

Los Angeles City Council, **Journal/Council Proceedings**  
Tuesday, **November 13, 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, Garcetti, Huizar, Krekorian, LaBonge, Parks, Perry, Reyes, Rosendahl, Zine and President Wesson (11); Absent: Alarcón, Cárdenas, Englander and Koretz (4)**

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF  
NOVEMBER 7, 2012

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 15

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

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## **Item Noticed for Public Hearing - Item 1**

**ITEM NO. (1) - SEE BELOW**

[12-0848](#)  
et al.

CONTINUED CONSIDERATION OF HEARING PROTEST, APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien for nuisance abatement costs and/or non-compliance of code violations/Annual Inspection costs, pursuant to Los Angeles Municipal Code (LAMC) and/or Los Angeles Administrative Code (LAAC).

Recommendation for Council action:

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

**PUBLIC HEARING CLOSED - RECEIVED AND FILED - INASMUCH AS LIEN HAS BEEN PAID**

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

[12-0848](#)  
CD 10

a. 5650 West Pico Boulevard, Unit B.

(Lien: \$1,084.30)

**CONTINUED TO NOVEMBER 20, 2012**

**Adopted to Continue, Unanimous Vote (12); Absent: ALARCON, CARDENAS, KORETZ (3)**

[12-0850](#)

CD 10

- b. 5634 West Pico Boulevard. (Lien: \$1,021.84)

**Adopted to Receive and File, Ayes (14); Absent: CARDENAS (1)  
(Item No. 1c-1e)**

**PUBLIC HEARING CLOSED - RECEIVED AND FILED - INASMUCH AS LIENS HAVE BEEN PAID**

[12-0851](#)

CD 10

- c. 1439 South La Brea Avenue. (Lien: \$974.45)

[12-0852](#)

CD 10

- d. 1415 South La Brea Avenue. (Lien: \$429.30)

[12-0853](#)

CD 10

- e. 3814 West Washington Boulevard, Unit A. (Lien: \$2,461.47)

(Continued from Council meeting of October 12, 2012)

**Items for Which Public Hearings Have Been Held - Items 2-11**

**Adopted, Ayes (12); Absent: ALARCON, CARDENAS, KORETZ (3)  
(Item Nos. 2-3)**

**ITEM NO. (2) - ADOPTED**

[12-1628](#)

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT, RESOLUTION and ORDINANCE FIRST CONSIDERATION relative to the correction of zone and land use designation for the Highland Park Transit Village located within the area of the Northeast Los Angeles Community Plan.

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

1. ADOPT the FINDINGS of the Los Angeles City Planning Commission (LACPC) and the Director of Planning as the Findings of the Council.
2. ADOPT the accompanying RESOLUTION, as recommended by the Mayor and the Director of Planning on behalf of the LACPC, APPROVING the proposed Plan Amendment correction from Community Commercial to Public Facilities for the Highland Park Transit Village located within the area of the Northeast Los Angeles Community Plan.

3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the Director of Planning, on behalf of the LACPC, effecting the zone change correction from [Q]C4-2D-HPOZ to PF-2D-HPOZ for the Highland Park Transit Village located within the area of the Northeast Los Angeles Community Plan.

Applicant: City of Los Angeles

CPC 2002-2774-HD-GPA

4. INSTRUCT the Planning Department to update the General Plan and appropriate maps pursuant to this action.

(The Environmental Impact Report [EIR No. 90-0615 CPR] was certified by the City Council on June 15, 1999.)

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

Community Impact Statement: None submitted.

URGENCY CLAUSE

(12 VOTES REQUIRED ON SECOND READING)

**ITEM NO. (3) ADOPTED - TO THE MAYOR FORTHWITH - SEE FOLLOWING**

[13-1100](#)

COMMUNICATION FROM CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to calling and ordering the City's Primary Nominating Election to be held on March 5, 2013, and General Municipal Election to be held, if necessary, on May 21, 2013, and Consolidated Elections for members of the Board of Trustees of the Los Angeles Community College District and a bond proposition of the Burbank Unified School District.

(Rules, Elections and Intergovernmental Relations 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://www.lacouncilfile.com> for background documents.)

**ADOPTED**

**RULES, ELECTIONS AND INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to calling and ordering the City's Primary Nominating Election to be held on March 5, 2013, and General Municipal Election to be held, if necessary, on May 21, 2013, and Consolidated Elections for members of the Board of Trustees of the Los Angeles Community College District (LACCD) and a bond proposition of the Burbank Unified School District (BUSD).**

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

**PRESENT and ADOPT the accompanying ORDINANCE relative to calling and ordering the City's Primary Nominating Election to be held on March 5, 2013, and General Municipal Election to be held, if necessary, on May 21, 2013, and Consolidated Elections for members of the Board of Trustees of the LACCD and a bond proposition of the BUSD.**

**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. (4) - REFERRED TO RULES, ELECTIONS AND INTERGOVERNMENTAL RELATIONS COMMITTEE - SEE FOLLOWING**

**Adopted to Refer, Ayes (14); Absent: CARDENAS (1)**

[13-1100-S2](#)

COMMUNICATION FROM CITY ATTORNEY, RESOLUTIONS, and ORDINANCE FIRST CONSIDERATION relative to a proposed measure to provide funding for Department of Recreation and Parks programs through a parcel tax, and calling a Special Election and consolidating it with the City's March 5, 2013 Primary Nominating Election.

TIME LIMIT FILE - NOVEMBER 14, 2012

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

(Rules, Elections and Intergovernmental Relations 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://www.lacouncilfile.com> for background documents.)

**REFERRED**

**RULES, ELECTIONS AND INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT, RESOLUTIONS, and ORDINANCE FIRST CONSIDERATION relative to submitting to the voters a proposed measure to provide funding for Department of Recreation and Parks programs through a parcel tax, and calling a Special Election and consolidating it with the City's March 5, 2013 Primary Nominating Election.**

**SUBMITS WITHOUT RECOMMENDATION the following recommendations of the City Attorney:**

- 1. ADOPT the accompanying RESOLUTION providing that a certain tax measure be submitted to the qualified electors of the City.**
- 2. ADOPT the accompanying BALLOT TITLE RESOLUTION, as follows:**

**RECREATION AND PARKS PROGRAMS FUNDING.**

**PROPOSITION \_\_\_\_.**

To restore and maintain services administered by the City's Department of Recreation and Parks, such as but not limited to, after-school programs, anti-gang and anti-bullying programs, programs to address childhood obesity, repairing playground equipment, cleaning restrooms and maintaining parks and recreation centers, shall an annual tax of \$39 with adjustments for inflation, be levied on each parcel of real property in the City of Los Angeles, where the taxes generated shall be equitably allocated to programs throughout various regions of the City, and with mandatory financial audits of the overall program?

3. **PRESENT and ADOPT the accompanying ORDINANCE, SUBJECT TO THE APPROVAL OF THE MAYOR, calling a Special Election to be held on Tuesday, March 5, 2013 for the purpose of submitting to the qualified voters of the City of Los Angeles a certain Charter amendment and consolidating this Special Election with the City's Primary Nominating Election to be held on the same date.**

**Fiscal Impact Statement:** The City Administrative Officer and the Chief Legislative Analyst report that if the proposed parcel tax of \$39 annually is approved by the voters, it would result in annual revenue of approximately \$30.5 million. If all revenues from the proposed parcel tax are dedicated to recreation and parks programs, excluding related costs, the \$30.5 million could be used to enhance recreation and parks programs with continued costs to the General Fund. If funds are also used to reimburse related costs, the amount available for recreation programs would be decreased accordingly. There is no additional cost anticipated to place this ballot measure to either the March or May election ballots, as funding for four to five measures is already included in the City Clerk's election budget.

**Community Impact Statement:** None submitted.

**TIME LIMIT FILE - NOVEMBER 14, 2012**

**(LAST DAY FOR COUNCIL ACTION - NOVEMBER 14, 2012)**

**ITEM NO. (5) - REFERRED TO RULES, ELECTIONS AND INTERGOVERNMENTAL RELATIONS COMMITTEE - SEE FOLLOWING**

**Adopted to Refer, Unanimous Vote (14); Absent: CARDENAS (1)**

**[13-1100-S3](#)**

COMMUNICATION FROM CITY ATTORNEY, RESOLUTIONS, and ORDINANCE FIRST CONSIDERATION relative to a proposed measure to increase the Parking Occupancy Tax in the City of Los Angeles, and calling a Special Election and consolidating it with the City's March 5, 2013 Primary Nominating Election.

**TIME LIMIT FILE - NOVEMBER 14, 2012**

**(LAST DAY FOR COUNCIL ACTION - NOVEMBER 14, 2012)**

(Rules, Elections and Intergovernmental Relations 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://www.lacouncilfile.com> for background documents.)

## REFERRED

**RULES, ELECTIONS AND INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT, RESOLUTIONS, and ORDINANCE FIRST CONSIDERATION** relative to submitting to the voters a proposed measure to increase the Parking Occupancy Tax in the City of Los Angeles, and calling a Special Election and consolidating it with the City's March 5, 2013 Primary Nominating Election.

**SUBMITS WITHOUT RECOMMENDATION** the following recommendations of the City Attorney:

1. **ADOPT** the accompanying **RESOLUTION** providing that a certain tax measure be submitted to the qualified electors of the City.
2. **ADOPT** the accompanying **BALLOT TITLE RESOLUTION**, as follows:

**PARKING OCCUPANCY TAX. PROPOSITION \_\_\_\_.**

To offset severe and repeated State cuts and provide funding for: 911 emergency response services; maintaining firefighter, paramedic, and police officer staffing levels; continuing community policing, senior services, after-school gang and drug prevention programs; repairing potholes and sidewalks; and other general municipal services; shall the City of Los Angeles increase its parking occupancy tax rate to 15% of the parking fee, with required independent audits and all funds used locally?

3. **PRESENT and ADOPT** the accompanying **ORDINANCE, SUBJECT TO THE APPROVAL OF THE MAYOR**, calling a Special Election to be held on Tuesday, March 5, 2013 for the purpose of submitting to the qualified voters of the City of Los Angeles a certain Charter amendment and consolidating this Special Election with the City's Primary Nominating Election to be held on the same date.

**Fiscal Impact Statement:** The City Administrative Officer and the Chief Legislative Analyst report that approval of the proposed Parking Occupancy Tax increase by Los Angeles City voters will generate approximately \$41 million to \$43 million in General Fund revenues and 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.

**TIME LIMIT FILE - NOVEMBER 14, 2012**

**(LAST DAY FOR COUNCIL ACTION - NOVEMBER 14, 2012)**

**ITEM NO. (6) - REFERRED TO RULES, ELECTIONS AND INTERGOVERNMENTAL RELATIONS COMMITTEE - SEE FOLLOWING**

**Adopted to Refer, Unanimous Vote (14); Absent: CARDENAS (1)**

[13-1100-S4](#)

COMMUNICATION FROM CITY ATTORNEY, RESOLUTIONS, and ORDINANCE FIRST CONSIDERATION relative to a proposed measure to modify the real property transfer tax currently assessed in the City of Los Angeles, and calling a Special Election and consolidating it with the City's March 5, 2013 Primary Nominating Election.

TIME LIMIT FILE - NOVEMBER 14, 2012

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

(Rules, Elections and Intergovernmental Relations 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://www.lacouncilfile.com> for background documents.)

**REFERRED**

**RULES, ELECTIONS AND INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT, RESOLUTIONS, and ORDINANCE FIRST CONSIDERATION** relative to submitting to the voters a proposed measure to modify the real property transfer tax currently assessed in the City of Los Angeles, and calling a Special Election and consolidating it with the City's March 5, 2013 Primary Nominating Election.

**SUBMITS WITHOUT RECOMMENDATION** the following recommendations of the City Attorney:

- 1. ADOPT** the accompanying RESOLUTION providing that a certain tax measure be submitted to the qualified electors of the City.
- 2. ADOPT** the accompanying BALLOT TITLE RESOLUTION, as follows:

**REAL PROPERTY TRANSFER TAX. PROPOSITION \_\_\_\_.**

To offset severe and repeated State cuts and provide funding for: 911 emergency response services; maintaining firefighter, paramedic, and police officer staffing levels; continuing community policing, senior services, after-school gang and drug prevention programs; repairing potholes and sidewalks; and other general municipal services; shall the City of Los Angeles modify its transfer tax rate on the sale and long-term lease of real property to: decrease the rate to .225 percent for property valued less than \$255,000; maintain the rate of .450% for property valued between \$255,000 to \$365,000; increase the rate to .675 percent for property valued between \$365,000 to \$585,000; and increase the

rate to .900 percent for property valued over \$585,000; with required independent audits and all funds used locally?

3. **PRESENT and ADOPT the accompanying ORDINANCE, SUBJECT TO THE APPROVAL OF THE MAYOR, calling a Special Election to be held on Tuesday, March 5, 2013 for the purpose of submitting to the qualified voters of the City of Los Angeles a certain Charter amendment and consolidating this Special Election with the City's Primary Nominating Election to be held on the same date.**

**Fiscal Impact Statement:** The City Administrative Officer and the Chief Legislative Analyst report that approval of a 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.

**TIME LIMIT FILE - NOVEMBER 14, 2012**

**(LAST DAY FOR COUNCIL ACTION - NOVEMBER 14, 2012)**

**ITEM NO. (7) - ORDINANCE HELD OVER TO NOVEMBER 20, 2012 - SEE FOLLOWING**

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

[13-1100-S6](#)

COMMUNICATION FROM CITY ATTORNEY, RESOLUTIONS, and ORDINANCE FIRST CONSIDERATION relative to a proposed measure to provide neighborhood public safety and vital City services funding by adopting a half-cent transactions and use (sales) tax in the City of Los Angeles, and calling a Special Election and consolidating it with the City's March 5, 2013 Primary Nominating Election.

**TIME LIMIT FILE - NOVEMBER 14, 2012**

**(LAST DAY FOR COUNCIL ACTION - NOVEMBER 14, 2012)**

**(10 VOTES REQUIRED)**

(Rules, Elections and Intergovernmental Relations 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://www.lacouncilfile.com> for background documents.)



**ADOPTED**

**RULES, ELECTIONS AND INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT, RESOLUTIONS, and ORDINANCE FIRST CONSIDERATION** relative to submitting to the voters a proposed measure to provide neighborhood public safety and vital City services funding by adopting a half-cent transactions and use (sales) tax in the City of Los Angeles, and calling a Special Election and consolidating it with the City's March 5, 2013 Primary Nominating Election.

**Recommendations for Council action:**

1. **APPROVE** the necessary resolutions and ordinance to place a half-cent transactions and use (sales) tax measure on the City's March 5, 2013 Primary Nominating Election to provide neighborhood public safety and vital City services funding.
2. **REQUEST** the City Attorney to prepare a revised draft Ordinance to incorporate amendments requested by the Mayor (letter attached to Council file) and to establish a Citizens Oversight and Accountability Committee (Committee), chaired by the City Controller, to review the revenue and expenditure of funds from the tax. The member's terms and qualifications, and duties and scope of the Committee, shall be established by the ordinance. The Committee's report and recommendations shall be a matter of public record and shall be reported to the City Council at a public meeting.

**Fiscal Impact Statement:** The City Administrative Officer and the Chief Legislative Analyst report that approval of proposed half cent transaction tax by Los Angeles City voters will generate additional General Fund revenues ranging from approximately \$208 million to \$215 million 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.

**TIME LIMIT FILE - NOVEMBER 14, 2012**

**(LAST DAY FOR COUNCIL ACTION - NOVEMBER 14, 2012)**

**(10 VOTES REQUIRED)**

**Adopted, Ayes (12); Absent: ALARCON, CARDENAS, KORETZ (3)  
(Item Nos. 8-10)**

**ITEM NO. (8) - ADOPTED - TO THE MAYOR FORTHWITH - SEE FOLLOWING**

**[13-1100-S7](#)**

COMMUNICATION FROM CITY ATTORNEY, RESOLUTION, and ORDINANCE FIRST CONSIDERATION relative to submitting to the voters a proposed charter amendment to allow transferring Department of General Services police personnel to purchase prior sworn City service, and calling a Special Election and consolidating it with the City's Primary Nominating Election to be held on March 5, 2013.

TIME LIMIT FILE - NOVEMBER 14, 2012

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

(Rules, Elections and Intergovernmental Relations 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://www.lacouncilfile.com> for background documents.)

## **ADOPTED**

**RULES, ELECTIONS AND INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT, RESOLUTIONS, and ORDINANCE FIRST CONSIDERATION** relative to submitting to the voters a proposed charter amendment to allow transferring General Services police personnel to purchase prior sworn City service, and calling a Special Election and consolidating it with the City's Primary Nominating Election to be held on March 5, 2013.

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

1. **ADOPT** the accompanying **RESOLUTION** providing that a certain proposal to amend the Charter of the City of Los Angeles be submitted to the qualified electors of the City.

2. **ADOPT** the accompanying **BALLOT TITLE RESOLUTION**, as follows:

**FIRE AND POLICE PENSION PLAN; COST NEUTRAL PURCHASES OF RETIREMENT CREDIT BY CERTAIN MEMBERS. CHARTER AMENDMENT \_\_\_\_.**

Shall the Charter be amended to authorize the City Council to allow sworn police personnel who are transferred from the Department of General Services to the Los Angeles Police Department to purchase, at their own expense, retirement credit for prior sworn City service after they become members of the Fire and Police Pension Plan?

3. **PRESENT** and **ADOPT** the accompanying **ORDINANCE, SUBJECT TO THE APPROVAL OF THE MAYOR**, calling a Special Election to be held on Tuesday, March 5, 2013 for the purpose of submitting to the qualified voters of the City of Los Angeles a certain Charter amendment and consolidating this Special Election with the City's Primary Nominating Election to be held on the same date.

**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.

TIME LIMIT FILE - NOVEMBER 14, 2012

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

**ITEM NO. (9) - ADOPTED - FORTHWITH - SEE FOLLOWING**

[13-1100-S1](#)

COMMUNICATION FROM CITY ATTORNEY and RESOLUTION relative to the consolidation of a special school bond election of the Burbank Unified School District called for March 5, 2013, with the City of Los Angeles Primary Nominating and Consolidated Elections to be held on the same date.

TIME LIMIT FILE - NOVEMBER 14, 2012

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

(Rules, Elections and Intergovernmental Relations 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://www.lacouncilfile.com> for background documents.)

**ADOPTED**

**RULES, ELECTIONS AND INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT and RESOLUTION relative to the consolidation of a special school bond election of the Burbank Unified School District (BUSD) called for March 5, 2013, with the City of Los Angeles Primary Nominating and Consolidated Elections to be held on the same date.**

**Recommendation for Council action:**

**ADOPT the accompanying RESOLUTION providing for the consolidation of a special school bond election of the BUSD called for March 5, 2013, with the City of Los Angeles Primary Nominating and Consolidated Elections to be held on the same date.**

**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.**

TIME LIMIT FILE - NOVEMBER 14, 2012

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

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

[11-1240](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to a Moody's Investors Service rating action report.

Recommendations for Council action:

1. NOTE and FILE the City Administrative Officer's (CAO) report relative to a Moody's Investors Service rating action report.

2. INSTRUCT the CAO to review the Final Report of the California Commission on Tax Policy in the New Economy and report back with any applicable recommendations for the City of Los Angeles.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

**ITEM NO. (11) - ADOPTED, AS AMENDED - TO THE MAYOR FORTHWITH - SEE FOLLOWING**

**Adopt as Amended, Ayes (12); Noes: ALARCON, ROSENDAHL (2); Absent: CARDENAS (1)**

[12-0600-S166](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to the First Financial Status Report (FSR) for Fiscal Year (FY) 2012-13.

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

**ADOPTED AS AMENDED RECOMMENDATION NOS. 1-11**

1. APPROVE recommendation nos. 1 through 35, 39 and 40 of the City Administrative Officer (CAO) contained in the First FSR dated October 23, 2012, attached to the Council file.
2. APPROVE revised Attachment 4 of the First FSR, attached to the Committee report, which includes a technical correction to specify the correct Fund No. for a transfer for the Bureau of Sanitation.
3. APPROVE revised Attachment 5 of the First FSR, attached to the Committee report, which deletes a \$2,000,000 transfer to the Los Angeles Department of Transportation's Salaries Overtime account as the funds were recently approved for transfer pursuant to Council file No. 12-0937-S1.
4. APPROVE the following updated instruction included in the 2011-12 Adopted Budget, but inadvertently omitted from the 2012-13 Adopted Budget:

Authorize the Controller to transfer up to \$1,948,000 from various funds and accounts during FY 2012-13, including Council funds and other Council discretionary Funds, pursuant to a schedule to be provided by the Chief Legislative Analyst (CLA) to address the Council's ten percent budget reduction contained in the 2011-12 Budget.

5. AUTHORIZE the Controller to transfer the specified amounts from the following accounts to Council Fund 100/28, Salaries As-Needed Account Number 1070:
  - a. AB1290 Fund 53P, Account 281204, CD4 - \$150,000
  - b. General City Purposes Fund 100/56, CD4 Fee Subsidy Account No. 000861 - \$200,000
6. AUTHORIZE the Controller to transfer \$50,000 from the CD7 portion of AB1290 Fund 53P, Account 281207 to General City Purposes Fund 100/56, Community Services, CD7, Account Number 000707.

7. AUTHORIZE the Controller to transfer ~~\$50,000~~ \***75,000** from CLARTS Community Amenities Trust Fund 47S to General City Purposes Fund 100/56, Community Services, CD14, Account Number 000714.
8. INSTRUCT the CLA to submit technical corrections, as necessary, to accomplish the intent of the above actions and AUTHORIZE the Controller to make such transfers.
9. INSTRUCT the CAO and CLA, to work with the Personnel Department, as they compile the list of filled positions that would be eliminated per the existing adopted budget, and report back with any potential options to achieve a \$40 million Budget Stabilization Fund and to preserve the remaining filled positions after all bumping has occurred in order to maintain City services.
10. INSTRUCT the Los Angeles Fire Department (LAFD) to report to the Budget and Finance Committee on a weekly basis, until the Mid-Year FSR is released, on the following items (and to the Public Safety Committee on recommendation No. 10b. only):
  - a. The status of the Sworn Constant Staffing Overtime account.
  - b. The status of the LAFD's efforts to switch the Fire Dispatch Center staffing to a 5/40 work schedule.
  - c. The status of the efforts to seek reimbursements for ambulance transport costs under AB 678.
11. INSTRUCT the CAO to report back by January 1, 2013 with an analysis of the impacts of the proposed elimination of civilian positions in the Los Angeles Police Department.

SUBMITS WITHOUT RECOMMENDATION the following recommendations of the CAO (recommendation nos. 36, 37, and 38 contained in the CAO's First FSR):

**REFERRED TO BUDGET AND FINANCE COMMITTEE, RECOMMENDATION NOS. 12-14**

**Adopted to Refer, Ayes (14); Absent: CARDENAS (1)**

12. INSTRUCT the CAO, for submittal to the City Council, to make the necessary changes to the 2012-13 Personnel Authority Resolution and the 2012-13 Departmental Personnel Ordinance for the City Attorney's Office to reflect the deletion of eight Assistant City Attorney, 12 Deputy City Attorney IV, 24 Deputy City Attorney III and six Deputy City Attorney II positions effective January 1, 2013 (50 total positions).
13. ADOPT a Department Personnel Ordinance that eliminates eight Assistant City Attorney, 12 Deputy City Attorney IV, 24 Deputy City Attorney III and six Deputy City Attorney II positions within the Office of the City Attorney (Criminal/Special Litigation) for the current fiscal year.
14. REQUEST the City Attorney to initiate the layoff process in accordance with the Rules adopted by the City Council on July 8, 1975 pursuant to Charter Section 1050 (formerly Charter Section 42) for the 50 positions by November 15, 2012 with a separation date of December 31, 2012; and provide detailed final results of the layoff process to the Mayor and Council.

Fiscal Impact Statement: The CAO reports that based on preliminary estimates, \$16.6 million in expenditure shortfalls and major unbudgeted expenses are identified in this report. An appropriation of approximately \$2.2 million is recommended from the Unappropriated Balance, Layoff Avoidance line item to offset a portion of this deficit. No adjustment to budgeted revenue is recommended at this time. Transfers, appropriations and other adjustments totaling approximately \$57 million are recommended in Sections 1 and 2. Included in these recommendations is re-authorization of \$31.3 million in Municipal Improvement Corporation of Los Angeles (MICLA) financing as per the 2012-13 Adopted Budget.

Debt Impact Statement: The CAO reports that the issuance of MICLA bonds is a General Fund obligation. With the authorization to use MICLA financing provided for in the adopted budget, it is estimated that the City will need to borrow a total of \$35,233,620 (includes cost of equipment, costs of issuance, and debt service reserve fund) at a 5 percent interest rate. Actual interest rates may differ as rates are dependent on market conditions at the time of issuance. We cannot predict what interest rates will be in the future. The total estimated debt service is \$45,203,620 which includes the borrowing amount and interest (\$9,970,000). During the life of the bonds, the estimated average annual debt service is \$4,520,362 over 10 years.

Community Impact Statement: None submitted.

## **Items for Which Public Hearings Have Not Been Held - Items 12-14**

(10 Votes Required for Consideration)

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

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

#### [12-1388](#)

MOTION (WESSON - KORETZ) relative to amending prior Council action of September 4, 2012 regarding the transfer of the Palms Beautification Account to Council District Five.

Recommendation for Council action:

AMEND prior Council action of September 4, 2012 relative to the transfer of the Palms Beautification Account to Council District Five (Council file No. 12-1388), to indicate that the source of the funds being transferred is the Council District 10 Public Benefits Trust Fund No. 50R and not the Council District 10 Real Property Trust fund No. 692.

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

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

#### [07-3727-S1](#)

MOTION (PARKS - PERRY) relative to reopening Council File No. 07-3727 regarding reviewing gifts requiring City Council approval subject to Council Policy.

Recommendation for Council action:

REOPEN Council file No. 07-3727 relative to reviewing gifts requiring City Council approval subject to Council Policy (Council file No. 05-0553).

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

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

[12-0010-S13](#)

MOTION (BUSCAINO - PARKS) relative to reinstating the reward offer in the death of Christian Alvarez for an additional six months.

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

REAFFIRM Council's findings and REINSTATE the reward offer relative to the death of Christian Alvarez (Council action of April 27, 2012) for an additional period of six months from the publication of the offer of reward by the Office of the City Clerk and, further, that the sum of \$50,000 shall be the aggregate maximum sum of any payment or payments of a City reward in this instance.

**Item for Which Public Hearing Has Not Been Held - Item 15**

(10 Votes Required for Consideration)

**ITEM NO. (15) - REFERRED TO ENERGY AND ENVIRONMENT COMMITTEE**

**Adopted to Refer, Ayes (14); Absent: CARDENAS (1)**

[12-1408](#)

COMMUNICATION FROM CHAIR AND MEMBER, ENERGY AND ENVIRONMENT COMMITTEE relative to the proposed revisions to the fees for the Japanese Gardens located at the Donald C. Tillman Water Reclamation Plant.

Recommendation for Council action:

CONCUR with the Board of Public Works action of August 31, 2012, approving the revision of fee charges for the Japanese Gardens located at the Donald C. Tillman Water Reclamation Plant as reflected in its August 31, 2012 report (attached to the Council File). The proposed revision includes fee changes for rental activities, increase in the admittance fees, and implementation of a filming use fees at the Japanese Gardens.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis on this report.

Community Impact Statement: None submitted.

**COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:**

[12-0004-S3](#) Theresa Muncal Clemente

Reyes for Cárdenas - Englander

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

[12-0003-S3](#) - Henry Colman

Wilbur K. Wu

Darrell Royal

Milton Campbell

Thomas Cassidy

Rosendahl - All Councilmembers

Perry - All Councilmembers

LaBonge - All Councilmembers

LaBonge - All Councilmembers

LaBonge - All Councilmembers

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

**Whereupon the Council did adjourn.**

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL