Los Angeles City Council, Journal/Council Proceedings
Wednesday, October 24, 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, Huizar, Krekorian, Parks, Perry, Reyes, Zine and President Wesson (12); Absent: Koretz, LaBonge and Rosendahl (3)


COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 23

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) - RECEIVED AND FILED

Adopted to Receive and File, Unanimous Vote (14); Absent: LABONGE (1)

12-1608 CD 3

HEARING PROTESTS relative to Office of Finance reports requesting approval to record liens against taxpayers for unpaid taxes.

Recommendation for Council action:

APPROVE and AUTHORIZE the Office of Finance to record a lien for unpaid taxes in the amounts stated below, pursuant to Los Angeles Municipal Code Section 21.15(o) for the following:

RIS Inc. (Lien: $12,913.23)
Items for Which Public Hearings Have Been Held - Items 2-21

ITEM NO. (2) - ADOPTED - ORDINANCE OVER TO OCTOBER 31, 2012

Adopted, Ordinance Over One Week, Ayes (12); Noes: ENGLANDER, ROSENDAHL (2); Absent: LABONGE (1)

11-0754

PERSONNEL AND ANIMAL WELFARE COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to the addition of Section 53.73 to Article 3, Chapter 5 of the Los Angeles Municipal Code (LAMC) to prohibit the sale of commercially bred dogs, cats and rabbits in pet stores, retail businesses or other commercial establishments in the City of Los Angeles.

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

1. PRESENT and ADOPT the accompanying ORDINANCE, dated September 10, 2012, which would add Section 53.73 to Article 3, Chapter 5 of the LAMC to prohibit the sale of commercially bred dogs, cats and rabbits in pet stores, retail businesses or other commercial establishments in the City of Los Angeles.

2. REQUEST that the City Attorney work with the Department of Animal Services to incorporate additional recommended changes relative to the definition of kennels at the beginning of Section 53 of the LAMC.

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. (3) - ADOPTED, AS AMENDED - SEE FOLLOWING

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

11-1678

CONTINUED CONSIDERATION OF ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to the adoption of local food procurement goals for City departments.

Recommendations for Council action, as initiated by Motion (Koretz - Huizar - Garcetti):

1. REQUEST all City Departments, including proprietary departments, to develop and adopt local food procurement goals, consistent with the recommendations of the Los Angeles Food Policy Council and the Good Food For All Agenda.

2. DIRECT the City Administrative Officer (CAO) to report back to the Arts, Parks, Health, and Aging Committee in 90 days, with a status report on the departments’ efforts to adopt the local food procurement goals as detailed above in Recommendation No.1 and the Motion (attached to the Council file).
3. REQUEST the Mayor to explore the possibility of issuing an Executive Order in regard to the adoption of local food procurements goals as detailed above in Recommendation No.1 and the Motion (attached to the Council file).

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

Community Impact Statement: None submitted.

(Continued from Council meeting of October 5, 2012)

ADOPTED

AMENDING MOTION (ALARCON - KORETZ)

Recommendations for Council action:

1. ADOPT the attached Good Food Purchasing Pledge recommended by the Los Angeles Food Policy Council.

2. SUPPORT implementation by City departments of the Good Food Purchasing Guidelines recommended by the Los Angeles Food Policy Council, pursuant to the direction of the Mayor.

3. DIRECT that the City Administrative Officer report to the Arts, Parks, Health, and Aging Committee annually with a status report on the departments’ efforts to implement the food procurement guidelines of the Good Food Purchasing Pledge as detailed above in Recommendations 1 and 2.

ITEM NO. (4) - ADOPTED

Adopted, Ayes (12); Absent: KORETZ, LABONGE, ROSENDHAHL (3)

12-0345-S1

BUDGET AND FINANCE COMMITTEE REPORT relative to appealing the decision in the case entitled Robert Contreras v. City of Los Angeles.

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

1. REQUEST the City Attorney to file the necessary actions to appeal the decision in the case entitled Robert Contreras v. City of Los Angeles which resulted in a $5.7 million judgment against the City, pursuant to Charter Section 272.

2. REQUEST the City Attorney to report back to the Budget and Finance Committee relative to the status of the appeal and any related issues.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.
ITEM NO. (5) - ADOPTED

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

12-1582

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to processing applications for resyndication of tax credits for affordable housing projects, pursuant to the Low Income Housing Tax Credit Program.

Recommendation for Council action, pursuant to Motion (Perry - Parks):

INSTRUCT the Los Angeles Housing Department to:

a. Expedite processing of applications relative to resyndication of tax credits for affordable housing projects pursuant to the Low Income Housing Tax Credit Program and to not delay the processing of these applications while the Housing Department Resyndication Policy is being finalized.

b. Expedite processing of applications on behalf of FAME Corporation (FAME Manor, LP; FAME Gardens, LP; and FAME Arms, LP), Figueroa Economical Development Corporation (Figueroa Senior Housing, LP), Normandie Economic Development Corporation (Normandie Seniors, LP), and Concerned Citizens of South Los Angeles (Roberta Stephens, LP; Mt. Zion Apartments, Central Avenue, LLC; One Wilkins Manor, LLC).

c. Report back to the Housing Community and Economic Development Committee in 30 days on the projects listed above.

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. (6) - ADOPTED

Adopted, Ayes (12); Absent: KORETZ, LABONGE, ROSENDAHL (3)

10-0306

PERSONNEL AND ANIMAL WELFARE COMMITTEE REPORT relative to the exemption of 47 grant-funded positions in various divisions of the Community Development Department (CDD), in accordance with Charter Section 1001 (d)(4).

Recommendation for Council action:
RESOLVE that the following 47 positions in the CDD be EXEMPTED from the Civil Service provisions of the City Charter for a period of one year, pursuant to Charter Section 1001(d)(4). These positions are grant-funded, and the Board of Civil Service Commissioners approved the exemption request from CDD on May 24, 2012:

<table>
<thead>
<tr>
<th>Positions</th>
<th>Code</th>
<th>Class Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1577</td>
<td>Assistant Chief Grants Administrator</td>
</tr>
<tr>
<td>10</td>
<td>1538</td>
<td>Senior Project Coordinator</td>
</tr>
<tr>
<td>26</td>
<td>1546</td>
<td>Senior Project Assistant</td>
</tr>
<tr>
<td>6</td>
<td>1537</td>
<td>Project Coordinator</td>
</tr>
<tr>
<td>4</td>
<td>1542</td>
<td>Project Assistant</td>
</tr>
</tbody>
</table>

Fiscal Impact Statement: None submitted by the CDD. 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. (7) - ADOPTED, AS AMENDED - SEE FOLLOWING

Adopted as Amended, Ayes (10); Noes: GARCETTI, ZINE (2); Absent: CARDENAS, HUIZAR, LABONGE (3)

CONTINUED CONSIDERATION OF PERSONNEL AND ANIMAL WELFARE COMMITTEE
REPORT relative to the approval of Plan Year (PY) 2013 Civilian Modified Flexible Benefits (FLEX) Program and related fourth and fifth year contract extensions with Mercer HR Services to provide Third Party Administrative Services for the FLEX Benefits Plan.

Recommendations for Council action:

1. APPROVE the PY 2013 FLEX Benefits Plan with the modifications outlined in Attachment A of the October 2, 2012 report from the Personnel Department, attached to the Council file.

2. AUTHORIZE the General Manager, Personnel Department, to execute the fourth and fifth year contract extensions with Mercer HR Services to provide Third Party Administrative Services for the FLEX Benefits Plan from June 4, 2012 through June 3, 2014.

3. NOTE and FILE the October 2, 2012 status report from the Personnel Department relative to the PY 2013 FLEX Benefits Program.

4. REQUEST the Personnel Department to brief the Personnel and Animal Welfare Committee prior to the release of Request for Proposals for future FLEX Benefits Plan medical plan provider(s).

Fiscal Impact Statement: The Personnel Department reports that the estimated annual savings to the City for a 12-month period is approximately $12.46 to $12.96 million. There will be additional costs to conduct another open enrollment including consulting costs, printing costs and staff costs estimated at $500,000. The Personnel Department will report back to Council regarding the need for any additional funds in a subsequent Financial Status Report.
Community Impact Statement: None submitted.

(Continued from Council meeting of October 10, 2012)

ADOPTED

AMENDING MOTION (KORETZ - KREKORIAN)

Recommendations for Council action:

1. APPROVE the PY 2013 FLEX Plan recommendations contained in Attachment A (Revised) of the Personnel Department report dated October 23, 2012.


3. APPROVE the Anthem HMO Full Network Plan (HMO+) option for those bargaining units that agree to the terms of the Letter of Agreement with the City Administrative Officer by October 24, 2012.

4. INSTRUCT the City Attorney to prepare and present an ordinance to allow non-represented employees enrolling in the HMO+ plan to pay premium differential between the Anthem Select (Narrow Network) HMO and HMO+ (Full Network) premium costs as outlined in the Personnel Department report dated October 23, 2012.

ADOPTED

AMENDING MOTION (ENGLANDER - ZINE)

Recommendation for Council action:

INSTRUCT the Personnel Department, when preparing the Plan Year 2014 Civilian Modified Flexible Benefits Program to:

a. Consider two separate Requests for Proposal: one for PPO and another for HMO with the Narrow Network(s) which should address any concerns from the City Attorney regarding limiting negotiations to only the top vendor as well as encouraging competition among health care benefits market leaders.

b. Explore opportunities to manage the risk among benefit providers in a way that protects the City's cost.

c. Weigh the value of Wellness Programs and other cost beneficial programs.
ITEM NO. (8) - CONTINUED TO DECEMBER 4, 2012

Adopted to Continue, Unanimous Vote (12); Absent: KORETZ, LABONGE, ROSENDAHL (3)

CONTINUED CONSIDERATION OF 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
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.


(Continued from Council meeting of September 25, 2012)
Adopted, Ayes (12); Absent: KORETZ, LABONGE, ROSEDAHL (3)
(Item Nos. 9-18)

ITEM NO. (9) - ADOPTED

11-1754
PUBLIC SAFETY COMMITTEE REPORT relative to the status of the Illegal Dumping Reward Program Trust Fund No. 46G.

Recommendation for Council action:

NOTE and FILE the City Clerk report to the Mayor and Council dated September 20, 2012 (attached to the Council file), relative to the status of the Illegal Dumping Reward Program Trust Fund No. 46G.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (10) - ADOPTED

11-1757
PUBLIC SAFETY COMMITTEE REPORT relative to the status of the Council District 13 Public Assistance Trust Fund No. 904.

Recommendation for Council action:

NOTE and FILE the City Clerk report to the Mayor and Council dated September 20, 2012 (attached to the Council file), relative to the status of the Council District 13 Public Assistance Trust Fund No. 904.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (11) - ADOPTED

11-1758
PUBLIC SAFETY COMMITTEE REPORT relative to the status of the Council District One Public Benefits Trust Fund No. 889.

Recommendation for Council action:

NOTE and FILE the City Clerk report to the Mayor and Council dated September 20, 2012 (attached to the Council file), relative to the status of the Council District One Public Benefits Trust Fund No. 889.
Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

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

11-1759

PUBLIC SAFETY COMMITTEE REPORT relative to the status of the Council District 15 Los Angeles Police Department (LAPD) Harbor Division Police Assistance Trust Fund No. 888.

Recommendation for Council action:

NOTE and FILE the City Clerk report to the Mayor and Council dated September 20, 2012 (attached to the Council file), relative to the status of the Council District 15 LAPD Harbor Division Police Assistance Trust Fund No. 888.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

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

11-1760

PUBLIC SAFETY COMMITTEE REPORT relative to the status of the Council District Four Public Safety Trust Fund No. 884.

Recommendation for Council action:

NOTE and FILE the City Clerk report to the Mayor and Council dated September 20, 2012 (attached to the Council file), relative to the status of the Council District Four Public Safety Trust Fund No. 884 for the Fiscal Year 2011-12.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

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

11-1761

PUBLIC SAFETY COMMITTEE REPORT relative to the status of the Council District 12 Los Angeles Police Department (LAPD) Devonshire and Foothill Divisions Police Assistance Trust Fund No. 883.

Recommendation for Council action:

NOTE and FILE the City Clerk report to the Mayor and Council dated September 20, 2012 (attached to the Council file), relative to the status of the Council District 12 LAPD Devonshire and Foothill Divisions Police Assistance Trust Fund No. 883.
ITEM NO. (15) - ADOPTED

11-1762
PUBLIC SAFETY COMMITTEE REPORT relative to the status of the Threat Preparedness Trust Fund No. 46M.

Recommendation for Council action:
NOTE and FILE the City Clerk report to the Mayor and Council dated September 20, 2012 (attached to the Council file), relative to the status of the Threat Preparedness Trust Fund No. 46M.

Fiscal Impact Statement: Not applicable.
Community Impact Statement: None submitted.

ITEM NO. (16) - ADOPTED

11-1764
PUBLIC SAFETY COMMITTEE REPORT relative to the status of the Council District Nine Public Benefits Trust Fund No. 48X.

Recommendation for Council action:
NOTE and FILE the City Clerk report to the Mayor and Council dated September 20, 2012 (attached to the Council file), relative to the status of the Council District Nine Public Benefits Trust Fund No. 48X.

Fiscal Impact Statement: Not applicable.
Community Impact Statement: None submitted.

ITEM NO. (17) - ADOPTED

12-1520
PUBLIC SAFETY COMMITTEE REPORT relative to the status of the Vandalism and Graffiti Trust Fund No. 870.

Recommendation for Council action:
NOTE and FILE the City Clerk report to the Mayor and Council dated September 20, 2012 (attached to the Council file), relative to the status of the Vandalism and Graffiti Trust Fund No. 870.
ITEM NO. (18) - ADOPTED

PUBLIC SAFETY COMMITTEE REPORT relative to the status of the Council District Eight Public Benefits Trust Fund No. 49F.

Recommendation for Council action:

NOTE and FILE the City Clerk report to the Mayor and Council dated September 20, 2012 (attached to the Council file), relative to the status of the Council District Eight Public Benefits Trust Fund No. 49F.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (19) - CONTINUED TO NOVEMBER 14, 2012

Adopted to Continue, Unanimous Vote (12); Absent: KORETZ, LABONGE, ROSENDAHL (3)

PUBLIC SAFETY COMMITTEE REPORT relative to transfer of ownership interests in Archer's Vineland Service Inc., Official Police Garage (OPG) for Service Area 15 to Navarro's Towing North Hollywood, LLC.

Recommendation for Council action:

APPROVE the transfer of ownership interests in Archer's Vineland Service Inc., OPG for Service Area 15 contract number C-107059 to Navarro's Towing North Hollywood, LLC.

Fiscal Impact Statement: None submitted by the Los Angeles Police Department. 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. (20) - ADOPTED

Adopted, Ayes (12); Absent: KORETZ, LABONGE, ROSENDAHL (3)

PUBLIC SAFETY and BUDGET AND FINANCE COMMITTEES REPORT relative to the costs incurred by the City of Los Angeles for staff salaries, overtime, and other expenses related to the Occupy LA protest.

Recommendations for Council action, as initiated by Motion (England - Parks - Krekorian - Zine):

1. NOTE and FILE the City Administrative Officer report to the Mayor and Council dated December 23, 2011, and revised attachments dated January 27 and April 26, 2012, relative to the costs incurred by the City of Los Angeles for staff salaries, overtime, and other expenses related to the Occupy LA protest.

2. REQUEST that the City Attorney determine if the City can seek restitution from individuals arrested during the Los Angeles Police Department's sweep of the City Hall encampments.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (21) - CONTINUED TO NOVEMBER 20, 2012

Adopted to Continue, Unanimous Vote (12); Absent: KORETZ, LABONGE, ROSENDAHL (3)

CONTINUED CONSIDERATION OF TRADE, COMMERCE AND TOURISM COMMITTEE REPORT and COMMUNICATION FROM CHAIR AND MEMBER, BUDGET AND FINANCE COMMITTEE relative to a proposal for an enhanced governance structure of the Los Angeles Convention Center (LACC) and for authority to release a request for proposal for operating management services of the LACC.

A. TRADE, COMMERCE AND TOURISM COMMITTEE REPORT

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

1. APPROVE and INSTRUCT the City Administrative Officer (CAO) and the Chief Legislative Analyst (CLA) to work together and report back with the legislative actions necessary to expand the duties and scope of responsibilities of the existing LACC Commission to instead operate as a Board of Commissioners that advises the Mayor and Council on all policies related to tourism, marketing Los Angeles, convention business, and administration of the Alternative Service Management and Los Angeles Tourism and Convention Board agreements.
2. APPROVE and INSTRUCT the CAO and the CLA to work together and report back with the legislative actions necessary to create a Chief Executive Officer position that serves as a representative of the Board and a liaison to the Mayor, the Council and City department.

3. REQUEST that the City Attorney work with the CAO and the CLA to prepare and present an Ordinance amending the Administrative Code to implement the intent of the above recommendations.

4. ADOPT Attachment 4, which amends the Booking Policy by:
   
a. Shortening the booking window from 24 months to 12 months.
   
b. Eliminating grandfathered exceptions.

5. ADOPT a goal for the LACC to increase citywide convention attendees by 50 percent over historical amounts between 400,000 and 425,000.

6. INSTRUCT the CAO and the CLA to report back on recommendations on how to increase hotel capacity in furtherance of the City's goal of increasing convention business by 50 percent.

7. INSTRUCT the CAO and the CLA to, if necessary, review the goals of the Los Angeles Tourism and Convention Board contract to make consistent with the outlined proposal.

8. INSTRUCT the CAO to utilize the Office of Economic Analysis to study the potential citywide impact on revenues and job creation as a result of the City's goal of increasing convention business by 50 percent.

9. APPROVE and INSTRUCT the CAO to release a Request for Proposal substantially in the form of the attached draft for the operation and management of the LACC.

10. INSTRUCT the CAO to report back and present recommendations on a private management firm for Mayor and Council consideration upon conclusion of the Request for Proposal Process.

11. INSTRUCT the CAO to work with the City Attorney to revise the Administrative Code to reflect current Discount Policy operating practices.

Fiscal Impact Statement: The CAO reports that an alternative management structure for the LACC could generate General Fund savings of $2.1 million to $6.3 million for the first year and up to $3.8 million to $8.5 million by the fifth year. However, the actual General Fund savings cannot be determined at this time and largely depend on responses to the Request for Proposal. Changes recommended to the governance structure are anticipated to have a financial impact equivalent to the cost of the Chief Executive Officer's salary, which would be competitive to Chief Executive Officers of similar type positions in the convention industry. Increasing the number of citywide conventions will increase the amount of Transit Occupancy Tax received by the City, but that amount requires further study by the Office of Economic Analysis. There is no additional negative impact on the General Fund.
Debt Impact Statement: The CAO reports that this report has no immediate debt impact on the General Fund.

Community Impact Statement: None submitted.

B. COMMUNICATION FROM CHAIR AND MEMBER, BUDGET AND FINANCE COMMITTEE

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

1. APPROVE and INSTRUCT the CAO and the CLA to work together and report back with the legislative actions necessary to expand the duties and scope of responsibilities of the existing LACC Commission to instead operate as a Board of Commissioners that advises the Mayor and Council on all policies related to tourism, marketing Los Angeles, convention business, and administration of any potential Alternative Service Management and Los Angeles Tourism and Convention Board agreements.

2. APPROVE and INSTRUCT the CAO and the CLA to work together and report back with the legislative actions necessary to create a Chief Executive Officer position that serves as a representative of the Board and a liaison to the Mayor, the Council and City department.

3. REQUEST that the City Attorney work with the CAO and the CLA to prepare and present an Ordinance amending the Administrative Code to implement the intent of the above recommendations.

4. ADOPT Attachment 4, which amends the Booking Policy by:
   a. Shortening the booking window from 24 months to 12 months.
   b. Eliminating grandfathered exceptions.
   c. Instruct the CAO and the CLA to confer with the management of the Los Angeles Auto Show to attempt to meet common interest goals in relation to the amended Booking Policy referenced above.

5. ADOPT a goal for the LACC to increase citywide convention attendees by 50 percent over historical amounts between 400,000 and 425,000.

6. INSTRUCT the CAO and the CLA to report back on recommendations on how to increase hotel capacity in furtherance of the City's goal of increasing convention business by 50 percent.

7. INSTRUCT the CAO and the CLA to, if necessary, review the goals of the Los Angeles Tourism and Convention Board contract to make consistent with the outlined proposal.

8. INSTRUCT the CAO to utilize the Office of Economic Analysis to study the potential citywide impact on revenues and job creation as a result of the City's goal of increasing convention business by 50 percent.
9. HOLD and Refer Back to the Budget and Finance Committee for further consideration recommendation numbers 9 and 10 of the CAO report, attached to the Council file, relative to a request for proposal for the operation and management of the LACC.

10. INSTRUCT the CAO to report back to the Budget and Finance Committee on the General Fund impacts of potential changes in positions if current LACC employees are displaced to other General Fund positions upon the transition to a private management firm at the LACC.

Fiscal Impact Statement: The CAO reports that an alternative management structure for the LACC could generate General Fund savings of $2.1 million to $6.3 million for the first year and up to $3.8 million to $8.5 million by the fifth year. However, the actual General Fund savings cannot be determined at this time and largely depend on responses to the Request for Proposal. Changes recommended to the governance structure are anticipated to have a financial impact equivalent to the cost of the Chief Executive Officer’s salary, which would be competitive to Chief Executive Officers of similar type positions in the convention industry. Increasing the number of citywide conventions will increase the amount of Transit Occupancy Tax received by the City, but that amount requires further study by the Office of Economic Analysis. There is no additional negative impact on the General Fund.

Debt Impact Statement: The CAO reports that this report has no immediate debt impact on the General Fund.

Community Impact Statement: None submitted.

(Continued from Council meeting of September 19, 2012)

Items for Which Public Hearings Have Not Been Held - Items 22-29
(10 Votes Required for Consideration)

ITEM NO. (22) - SUBSTITUTE MOTION ADOPTED IN LIEU OF ORIGINAL MOTION - FORTHWITH - SEE FOLLOWING

Substitute Motion adopted, Ayes (14); Absent: LABONGE (1)

CONSIDERATION OF MOTION (BUSCAINO for CARDENAS - PERRY) relative to various authorizations to allow City departments to enter into transactions with the Center for Assault Treatment Services (CATS) to occupy a Los Angeles Department of Water and Power (LADWP) facility.

Recommendations for Council action:

1. AUTHORIZE the Department of General Services (GSD) to accept a Right of Entry Permit up to one year from the LADWP.

2. AUTHORIZE GSD to lease property located at 14651 Oxnard Street in Van Nuys from LADWP for a term of five years at a rate of $1 per year.
3. AUTHORIZE GSD to issue a Right of Entry Permit up to one year to CATS, Northridge Hospital Medical Center, California State University, Northridge (CSU Northridge), and IMT Residential.

4. AUTHORIZE GSD, with the assistance of the City Attorney, to negotiate and execute a lease with CATS, Northridge Hospital Medical Center and CSU Northridge for a term of five years in consideration of public safety related and social services provided to the community.

5. INSTRUCT the LADWP, City Administrative Officer (CAO) and Chief Legislative Analyst (CLA) to assist with implementing any actions needed to effectuate the intent of this motion.

Community Impact Statement: None submitted.

(Information Technology and General Services Committee waived consideration of the above matter)

ADOPTED

SUBSTITUTE MOTION (CARDENAS - BUSCAINO - ENGLANDER - GARCETTI)

Recommendations for Council action:

1. AUTHORIZE the Department of General Services (GSD) to accept a Right of Entry Permit up to one year from the Los Angeles Department of Water and Power (LADWP).

2. AUTHORIZE GSD to lease property located at 14651 Oxnard Street in Van Nuys from LADWP for a term of five years at a rate of $1 per year.

3. AUTHORIZE GSD to issue a Right of Entry Permit up to one year to the Center for Assault Treatment Services (CATS), Northridge Hospital Medical Center, California State University, Northridge (CSU Northridge), Valley Trauma Center (VTC), and IMT Residential.

4. FIND that as 501(c)3 non-profit organization, CATS, through its forensic evidentiary examination, and VTC, through its advocacy and counseling services, provide significant public benefit to the San Fernando Valley above and beyond the proposed $1 per year lease agreement.

5. AUTHORIZE GSD, with the assistance of the City Attorney, to negotiate and execute a lease with CATS, Northridge Hospital Medical Center, VTC and CSU Northridge for a term of five years at a rate of $1 per year.

6. INSTRUCT the LADWP, CAO and CLA to assist with implementing any actions as needed to effectuate the intent of this motion.
Adopted, Ayes (12); Absent: KORETZ, LABONGE, ROSENGDAHL (3)
(Item Nos. 23a-23b)

ITEM NO. (23) - ADOPTED

12-0005-S540
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 17, 2012:

12-0005-S540
CD 9
a. Property at 6017 South Wall Street (Case No. 166766).
   Assessor I.D. No. 6006-007-028

12-0005-S541
CD 14
b. Property at 1520 West Yosemite Drive (Case No. 361789).
   Assessor I.D. No. 5689-028-032

ITEM NO. (24) - ADOPTED

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

12-1127-S1
COMMUNICATION FROM CHAIR, PUBLIC SAFETY COMMITTEE relative to the status of the Los Angeles Police Department’s (LAPD) fingerprint analysis backlog.

Recommendations for Council action:

RECEIVE and FILE Motion (Englander - Buscaino) instructing the LAPD to report relative to the status of the fingerprint analysis backlog, how the Department’s plan maximizes available resources, and how incoming cases will be prioritized for analysis.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.
ITEM NO. (25) - ADOPTED

Adopted, Ayes (12); Absent: CARDENAS, LABONGE, WESSON (3)

12-0002-S67
COMMUNICATION FROM CHIEF LEGISLATIVE ANALYST and RESOLUTION relative to establishing the City’s position to support Proposition 37, the California Right to Know Genetically Engineered Food Act.

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

ADOPT the accompanying RESOLUTION to include in the City’s 2011-12 State Legislative Program SUPPORT of Proposition 37, the California Right to Know Genetically Engineered Food Act, which would mandate the disclosure of genetically engineered foods.

Community Impact Statement: Yes.
Support Proposal: Palms Neighborhood Council

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

ITEM NO. (26) - ADOPTED

Adopted, Ayes (12); Absent: KORETZ, LABONGE, ROSENDAHL (3)

12-1519
CD 8
CATEGORICAL EXEMPTION and COMMUNICATION FROM THE CITY ENGINEER relative to an offer to dedicate an easement for street purposes on the north side of 69th Street between Vermont and Menlo Avenues. (Right of Way No. 36000-1918)

Recommendations for Council action:

1. FIND that the offer to dedicate an easement for street purposes on the north side of 69th Street between Vermont and Menlo Avenues (Right of Way No. 36000-1918) is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(19) of the City's Environmental Guidelines.

2. AUTHORIZE the Board of Public Works to acquire the easement for street purposes on the north side of 69th Street between Vermont and Menlo Avenues (Right of Way No. 36000-1918), as depicted on the Exhibit Map in the September 20, 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 $3,317 fee for processing this report was paid pursuant to Sections 7.3 and 7.41.1 of the Los Angeles Administrative Code. No additional City Funds are needed.

ITEM NO. (27) - CONTINUED TO OCTOBER 26, 2012

Adopted to Continue, Unanimous Vote (14); Absent: LABONGE (1)

12-0011-S27
CD 4

MOTION (LABONGE - GARCETTI) relative to providing funding for any aspect of efforts involving transit related projects, sidewalk projects, curb/sidewalk improvements, beautification projects needed to improve conditions for public transit patrons, and all expenses relating or incidental thereto, as well as for general services to the community in Council District Four.

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

TRANSFER $250,000 in the Council District Four portion of the Street Furniture Revenue Fund No. 43D/50 to the Council District Four portion of the Council Fund No. 100/28, Account No. 1010 (Salaries - General) to provide funding for any aspect of efforts involving transit related projects, sidewalk projects, curb/sidewalk improvements, beautification projects needed to improve conditions for public transit patrons, and all expenses relating or incidental thereto, as well as for general services to the community in Council District Four.

Adopted, Ayes (12); Absent: KORETZ, LABONGE, ROSENDAHL (3)
(Item Nos. 28-29)

ITEM NO. (28) - ADOPTED

11-1431
CD 11

MOTION (KORETZ for ROSENDAHL - BUSCAINO) relative to amending prior Council action of September 30, 2011 regarding the 12100 West Olympic Boulevard / Westside Media Center / Neighborhood Traffic Protection Plan.

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

AMEND prior Council action of September 30, 2011 relative to the 12100 West Olympic Boulevard / Westside Media Center / Neighborhood Traffic Protection Plan to TRANSFER / APPROPRIATE the unencumbered, unallocated balance in the Neighborhood Traffic Management Fund No. 47H, Westside Media Project Account, to the Council District 11 portion of the Council Fund No. 100/28, Account No. 3040 (Contractual Services) to fund various transit improvements on the Westside as well as to reimburse in part the Kilroy Realty Corporation pursuant to the terms of their original donation of these funds which requires a reimbursement after five years.
ITEM NO. (29) - ADOPTED

12-0089-S1
CD 9

MOTION (PERRY - PARKS) relative to lease approval for office space at 4060 South Figueroa Avenue, Los Angeles, CA 90037.

Recommendation for Council action:

APPROVE, retroactively, the executed Neighborhood Council Lease Agreement between the City of Los Angeles, through the Department of Neighborhood Empowerment (on behalf of the Voices of 90037 Neighborhood Council), and the Los Angeles Community Reinvestment Committee dba Community Financial Resource Center, under the terms and conditions outlined in the attached Neighborhood Council Lease Agreement dated September 10, 2012.

Closed Sessions - Items 30-32

Adopted in Open Session, Ayes (12); Absent: KORETZ, LABONGE, ROSENDAHL (3)
(Item Nos. 30-31)

ITEM NO. (30) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

12-1550

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 Laurence Tietz v. City of Los Angeles, Los Angeles Superior Court Case No. BC462526. (This matter involves a slip and fall accident at Rosedale Park and is a settlement of a jury verdict.)

(Budget and Finance Committee considered the above matter in Closed Session on October 15, 2012)

ADOPTED

MOTION (KREKORIAN - ENGLANDER)

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

1. AUTHORIZE the City Attorney to expend a total amount of $475,000 in settlement of the jury award and costs of the above-entitled matter from City Attorney Fund 100/59, Account No. 009770.

2. AUTHORIZE the City Attorney to draw a demand thereon in said amount payable to Laurence Tietz and Alderlaw, P.C.

3. AUTHORIZE the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer, and AUTHORIZE the Controller to implement the instructions.
This matter was approved by the Budget and Finance Committee (Krekorian - Englander - Cárdenas - Koretz “yes”) at its meeting on October 15, 2012, in Closed Session as permitted by Government Code Section 54956.9(a).

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

12-1551
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 April Boyd-Plantz v. City of Los Angeles, Los Angeles Superior Court Case No. SC 113636. (This matter involves a rear end traffic collision on Sunset Boulevard and Beverly Glen Boulevard in West Los Angeles.)

(Budget and Finance Committee considered the above matter in Closed Session on October 15, 2012)

ADOPTED

MOTION (KREKORIAN - ENGLANDER)

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

1. AUTHORIZE the City Attorney to expend a total amount of $1,000,000 in settlement of the above-entitled matter from City Attorney Fund 100/59, Account No. 009770.

2. AUTHORIZE the City Attorney to draw a demand thereon in said amount payable to The Simon Law Group, LLP, Panish Shea & Boyle, LLP and April Boyd-Plantz.

3. AUTHORIZE the City Attorney, or designee, toprepare Controller instructions for any necessary technical adjustment, subject to the approval of the City Administrative Officer, and AUTHORIZE the Controller to implement the instructions.

This matter was approved by the Budget and Finance Committee (Krekorian - Cárdenas - Koretz “yes”; Englander “no”) at its meeting on October 15, 2012, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (32) - COUNCIL DISCUSSED MATTER IN CLOSED SESSION AND INSTRUCTED LEGAL COUNSEL WITH RESPECT TO SUBJECT LITIGATION

12-1611
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 Summit Media, LLC v. City of Los Angeles, Los Angeles Superior Court Case No. BS 116611 et. al. (This matter involves litigation brought by Summit Media, LLC against the City and real parties in interest CBS Outdoors and Clear Channel Outdoors. The lawsuit challenges the validity of the City's settlement agreement with real parties in interest.)

(Scheduled pursuant to Council action of October 16, 2012)
Item for Which Public Hearing Has Not Been Held - Item 33
(10 Votes Required for Consideration)

ITEM NO. (33) - UNANIMOUS CONSENT WITHHELD - ORDINANCE OVER TO OCTOBER 31, 2012

To Withhold Unanimous Consent - Ordinance Over 1 Week, Unanimous Vote (14); Absent: LABONGE (1)

CONTINUED CONSIDERATION OF EXEMPTION, COMMUNICATION FROM THE CITY ATTORNEY, AMENDING MOTION (REYES - WESSON) and ORDINANCE FIRST CONSIDERATION relative to prohibiting the issuance of all building permits in Los Angeles Chinatown, and specifically the area generally bounded by the 110 Pasadena Freeway to the west, Sunset Boulevard and Cesar Chavez Avenue to the south, Main Street and Alameda Street to the east, and Cottage Home Street to the north.

A. COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION

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

1. FIND that the proposed ordinance is exempt from the requirements of the California Environmental Quality Act and the City Guidelines for the implementation thereof pursuant to Article II, Section 2, Subsection (m) of the City of Los Angeles Guidelines, as it does not have a negative impact on the environment.

2. PRESENT and ADOPT the accompanying ORDINANCE prohibiting the issuance of all building permits in Los Angeles Chinatown, and specifically the area generally bounded by the 110 Pasadena Freeway to the west, Sunset Boulevard and Cesar Chavez Avenue to the south, Main Street and Alameda Street to the east, and Cottage Home Street to the north.

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.

12 VOTES REQUIRED

(Planning and Land Use Management Committee waived consideration of the above matter)

B. AMENDING MOTION (REYES - WESSON)

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

PRESENT and ADOPT the substitute ORDINANCE attached to motion (Reyes - Wesson) in lieu of the ordinance attached to the Council file No. 12-0382 in order to effectuate technical corrections.

12 VOTES REQUIRED
Closed Session - Item 34

ITEM NO. (34) - COUNCIL DISCUSSED MATTER IN CLOSED SESSION AND INSTRUCTED LEGAL COUNSEL WITH RESPECT TO SUBJECT LITIGATION

12-1621

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 Hill RHF Housing Partners v. City of Los Angeles, Los Angeles Superior Court Case No. BS238416. (This case arises from a challenge to the formation of a business improvement district.)

(Budget and Finance Committee to consider the above matter in Closed Session on October 22, 2012)

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

12-1688

MOTION (PARKS - PERRY) relative to reactivating the matter of the Health Care Component/Living Wage Amendment/Contracted Workers/City’s Airports, as recorded under Council file Nos. 07-2247 and 07-2247-S1.

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

12-1687

RESOLUTION (CARDENAS - HUIZAR) relative to declaring the month of October as Down Syndrome Awareness Month in the City of Los Angeles.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

12-0004-S3 - “Meatless Mondays” Perry - Reyes - Parks

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

12-0003-S3 - Assistant Fire Chief Paul Orduna Perry - All Councilmembers

Ron Fujikawa Buscaino - All Councilmembers

Buscaino, Englander, Garcetti, Huizar, Koretz, Krekorian, Parks, Perry, Reyes, Rosendahl and Zine (11); Absent: Alarcón, Cárdenas, LaBonge and President Wesson (4)
Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL