

Los Angeles City Council, **Journal/Council Proceedings**
Tuesday, **April 16, 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, Krekorian, LaBonge, Parks, Perry, Reyes, Zine and President Wesson (11); Absent: Garcetti, Koretz and Rosendahl (3); Vacant: Council District Six

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
APRIL 10, 2013

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 24

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

Items Noticed for Public Hearing - Items 1-2

ITEM NO. (1) - PUBLIC HEARING CLOSED - ADOPTED

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

[13-0170-S2](#)

CD 5

CONTINUED CONSIDERATION OF HEARING PROTESTS relative to an Office of Finance report requesting approval to record a lien against a taxpayer for unpaid taxes.

Recommendation for Council action:

APPROVE and AUTHORIZE the Office of Finance to record a lien for unpaid taxes in the amount stated below, pursuant to Los Angeles Municipal Code Section 21.15(o) for Auto Spa Connection Inc. (Lien: \$22,820.03)

(Continued from Council meeting of February 27, 2013)

**Adopted to Continue, Unanimous Vote (13); Absent: GARCETTI (1)
(Item Nos. 2a-2b)**

ITEM NO. (2) - CONTINUED TO APRIL 30, 2013

[12-1240](#)

et al.

CONTINUED CONSIDERATION OF HEARING PROTESTS, APPEALS OR OBJECTIONS to Department of Building and Safety report and confirmation of liens 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 PROTESTS, APPEALS OR OBJECTIONS relative to proposed liens for nuisance abatement costs and/or non-compliance of code violations/Annual Inspection costs, pursuant to LAMC and/or LAAC and CONFIRM said lien for the following properties:

[12-1240](#)

CD 2

a. 11005 West Vanowen Street. (Lien: \$3,256.24)

(Continued from Council meeting of April 2, 2013)

[12-1457](#)

CD 14

b. 2802 East Cesar E. Chavez Avenue. (Lien: \$4,152.11)

(Continued from Council meeting of April 2, 2013)

Items for Which Public Hearings Have Been Held - Items 3-18

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

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

[12-1297-S2](#)

TRANSPORTATION COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to authorizing the Los Angeles Department of Transportation (LADOT) to establish bicycle infrastructure zones to provide facilities for the parking of bicycles and amenities for a bikeshare operation on public streets.

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

PRESENT and ADOPT the accompanying ORDINANCE amending Section 85.04 of Chapter VIII of the Los Angeles Municipal Code to authorize the LADOT to establish bicycle infrastructure zones to provide facilities for the parking of bicycles and amenities for a bikeshare operation upon public streets in the City of Los Angeles.

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.

Adopted, Ayes (13); Absent: GARCETTI (1)
(Item Nos. 4-9)

ITEM NO. (4) - ADOPTED

[13-0288](#)

CD 5

ENVIRONMENTAL IMPACT REPORT, MITIGATION MONITORING AND REPORTING PROGRAM, STATEMENT OF OVERRIDING CONSIDERATIONS, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a vesting zone change and height district change for property located at 7901 and 7909 West Beverly Boulevard.

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

1. CERTIFY that the Environmental Impact Report (EIR No. 2009-2656-EIR; State Clearing House No. 2010011044) has been completed in compliance with the California Environmental Quality Act, the State Guidelines and the City Guidelines and that the City Council has reviewed the information contained therein and considered it along with other factors related to this project; that this determination reflects the independent judgment of the City of Los Angeles; and that the documents constituting the record of proceedings in this matter are located in Council file 13-0288 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 Environmental Impact Report.
2. ADOPT the FINDINGS made pursuant to and in accordance with Section 21081 of the Public Resources Code and the Statement of Overriding Considerations prepared by the Department of City Planning.
3. ADOPT the FINDINGS made pursuant to and in accordance with Section 21081.6 of the California State Public Resources Code, the Mitigation Monitoring and Reporting Program as the Findings of Council and ADOPT the Mitigation Monitoring and Reporting Program.
4. ADOPT the FINDINGS of the Los Angeles City Planning Commission (LACPC) as the Findings of the Council.
- 5 PRESENT and ADOPT the accompanying ORDINANCE, approved by the LACPC, effecting a vesting zone change from the existing C2 zone to (T)(Q)RAS4-1D zone and height district change from height district -1VL to height district -1D for a maximum building height of 55 feet and 6 inches, for the demolition of the Fairfax Theatre, with the exception of the street facing facades, and removal of existing uses from the existing 28,920.5 square-foot lot, to develop a mixed-use project containing 71 residential units and approximately 11,118 square feet of commercial uses, for property located at 7901 and 7909 West Beverly Boulevard, subject to Conditions of Approval.

Applicant: Alex Gorby, B&F Associates, LP

Representative: Benjamin Fiss, Craig Lawson and Company

Case No. CPC-2009-3271-ZC-HD-ZAA-SPR-ZAD

6. REMOVE the (T) Tentative classification as described in detail on the sheet(s) attached to the Council file.
7. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.
8. 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.
9. 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 - JUNE 6, 2013

(LAST DAY FOR COUNCIL ACTION - JUNE 5, 2013)

ITEM NO. (5) - ADOPTED

[11-0301](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to approval of a refund claim for General Motors, LLC.

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

APPROVE the refund claim filed by General Motors, LLC for overpayment of electrical services in the amount of \$119,903.50, and AUTHORIZE the Los Angeles Convention Center (LACC) to draw the demand from Fund 725 (LA Convention Center Revenue), Department 48, Revenue Source 418601 (Electrical Services).

Fiscal Impact Statement: The LACC reports that there is no impact on the General Fund.

Community Impact Statement: None submitted.

ITEM NO. (6) - ADOPTED

[13-0062-S5](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to a refund claim filed by The Rubicon Project, Inc.

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

APPROVE the refund claim filed by The Rubicon Project, Inc. for overpayment of business tax in the amount of \$309,018.95 plus accumulated interest.

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

Community Impact Statement: None submitted.

ITEM NO. (7) - ADOPTED

[13-0062-S6](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to a refund claim filed by KPMG LLP.

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

APPROVE the refund claim filed by KPMG LLP for overpayment of business tax in the amount of \$216,468.53 plus accumulated interest.

Fiscal Impact Statement: None submitted by the Office of Finance. 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. (8) - ADOPTED

[13-0062-S7](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to a refund claim filed by Consolidated Disposal Service LLC.

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

APPROVE the refund claim filed by Consolidated Disposal Service LLC for overpayment of business tax in the amount of \$61,180.28 plus accumulated interest.

Fiscal Impact Statement: None submitted by the Office of Finance. 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. (9) - ADOPTED - TO THE MAYOR FORTHWITH

[13-0354](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to approving funds for expenditures associated with the citywide Gun Buyback Program.

Recommendations for Council action, pursuant to Motion (Buscaino - Englander), SUBJECT TO THE APPROVAL OF THE MAYOR:

1. AUTHORIZE the Mayor, or designee, to allow an authority for expenditure with the Ralphs Grocery Corporation in an amount not to exceed \$250,000, to be received prior to May 1, 2013, subject to the review and approval of the City Attorney as to form and legality and compliance with the City's authority for expenditure requirements.
2. AUTHORIZE the Controller to:
 - a. Expend funds in an amount not to exceed \$250,000 from Mayor's Office Fund No. 100/46, Account 003040 Contractual Services.
 - b. Re-appropriate early reversion funding in an amount not to exceed \$250,000 from the Fiscal Year 2011-12 Contractual Services Account 003040 to the Fiscal Year 2012-13 Contractual Service Account, Fund No. 100/46, Account 003040 in order to pay for the expenditures associated with the Gun Buyback Program.
3. AUTHORIZE the Mayor, or respective designees, to prepare Controller's instructions and/or make any technical corrections to the above instructions, subject to the approval of the City Administrative Officer (CAO).

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

Community Impact Statement: None submitted.

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

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

[13-0345-S1](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to proposed funding and position authority for Animal Care Technician positions in the Department of Animal Services.

Recommendations for Council action, pursuant to Motion (Koretz - Alarcón - LaBonge), SUBJECT TO THE APPROVAL OF THE MAYOR:

1. AUTHORIZE 16 Animal Care Technician positions to the Department of Animal Services by resolution authority for the remainder of the current Fiscal Year.

2. INSTRUCT the City Administrative Officer (CAO) to identify funding for Animal Care Technician positions for the remainder of the Fiscal Year and to transfer funds, as needed, in the next Financial Status Report.
3. REQUEST the Mayor to include funding and position authority for 16 Animal Care Technician positions in the proposed Fiscal Year 2013 -14 Budget.

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

Community Impact Statement: None submitted.

(Personnel and Animal Welfare Committee waived consideration of the above matter)

ITEM NO. (11) - ADOPTED

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

[12-1099](#)

ENERGY AND ENVIRONMENT COMMITTEE REPORT relative to the issuance of up to \$480 million in Power System Revenue Bonds, to finance a portion of the Power System's Capital Improvement Program for Fiscal Year 2012-13.

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

1. CONCUR with the Board of Water and Power Commissioners' action of March 5, 2013, Resolution No. 4856, approving the issuance of up to \$480 million in Power System Revenue Bonds, to finance a portion of the Power System's Capital Improvement Program for Fiscal Year 2012-13, in accordance with the provisions of Charter Section 609 and Article 6.5 of the Los Angeles Administrative Code Sections 11.28.1 to 11.28.9.
2. AUTHORIZE the Los Angeles Department of Water and Power (LADWP) to use the City's remaining allocation of Qualified Energy Conservation Bonds totaling approximately \$27.859 million in connection with the upcoming issuance of \$480 million of Power System Revenue Bonds and assume responsibility for any and all related post-issuance reporting and continuing disclosure requirements.

Fiscal Impact Statement: The City Administrative Officer reports that approval of the recommended action will authorize the LADWP to issue up to \$480 million of Power System Revenue Bonds to finance a portion of its capital improvements program for fiscal year 2012-13. The LADWP estimates the net impact of this issuance, including principal and interest, will be to increase debt service costs of the Power System Revenue Fund by approximately \$775 million over 20 years or approximately an average of \$40 million annually. This amount is based on the current interest rates for tax-exempt bonds. One-time costs of issuance from the Power System Revenue Fund are estimated at approximately \$2.25 million. One-time costs consist of underwriter's discount; bond and disclosure counsels, financial advisor; and ratings agencies fees. Approval of the proposed resolution will have no impact on the City's General Fund.

Community Impact Statement: None submitted.

ITEM NO. (12) - CONTINUED TO APRIL 23, 2013

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

[12-1504](#)

ENERGY AND ENVIRONMENT COMMITTEE REPORT relative to the Los Angeles Department of Water and Power (LADWP) first quarter status update on the implementation of recommendations of the Independent Third Party Review for the Incremental Electric Rate Ordinance.

Recommendation for Council action:

NOTE and FILE the March 27, 2013 LADWP report relative to the first quarter status update on the implementation of recommendations of the Independent Third Party Review for the Incremental Electric Rate Ordinance.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (13) - ADOPTED

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

[13-0310](#)

GENERAL EXEMPTION, ENERGY AND ENVIRONMENT COMMITTEE REPORT relative to proposed Agreement No. BP 12-018 with Kern River Gas Transmission Company for the Restatement of Firm Transportation Services.

Recommendations for Council action:

1. FIND that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to the General Exemption as described in Section No. 15061(b)(3) of the Los Angeles City CEQA Guidelines.
2. CONCUR with the Board of Water and Power Commissioners' action of March 5, 2013, approved as to form and legality by the City Attorney, Resolution No. 013-188, authorizing the execution of Agreement No. BP 12-018 between the Los Angeles Department of Water and Power (LADWP) and Kern River Gas Transmission Company for the Restatement of Firm Transportation Services.

Fiscal Impact Statement: The City Administrative Officer reports that approval of this request restates an existing contractual agreement and does not increase the current financial obligation of the LADWP. This Agreement is consistent with the Department's Financial Policies which are not applicable.

Community Impact Statement: None submitted.

TIME LIMIT FILE - MAY 14, 2013

(LAST DAY FOR COUNCIL ACTION - MAY 14, 2013)

Adopted, Ayes (13); Absent: GARCETTI (1)
(Item Nos. 14-17)

ITEM NO. (14) - ADOPTED

[13-0311](#)

GENERAL EXEMPTION, ENERGY AND ENVIRONMENT COMMITTEE REPORT relative to proposed Agreement No. BP 12-019 with Kern River Gas Transmission Company for the Restatement of Firm Transportation Services.

Recommendations for Council action:

1. FIND that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to the General Exemption as described in Section No. 15061(b)(3) of the Los Angeles City CEQA Guidelines.
2. CONCUR with the Board of Water and Power Commissioners' action of March 5, 2013, approved as to form and legality by the City Attorney, Resolution No. 013-193, authorizing the execution of Agreement No. BP 12-019 between the Los Angeles Department of Water and Power (LADWP) and Kern River Gas Transmission Company for the Restatement of Firm Transportation Services.

Fiscal Impact Statement: The City Administrative Officer reports that approval of this request restates an existing contractual agreement and does not increase the current financial obligation of the LADWP. This Agreement is consistent with the Department's Financial Policies which are not applicable.

Community Impact Statement: None submitted.

TIME LIMIT FILE - MAY 14, 2013

(LAST DAY FOR COUNCIL ACTION - MAY 14, 2013)

ITEM NO. (15) - ADOPTED - SEE FOLLOWING

[13-0359](#)

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to funding from the Construction Services Trust Fund for the Los Angeles Fire Code.

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

1. APPROVE the 2012 Official City of Los Angeles Fire Code Amendments to be adopted as the Los Angeles Fire Code.

2. AUTHORIZE the Fire Chief to execute the agreement with the International Code Council (ICC) to provide services related to the production of the 2012 Official City of Los Angeles Fire Code Amendments to be adopted as the Los Angeles Fire Code.
3. APPROVE expending up to \$39,000 from the Construction Services Trust Fund to fund the agreement with the ICC to provide services related to the production of the 2012 Official City of Los Angeles Fire Code Amendments to be adopted as the Los Angeles Fire Code.
4. REQUEST the City Attorney to prepare and present an Ordinance to the Los Angeles Municipal Code Chapter 5, Article 7, to replace the current Los Angeles Fire Code with the 2012 Official City of Los Angeles Fire Code Amendments to be adopted as the Los Angeles Fire Code.

Fiscal Impact Statement: The City Administrative Officer reports that there are sufficient funds in the Construction Services Trust Fund to finance this eligible request. This expenditure complies with the City's Financial Policies in that collected surcharges on Construction Services Center transactions will be used to fully fund this expenditure. Revenue, estimated to be approximately \$500 annually, from the sale of the 2012 Official City of Los Angeles Fire Code Amendments will be deposited into the General Fund, Revenue Source Code 3887 - Miscellaneous Fire Services.

Community Impact Statement: None submitted.

(Public Safety 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

PUBLIC SAFETY COMMITTEE REPORT relative to the 2012 Official City of Los Angeles Fire Code Amendments and funding from the Construction Services Trust Fund for copies of the amendments.

Recommendation for Council action:

CONCUR with the action taken by the Planning and Land Use Management Committee approving the recommendations of the City Administrative Officer (CAO) in the report to the Mayor dated March 21, 2013 (attached to the Council file), relative to the 2012 Official City of Los Angeles Fire Code Amendments and an allocation of \$38,260.09 in funding from the Construction Services Trust Fund for copies of the amendments

Fiscal Impact Statement: The CAO reports that there are sufficient funds in the Construction Services Trust Fund to finance this eligible request. This expenditure complies with City financial policies in that collected surcharges on Construction Services Center transactions will be used to fully fund this expenditure. Revenue, estimated to be approximately \$500 annually, from the sale of the 2012 Official City of Los Angeles Fire Code Amendments will be deposited into the General Fund, Revenue Source Code 3887 - Miscellaneous Fire Services.

