HEARING CLOSED - BALLOT TABULATION ON OCTOBER 2, 2012**

[12-1042](#)

CD 4

HEARING PROTESTS relative to the establishment of the Village at Sherman Oaks Property and Business Improvement District, pursuant to Section 53753 of the California Government Code, Section 36600 et seq. of the California Streets and Highways Code and Article XIII D of the California Constitution.

(Pursuant to Council adoption of Ordinance No. 182189 on July 31, 2012. Public announcement of the tabulation of ballots is on Tuesday, October 2, 2012.)

**ITEM NO. (4) - PUBLIC HEARING CLOSED - BALLOT TABULATION ON OCTOBER 2, 2012**

[12-1168](#)

CDs 9 & 14

HEARING PROTESTS relative to the establishment of the Greater South Park Property and Business Improvement District, pursuant to Section 53753 of the California Government Code, Section 36600 et seq. of the California Streets and Highways Code and Article XIII D of the California Constitution.

(Pursuant to Council adoption of Ordinance No. 182212 on August 7, 2012. Public announcement of the tabulation of ballots is on Tuesday, October 2, 2012.)

**Adopted to Continue, Unanimous Vote (12); Absent: ALARCON, PERRY, ROSENDAHL (3)  
(Item Nos. 5a-5m)**

**ITEM NO. (5) - CONTINUED TO OCTOBER 2, 2012**

[10-0762](#)

et al.

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 PROTEST, APPEALS OR OBJECTIONS relative to proposed lien for nuisance abatement costs and/or non-compliance of code violations/Annual Inspection costs provided for under the LAMC and the LAAC and CONFIRM said lien for the following properties:

[10-0762](#)

CD 7

- a. 10351 North San Fernando Road, aka 10365 North San Fernando Road. (Lien: \$2,590.68)

[10-0966](#)

CD 15

- b. 1268 West Pacific Coast Highway. (Lien: \$603.00)

[10-1339](#)

CD 5

- c. 1611 South Bedford Street. (Lien: \$718.00)

[12-0706](#)

CD 6

- d. 9000 North Woodman Avenue. (Lien: \$1,167.15)

[12-0707](#)

CD 13

- e. 4401 West Melrose Avenue, aka 4411 West Melrose Avenue. (Lien: \$8,911.14)

[12-0866](#)

CD 14

- f. 3406 East Union Pacific Avenue. (Lien: \$3,761.04)

[12-0867](#)

CD 15

- g. 110 West Imperial Highway. (Lien: \$3,139.57)

[12-0868](#)

CD 8

- h. 10117 South Figueroa Street. (Lien: \$1,697.25)

[12-0870](#)

CD 13

- i. 1132 North Hyperion Avenue. (Lien: \$5,831.45)

[12-0871](#)

CD 14

- j. 5106 East Valley Boulevard. (Lien: \$7,329.84)

[12-0872](#)

CD 6

- k. 7640 North Sepulveda Boulevard, aka 7646 North Sepulveda Boulevard. (Lien: \$8,182.05)

[12-0620](#)

CD 9

- l. 877 West 47th Street aka 875 West 47th Street. (Lien: \$1,605.98)

(Continued from Council meeting of August 28, 2012)

[12-0844](#)

CD 2

- m. 10225 North Silverton Avenue. (Lien: \$603.00)

(Continued from Council meeting of September 18, 2012)

#### **ITEM NO (6) - PUBLIC HEARING CLOSED - ADOPTED**

**Adopted to Close Public Hearing, Ayes (11); Absent: ALARCON, BUSCAINO, PERRY, ROSENDAHL (4)**

[10-1942](#)

CD 4

HEARING PROTESTS relative to vacating an alley westerly of Vine Street between Santa Monica Boulevard and Eleanor Avenue (VAC E1401172).

(Categorical Exemption, Findings and Public Works Committee report adopted on August 15, 2012)

#### **ITEM NO. (7) - CONTINUED TO OCTOBER 2, 2012**

**Adopted to Continue, Unanimous Vote (12); Absent: ALARCON, PERRY, ROSENDAHL (3)**

[12-0600-S157](#)

COMMUNICATION FROM CHAIR AND MEMBER, BUDGET AND FINANCE COMMITTEE relative to the 2012-13 Appropriation Limit.

Recommendations for Council action:

1. ADOPT the following factors to be used to calculate the appropriations limit for 2012-13:

Population: City	0.43 percent
California Per Capita Income:	3.77 percent

2. RESERVE the right to re-calculate the appropriations limit for each year at such time as State legislation is enacted (or other information is available) to determine factors to be used to calculate the annual change in nonresidential new construction.

3. ADOPT \$4,554,024,205 as the appropriations limit for 2012-13.

Fiscal Impact Statement: The City Administrative Officer reports there is no fiscal impact in adopting this report.

Community Impact Statement: None submitted.

**ITEM NO. (8) - PUBLIC HEARING CLOSED - MOTION ADOPTED TO DENY APPLICATION - SEE FOLLOWING**

**Adopted to Deny Application, Ayes (13); Absent: ALARCON, ROSENDAHL (2)**

[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 Friday, September 21, 2012)

**ADOPTED**

**MOTION (REYES - GARCETTI)**

**Recommendations for Council action:**

1. **DETERMINE** that the “Public Convenience or Necessity” **WILL NOT BE SERVED** by the sale of alcohol for off-site consumption at La Bonita Mini Market located at 1163-65 West Venice Boulevard, Los Angeles, CA 90015, inasmuch as the proposed site is located in a high crime reporting district, District Number 285, and in an area where in 2012, the following offenses were respectively recorded for the district and immediate area where the La Bonita Mini Market is located:
  - a. 156 reported Part I and Part II crimes, 168 arrests for various offenses, including, five arrests for driving under the influence, 44 arrests at the intersection of Burlington Street and Venice Boulevard, where the La Bonita Mini Market is located for drinking in public, six arrests for drunk in public, one arrest for service of alcohol to a minor, and two arrests for service of an alcoholic beverage to an intoxicated person.
  - b. Los Angeles Police Department has stated, in a letter dated September 8, 2012, from Rampart Area Commanding Officer Steven A. Ruiz, that alcohol sales and consumption will increase the rate of crime, loitering and nuisance activity. Therefore, the sale of beer and wine at this location for off-site consumption would exacerbate the crime rate and instances of public nuisance in the area.
  - c. There is an over-concentration of licenses in the area. As stated in Officer Ruiz’s September 8, 2012 letter, two off-site licenses are allowed in the census tract; four licenses have been issued and are in use within the area already, including two at the intersection where La Bonita Mini Market is located.
2. **DENY** the application for determination of “Public Convenience or Necessity” for the sale of alcoholic beverages at La Bonita Mini Market located at 1163-65 West Venice Boulevard, Los Angeles, CA 90015, based upon the above findings and the negative influence associated with the sale of alcohol in the concerned community.
3. **INSTRUCT** the City Clerk to transmit this determination to the State Department of Alcoholic Beverage Control as the required finding under Business and Professions Code Section 23958.4.

## **Items for Which Public Hearings Have Been Held - Items 9-22**

Adopted, Ayes (12); Absent: ALARCON, PERRY, ROSENDAHL (3)  
(Item Nos. 9-14)

### **ITEM NO. (9) - ADOPTED**

[12-1268](#)

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to the Mayor's appointment of Ms. Chancela Al-Mansour to the Board of Community and Family Services Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Chancela Al-Mansour to the Board of Community and Family Services Commissioners for the term ending June 30, 2016, is APPROVED and CONFIRMED. Ms. Al-Mansour will replace Ms. Deborah Davies whose term expired on June 30, 2012. Ms. Al-Mansour resides in Council District 14. (Current Commission gender composition: M=3; F=12)

Ethics Commission Review: Pending.

Background Check Review: Pending.

Community Impact Statement: None submitted.

TIME LIMIT FILE - SEPTEMBER 27, 2012

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

**ITEM NO. (10) - ADOPTED**

[12-1278](#)

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to the Mayor's appointment of Ms. Patricia J. Williams to the Commission on the Status of Women.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Patricia J. Williams to the Commission on the Status of Women for the term ending June 30, 2017 is APPROVED and CONFIRMED. Ms. Williams replaces Ms. Dominique Di Prima whose term expired on June 30, 2012. Ms. Williams resides in Council District One. (Current Commission gender composition: M=6; F=3)

Ethics Commission Review: Complete.

Background Check Review: Complete.

Community Impact Statement: None submitted.

TIME LIMIT FILE - SEPTEMBER 27, 2012

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

**ITEM NO. (11) - ADOPTED**

[12-1290](#)

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to the Mayor's appointment of Ms. Kristen Haggins to the Human Relations Commission.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Kristen Haggins to the Human Relations Commission for the term ending June 30, 2017, is APPROVED and CONFIRMED. Ms. Haggins resides in Council District Five. (Current Commission gender composition; F=8; M=3)

Ethics Commission Review: Complete.

Background Check Review: Pending.

Community Impact Statement: None submitted.

TIME LIMIT FILE - SEPTEMBER 28, 2012

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

**ITEM NO. (12) - ADOPTED**

[11-0305](#)

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the reappointment of Mr. George Hovaguimian to the Los Angeles City Planning Commission.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Mr. George Hovaguimian to the Los Angeles City Planning Commission for the new term ending June 30, 2017, is APPROVED and CONFIRMED. Mr. Hovaguimian resides in Council District Four. (Current Commission gender composition: M=7; 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. (13) - ADOPTED**

[12-1267](#)

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the appointment of Ms. Mayumi Fukushima to the East Los Angeles Area Planning Commission.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Mayumi Fukushima to the East Los Angeles Area Planning Commission for the term ending June 30, 2017, is APPROVED and CONFIRMED. Ms. Fukushima resides in Council District One. (Current Commission gender composition: M = 3; F = 2)



Ethics Commission Review: Complete.

Background Check Review: Complete.

Community Impact Statement: None submitted.

TIME LIMIT FILE - SEPTEMBER 27, 2012

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

**ITEM NO. (14) - ADOPTED**

[12-1316](#)  
CD 15

ADMINISTRATIVE EXEMPTION and TRADE, COMMERCE AND TOURISM COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to amending Port of Los Angeles (POLA) Tariff No. 4, Section 20 - Clean Air Action Plan General Rules and Regulations, Environmental Ship Index.

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

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 II, Section 2(f) of the Los Angeles City CEQA Guidelines.
2. ADOPT Permanent Order No. 12-7104 to amend Section 20, Clean Air Action Plan - General Rules and Regulations, and adding Item 2060 - Voluntary Environmental Ship Index Incentive Program to the POLA Tariff No.4.
3. PRESENT and ADOPT the accompanying ORDINANCE approving Permanent Board Order No. 12-7104 amending POLA Tariff No. 4, Section 20 regarding the Clean Air Action Plan General Rules and Regulations, Environmental Ship Index.

Fiscal Impact Statement: The City Administrative Officer reports that approval of the proposed Voluntary Environmental Ship Incentive (ESI) Program will provide ESI incentive grants ranging from \$250 to \$3,250 for qualifying vessel operators and ocean-going vessels that participate in the ESI Program. The Port will provide a clean ship rating and financial incentives for vessel operators that voluntarily reduce emission pollutions from vessels calling at the Port. The cost of the ESI Program is estimated at \$450,000 during the first year of operation. Funding for the ESI Program has been included in the Harbor Revenue Fund budget for fiscal year 2012-13. There is no impact on the City General Fund and the City Financial Policies are not applicable.

Community Impact Statement: None submitted.

**ITEM NO. (15) - CONTINUED TO SEPTEMBER 28, 2012**

**Adopted to Continue, Unanimous Vote (12); Absent: ALARCON, PERRY, ROSENDAHL (3)**

[12-0402](#)

ORDINANCE SECOND CONSIDERATION relative to amending Subsection (a) of Section 21.30 of the Los Angeles Municipal Code to extend the new business exemption from Business Taxes.

(Jobs and Business Development Committee report adopted on September 18, 2012)

**ITEM NO. (16) - ADOPTED, AS AMENDED - SEE FOLLOWING**

**Vote Bifurcated - SEE FOLLOWING**

[12-1504](#)

ENERGY AND ENVIRONMENT COMMITTEE REPORT relative to the incremental electric rate increase and restructuring components for electrical energy distributed, and for service supplied by the Los Angeles Department of Water and Power (LADWP) to its customers.

Recommendations for Council action:

1. CONCUR with the Board of Water and Power Commissioners' action of September 12, 2012, Resolution No. 013-053, approving the Incremental Electric Rate Ordinance and amending the existing power rates and approving rate increases for fiscal years 2012-13 and 2013-14 resulting in a total revenue increase over two years of \$328.4 million.
2. REQUEST the LADWP to implement, with the assistance of the Ratepayer Advocate, City Administrative Officer (CAO), Chief Legislative Analyst (CLA) and any other relevant departments, the recommendations of the Independent Third Party Review as follows:
  - a. Conduct negotiations with labor to find common ground that allows for greater flexibility to contract out effectively and bring salaries and benefits closer to other power utility providers.
  - b. Reevaluate and consider replacing the surcharge-based restructuring approach with fully restructured permanent rates once legal considerations allow.
  - c. Conduct a new formal cost of service study in order to prepare for future power rate restructuring.
  - d. Conduct a benchmarking assessment to review the cost per project for the repowering program and the Power Reliability Program to ensure cost reasonableness.
  - e. Identify opportunities to contract out and explore the potential savings, including the benchmarking of staffing and outsourcing levels against utility peers.
  - f. Review overtime expenses allocation, as well as the Department's contractual requirements that have an impact on overtime.

- g. Complete a rigorous review of the Department's hedging plan to lock in low fuel prices.
  - h. Establish a plan for energy efficiency that maintains expenditure levels at an achievable and cost effective level.
  - i. Seek greater Departmental efficiencies by pursuing process improvement efforts across a range of areas and practices.
  - j. Submit a semi-annual report to the Mayor and Council regarding the status of the Renewable Portfolio Standards program and its impact on rates.
3. REQUEST the LADWP and the Ratepayer Advocate, in conjunction with the CLA and CAO, to report back in 90 days on the status of each of the specified recommendations, including a prioritized listing and schedule for implementation, and provide a quarterly status report on each recommendation thereafter.

Fiscal Impact Statement: The CAO reports that approval of the proposed rate action will generate an additional 4.9 percent revenue increase for FY 2012-13 of \$144.6 million, and an additional 6 percent revenue increase for FY 2013-14 of \$183.7 million for a cumulative total increase in revenue over two years of \$328.4 million. The City General Fund will be impacted by the proposed power rate action through an increase in the City's cost for electricity of approximately \$7.2 million consisting of approximately \$2 million in FY 2012-13 and \$5.2 million in FY 2013-14. The proposed action complies with the Department's adopted Financial Policies.

Community Impact Statement: None submitted.

**ADOPTED, AS AMENDED, Ayes (10); Noes: ENGLANDER, PARKS, PERRY, ZINE (4)**

**Recommendation for Council action:**

- 1. **CONCUR with the Board of Water and Power Commissioners' action of September 12, 2012, Resolution No. 013-053, approving the Incremental Electric Rate Ordinance.**

**ADOPTED, AS AMENDED, Ayes (13); Noe: Parks (1); Absent: ROSENDAHL (1)**

**AMENDING MOTION (REYES - HUIZAR) - Ayes (10); Nos. ENGLANDER, PARKS, PERRY, ZINE (4)**

**Recommendations for Council action:**

- 2. **REQUEST the LADWP, with the assistance of the Chief Legislative Analyst to report back in 120 days on the feasibility of implementing a virtual net metering program and/or other mechanism to enable renters, low-income utility customers, and those that live in areas that are not conducive to installing solar on their own property to receive the benefits of renewable energy.**
  - a. **Conduct negotiations with labor to find common ground that allows for greater flexibility to contract out effectively and bring salaries and benefits closer to other power utility providers.**

- b. Reevaluate and consider replacing the surcharge-based restructuring approach with fully restructured permanent rates once legal considerations allow.
  - c. Conduct a new formal cost of service study in order to prepare for future power rate restructuring.
  - d. Conduct a benchmarking assessment to review the cost per project for the repowering program and the Power Reliability Program to ensure cost reasonableness.
  - e. Identify opportunities to contract out and explore the potential savings, including the benchmarking of staffing and outsourcing levels against utility peers.
  - f. Review overtime expenses allocation, as well as the Department's contractual requirements that have an impact on overtime.
  - g. Complete a rigorous review of the Department's hedging plan to lock in low fuel prices.
  - h. Establish a plan for energy efficiency that maintains expenditure levels at an achievable and cost effective level.
  - i. Seek greater Departmental efficiencies by pursuing process improvement efforts across a range of areas and practices.
  - j. Submit a semi-annual report to the Mayor and Council regarding the status of the Renewable Portfolio Standards program and its impact on rates.
3. REQUEST the LADWP and the Ratepayer Advocate, in conjunction with the CLA and CAO, to report back in 90 days on the status of each of the specified recommendations, including a prioritized listing and schedule for implementation, and provide a quarterly status report on each recommendation thereafter.

**ITEM NO. (17) - CONTINUED TO OCTOBER 24, 2012**

**Adopted to Continue, Unanimous Vote (12); Absent: ALARCON, PERRY, ROSENDAHL (3)**

[12-0967](#)

CD 13

MITIGATED NEGATIVE DECLARATION (MND) and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an appeal of the MND for property located at 5241-47 Santa Monica Boulevard and 5238-46 Virginia Avenue.

Recommendations for Council action:

1. FIND that this project 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 MND reflects the independent judgment of the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 12-0967 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 MND [ENV-2007-365-MND] filed on October 15, 2010.
2. ADOPT the FINDINGS of the Los Angeles City Planning Commission (LACPC) as the Findings of the Council.
3. RESOLVE TO DENY THE APPEAL filed by Seta Panosian, brought under California Public Resources Code, Section 21151c of the California Environmental Quality Act, from the determination of the LACPC and THEREBY ADOPT MND No. ENV-2007-365-MND in connection with the construction of 49 residential dwelling units, with 20 percent as restricted affordable units, and 14,947 square feet of commercial floor area for the property located at 5241-47 Santa Monica Boulevard and 5238-46 Virginia Avenue, subject to modified Conditions of Approval (attached to the Council file). (The LACPC also approved a Density Bonus Compliance Review for this project.)
4. ADVISE the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination filing.

Applicant: Karnik Shadbazian

DIR-2009-2065-DB-1A

Representative: Robert Lamishaw, JPL Zoning

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

Community Impact Statement: Yes, the East Hollywood Neighborhood Council

**Adopted, Ayes (12); Absent: ALARCON, PERRY, ROSENDAHL (3)  
(Item Nos. 18-22)**

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

[12-1345](#)

CD 15

CATEGORICAL EXEMPTION and TRADE, COMMERCE AND TOURISM COMMITTEE REPORT relative to proposed Foreign Trade Zone (FTZ) Developer Agreement between the City of Los Angeles Harbor Department and The Realty Associates Fund IX, L.P., Site 20.

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, Class 1(14) of the Los Angeles City CEQA Guidelines.
2. APPROVE the FTZ Developer Agreement No. 12-3063 between the City of Los Angeles Harbor Department and The Realty Associates Fund IX, L.P., Site 20.

Fiscal Impact Statement: The City Administrative Officer reports that approval of the proposed FTZ Developer Agreement No. 12-3063 with The Realty Associates Fund IX Inc., (T.A. Realty) is for the development of a site within the Los Angeles FTZ Site No. 20 in the city of Eastvale. T.A. Realty has paid an initial fee of \$2,500 to the Port for the development of FTZ Site No. 20 during the original five-year term of the contract. Approval of the agreement provides tax and operating benefits to T.A. Realty and economic development in the region. 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.

TIME LIMIT FILE - OCTOBER 21, 2012

(LAST DAY FOR COUNCIL ACTION - OCTOBER 19, 2012)

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

[12-1349](#)

CD 15

CATEGORICAL EXEMPTION and TRADE, COMMERCE AND TOURISM COMMITTEE REPORT relative to proposed First Amendment to Foreign Trade Zone (FTZ) General Purpose Operating Agreement No. 2633 with Schafer Brothers Distribution Center, Inc. FTZ 202, Site 12.

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 to FTZ General Purpose Operating Agreement No. 2633 with Schafer Brothers Distribution Center, Inc. FTZ 202, Site 12.

Fiscal Impact Statement: The City Administrative Officer reports that there will be no additional cost, fees or reduction of compensation to the Harbor Department (Port) authorizing the proposed First Amendment to FTZ Operating Agreement with Schafer Brothers Distribution Center, Inc., in FTZ Site No. 12. The Port has received \$25,000 from the initial five-year contract term. Compensation from the FTZ fees will remain in the amount of \$5,000 each year during each of the three remaining five-year contract terms, for a total compensation of \$100,000, over the contract period of 20 years. There will be no impact on the City General Fund. Funds will be deposited in the Harbor Revenue Fund.

Community Impact Statement: None submitted.

TIME LIMIT FILE - OCTOBER 22, 2012

(LAST DAY FOR COUNCIL ACTION - OCTOBER 19, 2012)

**ITEM NO. (20) - ADOPTED**

[12-1368](#)

CD 15

CATEGORICAL EXEMPTION and TRADE, COMMERCE AND TOURISM COMMITTEE REPORT relative to proposed Second Amendment to Foreign Trade Zone (FTZ) Operating Agreement No. 08-1995-A with ConocoPhillips Company, Site C.

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, Class 1(14) of the Los Angeles City CEQA Guidelines.
2. APPROVE the Second Amendment to FTZ Operating Agreement No. 08-1995-A with ConocoPhillips Company, Site C.

Fiscal Impact Statement: The City Administrative Officer reports that there will be no additional cost, fees or reduction of compensation to the Los Angeles Harbor Department (Port) authorizing the proposed First Amendment to FTZ Sub-zone Operating Agreement with Phillips 66 Company Inc., in FTZ Site C. The Port has received \$150,000 in annual fees for the original term of 10 years and the first five-year contract extension. Compensation from the FTZ fees will remain in the amount of \$10,000 each year during each of the two remaining five-year contract terms, for a total compensation of \$250,000, over the contract period of 25 years. There will be no impact on the City General Fund. Funds will be deposited in the Harbor Revenue Fund.

Community Impact Statement: None submitted.

TIME LIMIT FILE - OCTOBER 26, 2012

(LAST DAY FOR COUNCIL ACTION - OCTOBER 26, 2012)

**ITEM NO. (21) - ADOPTED**

[12-1370](#)

CD 15

ADMINISTRATIVE EXEMPTION and TRADE, COMMERCE AND TOURISM COMMITTEE REPORT relative to proposed Foreign Trade Zone (FTZ) General Purpose Operating Agreement with LAXFUEL Corporation, FTZ 202, Site 25.

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 II, Section 2(f) of the Los Angeles City CEQA Guidelines.

2. APPROVE the FTZ General Purpose Operating Agreement No. 12-3074 with LAXFUEL Corporation, FTZ 202, Site 25.

Fiscal Impact Statement: The City Administrative Officer reports that approval of the proposed FTZ Operator Agreement with LAXFUEL Corporation will have no impact on the City General Fund. LAXFUEL has paid the one-time application fee of \$5,000 and will pay an annual administrative fee of \$5,000 per year for the initial five-year term and three five-year renewal options, for a possible contract amount of up to a total of \$105,000 for the life of the contract. There will be no impact on the City General Fund. All Funds will be deposited in the Harbor Revenue Fund.

Community Impact Statement: None submitted.

TIME LIMIT FILE - OCTOBER 26, 2012

(LAST DAY FOR COUNCIL ACTION - OCTOBER 26, 2012)

**ITEM NO. (22) - ADOPTED**

[12-1371](#)  
CD 15

CATEGORICAL EXEMPTION and TRADE, COMMERCE AND TOURISM COMMITTEE REPORT relative to proposed First Amendment to Foreign Trade Zone (FTZ) General Purpose Operating Agreement No. 2606 with Nippon Express U.S.A., Inc. FTZ 202, Site 7B.

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 to FTZ General Purpose Operating Agreement No. 2606 with Nippon Express U.S.A., Inc.

Fiscal Impact Statement: The City Administrative Officer reports that there will be no additional cost, fees or reduction of compensation to the Los Angeles Harbor Department (Port) authorizing the proposed First Amendment to FTZ Operating Agreement with Nippon Express U.S.A., Inc., in FTZ Site No. 7B. The Port has received \$25,000 from the initial five-year contract term. Compensation from the FTZ fees will remain in the amount of \$5,000 each year during each of the three remaining five-year contract terms, for a total compensation of \$100,000, over the contract period of 20 years. There will be no impact on the City General Fund. Funds will be deposited in the Harbor Revenue Fund.

Community Impact Statement: None submitted.

TIME LIMIT FILE - OCTOBER 26, 2012

(LAST DAY FOR COUNCIL ACTION - OCTOBER 26, 2012)



## **Items for Which Public Hearings Have Not Been Held - Items 23-40**

(10 Votes Required for Consideration)

### **ITEM NO. (23) - ADOPTED - ORDINANCE OVER TO OCTOBER 2, 2012**

**Adopted, Ordinance Over One Week, Ayes (10); Noes: ENGLANDER, PARKS, PERRY, ZINE (4); Absent: ROSENDAHL (1)**

#### [12-1504](#)

COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to the rates fixed by the Los Angeles Department of Water and Power (LADWP) to be charged for electrical energy distributed and for service supplied by LADWP to its customers and approval of the time and manner of payment.

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

PRESENT and ADOPT the accompanying ORDINANCE approving the rates fixed by the LADWP and to be charged for electrical energy distributed and for service supplied by LADWP to its customers and approving the time and manner of payment of the same, as prescribed by LADWP.

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.

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

### **ITEM NO. (24) - CONTINUED TO OCTOBER 5, 2012**

**Adopted to Continue, Unanimous Vote (12); Absent: ALARCON, PERRY, ROSENDAHL (3)**

#### [11-1392](#)

COMMUNICATIONS FROM THE CITY ADMINISTRATIVE OFFICER and CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to allowing sworn personnel who are transferred from the Department of General Services to the Los Angeles Police Department (LAPD) to remain in the Los Angeles City Employees' Retirement System (LACERS).

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

PRESENT and ADOPT the accompanying ORDINANCE adding Subsection (c) to Section 4.1002 of Chapter 10 of Division 4 of the Los Angeles Administrative Code to allow sworn peace officer personnel, who provide police services for the City, to maintain membership in the LACERS when their sworn positions are transferred from the Department of General Services' Office of Public Safety into the LAPD.

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.

(Information Technology and General Services, Public Safety and Budget and Finance Committee's waived consideration of the above matter)

(Continued from Council meeting of August 24, 2012)

**ITEM NO. (25) - PUBLIC HEARING CLOSED - ORDINANCE OVER TO OCTOBER 26, 2012 - MOTION ADOPTED - SEE FOLLOWING**

**Adopted as Amended, Ayes (14); Absent: ROSENDAHL (1)**

[10-1250](#)

COMMUNICATIONS FROM THE CITY ADMINISTRATIVE OFFICER and CITY ATTORNEY and ORDINANCE relative to the amendment of the Los Angeles Administrative Code (LAAC) to provide a second tier of benefits for employees who become members of the Los Angeles City Employees' Retirement System (LACERS) on or after July 1, 2013, and related matters.

Recommendation for Council action:

PRESENT the accompanying ORDINANCE, dated September 19, 2012, which amends Chapters 10 and 11 of Division 4 of the LAAC to provide a second tier with different benefits and conditions of entitlement for new hires who become members of the LACERS on or after July 1, 2013, and to make other technical corrections.

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.

(Personnel and Animal Welfare and Budget and Finance Committees waived consideration of the above matter)

(Pursuant to Charter Section 1168, final adoption of this ordinance cannot occur until at least 30 days after its first presentation to the Council)

(10 VOTES REQUIRED)

(The City Council may recess to Closed Session, pursuant to Government Code Section 54956.9(b)(3)(E) in order to confer with legal counsel in relation to significant exposure to litigation concerning a statement threatening litigation regarding the addition of a second LACERS pension tier.)

**ADOPTED**

**AMENDING MOTION (ALARCON - GARCETTI - KORETZ)**

**Recommendation for Council action:**

**INSTRUCT the City Administrative Officer and the Chief Legislative Analyst, with the assistance of the City Attorney and any other relevant departments, to continue to meet with representatives of the city employees to find common ground and to avoid litigation, and report back on the results of the discussion within 30 days.**

**ITEM NO. (26) - CONTINUED TO OCTOBER 5, 2012**

**Adopted to Continue, Unanimous Vote (12); Absent: ALARCON, PERRY, ROSENDAHL (3)**

[11-1392-S1](#)

COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to the amendment of the Los Angeles Administrative Code (LAAC) to transfer the building and facilities security services function from the Department of General Services (GSD) to the Los Angeles Police Department (LAPD).

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

PRESENT and ADOPT the accompanying ORDINANCE, which repeals Sections 22.545 and 22.545.1 of the LAAC, and adds Section 22.225.1 to Article 3 of Chapter 11 of Division 22 of the LAAC to transfer the building and facilities security services function from the GSD to the LAPD.

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.

(Public Safety and Information Technology and General Services Committees waived consideration of the above matter)

**Adopted, Ayes (12); Absent: ALARCON, PERRY, ROSENDAHL (3)  
(Item Nos. 27,28a-28d, 29)**

**ITEM NO. (27) - ADOPTED**

[12-1372](#)

CD 6

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and ORDINANCE FIRST CONSIDERATION relative to the dedication of City-owned Real Property as public street and sidewalk lying on the south side of Plummer Street west of Van Nuys Boulevard (Right of Way No. CPC 2011-3238 [PUB/ZAA]).

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

1. FIND that the dedication of City-owned Real Property as public street and sidewalk lying on the south side of Plummer Street west of Van Nuys Boulevard (Right of Way No. CPC 2011-3238

[PUB/ZAA]) 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 as public street and sidewalk lying on the south side of Plummer Street west of Van Nuys Boulevard (Right of Way No. CPC 2011-3238 [PUB/ZAA]) shown attached on the Exhibit Map of the August 27, 2012 City Engineer report and attached to the Council file, be dedicated, accepted, and established as part of Plummer Street, a public street and sidewalk 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 and sidewalk 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 south side of Plummer Street west of Van Nuys Boulevard, a public street and sidewalk 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 Work Order No. E170093D.

Community Impact Statement: None submitted.

## ITEM NO. (28) - ADOPTED

### [12-0005-S497](#)

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 18, 2012:

### [12-0005-S497](#)

CD 4

- a. Property at 1002 North Hudson Avenue (Case No. 341897).  
Assessor I.D. No. 5533-013-016

### [12-0005-S498](#)

CD 5

- b. Property at 614 South Crescent Heights Boulevard (Case No. 178654).  
Assessor I.D. No. 5510-026-021

[12-0005-S499](#)

CD 8

- c. Property at 1819 West 29th Street (Case No. 373779).  
Assessor I.D. No. 5053-026-033

[12-0005-S500](#)

CD 14

- d. Property at 2657 East Dobison Street (Case No. 244198).  
Assessor I.D. No. 5177-011-034

## **ITEM NO. (29) - ADOPTED**

[12-1307](#)

CD 11

COMMUNICATION FROM CHAIR AND MEMBER, BUDGET AND FINANCE COMMITTEE relative to a donation of one surplus ambulance to the Oxnard College Regional Fire Academy.

Recommendations for Council action, pursuant to Motion (Rosendahl - Buscaino):

1. FIND that the Oxnard College Regional Fire Academy is eligible to purchase one surplus 2003 Ford rescue ambulance (equipment no. 11713) at below market value (\$1.00), in accordance with Los Angeles Administrative Code Sec. 22.547 (Donation of Surplus City Equipment) and policy adopted by the Council on November 28, 2006 (Council file No. 04-1822), inasmuch as the Oxnard College Regional Fire Academy is a government entity established to support services provided by the City of Los Angeles.
2. REQUEST the City Attorney to expedite preparation of the appropriate documents to effectuate the sale and transfer of the above identified surplus equipment at below market value to the Oxnard College Regional Fire Academy.
3. INSTRUCT the City Clerk to inform the Ventura County Community College District [Jo Nell Miller, Purchasing Specialist, 255 West Stanley Avenue, Suite 150, Ventura, CA 93001, (805) 652-5560] that the surplus 2003 Ford rescue ambulance must be claimed within 60 days from the date of Council approval of the request, at which time it will revert to the City's surplus equipment pool for disposal by the Department of General Services.

Fiscal Impact Statement: The Chief Legislative Analyst reports that the sale of one surplus fire ambulance at below market value is consistent with the City's Financial Policies as the Oxnard College Regional Fire Academy is a governmental entity established to support services provided by the City of Los Angeles. This below market sale will increase the General Fund by \$1.00.

Community Impact Statement: None submitted.

**ITEM NO. (30) - ADOPTED**

**Adopted, Ayes (14); Absent: ROSENDAHL (1)**

[12-1320](#)

CD 3

COMMUNICATION FROM CHAIR AND MEMBER, BUDGET AND FINANCE COMMITTEE relative to a donation of surplus motorcycles to the California State University, Los Angeles Department of Public Safety.

Recommendations for Council action, pursuant to Motion (Zine - Buscaino):

1. FIND that the California State University, Los Angeles Department of Public Safety is eligible to purchase five Kawasaki KZ1000 motorcycles (IDs 00309, 00352, 00386, 00392, 00403) including related spare parts at below market value (\$1.00 each) in accordance with Los Angeles Administrative Code Sec. 22.547 (Donation of Surplus City Equipment) and policy adopted by the Council on November 28, 2006 (C.F. 04-1822), inasmuch as the California State University, Los Angeles Department of Public Safety is a government entity established to support services provided by the City of Los Angeles.
2. REQUEST the City Attorney to expedite preparation of the appropriate documents to effectuate the sale and transfer of the above identified surplus equipment at below market value to the California State University, Los Angeles Department of Public Safety.
3. INSTRUCT the City Clerk to inform the California State University, Los Angeles Department of Public Safety [Joe Curreri, Chief of Police, 5151 State University Drive, Los Angeles, CA 90032, (323) 343-3700] that the surplus equipment must be claimed within 60 days from the date of Council approval of the request at which time it will revert to the City's surplus equipment pool for disposal by the Department of General Services.

Fiscal Impact Statement: The Chief Legislative Analyst reports that the sale of five surplus police motorcycles at below market value is consistent with the City's Financial Policies as the California State University, Los Angeles Department of Public Safety is a governmental entity established to support services provided by the City of Los Angeles. The below market sale will increase the General Fund by \$5.00.

Community Impact Statement: None submitted.

**Adopted, Ayes (12); Absent: ALARCON, PERRY, ROSENDAHL (3)  
(Item Nos. 31-32)**

**ITEM NO. (31) - ADOPTED**

[12-1312](#)

CD 7

CATEGORICAL EXEMPTION and COMMUNICATION FROM THE CITY ENGINEER relative to an

offer to dedicate an easement for street and sidewalk purposes on the northwest side of Montague Street northeast of Norris Avenue. (Right of Way No. 36000-1916)

Recommendations for Council action:

1. FIND that the offer to dedicate an easement for street and sidewalk purposes on the northwest side of Montague Street northeast of Norris Avenue (Right of Way No. 36000-1916) 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 and sidewalk purposes on the northwest side of Montague Street northeast of Norris Avenue (Right of Way No. 36000-1916), as depicted on the Exhibit Map in the August 13, 2012 City Engineer report and 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. (32) - ADOPTED**

[12-1350](#)

CD 4

CATEGORICAL EXEMPTION and COMMUNICATION FROM THE CITY ENGINEER relative to an offer to dedicate an easement for sanitary sewer purposes on the property west of Stone Canyon Avenue between Stonesboro Place and Loadstone Drive (Right of Way No. 36000-1922).

Recommendations for Council action:

1. FIND that the offer to dedicate an easement for sanitary sewer purposes on the property west of Stone Canyon Avenue between Stonesboro Place and Loadstone Drive (Right of Way No. 36000-1922) 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 sanitary sewer purposes on the property west of Stone Canyon Avenue between Stonesboro Place and Loadstone Drive (Right of Way No. 36000-1922), as depicted on the Exhibit Map in the August 14, 2012 City Engineer report and 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 \$3,884.10 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.

**Adopted to Continue, Unanimous Vote (12); Absent: ALARCON, PERRY, ROSENDAHL (3)  
(Item Nos. 33-37)**

**ITEM NO. (33) - CONTINUED TO OCTOBER 2, 2012**

[12-1083](#)

CD 13

COMMUNICATION FROM THE CITY ENGINEER relative to the installation of the name of PEPE AGUILAR on the Hollywood Walk of Fame.

Recommendation for Council action:

APPROVE the installation of the name of Pepe Aguilar at 7060 Hollywood Boulevard.

Fiscal Impact Statement: The City Engineer reports that there is no General Fund impact.

**ITEM NO. (34) - CONTINUED TO OCTOBER 2, 2012**

[12-1353](#)

CD 13

COMMUNICATION FROM THE CITY ENGINEER relative to the installation of the name of WALTER KOENIG on the Hollywood Walk of Fame.

Recommendation for Council action:

APPROVE the installation of the name of Walter Koenig at 6679 Hollywood Boulevard.

Fiscal Impact Statement: The City Engineer reports that there is no General Fund impact.

**ITEM NO. (35) - CONTINUED TO OCTOBER 2, 2012**

[12-1354](#)

CD 13

COMMUNICATION FROM THE CITY ENGINEER relative to the installation of the name of RASCAL FLATTS on the Hollywood Walk of Fame.

Recommendation for Council action:

APPROVE the installation of the name of Rascal Flatts at 6664 Hollywood Boulevard.

Fiscal Impact Statement: The City Engineer reports that there is no General Fund impact.



**ITEM NO. (36) - CONTINUED TO OCTOBER 2, 2012**

[12-1355](#)

CD 13

COMMUNICATION FROM THE CITY ENGINEER relative to the installation of the name of ELLEN DEGENERES on the Hollywood Walk of Fame.

Recommendation for Council action:

APPROVE the installation of the name of Ellen Degeneres at 6270 Hollywood Boulevard.

Fiscal Impact Statement: The City Engineer reports that there is no General Fund impact.

**ITEM NO. (37) - CONTINUED TO OCTOBER 2, 2012**

[12-1356](#)

CD 13

COMMUNICATION FROM THE CITY ENGINEER relative to the installation of the name of VINCE GILL on the Hollywood Walk of Fame.

Recommendation for Council action:

APPROVE the installation of the name of Vince Gill at 6901 Hollywood Boulevard.

Fiscal Impact Statement: The City Engineer reports that there is no General Fund impact.

**Adopted, Ayes (12); Absent: ALARCON, PERRY, ROSENDAHL (3)  
(Item Nos. 38-40)**

**ITEM NO. (38) - ADOPTED**

[12-1491](#)

CD 15

CONSIDERATION OF MOTION (BUSCAINO - CARDENAS) relative to appropriation of 37th Program Year Housing and Community Development Consolidated Plan, Community Development Block Grant (CDBG), funding in the amount of \$1 million to San Pedro Bay Port Technologies Development Center, Inc. (PortTechLA).

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

1. VERIFY the appropriation of 37th (2011-12) Program Year Housing and Community Development Consolidated Plan CDBG funding in the amount of \$1 million to PortTechLA. PortTechLA will use these funds in its mission to identify, attract, support, and incubate or accelerate businesses with technologies that will enable entities involved with the maritime industry or port-related goods movement industry, including the Harbor Department of the City of

Los Angeles, to meet their environmental, energy, transportation, and security goals. One of PortTechLA's primary purposes is to support the functions of the Harbor Department of the City of Los Angeles.

2. INSTRUCT the General Manager, Community Development Department, to negotiate and execute a service repayment agreement with PortTechLA to establish a business incubator to support new and emerging technology businesses in the Harbor Region.

Community Impact Statement: None submitted.

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

## **ITEM NO. (39) - ADOPTED**

### 11-0106-S1

MOTION (PERRY - LABONGE) relative amending prior Council action of August 14, 2012 relative to the payment of \$562,500 from the Hanjin Corporation for the Dunbar Village Project.

Recommendation for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:  
AMEND prior Council action on August 14, 2012 to add the following actions:

- a. TRANSFER said funds from the Planning Fund No. 100/68, Miscellaneous Deposits to a new account in the Affordable Housing Trust Fund No. 44G entitled "Dunbar Village Project."
- b. INSTRUCT / AUTHORIZE the Los Angeles Housing Department (LAHD) and the Controller to issue payment in the amount of \$562,500 to Safran and Associates to satisfy the City's obligation for the Dunbar Village Project in accordance with City Contract No. C-118990, including the execution of any necessary contracts.
- c. AUTHORIZE the LAHD to make any technical corrections and/or changes that may be required to effectuate the intent of this Motion.

## **ITEM NO. (40) - MAP APPROVED - CITY ENGINEER REPORT ADOPTED**

### 12-1452

CD 5

FINAL MAP OF TRACT NO. 69371 for property located at 1636-42 South Beverly Glen Boulevard lying northerly of Eastborne Avenue.

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

(ADOPT City Engineer Report)

(ADOPT Bond No. C-120663)

(Quimby Fee: \$50,112)

Applicants: Ocean Harbor, LLC  
Mark Danielson

## Closed Session - Item 41

ITEM NO. (41) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Adopted in Open Session, Ayes (13); Absent: ALARCON, ROSENDAHL (2)

[12-0578](#)

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 Julie Sandoval v. City of Los Angeles, Los Angeles Superior Court Case No. BC450598. (This case arises from allegations of disability, discrimination and retaliation by management of the El Pueblo de Los Angeles Historical Monument Authority Department.)

(Budget and Finance Committee to consider the above matter in Closed Session on September 24, 2012)

### ADOPTED

#### MOTION (KREKORIAN - ENGLANDER)

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

1. **AUTHORIZE** the City Attorney to expend \$1,000,000 in settlement of the above entitled matter.
2. **AUTHORIZE** the City Attorney to draw demands as follows:
  - a. \$667,833.33 from the Liability Claims Fund 100/59, Account 9770 made payable to “Julie Sandoval and The Myers Law Group” in connection with the civil action.
  - b. \$82,166.67 from fund 100/33, Account 1010, made payable to “Julie Sandoval” in connection with the civil action.
  - c. \$250,000 from Fund 100/61, Account 9910, made payable to “Julie Sandoval and Law Offices of Scott Ford” in connection with the workers’ compensation actions.
3. **AUTHORIZE** the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments, and subject to the approval of the City Administrative Officer and **AUTHORIZE** the Controller to implement the instructions.

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

[12-1533](#)

MOTION (CARDENAS - HUIZAR) relative to funding to support community programs and groups in

Council District Six.

[11-0010-S45](#)

MOTION (PERRY - PARKS) relative to reinstating the reward offer in the death of Susana Amelia Prieto on October 16, 2011 for an additional six months.

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

[12-1530](#)

RESOLUTION (KREKORIAN for ROSENDAHL - PARKS) relative to declaring October 3, 2012 as Mark Twain Ringers Day in the City of Los Angeles.

[11-1693-S1](#)

RESOLUTION (BUSCAINO - GARCETTI - LABONGE) relative to declaring October 2012 as Italian - American Heritage Month.

**COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:**

[12-0004-S2](#) - Daffy Duck

Garcetti - LaBonge - All Councilmembers

Gale Anne Hurd

Garcetti - LaBonge - All Councilmembers

Mark Harmon

Garcetti - LaBonge - All Councilmembers

Robert Sidansky, M.A.

Englander - Cárdenas - All Councilmembers

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

[12-0003-S2](#) - Vivian L. Doby-Harris

Parks - All Councilmembers

**Alarcón, Buscaino, Cárdenas, Englander, Garcetti, Huizar, Koretz, Krekorian, LaBonge, Parks, Perry, Reyes, Zine and President Wesson (14); Absent: Rosendahl (1)**

**Whereupon the Council did adjourn.**

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL