

Los Angeles City Council, **Journal/Council Proceedings**  
Wednesday, **January 9, 2013**  
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, Koretz, Krekorian, LaBonge, Parks, Reyes, Rosendahl, Zine and President Wesson (12); Absent: Garcetti and Perry (2); Vacant: Council District Six**

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF  
JANUARY 4, 2013

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - NONE

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

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## **Items Noticed for Public Hearing - Items 1-5**

**ITEM NO. (1) - PUBLIC HEARING HELD - CONTINUE HEARING AND PRESENT ORDINANCE ON  
JANUARY 30, 2013**

**Adopted To Continue, Ayes (12); Absent: GARCETTI, PERRY (2)**

[12-1698](#)  
CD 14

HEARING PROTESTS against the proposed improvement and maintenance of the Cesar E. Chavez Avenue and Vignes Street, Street Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Cesar E. Chavez Avenue and Vignes Street, Street Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on November 7, 2012 - Continue hearing and present Ordinance on January 30, 2013 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**ITEM NO. (2) - CONTINUED TO JANUARY 16, 2013**

**Adopted to Continue, Unanimous Vote (13); Absent: GARCETTI (1)**

[12-1703](#)

CD 6

HEARING PROTESTS against the proposed improvement and maintenance of the Redbank Street and Webb Avenue Street Lighting District.  
Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Redbank Street and Webb Avenue Street Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on November 7, 2012 - Continue hearing and present Ordinance on January 30, 2013 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**ITEM NO. (3) - CONTINUED TO JANUARY 16, 2013**

**Adopted to Continue, Unanimous Vote (13); Absent: GARCETTI (1)**

[12-1704](#)

CD 6

HEARING PROTESTS against the proposed improvement and maintenance of the Rincon Avenue and Pendleton Street, Street Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Rincon Avenue and Pendleton Street, Street Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on November 7, 2012 - Continue hearing and present Ordinance on January 30, 2013 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**ITEM NO. (4) - CONTINUED TO JANUARY 16, 2013**

**Adopted to Continue, Unanimous Vote (13); Absent: GARCETTI (1)**

[12-1705](#)

CD 6

HEARING PROTESTS against the proposed improvement and maintenance of the Neenach Street and Amboy Avenue Street Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Neenach Street and Amboy Avenue Street Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on November 7, 2012 - Continue hearing and present Ordinance on January 30, 2013 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**ITEM NO. (5) - CONTINUED TO JANUARY 16, 2013**

**Adopted to Continue, Unanimous Vote (13); Absent: GARCETTI (1)**

[12-1706](#)

CD 6

HEARING PROTESTS against the proposed improvement and maintenance of the Rialto Street and Amboy Avenue Street Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Rialto Street and Amboy Avenue Street Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on November 7, 2012 - Continue hearing and present Ordinance on January 30, 2013 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**Items for Which Public Hearings Have Been Held - Items 6-10**

**Adopted, Ayes (12); Absent: GARCETTI, PERRY (2)  
(Item Nos. 6-10)**

**ITEM NO. (6) - ADOPTED**

[11-1734-S1](#)

CD 5

NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change at 939-69 North La Brea Avenue.

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

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the 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. 11-1734-S1 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Negative Declaration [ENV-2012-845-ND] filed on June 1, 2012.
2. ADOPT the FINDINGS of the Central Los Angeles Area Planning Commission (CLAAPC) as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the CLAAPC, effecting a zone change from M1-2D to (T)M1-2D to permit the continued use and maintenance of an 10,707 square-foot mattress store, one-story with mezzanine, on an approximately 19,321 square-foot lot for property at 939-69 North La Brea Avenue, subject to Conditions of Approval.

Applicant: Bradley Parker, Bank of America, US Trust  
Representative: Andrew Fogg

APCC-2012-846-ZC

4. REMOVE the (T) Tentative classification as described in detail on the sheet(s) attached to the Council file.
5. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.
6. ADVISE the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
7. ADVISE the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination filing.

Fiscal Impact Statement: The CLAAPC reports that there is no General Fund impact as administrative costs are recovered through fees.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JANUARY 16, 2013

(LAST DAY FOR COUNCIL ACTION - JANUARY 16, 2013)

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

12-1808

CD 3

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change request at 18117, 18119, 18121, 18123, 18125, 18127, 18129, 18131, 18133 West Ventura Boulevard and 5219 North Lindley Avenue.

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

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the 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. 12-1808 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV-2010-688-MND] filed on September 10, 2010.
2. ADOPT the FINDINGS of the Los Angeles City Planning Commission (LACPC) as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the LACPC, effecting a zone change from C2-1VLD and P-1VLD to (T)(Q)C2-1VLD, subject to modified Conditions of Approval, for the construction of a medical office and general office building (112,492 square-feet) with an overall height of 62 feet, four stories, and a 603 space parking structure having six levels including two subterranean levels and four above ground levels, for properties at 18117, 18119, 18121, 18123, 18125, 18127, 18129, 18131, 18133 West Ventura Boulevard and 5219 North Lindley Avenue.

Applicant: 18131 Ventura, LLC, Daniel Kashani

Representative: Mark Armbruster, Armbruster, Goldsmith and Delvac, LLP

Case No. CPC-2010-687-ZC-SPE-SPR-ZV-ZAD-SPP

4. REMOVE the (T) Tentative classification as described in detail on the sheet(s) attached to the Council file.
5. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.
6. ADVISE the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
7. ADVISE the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination filing.

Fiscal Impact Statement: The LACPC reports that there is no General Fund impact as administrative costs are recovered through fees.

Community Impact Statement: None submitted.

TIME LIMIT FILE - FEBRUARY 18, 2013

(LAST DAY FOR COUNCIL ACTION - FEBRUARY 15, 2013)

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

[12-0600-S168](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to the status of the General Fund liability accounts as of September 30, 2012.

Recommendation for Council action:

NOTE and FILE the City Attorney's report relative to the status of the General Fund liability accounts as of September 30, 2012.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

[The City Council may recess to Closed Session, pursuant to Government Code Section 54956.9(d)(1) and/or (d)(2) to confer with its legal counsel relative to the above matter]

**ITEM NO. (9) - ADOPTED**

[11-1337](#)

NEGATIVE DECLARATION and PUBLIC WORKS COMMITTEE REPORT relative to a vacation request for 21st Street between Grand Avenue and Olive Street (VAC-E1401178).

Recommendations for Council action:

1. FIND that the initial study prepared in accordance with the California Environmental Quality Act that the vacation for 21st Street between Grand Avenue and Olive Street will not have a significant effect on the environment; that on the basis of the whole record that there is no substantial evidence that the vacation will have a significant effect on the environment; that the Negative Declaration (ENV 2010-2636-ND) reflects the City's independent judgment and analysis; and ADOPT the Negative Declaration (ENV 2010-2636-ND) dated April 20, 2011, which was filed with the City Clerk and is attached to the Council file.
2. ADOPT the FINDINGS of the City Engineer dated May 10, 2012, as the Findings of 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 May 10, 2012 City Engineer report and attached to the Council file:

21st Street between Olive Street and Grand Avenue.

4. ADOPT the accompanying City Engineer report dated May 10, 2012 to approve the vacation with the following amendments:
  - a. Delete Condition No. 5(b).
  - b. Revise Condition No. 11 to read: "That a covenant and agreement be recorded to the satisfaction of the City Engineer stating that the applicant will construct a minimum 10-foot wide pedestrian access walkway from Grand Avenue to Olive Street within the vacation area in a manner satisfactory to the City Engineer."
5. INSTRUCT the City Clerk to set a public hearing date for **FEBRUARY 20, 2013**.

Fiscal Impact Statement: The City Engineer reports that to date, an estimated \$32,100 in charges has been expended in the investigation and processing of this proceeding. Since Section 7.46 of the Administrative Code exempts all governmental agencies from payment of fees, the processing of this report will be absorbed by the Bureau of Engineering.

Community Impact Statement: None submitted.

## ITEM NO. (10) - ADOPTED

[12-1442](#)

PUBLIC WORKS and BUDGET AND FINANCE COMMITTEES' REPORT relative to utilizing the Public Works Trust Fund to pay for supplemental street tree pruning and maintenance as well as the repair of the City's median island irrigation systems.

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

1. DIRECT the City Administrative Officer (CAO), in consultation with the City Attorney, Chief Legislative Analyst (CLA), Board of Public Works, and the Bureau of Street Services to report with recommendations, including utilizing the Public Works Trust Fund, to pay for supplemental street tree pruning and maintenance as well as the repair of the City's median island irrigation systems.
2. DIRECT the CAO and REQUEST the City Attorney to report on how much money the City has paid out over the past five years in liability claims resulting from fallen tree limbs.

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

Community Impact Statement: None submitted.

## Items for Which Public Hearings Have Not Been Held - Items 11-26

(10 Votes Required for Consideration)

**Adopted, Ayes (12); Absent: GARCETTI, PERRY (2)**  
**(Item Nos. 11-13)**

### ITEM NO. (11) - ADOPTED

#### [13-0015](#)

COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to setting the date for hearing objections against the 2013 Annual Weed and Brush Abatement Assessment Roll Schedule for locations stated on personal appeals attached to the file.

Recommendation for Council action, pursuant to Government Code Sections 39560 to 39588, SUBJECT TO THE APPROVAL OF THE MAYOR:

PRESENT and ADOPT the accompanying ORDINANCE establishing **MARCH 20, 2013**, as the date for hearing objections to the proposed removal of weeds and/or rubbish, refuse and dirt upon certain streets, sidewalks, parkways and/or on or in front of certain private properties in the City of Los Angeles, and are a public nuisance, and declaring Council's intention to order the abatement of said nuisance.

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. (12) - ADOPTED

#### [12-0307-S3](#)

GENERAL EXEMPTION, COMMUNICATION FROM CHAIR, PERSONNEL AND ANIMAL WELFARE COMMITTEE and ORDINANCE FIRST CONSIDERATION relative to the amendment of Section 53.15.1 of Article 3, Chapter 5 of the Los Angeles Municipal Code (LAMC), the Equine License Fee, to create a multi-year licensing option with discounts.

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

1. FIND that the recommended amendment of Section 53.15.1 of Article 3, Chapter 5 of the LAMC, the Equine License Fee, to create a multi-year licensing option with discounts, will not have a significant effect on the environment and is therefore not a project as defined in the California Environmental Quality Act (CEQA) Guidelines Section 15378 (b), and that adoption of the Ordinance is exempt from CEQA under City CEQA Guidelines Article II, Section 1 (General Exemption).
2. PRESENT and ADOPT the accompanying ORDINANCE, dated October 29, 2012, amending Section 53.15.1 of Article 3, Chapter 5 of the LAMC, the Equine License Fee, to create a multi-year licensing option with discounts.



3. DIRECT the Animal Services Department to cause the filing of a Notice of Exemption in accordance with CEQA Guidelines Section 15062.
4. NOT PRESENT and ORDER FILED the Ordinance dated September 19, 2012, inasmuch as that Ordinance has been superseded by the Ordinance dated October 29, 2012.

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. (13) - ADOPTED

[12-1776](#)

COMMUNICATION FROM CHAIR, PERSONNEL AND ANIMAL WELFARE COMMITTEE and ORDINANCE FIRST CONSIDERATION relative to the establishment of the salary for the new class of Street Lighting Construction and Maintenance Superintendent I and II.

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

1. PRESENT and ADOPT the accompanying ORDINANCE establishing the salary for the new class of Street Lighting Construction and Maintenance Superintendent I at salary range 3640 (\$76,003 - \$94,419) and establishing the salary for the new class of Street Lighting Construction and Maintenance Superintendent II at salary range 4606 (\$96,173 - \$119,475).
2. AUTHORIZE the City Administrative Officer (CAO), upon accretion of the class of Street Lighting Construction and Maintenance Superintendent to a bargaining unit, to amend the appropriate Memorandum of Understanding to reflect the salary approved by Ordinance.

Fiscal Impact Statement: The CAO reports that there is no impact to the General Fund as this is an obligation solely of the Bureau of Street Lighting.

Community Impact Statement: None submitted.

**Adopted, Ayes (12); Absent: GARCETTI (1)**  
**(Item Nos. 14a-14n)**

## ITEM NO. (14) - ADOPTED

[13-0005-S10](#)

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 January 2, 2013:

[13-0005-S10](#)

CD 8

- a. Property at 203 West Colden Avenue (Case No. 49202).  
Assessor I.D. No. 6053-006-011

[13-0005-S11](#)

CD 9

- b. Property at 4433 South Hoover Street (Case No. 233134).  
Assessor I.D. No. 5018-001-014

[13-0005-S12](#)

CD 9

- c. Property at 4254 South Hooper Avenue (Case No. 356816).  
Assessor I.D. No. 5116-004-005

[13-0005-S13](#)

CD 9

- d. Property at 4433 South Hoover Street (Case No. 359678).  
Assessor I.D. No. 5018-001-014

[13-0005-S14](#)

CD 9

- e. Property at 731 East 87th Street (Case No. 390397).  
Assessor I.D. No. 6042-002-023

[13-0005-S15](#)

CD 10

- f. Property at 6078 West Venice Boulevard (Case No. 297303).  
Assessor I.D. No. 5065-018-025

[13-0005-S16](#)

CD 11

- g. Property at 3900 South Pacific Avenue (Case No. 316663).  
Assessor I.D. No. 4225-010-028

[13-0005-S17](#)

CD 11

- h. Property at 3900 South Pacific Avenue (Case No. 372644).  
Assessor I.D. No. 4225-010-028

[13-0005-S18](#)

CD 11

- i. Property at 3900 South Pacific Avenue (Case No. 375416).  
Assessor I.D. No. 4225-010-028

[13-0005-S19](#)

CD 13

- j. Property at 4723 West Lexington Avenue (Case No. 220427).  
Assessor I.D. No. 5540-018-001

[13-0005-S20](#)

CD 13

- k. Property at 1128 North Hyperion Avenue (Case No. 272783).  
Assessor I.D. No. 5429-014-033

[13-0005-S21](#)

CD 15

- l. Property at 641 East Imperial Highway (Case No. 322364).  
Assessor I.D. No. 6072-002-012

[13-0005-S22](#)

CD 15

- m. Property at 641 East Imperial Highway (Case No. 345410).  
Assessor I.D. No. 6072-002-012

[13-0005-S23](#)

CD 15

- n. Property at 1527 East 92nd Street (Case No. 357240).  
Assessor I.D. No. 6044-007-005

**ITEM NO. (15) - ADOPTED**

**Adopted, Ayes (12); Absent: GARCETTI, PERRY (2)**

[12-0230](#)

COMMUNICATION FROM CHAIR, PERSONNEL AND ANIMAL WELFARE COMMITTEE relative to consolidated reasonable accommodations for employees with permanent work restrictions as a result of industrial or non-industrial injuries or illnesses for the third and fourth quarters of Fiscal Year (FY) 2011-12.

Recommendation for Council action:

NOTE and FILE the October 18, 2012 and October 25, 2012 reports from the Personnel Department relative to consolidated reasonable accommodations for employees with permanent work restrictions as a result of industrial or non-industrial injuries or illnesses for the third and fourth quarters of FY 2011-12.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

**ITEM NO. (16) - ADOPTED**

**Adopted, Ayes (13); Absent: GARCETTI (1)**

[12-1165-S1](#)

COMMUNICATION FROM CHAIR, PERSONNEL AND ANIMAL WELFARE COMMITTEE relative to the civil service exemption for one Senior Project Coordinator and one Management Analyst II grant-funded positions in the Community Development Department (CDD).

Recommendation for Council action:

RESOLVE that one Senior Project Coordinator and one Management Analyst II grant-funded positions in the CDD, Youth Workforce Division, be EXEMPTED from the Civil Service provisions of the City Charter, pursuant to Charter Section 1001(d)(4). The Board of Civil Service Commissioners approved the exemption request from the CDD on October 25, 2012.

Fiscal Impact Statement: The CDD reports that there is no impact to the General fund as these positions are grant-funded through the Workforce Investment Act, Workforce Innovation Fund Grant.

Community Impact Statement: None submitted.

**Adopted, Ayes (12); Absent: GARCETTI, PERRY (2)  
(Item Nos. 17-18)**

**ITEM NO. (17) - ADOPTED**

[12-1778](#)

COMMUNICATION FROM CHAIR, PERSONNEL AND ANIMAL WELFARE COMMITTEE relative to the civil service exemption for one Project Assistant grant-funded position in the Community Development Department (CDD).

Recommendation for Council action:

RESOLVE that one Project Assistant grant-funded position in the CDD, Workforce Development Division, be EXEMPTED from the Civil Service provisions of the City Charter, pursuant to Charter Section 1001(d)(4). The Board of Civil Service Commissioners approved the exemption request from the CDD on November 8, 2012.

Fiscal Impact Statement: The CDD reports that there is no impact to the General fund as this position is grant-funded.

Community Impact Statement: None submitted.

**ITEM NO. (18) - ADOPTED**

[10-0985](#)

COMMUNICATION FROM CHAIR AND MEMBER, PUBLIC SAFETY COMMITTEE relative to the Los Angeles Interagency Metropolitan Police Apprehension Crime Task Force (LA IMPACT) grant award for use by the City Attorney.

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

1. APPROVE and AUTHORIZE the City Attorney, or designee, to execute the grant award between the City and the LA IMPACT, subject to the approval of the City Attorney as to form and legality.
2. AUTHORIZE the City Attorney, or designee, to accept and execute the grant in the amount of \$174,400 for the LA IMPACT for the period October 1, 2012 to September 30, 2013.
3. AUTHORIZE the Controller to establish:
  - a. A receivable in the amount of \$174,400 in Fund 368, City Attorney Grant Fund.
  - b. The following appropriation account in Fund 368/12:

Account 12J631	FY 12-13 Project TOUGH	\$174,400
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4. TRANSFER up to \$174,400 from Fund 368/12, Account 12J631 to Fund 100/12, Account 5301, Reimbursement from Other Funds/Departments, upon receipt of grant funds.
5. AUTHORIZE the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments consistent with this action, subject to the approval of the City Administrative Officer (CAO); and AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: The CAO reports the total cost of the LA IMPACT program is \$209,507, of which \$174,400 will be reimbursed by the County of Los Angeles for salaries and fringe benefits. The General Fund impact will be \$35,107 for overhead costs. No additional appropriation is needed. There is no required match for this grant. The above recommendations comply with City financial policies in that budgeted appropriations will be balanced against receipts expected from this grant.

Community Impact Statement: None submitted.

**ITEM NO. (19) - ADOPTED - FORTHWITH TO THE MAYOR**

**Adopted, Ayes (13); Absent: GARCETTI (1)**

[10-1723](#)

COMMUNICATION FROM CHAIR AND MEMBER, PUBLIC SAFETY COMMITTEE relative to Solving Cold Cases with DNA Program grant award for use by the Los Angeles Police Department (LAPD).

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

1. AUTHORIZE the Chief of Police, LAPD, or designee, to:
  - a. Retroactively apply for and accept the 2012 Solving Cold Cases with DNA Program grant award in the amount of \$500,000 from the United States Department of Justice, National Institute of Justice, for the period October 1, 2012 through March 31, 2014.
  - b. Execute the 2012 Solving Cold Cases with DNA Program Cooperative Agreement on behalf of the City, subject to the approval of the City Attorney as to form and legality, and submit all necessary documents relative to the grant award.
  - c. Negotiate, execute, and submit any other necessary agreements and documents relative to the grant, subject to the approval of the City Attorney as to form and legality.
2. AUTHORIZE the LAPD to spend up to the grant amount of \$500,000 in accordance with the grant award agreement.
3. AUTHORIZE the Chief of Police, LAPD, or designee, to amend and execute existing agreements, as necessary, with contract laboratory service providers Bode Technology and Orchid Cellmark, Inc., for DNA analysis services in accordance with the grant award agreement for the performance period October 1, 2012 through March 31, 2014, for a total amount not to exceed \$272,900, subject to the approval of the City Attorney as to form and legality.
4. AUTHORIZE the LAPD to submit grant reimbursement requests to the grantor and deposit grant receipts in the LAPD Grant Trust Fund No. 339/70.
5. AUTHORIZE the Controller to:
  - a. Establish a grant receivable in Fund 339 in the amount of \$500,000 and establish an appropriation account, account number to be determined, within Fund 339/70 for the receipt and disbursement of grant funds.
  - b. Increase appropriations in LAPD Grant Trust Fund No. 339/70 on an as-needed basis, as follows:

	<u>Fund</u>	<u>Account</u>	<u>Amount</u>
From:	339/70	70JXXX, 2012 Solving Cold Cases with DNA Grant	\$108,257
	<u>Fund</u>	<u>Account</u>	<u>Amount</u>
To:	100/70	001092, Sworn Overtime	\$ 71,524
	100/70	001090, Civilian Overtime	<u>36,733</u>
		Total:	\$108,257

- c. Transfer appropriations within Fund 339/70, as follows:

	<u>Fund</u>	<u>Account</u>	<u>Amount</u>
From:	339/70	70JXXX, 2012 Solving Cold Cases with DNA Grant	\$6,817

	<u>Fund</u>	<u>Account</u>	<u>Amount</u>
To:	339/70	70G299, Police Fringe Benefits	\$6,817

6. INSTRUCT the City Clerk to place on the City Council agenda on **JULY 1, 2013**, or the first meeting day thereafter, the following instruction:

AUTHORIZE the Controller to increase appropriations on an as-needed basis for the 2012 Solving Cold Cases with DNA Program from the LAPD Grant Trust Fund No. 339/70, as follows:

	<u>Fund</u>	<u>Account</u>	<u>Amount</u>
From:	339/70	70JXXX, 2012 Solving Cold Cases with DNA Grant	\$108,256

	<u>Fund</u>	<u>Account</u>	<u>Amount</u>
To:	100/70	001092, Sworn Overtime	\$ 1,523
	100/70	001090, Civilian Overtime	<u>36,733</u>
		Total:	\$108,257

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

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. The 2012 Solving Cold Cases with DNA Program costs are fully reimbursable and acceptance of the grant does not require matching funds. The above recommendations in this report comply with the City's Financial Policies in that one-time revenue is used for one-time purposes.

Community Impact Statement: None submitted.

**Adopted, Ayes (12); Absent: GARCETTI, PERRY (2)**  
**(Item Nos. 20-25)**

**ITEM NO. (20) - ADOPTED**

[12-1796](#)

COMMUNICATION FROM CHAIR AND MEMBER, PUBLIC SAFETY COMMITTEE relative to a donation of six pro tech ballistic shields and 18 point blank ballistic blankets for use by the Los Angeles Police Department's (LAPD) Metropolitan Division's K9 Platoon.

Recommendation for Council action:

AUTHORIZE the LAPD to accept a donation from the Los Angeles Police Foundation of six pro tech ballistic shields and 18 point blank ballistic blankets, valued at \$35,588.26 for use by the Department's Metropolitan Division's K9 Platoon, and THANK the donor for this generous gift.

Fiscal Impact Statement: None submitted by the LAPD. 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. (21) - ADOPTED**

[12-1814](#)

COMMUNICATION FROM CHAIR AND MEMBER, PUBLIC SAFETY COMMITTEE relative to the Alcohol and Drug Impaired Driving Vertical Prosecution Program grant award for use by the City Attorney.

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

1. APPROVE and AUTHORIZE the City Attorney, or designee, to execute the grant award between the City of Los Angeles and the California Office of Traffic Safety (OTS), subject to the approval of the City Attorney as to form and legality.
2. AUTHORIZE the City Attorney, or designee, to accept the grant award in the amount of \$631,000 to fund the Alcohol and Drug Impaired Driving Prosecution Program for the period October 1, 2012 to September 30, 2013.
3. AUTHORIZE the Controller to establish:
  - a. A receivable within Fund 368/12, in the amount of \$631,000.
  - b. A new appropriation account within Fund 368 as follows:

Account 12J231	FY 12-13 Impaired Driving Prosecution	\$631,000
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4. TRANSFER, upon receipt of grant funds, up to \$586,279 from Fund 368/12, Account No. 12J231 to Fund 100, Account 5301, Reimbursement from Other Funds/Departments.
5. AUTHORIZE the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments consistent with this action, subject to the approval of the City Administrative Officer (CAO); and AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: The CAO reports that the total cost of the Alcohol and Drug Impaired Driving Vertical Prosecution Program is \$742,124, of which \$631,000 will be reimbursed by OTS. The General Fund impact is \$111,124 for overhead costs. No additional appropriation is needed. The above recommendations comply with City financial policies in that budgeted appropriations will be balanced against receipts expected from this grant.

Community Impact Statement: None submitted.

**ITEM NO. (22) - ADOPTED**

[12-1844](#)

COMMUNICATION FROM CHAIR AND MEMBER, PUBLIC SAFETY COMMITTEE relative to a donation of equipment for use by the Los Angeles Fire Department's (LAFD) Fire Cadet Crew 3 at Fire Station 88.

Recommendation for Council action:



AUTHORIZE the LAFD to accept the donation from the LAFD Foundation of chain saws, safety chaps, stainless steel goggles, Pulaskis, McLeods, shovels, and other equipment valued at \$10,860.87 for use by the LAFD's Fire Cadet Crew 3 at Fire Station 88, and THANK the donor for this generous gift.

Fiscal Impact Statement: The LAFD reports that this action will not impact the General Fund. Fire Cadet Crew 3 will replace equipment when necessary.

Community Impact Statement: None submitted.

## ITEM NO. (23) - ADOPTED

[09-0484](#)  
CD 14

MITIGATED NEGATIVE DECLARATION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION TO VACATE relative to vacating Lyon Street northerly of Cesar E. Chavez Avenue and easterly of Vignes Street (VAC-E1401141).

Recommendations for Council action:

1. REAFFIRM the FINDINGS of October 31, 2012, that the vacation of Lyon Street northerly of Cesar E. Chavez Avenue and easterly of Vignes Street (VAC-E1401141) will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the documents constituting the record of proceedings in this matter are located in Council file No. 09-0484 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration (NG-09-549 MTA) filed on November 19, 2009.
2. REAFFIRM the FINDINGS of October 31, 2012, that this vacation is in substantial conformance with the General Plan pursuant to Section 556 of the Los Angeles City Charter.
3. ADOPT the accompanying RESOLUTION TO VACATE No. 12-1401141 for the vacation of Lyon Street Northerly of Cesar E. Chavez Avenue and Easterly of Vignes Street (VAC-E1401141).
4. INSTRUCT the City Clerk to transmit, following Council adoption, Resolution to Vacate No. 12-1401141 to the Land Development Group of the Bureau of Engineering for recordation of said Resolution with the Los Angeles County Recorder.

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

**ITEM NO. (24) - ADOPTED**

[12-1795](#)

CD 5

CATEGORICAL EXEMPTION and COMMUNICATION FROM THE CITY ENGINEER relative to an offer to dedicate an easement for street purposes on the northeasterly line of Selby Avenue between Holman and Massachusetts Avenues (Right of Way No. 36000-1928).

Recommendations for Council action:

1. FIND that the offer to dedicate an easement for street purposes on the northeasterly line of Selby Avenue between Holman and Massachusetts Avenues (Right of Way No. 36000-1928) is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(19) of the City's Environmental Guidelines.
2. AUTHORIZE the Board of Public Works to acquire the easement for street purposes on the northeasterly line of Selby Avenue between Holman and Massachusetts Avenues (Right of Way No. 36000-1928), as depicted on the Exhibit Map in the November 5, 2012 City Engineer report and attached to the Council file.
3. INSTRUCT the City Clerk to forward a copy of the Council action on this project to the Real Estate Division of the Bureau of Engineering for processing.

Fiscal Impact Statement: The City Engineer reports that a \$3,317 fee for processing this report was paid pursuant to Sections 7.3 and 7.41.1 of the Administrative Code. No additional City Funds are needed.

**ITEM NO. (25) - ADOPTED**

[12-1859](#)

CD 6

CATEGORICAL EXEMPTION and COMMUNICATION FROM THE CITY ENGINEER relative to an offer to dedicate an easement for sidewalk and an easement for traffic signal purposes on the west side of Sepulveda Boulevard south of Erwin Street (Right of Way No. 36000-1926).

Recommendations for Council action:

1. FIND that the offer to dedicate an easement for sidewalk and an easement for traffic signal purposes on the west side of Sepulveda Boulevard south of Erwin Street (Right of Way No. 36000-1926) is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(19) of the City's Environmental Guidelines.
2. AUTHORIZE the Board of Public Works to acquire the easement for sidewalk and an easement for traffic signal purposes on the west side of Sepulveda Boulevard south of Erwin Street (Right of Way No. 36000-1926), as depicted on the Exhibit Map in the November 27, 2012 City Engineer report and attached to the Council file.
3. INSTRUCT the City Clerk to forward a copy of the Council action on this project to the Real Estate Division of the Bureau of Engineering for processing.

Fiscal Impact Statement: The City Engineer reports that a \$3,317 fee for processing this report was paid pursuant to Sections 7.3 and 7.41.1 of the Administrative Code. No additional City Funds are needed.

**ITEM NO. (26) - CONTINUED TO JANUARY 15, 2013**

**Adopted to Continue, Unanimous Vote (13); Absent: GARCETTI (1)**

[13-1300-S1](#)

CONSIDERATION OF MOTION (ENGLANDER - BUSCAINO - KREKORIAN - ET AL.) relative to placing a \$3 billion Street Repair and Safety General Obligation Bond Program on the May 2013 General Municipal Election Ballot.

Recommendations for Council action:

1. REQUEST the City Attorney to prepare the necessary Resolutions to place a 20-year \$3 billion Street Repair and Safety General Obligation Bond Program on the May 21, 2013 General Municipal Election Ballot with all work to be performed in 10 years.
2. INSTRUCT the City Administrative Officer and the Chief Legislative Analyst to report, with the assistance of the Bureau of Street Services, to Council with an analysis of this proposal.

Community Impact Statement: None submitted.

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

**Closed Sessions - Items 27-29**

**Adopted to Continue, Unanimous Vote (12); Absent: GARCETTI, PERRY (2)**

**ITEM NO. (27) - CONTINUED TO JANUARY 16, 2013**

[12-0817](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(d)(1), to confer with its legal counsel relative to the case entitled LAVAN v. City of Los Angeles, United States District Court Case No. CV 11-02874 PSG (AJWx). (The pending litigation concerns a preliminary injunction barring the removal and disposal of property from the sidewalks of Skid Row.)

(Budget and Finance Committee waived consideration of the above matter)

**ITEM NO. (28) - CONTINUED TO JANUARY 16, 2013**

**Adopted to Continue, Unanimous Vote (13); Absent: GARCETTI (1)**

[12-1546](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(d)(1), to confer with its legal counsel relative to the case entitled Bieber v. City of Los Angeles, Los Angeles Superior Court Case No. SC104200. (This case arises from a landslide on the rear of the plaintiffs' home.)

(Budget and Finance Committee considered the above matter in Closed Session on December 10, 2012)

**ITEM NO. (29) - ADOPTED IN OPEN SESSION - SEE FOLLOWING**

**Adopted in Open Session, Ayes (13); Absent: GARCETTI (1)**

[12-1860](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(d)(1), to confer with its legal counsel relative to the case entitled Ellen Ginsburg v. City of Los Angeles, Los Angeles Superior Court Case No. BC474667. (This lawsuit arises from a trip and fall accident that occurred on May 4, 2011, in the 500 block of North Spring Street.)

(Budget and Finance Committee considered the above matter in Closed Session on December 10, 2012)

**ADOPTED**

**MOTION (KREKORIAN - ENGLANDER)**

**Recommendation for Council action:**

**REJECT the Plaintiff's offer of settlement.**

**This matter was approved by the Budget and Finance Committee (Krekorian-Englander-Cardenas-Rosendahl-Koretz "yes") at its meeting on December 10, 2012, in Closed Session as permitted by Government Code Section 54956.9(d)(1).**

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

[13-0003-S1](#) - Rena Faye Pruitt

(Wesson - All Councilmembers)

Catherine O'Neill

(Rosendahl - All Councilmembers)

C. K. Tseng

(Englander - All Councilmembers)

Alarcón, Buscaino, Englander, Huizar, Koretz, Krekorian, LaBonge, Parks, Perry, Reyes, Rosendahl, Zine and President Wesson (13); Absent: Garcetti (1); Vacant: Council District Six

**Whereupon the Council did adjourn.**

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL

\*\*\*\*\*

Regular meeting recessed at 11:43 a.m.  
Special meeting convened at 11:43 a.m.  
Special meeting adjourned at 11:52 a.m.  
Regular meeting convened at 11:52 a.m.