

Los Angeles City Council, **Journal/Council Proceedings**  
Tuesday, **October 16, 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: Buscaino, Cárdenas, Englander, Garcetti, Huizar, Koretz, Krekorian, LaBonge, Parks, Zine and President Wesson (11); Absent: Alarcón, Perry, Reyes and Rosendahl (4)**

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF  
OCTOBER 10, 2012

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 12

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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 1-3**

**ITEM NO. (1) - PUBLIC HEARING CLOSED - MOTION ADOPTED TO GRANT APPLICATION - SEE FOLLOWING**

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

[12-1346](#)  
CD 14

CONTINUED CONSIDERATION OF HEARING COMMENTS relative to application for determination of "Public Convenience or Necessity" for alcohol sales for on-site consumption at Lash lounge/bar located at 117 East Winston Street, Los Angeles, 90013.

Application filed by: Cormac O'Carroll, Fastnet Holdings, LLC (Ross O'Carroll, Representative)

TIME LIMIT FILE - NOVEMBER 20, 2012

(LAST DAY FOR COUNCIL ACTION - NOVEMBER 20, 2012)

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

(Continued from Council meeting of October 9, 2012)

**ADOPTED**

**MOTION (HUIZAR - CARDENAS)**

**Recommendations for Council action:**

1. **DETERMINE** that the issuance of a liquor license at The Lash Lounge / bar located at 117 East Winston Street, Los Angeles, 90013, will serve the “Public Convenience or Necessity” and will not tend to create a law enforcement problem.
2. **GRANT** the application for Determination of “Public Convenience or Necessity” for the sale of alcoholic beverages for on-site consumption at 117 East Winston Street.
3. **INSTRUCT** the City Clerk to transmit this determination to the State Department of Alcoholic Beverage Control as the required findings under Business and Professions Code Section 23958.4.

**Adopted, Ayes (11); Absent: ALARCON, PERRY, REYES, ROSENDAHL (4)  
(Item Nos. 2-3)**

**ITEM NO. (2) - PUBLIC HEARING CLOSED - MOTION ADOPTED TO GRANT APPLICATION**

[12-1447](#)  
CD 4

HEARING COMMENTS relative to application for determination of “Public Convenience or Necessity” for the sale of alcoholic beverages for on-site consumption at the Hum Hospitality Group hotel.

**Recommendations for Council action:**

1. **DETERMINE** that the issuance of a liquor license at the Hum Hospitality Group hotel located at 2010 North Highland Avenue, Los Angeles, 90068, will serve the “Public Convenience or Necessity” and will not tend to create a law enforcement problem.
2. **GRANT** the Application for Determination of “Public Convenience or Necessity” for the sale of alcoholic beverages for on-site consumption at 2010 North Highland Avenue.
3. **INSTRUCT** the City Clerk to transmit this determination to the State Department of Alcoholic Beverage Control as the required findings under Business and Professions Code Section 23958.4.

Applicant: Hum Hospitality Group (Lorrie Hoel, Representative)

(TIME LIMIT FILE - DECEMBER 12, 2012)

(LAST DAY FOR COUNCIL ACTION - DECEMBER 12, 2012)

**ITEM NO. (3) - PUBLIC HEARING CLOSED - MOTION ADOPTED TO GRANT APPLICATION**

[12-1526](#)

CD 4

HEARING COMMENTS relative to application for determination of “Public Convenience or Necessity” for the sale of alcoholic beverages for on-site consumption at the Little Bar.

Recommendations for Council action:

1. DETERMINE that the issuance of a liquor license at the Little Bar located at 757 South La Brea Avenue, Los Angeles, 90036, will serve the “Public Convenience or Necessity” and will not tend to create a law enforcement problem.
2. GRANT the Application for Determination of “Public Convenience or Necessity” for the sale of alcoholic beverages for on-site consumption at 757 South La Brea Avenue.
3. INSTRUCT the City Clerk to transmit this determination to the State Department of Alcoholic Beverage Control as the required findings under Business and Professions Code Section 23958.4.

Applicant: Angelo G. Vacco Jr. (Ariel Gutierrez, Cartomap Services, Inc., Representative)

(TIME LIMIT FILE - DECEMBER 20, 2012)

(LAST DAY FOR COUNCIL ACTION - DECEMBER 14, 2012)

**Item for Which Public Hearing Has Been Held - Item 4**

**ITEM NO. (4) - ADOPTED**

**Adopted, Ayes (11); Absent: ALARCON, PERRY, REYES, ROSENDAHL (4)**

[12-0443](#)

PERSONNEL AND ANIMAL WELFARE COMMITTEE REPORT relative to the Reserve Animal Control Officers (RACO) Program.

Recommendations for Council action, as initiated by Motion (Zine - Rosendahl):

1. NOTE and FILE the September 19, 2012 report from the Department of Animal Services (DAS) relative to the RACO Program.
2. INSTRUCT the DAS to report back in 90 days on the progress of the Program.

Fiscal Impact Statement: The DAS reports that there is a fiscal impact of \$14,480 related to staff time for two Senior Animal Control Officer I's to provide four hours of training twice a week for six months; and a Senior Animal Control Officer II to dedicate 40 hours per year for training purposes. Uniforms and equipment are provided to RACO through restricted donations and from funds allocated by the Board of Animal Services Commissioners from the Animal Welfare Trust Fund.

Community Impact Statement: None submitted.

## Items for Which Public Hearings Have Not Been Held - Items 5-14

(10 Votes Required for Consideration)

**Adopted, Ayes (12); Absent: ALARCON, REYES, ROSENDAHL (3)**  
**(Item Nos. 5a-7)**

### ITEM NO. (5) - ADOPTED

#### [12-0005-S527](#)

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 October 9, 2012:

#### [12-0005-S527](#)

CD 8

- a. Property at 1182 West 37th Drive (Case No. 40434).  
Assessor I.D. No. 5040-033-002

#### [12-0005-S528](#)

CD 8

- b. Property at 811 West 97th Street (Case No. 274866).  
Assessor I.D. No. 6054-001-019

#### [12-0005-S529](#)

CD 13

- c. Property at 717 North Occidental Boulevard (Case No. 313086).  
Assessor I.D. No. 5401-027-005

#### [12-0005-S530](#)

CD 15

- d. Property at 11702 South Central Avenue (Case No. 348357).  
Assessor I.D. No. 6148-010-052

### ITEM NO. (6) - ADOPTED

#### [11-0766](#)

COMMUNICATION FROM CHAIR, AUDITS AND GOVERNMENTAL EFFICIENCY COMMITTEE relative to Fiscal Year (FY) 2009-10 report on the application of agreed-upon procedures related to Article XIII-B Appropriation Limit Calculation.

Recommendation for Council action:

NOTE and FILE the May 6, 2011 Controller report relative to the FY 2009-10 report on the application of agreed-upon procedures related to Article XIII-B Appropriation Limit Calculation.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

## **ITEM NO. (7) - ADOPTED**

[12-0915](#)

COMMUNICATION FROM CHAIR, AUDITS AND GOVERNMENTAL EFFICIENCY COMMITTEE relative to the Fiscal Year (FY) 2010-11 audit observations and recommendations made by the external auditor during the financial statements audit.

Recommendation for Council action:

NOTE and FILE the June 18, 2012 Controller report relative to the FY 2010-11 audit observations and recommendations made by the external auditor during the financial statements audit.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

## **ITEM NO. (8) - ADOPTED - FORTHWITH**

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

[12-1321](#)

COMMUNICATION FROM CHAIR, RULES, ELECTIONS AND INTERGOVERNMENTAL RELATIONS COMMITTEE relative to creating and enforcing City regulations that would prohibit violent felons and sex offenders from running for positions on Neighborhood Council Boards.

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

REQUEST the City Attorney to report on creating and enforcing City regulations that would prohibit violent felons and sex offenders from running for positions on Neighborhood Council Boards.

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.

**ITEM NO (9) - ADOPTED**

**Adopted, Ayes (12); Absent: ALARCON, REYES, ROSENDAHL (3)**

[12-1527](#)  
CD 7

CATEGORICAL EXEMPTION and COMMUNICATION FROM THE CITY ENGINEER relative to an offer to dedicate an easement for sidewalk purposes on the southeast side of Osborne Place southwest of Glenoaks Boulevard (Right of Way No. 36000-1876).

Recommendations for Council action:

1. FIND that the offer to dedicate an easement for sidewalk purposes on the southeast side of Osborne Place southwest of Glenoaks Boulevard (Right of Way No. 36000-1876) 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 sidewalk purposes on the southeast side of Osborne Place southwest of Glenoaks Boulevard (Right of Way No. 36000-1876), as depicted on the Exhibit Map in the September 24, 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.

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

**Adopt as Amended, Ayes (11); Noes: GARCETTI, KORETZ, LABONGE (3); Absent: ROSENDAHL (1)**

[12-1611](#)

CONSIDERATION OF MOTION (REYES - KREKORIAN - CARDENAS) relative to convening a working group to address digital sign issues and extinguish the City's potential liabilities in relation to settlement agreements.

Recommendations for Council action:

1. INSTRUCT the Planning Department and the Chief Legislative Analyst (CLA) to immediately convene a working group that includes sign companies that have settlement agreements with the City and that are interested in resolving potential legal disputes about those agreements through a framework providing public benefits to the City in connection with digital signs and reducing the number of signs in the City. Within 30 days, the working group, working closely with the Planning Department and the CLA, is to provide the Budget and Finance Committee with draft legislation and draft binding agreements that would address digital sign issues and extinguish the City's potential liabilities in relation to the settlement agreements. Such legislation should create a process to reduce the total number of signs in the City and provide substantial public benefits

focused on aesthetics. It should also resolve issues relating to the legality of modernization permits and applications, address the legality of existing digital signs pursuant to criteria to be recommended by the working group, and address other potential issues involving digital sign modernizations. Consideration should be given to an advance contribution of public benefits that allows for significant payments to the City within one year of passage in order to assist with the City's current, pressing budget shortfall and meet the service needs of the people of Los Angeles.

2. SCHEDULE a closed session meeting with the City Attorney's office to discuss matters related to the Summit Media Case in light of the upcoming oral arguments on October 30, 2012.

Community Impact Statement: None submitted.

(Budget and Finance and Planning and Land Use Management Committees waived consideration of the above matter)

## **ADOPTED**

### **AMENDING MOTION (KREKORIAN - REYES)**

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

1. Upon the completion of the working group's deliberations, the CLA work with the Department of Neighborhood Empowerment to provide a notification to all of the City's Neighborhood Councils of any legislation or agreements proposed by the working group.
2. No legislation or agreement proposed by the working group shall become binding unless they have been heard in both the Planning and Land Use Management and Budget and Finance Committees.
3. No legislation or agreement proposed by the working group shall become binding unless they have been considered and approved in a regular meeting of the Council and should not be scheduled as an item on a special agenda.

## **ADOPTED**

### **AMENDING MOTION (KREKORIAN - REYES)**

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

1. AMEND the first two sentences of Recommendation No. 1 of Motion (Reyes - Krekorian - Cardenas) to read as follows:

**“INSTRUCT the Planning Department and the CLA to immediately begin working to resolve potential legal disputes with billboard advertising companies that have settlement agreements with the City and other outdoor advertising companies through a framework providing public benefits to the City in connection with digital signs and reducing the number of signs in the City. Within 30 days, the Planning Department and CLA are to provide the Budget and Finance Committee with draft legislation and draft binding agreements that would address digital sign issues and extinguish the City's potential liabilities in relation to the settlement agreements.”**

**2. AMEND Motion 10A (Krekorian - Reyes) to read as follows:**

**“I FURTHER MOVE that, upon completion of City staff’s consideration, CLA work with the Department of Neighborhood Empowerment to provide a notification to all of the City’s neighborhood Councils of any legislation or agreements proposed by staff.**

**I FURTHER MOVE that City staff outreach to the seven Neighborhood Council alliances.**

**I FURTHER MOVE that no legislation or agreement proposed by City staff shall become binding unless they have been heard in the Planning and Land Use Management, Budget and Finance, and Education and Neighborhoods Committees.**

**I FURTHER MOVE that no legislation or agreement proposed by the working group shall become binding unless they have been considered and approved in a regular meeting of the Council and should not be scheduled as an item on a special agenda.**

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

**Adopted, Ayes (12); Absent: ALARCON, REYES, ROSENDAHL (3)**

[12-1171](#)  
CD 13

CONSIDERATION OF MOTION (GARCETTI - LABONGE - REYES) relative to naming the intersection of West Sunset Boulevard and Park Avenue in Echo Park as “TAIX Square.”

Recommendations for Council action:

1. DECLARE that the intersection at West Sunset Boulevard and Park Avenue in Echo Park be named as “TAIX Square.”
2. DIRECT the Los Angeles Department of Transportation to erect permanent ceremonial signage to this effect.

Community Impact Statement: None submitted.

(Public Works Committee waived consideration of the above matter)

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

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

[12-0002-S27](#)

MOTION (GARCETTI - KREKORIAN) relative to amending prior Council action of May 11, 2012 regarding extending and expanding State Tax Credits for Filming to attract and retain a broader range of productions, including commercial productions.

Recommendation for Council action:



AMEND prior Council action of May 11, 2012, relative to extending and expanding State Tax Credits for Filming to attract and retain a broader range of productions, including commercial productions (CF 12-0002-S27) to INSTRUCT the Chief Legislative Analyst to report on City tax credit opportunities for the video game industry and any other digital media productions.

**ITEM NO. (13) - ADOPTED**

**Adopted, Ayes (12); Absent: ALARCON, REYES, ROSENDAHL (3)**

[13-1100-S1](#)

MOTION (WESSON - LABONGE) relative to the consolidation of the Burbank Unified School District (BUSD) Special Election with the Los Angeles Community College District Election and the City of Los Angeles Primary Nominating Election.

Recommendation for Council action:

REQUEST the City Attorney to prepare the appropriate Resolution to accept the BUSD's consolidation request on this matter and place their measure on the March 5, 2013 City of Los Angeles ballot for voters within the BUSD, and return the Resolutions in sufficient time for Council approval prior to the deadline of November 14, 2012.

**ITEM NO. (14) - MAP AND BOND APPROVED - CITY ENGINEER REPORT ADOPTED**

**Adopted, Ayes (13); Absent: KORETZ, ROSENDAHL (2)**

[12-1603](#)

CD 5

FINAL MAP OF TRACT NO. 67965 for property located at 116 - 124 1/2 Kings Road lying northerly of First Street.

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

(ADOPT City Engineer Report)

(ADOPT Bond No. C-120666)

(Quimby Fee: \$65,772)

Applicants: 118 Kings Road LLC  
Jack Little Company

## Item for Which Public Hearing Has Been Held - Item 15

ITEM NO. (15) - ADOPTED - FORTHWITH TO THE MAYOR

Adopted, Ayes (12); Absent: ALARCON, REYES, ROSENDAHL (3)

[12-1394](#)

PUBLIC SAFETY COMMITTEE REPORT and RESOLUTION relative to the 2010 Legislative Pre-Disaster Mitigation (LPDM) grant award in the amount of \$999,999, for use by the Mayor's Office of Homeland Security and Public Safety.

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

1. AUTHORIZE the Mayor, or designee, to:
  - a. Accept, on behalf of the City of Los Angeles and Good Samaritan Hospital, the Fiscal Year (FY) 2010 LPDM grant in the amount of \$999,999 from the California Emergency Management Agency (CalEMA), for the period of May 8, 2012, to May 7, 2015.
  - b. Adopt the attached Governing Body RESOLUTION to designate the City entities that will apply for and manage Federal financial assistance provided by the Federal Emergency Management Agency (FEMA) and sub-granted through the State of California (Attachment 3 of the Mayor's report to Council dated August 24, 2012, attached to the Council file).
  - c. Submit to the grantor on behalf of the City requests for drawdown of funds for payment or reimbursements of City and Good Samaritan Hospital funds expended for approved grant purposes.
  - d. Execute a contract, with the Good Samaritan Hospital, for a total contract amount of \$950,000 for a term of up to 36 months within the applicable performance period with Good Samaritan Hospital, subject to the approval of the City Attorney as to form and legality.
  - e. Receive, deposit into, and disburse the grant funds from a new FY 2010 LPDM Grant Fund, the grant funds received from the FY 2010 LPDM grant award.
2. AUTHORIZE the Controller to:
  - a. Establish a new, interest bearing fund titled, FY10 LPDM Grant Fund, create a receivable in the new Fund in the amount of \$999,999 for the FY 2010 LPDM grant, and create appropriation accounts in the new Fund XXX, Department 46, as follows:

<u>Fund/Dept</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
XXX/46	46J304	Contractual	\$950,000.00
XXX/46	46J146	Mayor Salaries	40,912.36
XXX/46	46J299	Related Costs	<u>9,086.64</u>
		Total:	\$999,999.00

- b. Transfer appropriations from FY 2010 LPDM, Fund XXX, Department 46, to the General Fund as reimbursement for FY 2010 LPDM expenditures as follows:

	<u>Fund/Dept</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
From:	XXX/46	46J146	Mayor Salaries	\$40,912.36
	XXX/46	46J299	Related Costs	9,086.64

	<u>Fund/Dept</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
To:	100/46	1020	Mayor Salaries	\$40,912.36
	100/46	5346	Related Costs	9,086.64

- c. Expend and receive funds upon presentation of documentation and proper demand by the Mayor's Office for approved FY 2010 LPDM purchases.

3. AUTHORIZE the Mayor, or designee, to prepare Controller instructions for any necessary technical adjustments consistent with this action, subject to the approval of the City Administrative Officer (CAO); and, AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. The matching requirement for the grant is \$333,334, which will be provided by the Good Samaritan Hospital. There is no match obligation for the City of Los Angeles. The acceptance and use of the grant is consistent with City financial policies in that grant funds are sufficient to support the grant activities.

Community Impact Statement: None submitted.

## Item for Which Public Hearing Has Not Been Held - Item 16

(10 Votes Required for Consideration)

### ITEM NO. (16) - ADOPTED

Adopted, Ayes (12); Absent: ALARCON, REYES, ROSENDAHL (3)

#### [12-1622](#)

MOTION (KREKORIAN - HUIZAR) relative to immediate transfer of funds to fully fund As-Needed Salaries to meet the Bureau of Sanitation's service requirements to ensure the health and safety of the residents, communities and the environment.

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

AUTHORIZE the Controller to TRANSFER funds within Fund 100/82 Bureau of Sanitation, as follows:

	<u>Account</u>	<u>Title</u>	<u>Amount</u>
From:	001010 (LMSF)	Salaries, General	\$115,000
	001010 (SWRF)	Salaries, General	\$2,800,000
To:	001070 (LMSF)	Salaries, As Needed	\$115,000
	001070 (SWRF)	Salaries, As Needed	\$2,800,000

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

### [12-1630](#)

MOTION (PERRY - PARKS) relative to the Los Angeles Education Partnership's Green Heart Reception in the Bridge Gallery and Rotunda.

### [12-0520-S1](#)

MOTION (CARDENAS - REYES) relative to amending prior Council action of September 4, 2012 regarding the Community Development Department to accept and administer a grant from the Southern California Gas Company to continue funding for the administration costs of federal Energy and Efficiency Conservation Block Grant.

## COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

<a href="#">12-0004-S3</a> - Hungarian Revolution 56th Anniversary	(LaBonge - Reyes)
K-Earth 101 40th Anniversary	(LaBonge - Garcetti)
Rob Machado	(Garcetti - Buscaino)
Wilshire FamilySource Center Operated by Oakwood Family Resource Center	(Cárdenas - Huizar)
Westlake/Pico-Union FamilySource Center Operated by Central City Neighborhood Partners	(Cárdenas - Huizar)
Watts FamilySource Center Operated by Bradley-Milken Community Center	(Cárdenas - Huizar)
Southwest I FamilySource Center Operated by 1736 Family Crisis Center	(Cárdenas)
Southwest II FamilySource Center Operated by Community Build, Inc.	(Cárdenas - Huizar)
Boyle Heights FamilySource Center Operated by El Centro de Ayuda Corporation	(Cárdenas - Huizar)
North Valley FamilySource Center Operated by El Nido Family Centers	(Cárdenas - Huizar)
Kerry Carmody	(Englander - Zine - Cardenas - All Councilmembers)
Kelly Slater	(Garcetti - Buscaino)

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

[12-0003-S3](#) - Emma L. Schlesinger

(LaBonge - All Councilmembers)

Billy Mitchell

(Parks - Perry)

**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