

Los Angeles City Council, **Journal/Council Proceedings**
Wednesday, **October 31, 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, Garcetti, Krekorian, LaBonge, Parks, Reyes, Rosendahl, Zine and President Wesson (10); Absent: Alarcón, Englander, Huizar, Koretz and Perry (5)

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
OCTOBER 26, 2012

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 30

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

Items Noticed for Public Hearing - Items 1-6

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

Adopted to Grant Application, Ayes (15)

[12-1507](#)
CD 9

HEARING COMMENTS relative to application for determination of "Public Convenience or Necessity" for the sale of alcoholic beverages for off-site consumption at Fresh & Easy grocery store.

Recommendations for Council action:

1. DETERMINE that the issuance of a liquor license at Fresh & Easy grocery store located at 3335 South Figueroa Street, Los Angeles, 90007, 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 off-site consumption at 3335 South Figueroa Street.
3. INSTRUCT the City Clerk to transmit this determination to the State Department of Alcoholic Beverage Control (ABC) as the required findings under Business and Professions Code Section 23958.4.

Applicant: Adam Mayfield (Hernan Chavez, K. L. Charles Architects, Representative)

TIME LIMIT FILE - DECEMBER 18, 2012

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

**Adopted, Ayes (15)
(Item Nos. 2-5)**

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

[12-0990](#)

CD 12

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Independence Avenue and Rinaldi Street Lighting District.

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

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing held October 10, 2012)

ITEM NO. (3) - PUBLIC HEARING CLOSED - ADOPTED

[12-0991](#)

CD 5

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Wilkinson Avenue and Weddington Street Lighting District.

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

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing held October 10, 2012)

ITEM NO. (4) - PUBLIC HEARING CLOSED - ADOPTED

[12-0992](#)

CD 7

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Larkspur Street and El Dorado Avenue Lighting District.

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

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing held October 10, 2012)

ITEM NO. (5) - PUBLIC HEARING CLOSED - ADOPTED

[12-0993](#)

CD 15

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Sanford Avenue and "F" Street Lighting District.

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

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing held October 10, 2012)

ITEM NO. (6) - PUBLIC HEARING CLOSED - ADOPTED

Adopted, Ayes (15)

[12-0994](#)

CD 6

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Sheldon Street and Rincon Avenue Lighting District.

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

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing held October 10, 2012)

Items for Which Public Hearings Have Been Held - Items 7-18

ITEM NO. (7) - ADOPTED

Adopted, Ayes (13); Noes: ENGLANDER, ROSENDAHL (2)

[11-0754](#)

ORDINANCE SECOND CONSIDERATION adding Section 53.73 to Article 3, Chapter 5 of the Los Angeles Municipal Code 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.

(Personnel and Animal Welfare Committee Report adopted in Council on October 24, 2012)

ITEM NO. (8) - CONTINUED TO NOVEMBER 7, 2012

Adopted to Continue, Unanimous Vote (15)

[12-0382](#)

CD 1

ORDINANCE SECOND 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.

12 VOTES REQUIRED

(Unanimous Consent Withheld on October 24, 2012)

**Adopted, Ayes (12); Absent: ALARCON, KORETZ, PERRY (3)
(Item Nos. 9-10)**

ITEM NO. (9) - ADOPTED

[12-0600-S164](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to the Preliminary Financial Report of the City's financial operations for Fiscal Year (FY) 2011-12.

Recommendation for Council action:

NOTE and FILE the Controller's Preliminary Financial Report for the City of Los Angeles for the FY 2011-12.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (10) - ADOPTED - FORTHWITH TO THE MAYOR

[12-1529](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to a request to amend and increase funding for outside counsel contracts.

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

1. AUTHORIZE the Controller to transfer \$2,944,000 from the Unappropriated Balance, City Attorney Outside Counsel Including Workers' Compensation line item to the City Attorney, Fund 100/12, Account 009301.
2. AUTHORIZE the Controller to transfer \$56,000 from the Unappropriated Balance, City Attorney Outside Counsel Including Workers' Compensation line item to the City Attorney, Fund 100/12, Account 009302.
3. AUTHORIZE the City Attorney's Office to increase the maximum compensation for the following contracts by the amount indicated:

Burke, Williams, Sorensen (C 115056)	\$300,000
Albright, Yee & Schmit (C119635)	8,500
Albright, Yee & Schmit (C119634)	550,000
Liebert Cassidy & Whitmore (C 109883)	15,000
Liebert Cassidy & Whitmore (C 113155)	95,000
Liebert Cassidy & Whitmore (C 117391)	500
Liebert Cassidy & Whitmore (C 109849)	2,000
Liebert Cassidy & Whitmore (C 118837)	88,000
Liebert Cassidy & Whitmore (C 117390)	20,000
Coalntuono & Levin (C 106214)	500,000
Drinker Biddle & Reath (C 113455)	250,000
Meyers Nave (C 118838)	700,000
Meyers Nave (C 120019)	400,000
Meyers Nave (new)	10,000
Kronick Moskovitz (C 115552)	<u>5,000</u>
Total	\$2,944,000

4. AUTHORIZE the City Attorney to enter into a contract with the law firm of Meyers Nave for assistance with the Alameda Books case.

5. AUTHORIZE the Controller to re-appropriate \$96,974.57, which was inadvertently disencumbered from a FY 12 encumbrance (Reporting #C012118837A), to Fund 100/12, Account 009301, and encumber this amount toward contract number 118837A with Liebert Cassidy & Whitmore (Ramsey case).
6. AUTHORIZE the City Attorney to amend the contract term of contract number 109849 with Liebert Cassidy & Whitmore (Aschan case) to March 31, 2014.
7. AUTHORIZE the City Attorney to prepare Controller instructions for any necessary technical adjustments, 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 there is no additional impact to the General Fund. The requested General Fund amount of \$3,000,000 will be provided from available funds in the Unappropriated Balance, Outside Counsel Including Workers' Compensation line item. These recommendations are in compliance with the City's Financial Policies in that budgeted funds are being used to fund these expenditures. It should be noted that there is an estimated future impact to the General Fund of \$3.7 million for the remainder of the fiscal year as the recommendations in this report will exhaust all budgeted funds for Outside Counsel expenditures.

Community Impact Statement: None submitted.

(Council may recess to Closed Session, pursuant to Government Code Section 54956.9(a) to confer with its legal counsel relative to the above matter)

ITEM NO. (11) - SUBSTITUTE MOTION ADOPTED IN LIEU OF ORIGINAL REPORT - SEE FOLLOWING

Substitute Motion adopted, Ayes (15)

[12-1385](#)

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to authorization to execute documents for the granting and acceptance of \$1,764,975 of additional Emergency Solutions Grant funds allocated by the U.S. Department of Housing and Urban Development, and related actions.

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

1. AUTHORIZE the General Manager, Los Angeles Housing Department (LAHD), or designee, to:
 - a. Execute the Application for Federal Assistance SF 424, required Certifications, and any amendments thereto, the grant agreement, and any other required documents between the U.S. Department of Housing and Urban Development (HUD) and the City of Los Angeles for the receipt and disbursement of an Emergency Solutions Grant (ESG) in the amount of \$1,764,975 upon notification of grant award from HUD.

- b. Amend Program Year 2012-13 ESG Contract (No. C-120935) with the Los Angeles Homeless Services Authority (LAHSA) in substantial conformance with Attachment A of the LAHD's August 21, 2012 transmittal (contained in Council File [C.F.] 12-1385) by adding \$1,454,159 for Homeless Prevention/Rapid Re-housing services for a new total amount of \$2,992,034 in accordance with the provisions of HUD, subject to review of the City Attorney as to form, compliance with the City's contracting requirements, and funding availability.
- c. Amend Program Year 2012-13 ESG contract (No. C-120936) with LAHSA in substantial conformance with Attachment B of LAHD's August 21, 2012 transmittal (C.F. 12-1385) by adding \$226,490 for administrative services and the Homeless Management Information System for a new total amount of \$778,728 in accordance with the provisions of HUD, subject to the review of the City Attorney as to form, compliance with the City's contracting requirements, and funding availability.

2. AUTHORIZE the Controller to:

- a. Appropriate additional funds within the ESG Fund No. 517/43 as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
43J300	LAHSA	\$1,680,649
43J143	Housing	\$58,842
43J299	Related Costs	<u>\$25,484</u>
	Total:	\$1,764,975

- b. Decrease appropriation from the ESG Fund No. 517/43, to reflect the actual amount of the first ESG allocation as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
43H300	LAHSA	\$24,970

- c. Expend funds not to exceed \$1,764,975 from the above fund and accounts upon proper written demand of the General Manager, LAHD, or designee.
 - d. Increase appropriations in General Fund 100/43 Budget in Fiscal Year 2012-13, Account 1010 entitled Salaries-General in the amount of \$58,842 and expend funds in Account 1010 upon proper written demand of the General Manager, LAHD, or designee.
- 3. AUTHORIZE the General Manager, LAHD or designee to prepare Controller instructions and any necessary technical adjustments consistent with the Mayor and City Council actions, subject to approval of the City Administrative Officer (CAO), and AUTHORIZE the Controller to implement the instructions.
 - 4. INSTRUCT the CAO to address the LAHD request to reauthorize two exempt grant-funded resolution positions before this report is considered by Council.

Fiscal Impact Statement: The CAO reports that there is no impact to the General Fund. The recommendations in this report authorize LAHD to accept and disburse the ESG in the amount of \$1,764,975 issued by the U.S. Department of Housing and Urban Development. The ESG will help reduce lengths of stay in emergency shelter and transitional housing and increase housing retention through rapid re-housing. These recommendations are in compliance with the City's Financial Policies because the continuation of services is contingent on continued grant funding.

Community Impact Statement: None submitted.

ADOPTED

SUBSTITUTE MOTION (CARDENAS - REYES)

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

1. **AUTHORIZE** the General Manager, Los Angeles Housing Department (LAHD), or designee, to:
 - a. Execute the Application for Federal Assistance SF 424, required Certifications, and any amendments thereto, the grant agreement, and any other required documents between the U.S. Department of Housing and Urban Development (HUD) and the City of Los Angeles for the receipt and disbursement of an Emergency Solutions Grant (ESG) in the amount of \$1,764,975 upon notification of grant award from HUD.
 - b. Amend Program Year 2012-13 ESG Contract (No. C-120935) with the Los Angeles Homeless Services Authority (LAHSA) in substantial conformance with Attachment A of the LAHD's August 21, 2012 transmittal (contained in Council File [C.F.] 12-1385) by adding \$1,454,159 for Homeless Prevention/Rapid Re-housing services for a new total amount of \$2,992,034 in accordance with the provisions of HUD, subject to review of the City Attorney as to form, compliance with the City's contracting requirements, and funding availability.
 - c. Amend Program Year 2012-13 ESG contract (No. C-120936) with LAHSA in substantial conformance with Attachment B of LAHD's August 21, 2012 transmittal (C.F. 12-1385) by adding \$226,490 for administrative services and the Homeless Management Information System for a new total amount of \$778,728 in accordance with the provisions of HUD, subject to the review of the City Attorney as to form, compliance with the City's contracting requirements, and funding availability.

2. **AUTHORIZE** the Controller to:
 - a. Appropriate additional funds within the ESG Fund No. 517/43 as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
43J300	LAHSA	\$1,680,649
43J143	Housing	\$58,842
43J299	Related Costs	<u>\$25,484</u>
	Total:	\$1,764,975

- b. Decrease appropriation from the ESG Fund No. 517/43, to reflect the actual amount of the first ESG allocation as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
43H300	LAHSA	\$24,970

- c. Expend funds not to exceed \$1,764,975 from the above fund and accounts upon proper written demand of the General Manager, LAHD, or designee.
- d. Increase appropriations in General Fund 100/43 Budget in Fiscal Year 2012-13, Account 1010 entitled Salaries-General in the amount of \$58,842 and expend funds in Account 1010 upon proper written demand of the General Manager, LAHD, or designee.
3. AUTHORIZE by RESOLUTION a grant-funded exempt Senior Project Coordinator position, Class 1538, in the LAHD for the period of December 1, 2012 through June 30, 2013, an existing Management Analyst II position will be held vacant for the duration of this authority.
4. AUTHORIZE by RESOLUTION a grant-funded exempt Project Coordinator position, Class 1537, in the LAHD for the period of December 1, 2012 through June 30, 2013.
5. AUTHORIZE the General Manager, LAHD, or designee, to prepare Controller instructions and any necessary technical adjustments consistent with the Mayor and City Council actions, subject to the approval of the City Administrative Officer, and AUTHORIZE the City Controller to implement the instructions.

ITEM NO. (12) - ADOPTED - SEE FOLLOWING

Adopted, Ayes (15)

[12-1690](#)

CDs 7, 8, 9 11 & 14

CONSIDERATION OF MOTION (CARDENAS - REYES) relative to actions to be taken pursuant to Los Angeles Municipal Code Section 12.81 for the operation of the Winter Shelter Program from December 2012 to March 2013 by the Los Angeles Homeless Services Authority.

(Click on the above hyperlink or go to <http://www.lacouncilfile.com> for background documents.)

(Housing, Community and Economic Development Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)

ADOPTED

COMMUNICATION FROM CHAIR, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE relative to actions to be taken for the operation of the Winter Shelter Program.

Recommendations for Council action, pursuant to Motion (Cárdenas - Reyes):

1. **FIND:**
 - a. An emergency exists which affects the health and safety of homeless persons.
 - b. A shelter for the homeless in the proposed location would contribute to the alleviation of the shelter crisis.
 - c. The project is consistent with the various elements of the General Plan.
 - d. The project would have no substantial adverse impact on properties or improvements in the surrounding neighborhood.
 - e. There is not an over-concentration of shelters for the homeless in the surrounding area.
 - f. The land uses and development in the immediate vicinity of the subject site will not constitute an immediate or potential hazard to occupants of the shelter.
2. **RECOGNIZE and DECLARE a homeless shelter crisis.**
3. **DESIGNATE the shelters below as temporary shelters for the homeless from December 2012 through March 2013:**
 - a. Bridge to Home - 12860 Arroyo Street, Sylmar, CA 91342
 - b. LAMP - 627 San Julian Street, Los Angeles, CA 90014
 - c. MJB Recovery - 8764-8770 South Broadway Avenue, Los Angeles, CA 90003
 - d. First to Serve - West Los Angeles - 1300 Federal Avenue, Los Angeles, CA 90025
 - e. First to Serve - South Los Angeles:
 - 1) AME Church - 5500 South Hoover Street, Los Angeles, CA 90037
 - 2) AME Church - 1177 West 25th Street, Los Angeles, CA 90007
 - f. Volunteers of America of Greater Los Angeles (Eula's House)
 - 1) Bethel AME Church - 7900 South Western Avenue, Los Angeles, CA 90047
4. **ADOPT the findings cited 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. (13) - CONTINUED TO NOVEMBER 7, 2012

Adopted to Continue, Unanimous Vote (15)

[11-1013-S1](#)

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to the status of the LACity.org redesign and the launching of the new City website.

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

1. DIRECT all City departments, including proprietary departments, to make updates to their service information in the Citywide Services Directory based on the service information evaluation conducted by the Information Technology Agency (ITA) and the Mayor's Performance Management Unit, within 30 days, and to notify the ITA when complete.
2. INSTRUCT the ITA to report back to the Information Technology and General Services Committee in 45 days on the status of service information improvements for each Department.

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. (14) - ADOPTED - FORTHWITH

Adopted, Ayes (15)

[11-2101-S1](#)

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to the identification of a location within the Los Angeles Mall to serve as headquarters for the Los Angeles City Historical Society (LACHS).

Recommendations for Council action, pursuant to Motion (LaBonge - Huizar):

1. INSTRUCT the Chief Legislative Analyst (CLA) and the Department of General Services (GSD) to work together to identify a location within the Los Angeles Mall that could be made available to the LACHS and its partners, under lease or any other option, to serve as its headquarters.
2. INSTRUCT the CLA and the GSD to report back to the Information Technology and General Services Committee on their findings.

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

Community Impact Statement: None submitted.

ITEM NO. (15) - ADOPTED

Adopted, Ayes (12); Absent: ALARCON, KORETZ, PERRY (3)

[12-1288](#)

CD 1

CATEGORICAL EXEMPTION and INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to the renewal of a license agreement with the United States Navy for the continued use of the Naval and Marine Corp Reserve Facility as a training facility for the Los Angeles Fire Department (LAFD).

Recommendations for Council action, pursuant to Motion (Reyes - Garcetti):

- 1 FIND that the above described agreement(s) is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Article VII, Section 1, Subsection (a), paragraph 14 of the City CEQA Guidelines inasmuch as this involves a license for an existing facility with negligible or no expansion of use.
2. AUTHORIZE the Department of General Services and the LAFD to negotiate and execute a license agreement, or any other document as appropriate, with the United States Navy for the continued use on a pro-bono basis by the LAFD of the Naval and Marine Reserve Facility at Elysian Park, located at 1700 Stadium Way, as a training facility for the period of August 1, 2012 to July 31, 2017.

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. (16) - ADOPTED

Adopted, Ayes (15)

[12-0002-S68](#)

RULES, ELECTIONS AND INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT and RESOLUTION relative to establishing the City's position to support S.1301 which would increase federal resources and penalties to combat human trafficking.

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

ADOPT the accompanying RESOLUTION to include in the City's 2011-12 Federal Legislative Program SUPPORT of S.1301 (Leahy) which would increase federal resources to combat international human trafficking, increase penalties against human traffickers in the United States, increase interagency coordination and reporting, and increase state and local efforts to combat human trafficking.

Fiscal Impact Statement: None submitted by the Chief Legislative Analyst. The City Administrative Officer has not completed a financial analysis of this report.

Community Impact Statement: None submitted.

**Adopted, Ayes (12); Absent: ALARCON, KORETZ, PERRY (3)
(Item Nos. 17-18)**

ITEM NO. (17) - ADOPTED

[12-0002-S69](#)

RULES, ELECTIONS AND INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT and RESOLUTION relative to establishing the City's position to support H.R. 3179, the Marketplace Equity Act of 2011, and S. 1832, the Marketplace Fairness Act.

Recommendation for Council action, as initiated by Resolution (Parks - Perry), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

ADOPT the accompanying revised RESOLUTION to include in the City's 2011-12 Federal Legislative Program SUPPORT for H.R. 3179, the Marketplace Equity Act of 2011, and S. 1832, the Marketplace Fairness Act, which would allow states to establish a system to collect sales and use taxes of online, catalog and remote sellers.

Fiscal Impact Statement: None submitted by the Chief Legislative Analyst. The City Administrative Officer has not completed a financial analysis of this report.

Community Impact Statement: None submitted.

ITEM NO. (18) - ADOPTED

[12-0002-S71](#)

RULES, ELECTIONS AND INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT and RESOLUTION relative to establishing the City's position to support HR 3274 which would establish a program to certify low volume car manufacturers.

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

ADOPT the accompanying RESOLUTION to include in the City's 2011-12 Federal Legislative Program SUPPORT of HR 3274 (Campbell), which directs the National Highway Traffic Safety Administration (NHTSA) to establish a program allowing low volume vehicle manufacturers that produce no more than 1,000 vehicles annually to address unique safety and financial issues associated with limited production.

Fiscal Impact Statement: None submitted by the Chief Legislative Analyst. The City Administrative Officer has not completed a financial analysis of this report.

Community Impact Statement: None submitted.

Items for Which Public Hearings Have Not Been Held - Items 19-31

(10 Votes Required for Consideration)

Adopted, Ayes (13); Absent: ALARCON, KORETZ (2)
(Item Nos. 19-20)

ITEM NO. (19) - ADOPTED

[12-1618](#)

CD 11

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Exposition and Sawtelle Boulevards Lighting District.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated October 11, 2012.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **JANUARY 9, 2013** as the hearing date for the maintenance of the Exposition and Sawtelle Boulevards Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$3,043.11 will be collected annually starting with tax year 2012-13 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: January 2, 2013)

ITEM NO. (20) - ADOPTED

[12-1619](#)

CD 6

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Kelowna Street and Laurel Canyon Boulevard Lighting District.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated October 11, 2012.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **JANUARY 9, 2013** as the hearing date for the maintenance of the Kelowna Street and Laurel Canyon Boulevard Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$115.25 will be collected annually starting with tax year 2012-13 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: January 2, 2013)

**Adopted, Ayes (15)
(Item Nos. 21a-c)**

ITEM NO. (21) - ADOPTED

[12-0005-S552](#)

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 25, 2012:

[12-0005-S552](#)

CD 1

- a. Property at 825 West 23rd Street (Case No. 222573).
Assessor I.D. No. 5124 - 031-016

[12-0005-S553](#)

CD 1

- b. Property at 392 South Loma Drive (Case No. 351437).
Assessor I.D. No. 5153-019-013

[12-0005-S554](#)

CD 10

- c. Property at 3007 South Virginia Road (Case No. 320434).
Assessor I.D. No. 5050-027-039

ITEM NO. (22) - ADOPTED

Adopted, Ayes (13); Absent: ALARCON, KORETZ (2)

[12-0877](#)

CD 15

COMMUNICATION FROM CHAIR, PUBLIC WORKS COMMITTEE relative to initiating vacation proceedings for Park Western Drive (Portion of Northerly Side) from Western Avenue to approximately 97 feet easterly thereof (VAC E1401204).

Recommendations for Council action:

1. FIND that the Park Western Drive (Portion of Northerly Side) from Western Avenue to approximately 97 feet easterly thereof (VAC E1401204) is exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(3) of the City's Environmental Guidelines.
2. ADOPT the FINDINGS of the City Engineer dated August 22, 2012, as the Findings of the Council.
3. FIND that the street vacation proceedings pursuant to the Public Streets, Highways and Service Easements Vacation Law be instituted for the vacation of the public right-of-way indicated below and shown colored blue on Exhibit B of the August 22, 2012 City Engineer report and attached to the Council file:

An approximately 22-foot wide and variable width portion of the northerly side of Park Western Drive from Western Avenue to approximately 97 feet easterly thereof.

4. ADOPT the accompanying City Engineer report dated August 22, 2012 to approve the vacation with the amendment to remove Condition No. 12 recommending that street trees be planted and tree wells be installed as may be required by the Urban Forestry Division of the Bureau of Street Services.
5. INSTRUCT the City Clerk to set a public hearing date for **DECEMBER 12, 2012**.

Fiscal Impact Statement: The City Engineer reports that the petitioner has paid a fee of \$10,700 for the investigation of this request pursuant to Section 7.42 of the Administrative Code. Any deficit fee to recover the cost pursuant to Section 7.44 of the Administrative Code may be required of the petitioner.

Community Impact Statement: None submitted.

**Adopted, Ayes (15)
(Item Nos. 23-26)**

ITEM NO. (23) - ADOPTED

[12-1509](#)
CD 2

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION AND COMMUNICATION FROM CHAIR, PUBLIC WORKS COMMITTEE relative to the California Environmental Quality Act (CEQA) Initial Study/Mitigated Negative Declaration for the Justice Assistance Grant (JAG) Verdugo Peak Communications Tower Improvement Project.

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 CEQA; that the Mitigated Negative Declaration 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. 12-1509 in the custody of the City Clerk; and ADOPT the CEQA Initial Study/Mitigated Negative Declaration (W.O. E190743B).

2. ADOPT the Mitigation Monitoring Program, as attached to the Council file.
3. APPROVE the project as described in the Initial Study.

Fiscal Impact Statement: The Board of Public Works (Board) reports that the project has a budget of approximately \$761,572. Funds required to complete the design of the Los Angeles Regional Interoperable Communications System (LA-RICS)/JAG project are available in the Recovery Act JAG, Fund No. 51V, Department 46, and Appropriation Unit No. 46G304.

Community Impact Statement: None submitted.

ITEM NO. (24) - ADOPTED

[12-1510](#)
CD 7

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION AND COMMUNICATION FROM CHAIR, PUBLIC WORKS COMMITTEE relative to the California Environmental Quality Act (CEQA) Initial Study/Mitigated Negative Declaration for the Justice Assistance Grant (JAG) Mount Lukens Communications Tower Improvement Project.

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 CEQA; that the Mitigated Negative Declaration 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. 12-1510 in the custody of the City Clerk; and ADOPT the CEQA Initial Study/Mitigated Negative Declaration (W.O. E190745B).
2. ADOPT the Mitigation Monitoring Program, as attached to the Council file.
3. APPROVE the project as described in the Initial Study.

Fiscal Impact Statement: The Board of Public Works reports that the project has a budget of approximately \$611,314. Funds required to complete the design of the Los Angeles Regional Interoperable Communications System (LA-RICS)/JAG project are available in the Recovery Act JAG, Fund No. 51V, Department 46, and Appropriation Unit No. 46G304.

Community Impact Statement: None submitted.

ITEM NO. (25) - ADOPTED

[12-1511](#)

CD 10

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION AND COMMUNICATION FROM CHAIR, PUBLIC WORKS COMMITTEE relative to the California Environmental Quality Act (CEQA) Initial Study/Mitigated Negative Declaration for the Justice Assistance Grant (JAG) Baldwin Hills Communications Site Improvement Project.

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 CEQA; that the Mitigated Negative Declaration 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. 12-1511 in the custody of the City Clerk; and ADOPT the CEQA Initial Study/Mitigated Negative Declaration (W.O. E190742B).
2. ADOPT the Mitigation Monitoring Program, as attached to the Council file.
3. APPROVE the project as described in the Initial Study.

Fiscal Impact Statement: The Board of Public Works reports that the project has a budget of approximately \$1,761,600. Funds required to complete the design of the Los Angeles Regional Interoperable Communications System (LA-RICS)/JAG project are available in the Recovery Act JAG, Fund No. 51V, Department 46, and Appropriation Unit No. 46G304.

Community Impact Statement: None submitted.

ITEM NO. (26) - ADOPTED

[12-1512](#)

CD 4

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION AND COMMUNICATION FROM CHAIR, PUBLIC WORKS COMMITTEE relative to the California Environmental Quality Act (CEQA) Initial Study/Mitigated Negative Declaration for the Justice Assistance Grant (JAG) Mount Lee Communications Facility Site Improvement Project.

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 CEQA; that the Mitigated Negative Declaration 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. 12-1512 in the custody of the City Clerk; and ADOPT the CEQA Initial Study/Mitigated Negative Declaration (W.O. E190741B).
2. ADOPT the Mitigation Monitoring Program, as attached to the Council file.

3. APPROVE the project as described in the Initial Study.

Fiscal Impact Statement: The Board of Public Works reports that the project has a budget of approximately \$2,206,958. Funds required to complete the design of the Los Angeles Regional Interoperable Communications System (LA-RICS)/JAG project are available in the Recovery Act JAG, Fund No. 51V, Department 46, and Appropriation Unit No. 46G304.

Community Impact Statement: None submitted.

ITEM NO. (27) - ADOPTED

Adopted, Ayes (15)

[12-1168-S1](#)

CDs 9 & 14

COMMUNICATION FROM THE CITY CLERK relative to Fiscal Year's 2011 and 2012 Annual Planning Reports for the South Park Business and Community Benefit Business Improvement District (BID).

Recommendations for Council action:

1. APPOINT the Advisory Board members listed in the City Clerk's report dated October 2, 2012 (attached to the Council file) in compliance with the requirements of the City's Landscaping, Security, Programming and Maintenance (LSPM) Property Business Improvement District (PBID) Ordinance.
2. FIND that the attached Annual Planning Reports for the South Park Business and Community Benefit BID's 2011 and 2012 fiscal years comply with the requirements of the LSPM PBID Ordinance.
3. ADOPT the attached Annual Planning Reports for the South Park Business and Community Benefit BID's 2011 and 2012 fiscal years, pursuant to the LSPM PBID Ordinance.

Fiscal Impact Statement: The City Clerk reports that there is no impact to the General Fund associated with this action.

Community Impact Statement: None submitted.

(Jobs and Business Development Committee waived consideration of the above matter)

ITEM NO. (28) - ADOPTED

Adopted, Ayes (13); Absent: ALARCON, KORETZ (2)

[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.

Recommendation for Council action:

REACTIVATE 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 which expired per Council policy, and that the matter be restored to its most recent legislative status as of the date of the Council file's expiration.

ITEM NO. (29) - ADOPTED

Adopted, Ayes (15)

[12-1687](#)

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

Recommendation for Council action:

RESOLVE to DECLARE the month of October as Down Syndrome Awareness Month in the City of Los Angeles and commend the Down Syndrome Association of Los Angeles for their pioneer efforts to bring awareness to Down syndrome in the Greater Los Angeles region.

ITEM NO. (30) - SUBSTITUTE RESOLUTION ADOPTED IN LIEU OF ORIGINAL - SEE FOLLOWING - FORTHWITH TO THE MAYOR

Substitute Resolution Adopted, Ayes (15)

[12-0002-S93](#)

RESOLUTION (CARDENAS - KREKORIAN) relative to the City's position to support and endorse the legal position and the filing of a lawsuit by the City of Los Angeles Department of Water and Power acting on behalf of the water rate payers, to reduce water demand on Owens Lake and recover and protect the water rights of the City of Los Angeles that are held in trust for its residents.

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

RESOLVE to SUPPORT and ENDORSE the legal position and the filing of a lawsuit by the City of Los Angeles Department of Water and Power acting on behalf of the water rate payers, to reduce water demand on Owens Lake and recover and protect the water rights of the City of Los Angeles that are held in trust for its residents.

ADOPTED

SUBSTITUTE RESOLUTION (CARDENAS - HUIZAR)

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

RESOLVE to AFFIRM SUPPORT and ENDORSE the legal position and the filing of a lawsuit by the City of Los Angeles Department of Water and Power acting on behalf of the water rate payers, to reduce water demand on Owens Lake and protect the water rights of the City of Los Angeles and affirm its interest in a cooperative relationship with regulators and other stakeholders of the Owens Lake based on the following goals:

- **Reduce water use through alternatives which effectively control dust.**
- **Resolution of the issue of responsibilities for air quality on and around Owens Lake, such that final commitments are identified, completed and maintained.**

ITEM NO. (31) - MAP AND BOND APPROVED - CITY ENGINEER REPORT ADOPTED

Adopted, Ayes (13); Absent: ALARCON, KORETZ (2)

[12-1673](#)

CD 4

FINAL MAP OF TRACT NO. 62128 located at 10503 Moorpark Street westerly of Strohm Avenue.
(Approve Subdivision Improvement Agreement and Contract with attached security documents)
(ADOPT City Engineer Report)
(ADOPT Bond No. C-121181)
(Quimby Fee: \$25,610)
Applicants: 10503 Moorpark, LLC
Vasant T. Sande

Closed Sessions - Items 32-35

**Adopted in Open Session, Ayes (13); Absent: ALARCON, KORETZ (2)
(Item Nos. 32-35)**

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

[11-1902](#)

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 Lilith Chakhalyan v. City of Los Angeles, Los Angeles Superior Court Case No. BC443367. (This case arises out of the City of Los Angeles' collection of the Bureau of Sanitation Solid Resource Fee (SRF) from certain residents.)

(Budget and Finance Committee considered the above matter in Closed Session on October 22, 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 of \$375,000 in settlement of the attorneys' fees and costs in the above entitled matter from the Department of Public Works' Bureau of Sanitation Department 50/508, Account 50JX82.**
2. **AUTHORIZE the Chief Accounting Officer, Department of Public Works, to draw a demand thereon in said amount payable to Blood Hurst & O'Reardon, LLP, Spiro Moore, LLP and Hovanes Margarian.**
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 - Rosendahl - Koretz "yes") at its meeting on October 22, 2012, in Closed Session as permitted by Government Code Section 54956.9(a).

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

[12-1610](#)

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 Joseph Shalom v. City of Los Angeles, Los Angeles Superior Court Case No. BC475525. (This case involves a trip and fall incident on November 17, 2010.)

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

ADOPTED

MOTION (KREKORIAN - ENGLANDER)

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

REJECT the Plaintiff's offer of settlement.

This matter was approved by the Budget and Finance Committee (Krekorian - Rosendahl - Koretz "yes") at its meeting on October 22, 2012, in Closed Session as permitted by Government Code Section 54956.9(a).

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

[12-1613](#)

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 Michael Hutchens v. City of Los Angeles and Carlos Manuel Robles, Los Angeles Superior Court Case No. BC454241. (This matter involves a traffic collision on North Vermont Avenue at the entrance to the Greek Theater parking lot involving a city vehicle and a bicyclist.)

(Budget and Finance Committee considered the above matter in Closed Session on October 22, 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 of \$228,665.79, plus interest, in order to effect payment of judgment in the above-entitled matter from City Attorney Fund 100/59, Account No. 009770.
2. **AUTHORIZE** the City Attorney to draw demands thereon as follows:
 - a. \$228,665.79, plus accrued interest, made payable to Alder Law, PC, Glotzer & Sweat and Michael Hutchens.
 - b. **Accrued interest shall be calculated as follows:**
 - i. Interest of seven percent on \$216,997.79 calculated from May 17, 2012.
 - ii. Interest of seven percent on \$11,668.00 calculated from August 15, 2012.
3. **AUTHORIZE** the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer, and **AUTHORIZE** the Controller to implement the instructions.

This matter was approved by the Budget and Finance Committee (Krekorian - Rosendahl - Koretz "yes") at its meeting on October 22, 2012, in Closed Session as permitted by Government Code Section 54956.9(a).

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

[12-1617](#)

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 Jacque Noel v. Officer Juan Paz, United States District Court Case No. CV10-04044 MWF(AJW). (This matter concerns a use of force issue involving Los Angeles Police Department officers on December 20, 2008, in San Pedro, CA.)

(Budget and Finance Committee considered the above matter in Closed Session on October 22, 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 \$440,000 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 Jonas and Driscoll, LLP and Jacque Noel.
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 - Rosendahl - Koretz "yes") at its meeting on October 22, 2012, in Closed Session as permitted by Government Code Section 54956.9(a).

Items for Which Public Hearings Have Been Held - Items 36-37

Adopted, Ayes (12); Noes: ALARCON, ENGLANDER, ZINE (3)
(Item Nos. 36-38)

ITEM NO. (36) - ADOPTED - SEE FOLLOWING

[13-1100-S2](#)

CONTINUED CONSIDERATION OF RULES, ELECTIONS AND INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT relative to a proposed ballot measure to raise \$39 dollars per parcel for city parks and park programs.

SUBMITS WITHOUT RECOMMENDATION the following recommendation of Motion (Wesson - Krekorian - Garcetti - et al.):

DIRECT the City Attorney to draft a RESOLUTION for a measure to be placed on an election ballot that would provide a dedicated revenue stream and raise \$39 dollars per parcel on an annual basis in additional revenue for city parks and park programs, potentially as early as the March 2013 ballot.

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.

ADOPTED

MOTION (WESSON - LABONGE)

Recommendations for Council action:

1. **REQUEST** the City Attorney, with the assistance of the City Administrative Officer (CAO) and the Chief Legislative Analyst (CLA), to prepare the necessary documents to place before the voters at the March 2013 City election a ballot measure to provide a dedicated revenue stream and raise \$39 dollars per parcel, on an annual basis, in additional revenue for City parks and park programs.

2. **INSTRUCT the CAO and CLA to report back relative to:**
 - a. **The issue regarding disparity of application amongst communities.**
 - b. **Options regarding the exclusion of administrative overhead costs.**
 - c. **The issue regarding disparity of application by region (rather than by Council district or community).**
 - d. **The total indebtedness of outstanding bonds.**

ITEM NO. (37) - ADOPTED, AS AMENDED - SEE FOLLOWING

[13-1100-S6](#)

CONTINUED CONSIDERATION OF SUBSTITUTE MOTION (WESSON - REYES - LABONGE) relative to the presentation of all options for potential ballot measures.

Recommendations for Council action:

1. **INSTRUCT the City Administrative Officer (CAO) to report to City Council on Wednesday 31, 2012 to discuss and present all options available to the City that require a vote of the people (e.g. hotel occupancy tax, sales tax, liquor tax, tobacco tax, etc.), potentially as early as the March 2013 ballot.**
2. **REQUEST the City Attorney to draft a resolution for a measure to be placed on an election ballot that would raise the City's sales tax by one-half cent per dollar, or .5 percent, as early as the March 2013 ballot.**
3. **INSTRUCT the CAO and the Chief Legislative Analyst to report to the Rules, Elections, and Intergovernmental Relations Committee prior to their meeting on Friday, November 9, 2012 with an analysis of this proposal.**

(Public hearing closed on October 30, 2012)

ADOPTED

SUBSTITUTE MOTION AS AMENDED (WESSON - REYES - LABONGE)

Recommendations for Council action:

1. **INSTRUCT the City Administrative Officer (CAO) to report to City Council on Wednesday, October 31, 2012 to discuss and present ~~other~~ *all options available to the City that require a vote of the people (e.g. hotel occupancy tax, sales tax, liquor tax, tobacco tax, etc.), potentially as early as the March 2013 ballot.**
2. **Direct the City Attorney to draft the necessary documents (*Wesson - LaBonge) for a measure to be placed on an election ballot that would raise the City's sales tax by one-half cent per dollar, or .5 percent as early as the March 2013 ballot.**

3. **INSTRUCT the CAO and the Chief Legislative Analyst to report to the Rules, Elections, and Intergovernmental Relations Committee prior to their meeting on Friday, November 9, 2012, with an analysis of this proposal.**

Items for Which Public Hearings Have Not Been Held - Items 38-41

(10 Votes Required for Consideration)

ITEM NO. (38) - ADOPTED - SEE FOLLOWING

[13-1100-S4](#)

CONTINUED CONSIDERATION OF COMMUNICATION FROM CHAIR, RULES, ELECTIONS AND INTERGOVERNMENTAL RELATIONS COMMITTEE relative to an analysis of a proposed Documentary Transfer Tax Ballot Measure.

SUBMITS WITHOUT RECOMMENDATION the following recommendations of the City Administrative Officer (CAO) and Chief Legislative Analyst (CLA):

1. REQUEST that the City Attorney, with the assistance of the CLA and the CAO, prepare the necessary ORDINANCE and RESOLUTION to place a tiered-rate Documentary Transfer Tax measure on the March 5, 2013 Primary Nominating City Election ballot; said documents to be transmitted no later than November 6, 2012.
2. INSTRUCT the City Clerk, upon submission of the ORDINANCE and RESOLUTION, to place them on the next available Council Agenda for consideration on or before November 13, 2012.
3. INSTRUCT the Offices of the CLA and CAO to finalize a Budget Stabilization Fund policy and report to Council with funding recommendations.

Fiscal Impact Statement: The CAO and CLA report that approval of proposed tiered rate documentary transfer tax structure by Los Angeles City voters will generate approximately \$76 million to \$82 million in General Fund revenues and would reduce the structural deficit in outgoing years. The cost for putting a measure on the City Primary Nominating election ballot is included in the budgeted funds of the City Clerk.

Community Impact Statement: None submitted.

ADOPTED

MOTION (WESSON - LABONGE)

Recommendation for Council action:

1. **REQUEST that the City Attorney, with the assistance of the Chief Legislative Analyst (CLA) and the City Administrative Officer (CAO), prepare the necessary documents to place a tiered-rate Documentary Transfer Tax measure on the March 5, 2013 Primary Nominating City Election ballot; said documents to be transmitted no later than November 6, 2012.**

2. **INSTRUCT** the City Clerk, upon submission of the **ORDINANCE** and **RESOLUTION**, to place them on the next available Council Agenda for consideration on or before November 13, 2012.
3. **INSTRUCT** the Offices of the **CLA** and **CAO** to finalize a **Budget Stabilization Fund** policy and report to Council with funding recommendations.

ITEM NO. (39) - SUBSTITUTE MOTION ADOPTED - SEE FOLLOWING

Substitute Motion adopted, Ayes (11); Noes: ALARCON, ENGLANDER, GARCETTI, ZINE (4)

[13-1100-S3](#)

CONTINUED CONSIDERATION OF COMMUNICATION FROM CHAIR, RULES, ELECTIONS AND INTERGOVERNMENTAL RELATIONS COMMITTEE relative to an analysis of a proposed Parking Occupancy Tax Ballot Measure.

Recommendation for Council action:

NOTE and FILE the joint City Administrative Officer and Chief Legislative Analyst report dated October 17, 2012 relative to an analysis of a proposed Parking Occupancy Tax Ballot Measure.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ADOPTED

MOTION (PARKS - WESSON)

Recommendation for Council action:

REQUEST the City Attorney, with the assistance of the City Administrative Officer and the Chief Legislative Analyst, to prepare the necessary documents to place before the voters at the March 2013 City election a ballot measure to permit a Parking Occupancy Tax.

ITEM NO. (40) - ADOPTED, AS AMENDED - CONTINUED TO NOVEMBER 14, 2012 - SEE FOLLOWING

Adopt as Amended, Ayes (12); Noes: BUSCAINO, CARDENAS, ZINE (3)

[13-1100-S5](#)

CONTINUED CONSIDERATION OF MOTION (KREKORIAN - WESSON - ET AL.) relative to a proposed ballot measure to permit the Chief Legislative Analyst (CLA) to employ attorneys.

Recommendation for Council action:

REQUEST the City Attorney, with the assistance of the CLA, to prepare and present the documents necessary to place before the voters at the March 2013 City Election a ballot measure to permit the CLA, upon a finding of need by the City Council, to employ attorneys to provide legal services to the CLA.

Community Impact Statement: None submitted.

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

ADOPTED

AMENDING MOTION (KORETZ - KREKORIAN)

Recommendations for Council action:

1. **INSTRUCT the City Clerk to schedule at the City Council meeting to be held on November 14, 2012 Council's continued consideration of Motion (Krekorian - Wesson - et al.) as amended, requesting the City Attorney, with the assistance of the Chief Legislative Analyst (CLA), to prepare and present the documents necessary to place before the voters at the May 2013 City Election a ballot measure to permit the CLA, upon a finding of need by the City Council, to employ attorneys to provide legal services to the CLA.**
2. **REQUEST the Council President to create an Ad Hoc Committee to further vet this matter.**

ITEM NO. (41) - COTINUED TO NOVEMBER 6, 2012

Adopted to Continue, Ayes (14); Absent: HUIZAR (1)

[12-0968-S1](#)

CDs 1, 8, & 9

CONTINUED CONSIDERATION OF RESOLUTION (WESSON for REYES - ENGLANDER) relative to reducing from 24 to 10 days, the public hearing notice period of the Development Agreement for the USC Park Specific Plan.

Recommendations for Council action:

1. **RESOLVE to hereby make a finding of public benefit, as further detailed in the text of this Resolution and hereby make an exception to the City's Development Agreement Procedures (Council file No. 85-2313-S3) and reduce from 24 to 10 days, the public hearing notice period for Council's consideration of the Development Agreement for the USC Park Specific Plan.**
2. **RESOLVE to hereby INSTRUCT the City Clerk to issue notice(s) and schedule for Council consideration the matters identified above consistent with the above action.**

MOTION ADOPTED UPON FINDINGS BY COUNCIL THAT THE NEED TO TAKE ACTION AROSE SUBSEQUENT TO THE POSTING OF THE COUNCIL AGENDA FOR WEDNESDAY, OCTOBER 31, 2012, PURSUANT TO GOVERNMENT CODE SECTION 54954.2(b)(2) AND COUNCIL RULE 23

ADOPTED - FORTHWITH

Motion (LaBonge - Buscaino - Wesson - Garcetti - Reyes) Findings on Need to Act - Adopted, Ayes (15)

Motion (LaBonge - Buscaino - Wesson - Garcetti - Reyes) Adopted, Ayes (15)

12-1726

Motion (LaBonge - Buscaino - Wesson - Garcetti - Reyes) relative to the aftermath of Hurricane Sandy.

Recommendation for Council action:

REQUEST the Department of Water and Power to make available the following crews: overhead and underground maintenance, construction, electric first responders, and damage assessment personnel out to the tri-state area to support restoration of power and clean-up efforts.

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

12-1724

MOTION (CARDENAS - BUSCAINO) relative to funding to assist local neighborhood programs, services and needs in Council District Six.

12-1722

MOTION (ALARCON - BUSCAINO) relative to funding for redevelopment and community services in Council District Seven.

12-1725

MOTION (KREKORIAN - ZINE) relative to funding to support community programs and groups in Council District Six.

12-0010-S44

MOTION (PARKS - PERRY) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Kenrick Blackmon on April 21, 2012.

12-1723

MOTION (REYES - CARDENAS) relative to Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) relative to the acquisition and rehabilitation of the Grand Plaza Senior Apartments located at 601 North Grand Avenue.

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

[12-1721](#)

RESOLUTION (PERRY - REYES - PARKS) relative to declaring Mondays as "Meatless Mondays" in the City of Los Angeles.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

[12-0004-S3](#) - Steven H. Williams

(Zine - Buscaino)

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

[12-0003-S3](#) - James Richardson

(Perry - All Councilmembers)

Hurricane Sandy Victims

(LaBonge - All Councilmembers)

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

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL

Regular meeting recessed at 2:03 p.m.
Special meeting convened at 2:03 p.m.
Special meeting adjourned at 2:13 p.m.
Regular meeting convened at 2:13 p.m.