Community Impact Statement: None submitted.

ITEM NO. (16) - ADOPTED

[13-0228](#)

CATEGORICAL EXEMPTION and TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT relative to the proposed Contract with Eaton Corporation for electrical supplies and repair services for all switchgear and uninterruptible power source equipment at Los Angeles International Airport, LA/Ontario International Airport and Van Nuys Airport.

Recommendations for Council action:

1. ADOPT the determination by the Board of Airport Commissioners (Board) that the proposed action is exempt under the California Environmental Quality Act (CEQA) as provided in Article III, Class 1(4) of the Los Angeles City CEQA Guidelines.
2. APPROVE the Contract between the City of Los Angeles and Eaton Corporation.
3. CONCUR with the Board's action of February 19, 2013 by Resolution No. 25037 authorizing the Executive Director to execute the Contract with Eaton Corporation for electrical supplies and repair services for all switchgear and uninterruptible power source equipment at Los Angeles International Airport, LA/Ontario International Airport and Van Nuys Airport.

Fiscal Impact Statement: The City Administrative Officer reports that approval of the proposed Agreement with the Eaton Corporation will have no impact on the General Fund. Funding for the first year of the four-year agreement (approximately \$2 million) is available in the Fiscal Year 2012-13 Los Angeles World Airports Operating Budget in LAX Cost Center 1150073 - Buildings and Field Electric Shop Sub-Units; in LA/ONT Cost Center 1300006 - Facilities Repair and Maintenance Services; and in VNY Cost Center 1400003 - Maintenance Services, Commitment Item 522 - Materials and Supplies. Future funding will be requested as part of the annual budget request. This project complies with the Department of Airports' adopted Financial Policies.

Community Impact Statement: None submitted.

TIME LIMIT FILE - APRIL 23, 2013

(LAST DAY FOR COUNCIL ACTION - APRIL 23, 2013)

ITEM NO. (17) - ADOPTED

[13-0329](#)

CD 11

CATEGORICAL EXEMPTION and TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT relative to the proposed Lease with Airport Century Inn Ltd. for the operation of a Travelodge Hotel located at 5547 West Century Boulevard at Los Angeles International Airport (LAX).

Recommendations for Council action:

1. ADOPT the determination by the Board of Airport Commissioners (Board) that the proposed action is exempt under the California Environmental Quality Act (CEQA) as provided in Article III Class 1(18)(c) of the Los Angeles City CEQA Guidelines.

2. APPROVE the Lease with Airport Century Inn Ltd. at LAX.
3. CONCUR with the Board's action of January 14, 2013 by Resolution No. 25011 authorizing the Executive Director to execute the Lease with Airport Century Inn Ltd. covering a facility located at 5547 West Century Boulevard at LAX.

Fiscal Impact Statement: The City Administrative Officer reports that approval of the proposed Lease Agreement with Airport Century Inn Ltd. will result in approximately \$144,000 in revenue during the first year and over \$768,000 (exclusive of annual and periodic market rental adjustments) to the Department over the five-year term of the agreement. This lease complies with the Department of Airports' adopted Financial Policies. Approval of the proposed Lease Agreement will have no impact on the City's General Fund.

Community Impact Statement: None submitted.

TIME LIMIT FILE - APRIL 19, 2013

(LAST DAY FOR COUNCIL ACTION - APRIL 19, 2013)

ITEM NO. (18) - ADOPTED, AS AMENDED - FORTHWITH - SEE FOLLOWING

Adopted as Amended, Ayes (13); Absent: GARCETTI (1)

[12-1297-S3](#)

TRANSPORTATION COMMITTEE REPORT relative to establishing regulatory requirements for installing bicycle sharing infrastructure in the public right-of-way (sidewalks).

Recommendations for Council action:

1. APPROVE the permit requirements for bicycle sharing, as stated in Attachment 1 of the Los Angeles Department of Transportation (LADOT) report to Council dated March 6, 2013 (attached to the Council file), and as amended to reflect the modifications presented by the LADOT at the Transportation Committee meeting held April 10, 2013, and as contained in the summary of the Transportation Committee report to Council dated April 10, 2013.
2. REQUIRE vendors to enter into a Memorandum of Understanding (MOU) with the LADOT attached to the Council file describing how bicycle sharing will be operated, as amended to reflect the modifications presented by the LADOT at the Transportation Committee meeting held April 10, 2013, and as contained in the summary of the Transportation Committee report to Council dated April 10, 2013.
3. AUTHORIZE the siting of kiosks, bicycle parking, bicycles, and other infrastructure in the public right-of-way for bicycle sharing programs, subject to meeting permitting and MOU requirements, as amended to reflect the modifications presented by the LADOT at the Transportation Committee meeting held April 10, 2013, and as contained in the summary of the Transportation Committee report to Council dated April 10, 2013.
4. DIRECT the General Manager, LADOT, to:

- a. Coordinate and integrate the City's bicycle sharing program with other service providers and municipalities.
- b. Circulate an applicant's permit package to the City Administrative Officer risk manager and the Office of the City Attorney for review and approval.

Fiscal Impact Statement: The LADOT reports that the Project Assistant positions described in its March 6, 2013, report will increase the Department's salary costs by \$49,130.54 - \$61,011.36 (Fiscal Year 2013 salary schedule), and will incur indirect costs for pension and human resource benefits. The LADOT will absorb the salary costs and work space requirements within the Department's annual budget.

Community Impact Statement: None submitted.

ADOPTED

AMENDING MOTION (LABONGE - ROSENDAHL)

Recommendation for Council action:

DIRECT the Los Angeles Department of Transportation to work with the Neighborhood Councils, neighborhood associations, Chamber of Commerce, and other organizations.

Items for Which Public Hearings Have Not Been Held - Items 19-29

(10 Votes Required for Consideration)

**Adopted, Ayes (13); Absent: GARCETTI (1)
(Item Nos. 19-21)**

ITEM NO. (19) - ADOPTED

[11-0615](#)

CD 1

CATEGORICAL EXEMPTION and COMMUNICATION FROM CHAIR, PUBLIC WORKS COMMITTEE relative to vacating an alley southeasterly of Bixel Street from 6th Street to approximately 420 feet southwesterly thereof (Re-Application) (VAC E1401027).

Recommendations for Council action:

1. FIND that the vacation of an alley, southeasterly of Bixel Street from 6th Street to approximately 420 feet southwesterly thereof, is exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(3) of the City's Environmental Guidelines.
2. ADOPT the FINDINGS of the City Engineer dated February 6, 2013, as the Findings of the Council.

3. FIND that the street vacation proceedings pursuant to the Public Streets, Highways and Service Easements Vacation Law be instituted for the vacation of the public right-of-way indicated below and shown colored blue on Exhibit C of the February 6, 2013 City Engineer report (attached to the Council File):
 - a. Alley southeasterly of Bixel Street from 6th Street to approximately 420 feet southwesterly thereof.
 - b. A 5-foot wide and variable width portion of the future street easement along Bixel Street from 6th Street to approximately 420 feet southwesterly thereof.
 - c. Portions of the future street easement at the intersection of St. Paul Avenue and 6th Street lying outside of the future 20-foot radius property line return and inside of the future 15-foot by 15-foot corner cut.
4. ADOPT the accompanying City Engineer report dated February 6, 2013 to approve the vacation.
5. INSTRUCT the City Clerk to set a public hearing date for **MAY 15, 2013**.

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

Community Impact Statement: None submitted.

ITEM NO. (20) - ADOPTED

[11-1999](#)

CD 14

CATEGORICAL EXEMPTION and COMMUNICATION FROM CHAIR, PUBLIC WORKS COMMITTEE relative to street vacation proceedings to vacate Mignonette Street westerly of Fremont Avenue between Temple Street and Diamond Street (VAC E1401181).

Recommendations for Council action:

1. FIND that the street vacation of Mignonette Street westerly of Fremont Avenue between Temple Street and Diamond Street is exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(3) of the City's Environmental Guidelines.
2. ADOPT the FINDINGS of the City Engineer dated November 29, 2012, as the Findings of the Council.
3. FIND that the street vacation proceedings pursuant to the Public Streets, Highways and Service Easements Vacation Law be instituted for the vacation of the public right-of-way indicated below and shown colored blue on Exhibit A of the November 29, 2012 City Engineer report (attached to the Council File):

Mignonette Street westerly of Fremont Avenue between Temple Street and Diamond Street.

4. ADOPT the accompanying City Engineer report dated November 29, 2012 to approve the vacation.
5. INSTRUCT the City Clerk to set a public hearing date for **MAY 15, 2013**.

Fiscal Impact Statement: The City Engineer reports that the petitioner has paid a fee of \$10,700.00 for the investigation of this request pursuant to Section 7.42 of the Administrative Code. Any deficit fee to recover the cost pursuant to Section 7.44 of the Administrative Code may be required of the petitioner.

Community Impact Statement: None submitted.

ITEM NO. (21) - ADOPTED

[12-1361](#)

CD 2

CATEGORICAL EXEMPTION and COMMUNICATION FROM CHAIR, PUBLIC WORKS COMMITTEE relative to street vacation proceedings to vacate Viewcrest Road westerly of Laurel Terrace Drive, Ingress/Egress Easement on Lots A and B, Parcel Map LA No. 2005-2824 (VAC E1401167).

Recommendations for Council action:

1. FIND that the street vacation of Viewcrest Road westerly of Laurel Terrace Drive, Ingress/Egress Easement on Lots A and B is exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(3) of the City's Environmental Guidelines.
2. ADOPT the FINDINGS of the City Engineer dated November 8, 2012, as the Findings of the Council.
3. FIND that the street vacation proceedings pursuant to the Public Streets, Highways and Service Easements Vacation Law be instituted for the vacation of the public right-of-way indicated below and shown colored blue on Exhibit A of the November 8, 2012 City Engineer report (attached to the Council File):

The 48-foot wide Ingress/Egress Easement within Parcels A and B, Parcel Map LA 2005-2824, located southerly of Viewcrest Road and westerly of Laurel Terrace Drive.

4. ADOPT the accompanying City Engineer report dated November 8, 2012 to approve the vacation.
5. INSTRUCT the City Clerk to set a public hearing date for **MAY 15, 2013**.

Fiscal Impact Statement: The City Engineer reports that the petitioner has paid a fee of \$10,700.00 for the investigation of this request pursuant to Section 7.42 of the Administrative Code. Any deficit fee to recover the cost pursuant to Section 7.44 of the Administrative Code may be required of the petitioner.

Community Impact Statement: None submitted.

ITEM NO. (22) - ADOPTED - FORTHWITH

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

[13-0067](#)

CD 8

CATEGORICAL EXEMPTION and COMMUNICATION FROM CHAIR, PUBLIC WORKS COMMITTEE relative to street vacation proceedings to vacate portion of northerly side of Rodeo Road easterly of Cimarron Street (VAC E1401211).

Recommendations for Council action:

1. FIND that the street vacation of portion of northerly side of Rodeo Road easterly of Cimarron Street is exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(3) of the City's Environmental Guidelines.
2. ADOPT the FINDINGS of the City Engineer dated January 31 2013, as the Findings of the Council.
3. FIND that the street vacation proceedings pursuant to the Public Streets, Highways and Service Easements Vacation Law be instituted for the vacation of the public right-of-way indicated below and shown colored blue on Exhibit A of the January 31, 2013 City Engineer report (attached to the Council File):

An approximately 5.55-foot wide portion of the northerly side of Rodeo Road from Cimarron Street to approximately 275 feet easterly thereof.

4. ADOPT the accompanying City Engineer report dated January 31, 2013 to approve the vacation.
5. INSTRUCT the City Clerk to set a public hearing date for **MAY 15, 2013**.

Fiscal Impact Statement: The City Engineer reports that the petitioner has paid a fee of \$10,700.00 for the investigation of this request pursuant to Section 7.42 of the Administrative Code. Any deficit fee to recover the cost pursuant to Section 7.44 of the Administrative Code may be required of the petitioner.

Community Impact Statement: None submitted.

ITEM NO. (23) - ADOPTED

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

[13-0381](#)

CD 7

CONTINUED CONSIDERATION OF MOTION (ALARCON - ROSENDAHL) relative to funding for the Hillview Mental Health Services.

Recommendations for Council action:

1. UTILIZE \$200,000 in the Lopez Canyon Landfill Community Amenities Trust Fund No. 531/14, Account No. L302, to fund any aspect of the efforts of Hillview Mental Health Services, (12450 Van Nuys Boulevard, Pacoima, 818-896-1161) to provide 10 beds and mental health services for two years for homeless individuals from Council District Seven, including Hansen Dam.
2. DIRECT the City Clerk to prepare any necessary document(s) and/or agreement(s) with Hillview Mental Health Services, or any other agency or organization, as appropriate, in the above amount, for the above purpose, subject to the approval of the City Attorney as to form and legality, if needed; and, AUTHORIZE the Councilmember of the District to execute such agreement or other document(s) on behalf of the City.
3. AUTHORIZE the City Clerk to make any technical corrections of clarifications to the above instructions to the above instructions in order to effectuate the intent of this Motion.

(Continued from Council meeting of April 9, 2013)

ITEM NO. (24) - ADOPTED

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

[13-0427](#)

CD 7

MOTION (ALARCON - HUIZAR) relative to funding any aspect of the efforts of El Proyecto del Barrio, including general operating expenses.

Recommendations for Council action:

1. UTILIZE \$50,000 in the Lopez Canyon Landfill Community Amenities Trust Fund No. 531-14, Account No. L302, to fund any aspect of the efforts of El Proyecto del Barrio, including general operating expenses.
2. DIRECT the City Clerk to prepare the necessary document(s) and/or agreement(s), including any contract amendments, with El Proyecto del Barrio, or any other agency or organization, as appropriate, in the above amount, for the above purpose, subject to the approval of the City Attorney as to form and legality, if needed; and, AUTHORIZE the Councilmember of the Seventh District to execute such agreement or other document(s) on behalf of the City.

3. AUTHORIZE the City Clerk to make any technical corrections or clarifications to the above instructions in order to effectuate the intent of this Motion.

Adopted, Ayes (13); Absent: GARCETTI (1)
(Item Nos. 25-26)

ITEM NO. (25) - ADOPTED

[13-0428](#)

CD 7

MOTION (ALARCON - HUIZAR) relative to funding any aspect of the efforts of the Boys and Girls Club of San Fernando Valley, including general operating expenses.

Recommendations for Council action:

1. UTILIZE \$50,000 in the Lopez Canyon Landfill Community Amenities Trust Fund No. 531-14, Account No. L302, to fund any aspect of the efforts of Boys and Girls Club of San Fernando Valley, including general operating expenses.
2. DIRECT the City Clerk to prepare the necessary document(s) and/or agreement(s), including any contract amendments, with Boys and Girls Club of San Fernando Valley, or any other agency or organization, as appropriate, in the above amount, for the above purpose, subject to the approval of the City Attorney as to form and legality, if needed; and, AUTHORIZE the Councilmember of the Seventh District to execute such agreement or other document(s) on behalf of the City.
3. AUTHORIZE the City Clerk to make any technical corrections or clarifications to the above instructions in order to effectuate the intent of this Motion.

ITEM NO. (26) - ADOPTED

[13-0429](#)

CD 7

MOTION (ALARCON - HUIZAR) relative to funding any aspect of the efforts of Communities in Schools case management program and general operating expenses.

Recommendations for Council action:

1. UTILIZE \$50,000 in the Lopez Canyon Landfill Community Amenities Trust Fund No. 531-14, Account No. L302, to fund any aspect of the efforts of Communities in Schools' case management program and general operating expenses.
2. DIRECT the City Clerk to prepare the necessary document(s) and/or agreement(s), including any contract amendments, with Communities In Schools, or any other agency or organization, as appropriate, in the above amount, for the above purpose, subject to the approval of the City Attorney as to form and legality, if needed; and AUTHORIZE the Councilmember of the Seventh District to execute such agreement or other document(s) on behalf of the City.

3. AUTHORIZE the City Clerk to make any technical corrections or clarifications to the above instructions in order to effectuate the intent of this Motion.

ITEM NO. (27) - ADOPTED

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

[12-0532-S1](#)

CD 15

MOTION (BUSCAINO - ALARCON) relative to a personal services contract with Gloria Lockhart to provide services to the Fifteenth Council District.

Recommendations for Council action:

1. APPROVE the personal services contract with Gloria Lockhart to provide services to the Fifteenth Council District from March 1, 2013 to February 28, 2014 in an amount not to exceed \$24,000 from funds available in the Council Office Budget.
2. AUTHORIZE the Councilmember of the Fifteenth Council District to execute said contract on behalf of the City.
3. INSTRUCT the City Clerk to encumber the necessary funds against the Contractual Services Account of the Council Fund for the Fiscal Year 2012-13.

ITEM NO. (28) - ADOPTED

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

[10-0010-S13](#)

MOTION (REYES - ZINE) relative to reinstating the reward offer in the death of Cosme Gonzalez for an additional six months.

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

REAFFIRM the Council's findings and REINSTATE the reward offer relative to the death of Cosme Gonzalez (Council action of March 30, 2010) 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 NO. (29) - ADOPTED

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

[13-0426](#)

CD 11

MOTION (BUSCAINO - ROSENDAHL) relative to initiating street vacation proceedings for Granville Avenue from Ohio Avenue to its northwesterly terminus.

Recommendations for Council action:

1. INITIATE street vacation proceedings, pursuant to California Streets and Highways Code, Division 9, Part 3, Public Streets, Highways and Service Easements Vacation Law for Granville Avenue from Ohio Avenue to its northwesterly terminus.
2. DIRECT the Bureau of Engineering to investigate the feasibility of this vacation request.
3. DIRECT the Bureau of Engineering to present its report regarding the feasibility of vacating the requested areas to the Public Works Committee.
4. DIRECT the City Clerk to schedule this request for the City Council's consideration at the appropriate time under the City's Street Vacation procedures.

Item for Which Public Hearing Has Been Held - Item 30

ITEM NO. (30) - ADOPTED - TO THE MAYOR FORTHWITH - SEE FOLLOWING

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

[13-0303](#)

CONTINUED CONSIDERATION OF COMMUNICATION FROM CHAIR AND MEMBER, BUDGET AND FINANCE COMMITTEE and MOTION (KREKORIAN - ZINE) AND AMENDING MOTION (PERRY - PARKS) relative to various actions related to the 2013 Affordable Housing Trust Fund (AHTF) Notice of Funding Availability (NOFA).

- A. SUBMITS WITHOUT RECOMMENDATION, the following recommendations of the City Administrative Officer (CAO), SUBJECT TO THE APPROVAL OF THE MAYOR:
1. AUTHORIZE the General Manager, Los Angeles Housing Department (LAHD), or designee, to:
 - a. Issue the 2013 AHTF NOFA in substantial conformance with the document attached to the LAHD transmittal dated March 8, 2013 (attached to the Council file) with the proposed changes therein, and implement an allocation schedule that will include the authority to conduct up to three funding rounds.
 - b. Solicit applications for AHTF Round 1 in an amount not to exceed \$18 million in capital funding.

- c. Authorize the solicitation of applications in subsequent AHTF funding rounds based on the approval of funds in the 2013-14 Consolidated Plan and City Budget.
 - d. Amend the AHTF NOFA as necessary to be consistent with income or geographic targeting requirements of any applicable leveraged funding sources which may be revised or become available during the 2013 calendar year.
 - e. Issue a Call for Projects for fully-funded affordable housing developments intending to compete in the Los Angeles City Geographic Region in the California Tax Credit Allocation Committee (TCAC) Round 2, which are in need of a City support designation.
 - f. Authorize LAHD, in its capacity as the Local Reviewing Agency for TCAC, to issue support designations exclusively to projects recommended through the AHTF Round 1 NOFA and Call for Projects, and oppose all other projects.
 - g. Amend the AHTF commitment for the Michael's Village project to reduce the number of LAHD-funded units from 32 to 24.
 - h. Amend the Neighborhood Stabilization Program (NSP) commitment for Taylor Yard Apartments to exchange \$2.8 million in NSP funds with HOME funds.
 - i. Amend the AHTF commitment for the Broadway Villas project to extend the term to December 31, 2013.
 - j. Amend the AHTF Loan Agreement for Figueroa Apartments to include funding in the amount of \$200,000, in accordance with the Los Angeles Department of Water and Power (LADWP) Sustainable Design and Economic Development Guidelines.
 - k. Prepare Controller instructions and any necessary technical adjustments, consistent with the Mayor and Council actions on these matters, subject to the approval of the City Administrative Officer; and, AUTHORIZE the Controller to implement these instructions.
2. AUTHORIZE the City Controller to:
- a. Appropriate \$18 million from Non-Department General Fund No. 100/62, Revenue Source Code No. 3011, Property Tax-Current-Secured to F100/62, Account No. 00044G, Affordable Housing Trust Fund; and thereafter transfer a like amount to the Affordable Housing Trust Fund No. 44G/43, Account No. 43J441, GF-PSHP.
 - b. Reallocate and expend funds for the previously approved Affordable Housing Trust Fund projects as follows:

<u>Project</u>	<u>Fund</u>	<u>Account</u>	<u>Name</u>	<u>Amount</u>
From: Taylor Yard	52J	43F868	NSP2/ARRA Program Op.	\$2,800,000
To: Taylor Yard	561	43C212	AHTF	\$58,449.22
	561	43E212	AHTF	1,187.54
	561	43F212	AHTF	0.04
	561	43H212	AHTF	518,300.00
	561	43K007	AHTF	<u>2,222,063.20</u>
			TOTAL	\$2,800,000.00

- c. Allocate \$200,000 from the Figueroa Apartments Project, Fund 44G, Account No. 43T215, Account Name DWP; and expend the funds upon proper written demand from the General Manager, LAHD, or designee.
- d. Establish a new account and appropriate funds within the Affordable Housing Trust Fund No. 44G, Department 43 as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
43J441	GF-PSHP	\$18,000,000

- e. Expend funds not to exceed \$18,000,000 upon proper written demand of the General Manager, LAHD, or designee.

- B. MOTION (KREKORIAN - ZINE) to adopt the recommendations contained within the CAO report dated March 28, 2013 relative to various actions related to the 2013 AHTF NOFA.
- C. AMENDING MOTION (PERRY - PARKS) to remove the five percent subsidy boost for projects providing public facilities that include storage facilities and one or more restrooms, showers and washer/dryers.

Fiscal Impact Statement Submitted: The CAO reports that there is an impact to the General Fund. If the recommendations in this report are approved, \$18 million would be transferred from the General Fund to the LAHD to fund the construction of at least 136 permanent supportive housing units in Los Angeles. The source of General Fund money is from Secured Property Tax receipts above the original revenue estimate. The recommendations comply with City Financial Policies in that one-time funding would be used for a one-time purpose.

Community Impact Statement: None submitted.

(Housing, Community and Economic Development Committee waived consideration of the above matter.)

(Lost Quorum - Continued from Council meeting of April 12, 2013)

ADOPTED

MOTION (KREKORIAN - ZINE)

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

APPROVE the recommendation contained in the City Administrative Officer report dated March 28, 2013 relative to various actions related to the 2013 Affordable Housing Trust Fund Notice of Funding.

Items for Which Public Hearings Have Not Been Held - Items 31-32

(10 Votes Required for Consideration)

**Adopted, Ayes (13); Absent: GARCETTI (1)
(Item Nos. 31-32)**

ITEM NO. (31) - ADOPTED - TO THE MAYOR FORTHWITH

[13-0422](#)

CD 4

MOTION (LABONGE - REYES) relative to considering the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) hearing results for the issuance of Multifamily Housing Revenue Bonds in amount not to exceed \$11,672,500 for the Orange Wood Court Apartments Project.

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

1. INSTRUCT the City Clerk, in accordance with the TEFRA requirements, to schedule and place on the agenda for the City Council meeting held on **APRIL 16, 2013** consideration of the TEFRA hearing results of the TEFRA public hearing for the Orange Wood Court Apartments Project held on February 19, 2013 at the Los Angeles Housing Department and adoption of the Resolution and minutes.
2. ADOPT the accompanying RESOLUTIONS and minutes of the public hearing held in accordance with Section 142 of the Internal Revenue Code of 1986, as amended, and Section 147(f) of the Code setting the official intent of the City to issue Multifamily Housing revenue Bonds in the amount not to exceed \$11,672,500 to finance the acquisition and rehabilitation of the Orange Wood Court Apartments located at 5050 North Sepulveda Boulevard, Sherman Oaks, CA 91403. The borrower/Sponsor has pledged to comply with applicable City and bond policies.

ITEM NO. (32) - ADOPTED

[12-0602-S3](#)

MOTION (ALARCON for GARCETTI - BUSCAINO) relative to extending the Workforce Investment Board of the City of Los Angeles (WIB)/Local Elected Officials (LEO) agreement.

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

EXTEND the WIB-LEO Agreement by an additional six months from April 16, 2013 to October 16, 2013.

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

[13-0446](#)

MOTION (GARCETTI - BUSCAINO) relative to sidewalk and curb improvements at the intersection of El Centro and Camerford Avenues, and along Camerford Avenue between Vine Street and Gower Street.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

[13-0004-S1](#) - BritWeek 2013

(LaBonge - Buscaino)

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

[13-0003-S1](#) - Sal Castro

(Reyes - Huizar - All Councilmembers)

Bob Buchanan

(Wesson - All Councilmembers)

David Carlat

(Koretz - Rosendahl - All Councilmembers)

Oscar Cabrera

(Reyes - All Councilmembers)

Nan Schneider

(Rosendahl - Zine - All Councilmembers)

John Krikorian

(Krekorian - All Councilmembers)

Johnny Godinez

(Huizar - All Councilmembers)

Angelo Castagnola

(Buscaino - All Councilmembers)

Alarcón, Buscaino, Englander, Huizar, Koretz, Krekorian, LaBonge, Parks, Perry, Reyes, Rosendahl, Zine (12); Absent: Garcetti and President Wesson (2); Vacant: Council District Six

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL