

Los Angeles City Council, **Journal/Council Proceedings**
Friday, **November 16, 2012**
John Ferraro Council Chamber, Room 340, City Hall - 10 am

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

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

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
NOVEMBER 13, 2012

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 9

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

Item for Which Public Hearing Has Been Held - Item 1

ITEM NO. (1) - ADOPTED - FORTHWITH - SEE FOLLOWING

Adopted, Ayes (13); Absent: CARDENAS, ROSENDAHL (2)

[12-1593](#)

COMMUNICATION FROM THE CHIEF LEGISLATIVE ANALYST relative to the use of up to \$950,000 in Transportation Development Act, Article 3 Funds from the Los Angeles County Metropolitan Transportation Authority, and a Memorandum of Understanding and Scope of Work with CicLAvia to conduct bicycle events.

(Transportation Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)

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

ADOPTED

COMMUNICATION FROM VICE-CHAIR, TRANSPORTATION COMMITTEE relative to a Memorandum of Understanding and Scope of Work with CicLAvia to conduct bicycle events, and related Transportation Development Act (TDA), Article 3 event funding.

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

1. **INSTRUCT** the Los Angeles Department of Transportation to submit the necessary TDA Article 3 local claim forms to the Los Angeles County Metropolitan Transportation Authority to claim the TDA Article 3 bicycle supplemental apportionment of \$950,000 for CicLAvia events for Fiscal Year 2012-13.
2. **APPROVE** the accompanying Draft Memorandum of Understanding and Scope of Work (attached to the Council file) with CicLAvia for the provision of events in the City of Los Angeles, subject to the approval of the City Attorney as to form and legality.

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

Community Impact Statement: None submitted.

Items for Which Public Hearings Have Not Been Held - Items 2-10

(10 Votes Required for Consideration)

ITEM NO. (2) - ADOPTED - FORTHWITH

Adopted, Ayes (8); Noes: ENGLANDER, KORETZ, KREKORIAN, ZINE (4); Absent: CARDENAS, PERRY, ROSENDAHL (3)

12-1602

COMMUNICATIONS FROM THE MAYOR AND THE LOS ANGELES CITY ETHICS COMMISSION relative to the appointment of Ms. Mercedes Marquez as the permanent General Manager of the Los Angeles Housing Department.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Mercedes Marquez as the permanent general manager of the Los Angeles Housing Department is APPROVED and CONFIRMED.

Ethics Commission Review: Complete.

Background Review: Complete.

Community Impact Statement: None submitted.

TIME LIMIT FILE - NOVEMBER 19, 2012

(LAST DAY FOR COUNCIL ACTION - NOVEMBER 16, 2012)

(Scheduled pursuant to Charter Section 508. If the Council does not disapprove the appointment within 45 days after its submission to the Council, the appointment shall be deemed approved.)

Adopted, Ayes (13); Absent: CARDENAS, ROSENDAHL (2)
(Item Nos. 3a-3j)

ITEM NO. (3) - ADOPTED

[12-0005-S584](#)

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 November 8, 2012:

[12-0005-S584](#)

CD 1

- a. Property at 1909 North Johnson Street (Case No. 254039).
Assessor I.D. No. 5210-017-021

[12-0005-S585](#)

CD 1

- b. Property at 307 North Burlington Avenue (Case No. 340708).
Assessor I.D. No. 5154-022-012

[12-0005-S586](#)

CD 8

- c. Property at 617 West 74th Street (Case No. 196557).
Assessor I.D. No. 6020-025-025

[12-0005-S587](#)

CD 8

- d. Property at 617 West 74th Street (Case No. 241530).
Assessor I.D. No. 6020-025-025

[12-0005-S588](#)

CD 9

- e. Property at 1353 West 55th Street (Case No.194691).
Assessor I.D. No. 5002-008-002

[12-0005-S589](#)

CD 9

- f. Property at 1353 West 55th Street (Case No. 347715).
Assessor I.D. No. 5002-008-002

[12-0005-S590](#)

CD 10

- g. Property at 2823 West Exposition Place (Case No. 8435).
Assessor I.D. No. 5044-019-003

[12-0005-S591](#)

CD 10

- h. Property at 503 South Catalina Street (Case No. 324814).
Assessor I.D. No. 5502-021-008

[12-0005-S592](#)

CD 13

- i. Property at 1050 North Ardmore Avenue (Case No. 355070).
Assessor I.D. No. 5537-018-016

[12-0005-S593](#)

CD 14

- j. Property at 2508 East Houston Street (Case No. 237496).
Assessor I.D. No. 5177-020-004

ITEM NO. (4) - CONTINUED TO NOVEMBER 20, 2012

Adopted to Continue, Unanimous Vote (13); Absent: CARDENAS, ROSENDAHL (2)

[12-1614](#)

COMMUNICATION FROM CHAIR and VICE CHAIR, ENERGY AND ENVIRONMENT COMMITTEE relative to the approval of the K Road Moapa Solar Project Power Purchase Agreement BP 12-017 and purchase of the project from K Road Moapa Solar, LLC.

Recommendations for Council action:

1. APPROVE the Purchase Power Agreement (PPA) No. BP 12-017 between Los Angeles Department of Water and Power (LADWP) and the K Road Moapa Solar, LLC, to purchase up to 250 MW of renewable solar energy.
2. APPROVE the LADWP's purchase of a five and one-half mile 500 kilovolt (kV) transmission line on the Federal Bureau of Land Management (BLM) utility corridor on Moapa Indian Tribal land prior to the Commercial Operation Date to connect to the LADWP-owned Crystal substation at a cost not to exceed \$18 million.
3. REQUEST that the LADWP return to the Mayor and Council for the consideration and possible action to exercise an ownership option to purchase the Solar Facility within six months of the 10th, 15th, 20th, or 24th year anniversary of the Commercial Operation Date at which time LADWP will pay Fair Market Value as provided for in the Power Purchase Agreement.
4. REQUEST the City Attorney to prepare and present an ordinance to facilitate the approval of the agreement by and between the City of Los Angeles, acting by and through the LADWP, and K Road Moapa Solar LLC for the Moapa Solar Power Purchase Agreement, No. BP 12-017, which includes the purchase of electric energy, a transmission line, and a purchase option for a solar powered generation facility.

5. CONCUR with the Board of Water and Power Commissioners' action of October 4, 2012, Resolution No. 013-073, authorizing the execution of Power Purchase Agreement No. BP 12-017 with K Road Moapa Solar, LLC for Solar Capacity and the purchase of the Moapa Solar Project.

Fiscal Impact Statement: The City Administrative Officer reports that approval of the proposed Power Purchase Agreement will have no direct impact on the City General Fund. K Road Moapa Solar, LLC has provided LADWP with a Performance Bond with a cap of \$5 Million to cover any payments that K Road Moapa Solar, LLC will be expected to pay LADWP. The Power Revenue Fund will provide up to \$64.8 million annually or \$1.6 billion over the 25-year term of the Power Purchase Agreement. In addition, in early 2015 there will be an expenditure of not more than \$18 million for the 500 kV transmission line to the Crystal Station. Funds have been provided in the FY 2013-2014 and FY 2014-2015 Budget and the Power Incremental Ordinance.

Community Impact Statement: None submitted.

ITEM NO. (5) - ADOPTED

Adopted, Ayes (10); Absent: CARDENAS, GARCETTI, KORETZ, PERRY, ROSENDAHL (5)

09-1914-S13

COMMUNICATION FROM CHAIR, JOBS AND BUSINESS DEVELOPMENT COMMITTEE relative to the evaluation of the City's taxing system and the different taxing methods for the radio and television broadcasting industries.

Recommendations for Council action:

1. INSTRUCT the Office of Economic Analysis, in conjunction with the Office of Finance, to conduct a review of the potential impact on the radio and television broadcast industry of both the current tax structure and a revised structure for this industry and to include in their analysis, the impact of a new tax rate for broadcasters (\$1.27/\$1,000) to ensure there would be no Prop. 218 issues.
2. INSTRUCT the City Administrative Officer (CAO) to report back to identify potential funding for the study that will be conducted by the Office of Economic Analysis as detailed in the above recommendation.
3. INSTRUCT the CAO, Chief Legislative Analyst (CLA), Office of Finance and REQUEST the City Attorney to continue to meet with the Motion Picture Association of America (MPAA) within 15 days to further discuss the letter submitted by MPAA on September 7, 2012.

Fiscal Impact Statement: The CLA reports that the recommendations contained in the report will not have an impact to the General Fund. However, should the City Council adopt a policy that changes the current taxing method for Fund Class 5 (radio and television broadcasters) to the same thresholds as the Entertainment Production Cap, there would be an estimated reduction in General Fund revenues of approximately \$3.2 Million.

Community Impact Statement: None submitted.

ITEM NO. (6) - ADOPTED

Adopted, Ayes (13); Absent: CARDENAS, ROSENDAHL (2)

[12-0002-S27](#)

COMMUNICATION FROM CHAIR, JOBS AND BUSINESS DEVELOPMENT COMMITTEE relative to the City's position to support the legislation that would extend and expand State tax credits for filming, and expand these credits to attract and retain a broader range of productions, including commercial productions.

Recommendations for Council action:

1. REQUEST the City Attorney to report within 30 days on status of an ordinance to establish a Sales Tax Refund program, as requested on October 26, 2010 through Council file No. 08-1783-S6.
2. INSTRUCT the City Administrative Officer (CAO) to survey all City departments to identify all revenues generated by fees and service charges to the film and television industry as part of the annual Fees for Service study, with an analysis of opportunities to extend incentives to the film and television industry, and report back in 30 days.
3. INSTRUCT the CAO, Chief Legislative Analyst (CLA), and Office of Finance to report back in 30 days with recommendations concerning incentives for the video game industry and other digital media productions.

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

Community Impact Statement: None submitted.

ITEM NO. (7) - ADOPTED

Adopted, Ayes (13); Absent: CARDENAS, ROSENDAHL (2)

[11-1529-S7](#)

CONSIDERATION OF MOTION (WESSON - CARDENAS) relative to creating an Ad Hoc Committee on Economic Development Implementation.

Recommendation for Council action:

RESOLVE to create an Ad Hoc Committee on Economic Development Implementation to oversee and coordinate the City's various efforts in establishing and implementing economic development structures and initiatives, especially in light of the elimination of the Community Redevelopment Agency; and that the President of the Council be authorized to appoint up to five members to this Committee.

Community Impact Statement: None submitted.

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

ITEM NO. (8) - ADOPTED

Adopted, Ayes (10); Absent: CARDENAS, GARCETTI, KORETZ, PERRY, ROSENDAHL (5)

[12-1771](#)

CD 13

MOTION (GARCETTI - BUSCAINO) relative to funding to support efforts to establish a Hollywood Business Source Center to be operated by Managed Career Solutions.

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

1. TRANSFER/APPROPRIATE \$125,000 in the AB1290 Fund No. 53P, Account No. 281213 (CD 13 Redevelopment Projects - Services) to the Community Development Fund No. 551/22, and into a new Account No. 22J780 entitled "AB1290 Hollywood Business Source Center," to support efforts to establish a Hollywood Business Source Center to be operated by Managed Career Solutions.
2. AUTHORIZE the Community Development Department to make any corrections, clarifications or needed new instructions, to the above instructions in order to effectuate the intent of this Motion.

ITEM NO. (9) - ADOPTED, AS AMENDED - SEE FOLLOWING

Adopted as Amended, Ayes (13); Absent: CARDENAS, ROSENDAHL (2)

[12-1772](#)

MOTION (GARCETTI - BUSCAINO) relative to exempting veterans with the State of California license plates, as listed in the motion, from on-street parking meter fees to honor the sacrifices of and express the City of Los Angeles' appreciation for all veterans.

Recommendation for Council action:

REQUEST the Los Angeles Department of Transportation to exempt veterans with the State of California license plates, as listed in the motion, from on-street parking meter fees to honor the sacrifices of and express the City of Los Angeles' appreciation for all veterans.

ADOPTED

AMENDING MOTION (KREKORIAN - GARCETTI - BUSCAINO)

Recommendation for Council action:

INCLUDE those license plates that are granted to Gold Star Families.

ITEM NO. (10) - MAP AND BOND APPROVED - CITY ENGINEER REPORT ADOPTED

Adopted, Ayes (10); Absent: CARDENAS, GARCETTI, KORETZ, PERRY, ROSENDAHL (5)

[12-1769](#)

CD 7

PARCEL MAP L.A. NO. 2010-2386 for property located at 13270 and 13282 West Kelowna Street lying easterly of Remick Avenue.

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

(ADOPT City Engineer Report)

(ADOPT Bond No. C-121183)

(Quimby Fee: \$2,086)

Applicants: Moises Cardenas

Bryan Gentry

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

[12-1801](#)

MOTION (HUIZAR - GARCETTI) relative to funding for costs associated with the use of the mobile stage by the Midnight Mission for their Thanksgiving Celebration on Thursday, November 22, 2012.

[12-1800](#)

MOTION (GARCETTI - HUIZAR) relative to funding for the Lemon Grove Park Bathroom ADA Compliance Project.

[12-1803](#)

MOTION (PARKS - PERRY) relative to funding for the installation of lighting and other power infrastructure in the Leimert Park area.

[03-0010-S29](#)

MOTION (PERRY - PARKS) relative to reinstating the reward offer in the sexual predator dubbed the "Teardrop Rapist" for an additional six months.

[12-0010-S47](#)

MOTION (BUSCAINO - ENGLANDER) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Charles Edgar Jr. on October 16, 2012.

[12-1804](#)

MOTION (BUSCAINO - LABONGE) relative to installing street banners to help beautify the areas where the Port interfaces with local communities and to help identify the Port's boundaries.

[12-1799](#)

MOTION (PERRY - PARKS) relative to authorizing the Department of General Services (GSD) use of the City Hall Rotunda during the December 2012 Holiday Season.

[12-1802](#)

MOTION (PERRY - PARKS) relative to funding for services in connection with the November 15, 2012 Council District Five special reception for UCLA Advocacy Day in the City Hall Tom Bradley Room and Rotunda.

[12-0395-S6](#)

MOTION (GARCETTI - ENGLANDER - KREKORIAN) relative to a report by the Los Angeles Fire Department regarding reducing response times, dispatch response times, and improve overall public safety.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

12-0004-S3 - Rick Baker	Garcetti - LaBonge
Hugh Jackman	Garcetti - LaBonge
Carole King	Garcetti - LaBonge

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

12-0003-S3 - Edward V. D'Arcy	Wesson - All Councilmembers
Andres Ordoñez	Garcetti - All Councilmembers
Ofelia Gonzalez	Huizar - All Councilmembers
Rafael Gonzalez	Huizar - All Councilmembers
William Turnball	LaBonge - All Councilmembers

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

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By	
Council Clerk	PRESIDENT OF THE CITY COUNCIL

Regular meeting recessed 11:13 a.m.
Special meeting convened 11:13 a.m.
Special meeting adjourned 11:21 a.m.
Regular meeting convened 11:21 a.m.