

Los Angeles City Council, **Journal/Council Proceedings**
Wednesday, April 10, 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: Buscaino, Englander, Huizar, Koretz, LaBonge, Parks, Perry, Reyes, Zine and President Wesson (10); Absent: Alarcón, Garcetti, Krekorian, Rosendahl (4); Vacant: Council District Six

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
APRIL 5, 2013

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 22

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 1-18

**Adopted to Continue, Unanimous Vote (11); Absent: ALARCON, GARCETTI, ROSENDAHL (3)
(Item Nos. 1-9)**

ITEM NO. (1) - CONTINUED TO APRIL 17, 2013

[12-1010-S1](#)
CD 5

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Balboa Boulevard and Addison Street No. 2 Lighting District.

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

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

(Public Hearing held March 20, 2013)

ITEM NO. (2) - CONTINUED TO APRIL 17, 2013

[12-1870](#)

CD 14

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

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

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

(Public Hearing held March 20, 2013)

ITEM NO. (3) - CONTINUED TO APRIL 17, 2013

[12-1917](#)

CD 2

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of Fernglen Avenue and Valmont Street No. 3 Lighting District.

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

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

(Public Hearing held March 20, 2013)

ITEM NO. (4) - CONTINUED TO APRIL 17, 2013

[12-1919](#)

CD 9

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the 12th Street (734) and Crocker Street Lighting District.

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

1. DENY the protests and confirm the assessments.

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

(Public Hearing held March 20, 2013)

ITEM NO. (5) - CONTINUED TO APRIL 17, 2013

[12-1919-S1](#)

CD 9

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the 12th Street (762) and Crocker Street No. 1 Lighting District.

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

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

(Public Hearing held March 20, 2013)

ITEM NO. (6) - CONTINUED TO APRIL 17, 2013

[12-1960](#)

CD 13

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Sunset Boulevard and Edgemont Street Lighting District.

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

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

(Public Hearing held March 20, 2013)

ITEM NO. (7) - CONTINUED TO APRIL 17, 2013

[13-0028](#)

CD 7

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Foothill Boulevard and Cobalt Street Lighting District.

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

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

(Public Hearing held March 20, 2013)

ITEM NO. (8) - CONTINUED TO APRIL 17, 2013

[13-0029](#)

CD 10

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Hi-Point and Saturn Streets Lighting District.

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

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

(Public Hearing held March 20, 2013)

ITEM NO. (9) - CONITNUED TO APRIL 17, 2013

[10-1241-S1](#)

CD 6

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Balboa Boulevard and Valerio Street No. 1 Lighting District.

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

1. FIND that a majority protest exist in the Street Lighting Maintenance Assessment District and therefore the assessment cannot be enacted.
2. PRESENT and ADOPT the accompanying ORDINANCE abandoning all proceedings relating to the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).
3. INSTRUCT the Director, Bureau of Street Lighting, to assure that the streetlights are not installed or are removed from service if previously installed.

(Public Hearing held March 20, 2013)

ITEM NO. (10) - PUBLIC HEARING CLOSED - ADOPTED

Adopted, Ayes (12); Absent: ALARCON, GARCETTI (2)

09-0130

CD 1

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and ORDINANCE FIRST CONSIDERATION relative to the dedication of City-owned real property as public fire access easement lying on San Fernando Road at Division Street (Right of Way No. 36000-1736).

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

1. FIND that the dedication of City-owned real property as public fire access easement lying on San Fernando Road at Division Street (Right of Way No. 36000-1839 is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(4) of the City's Environmental Guidelines.
2. FIND that the City-owned real property as public fire access easement lying on San Fernando Road at Division Street (Right of Way No. 36000-1839 shown attached on the Exhibit Map of the December 18, 2008 City Engineer report and attached to the Council file, be dedicated, accepted, and established as a public fire access easement of said City.
3. FIND that pursuant to Section 556 of the City Charter, that this dedication, acceptance and establishment of City-owned real property as public fire access easement is in substantial conformance with the purpose, intent and provisions of the General Plan.
4. PRESENT and ADOPT the accompanying ORDINANCE effectuating the dedication, acceptance and establishment of certain real property owned by the City of Los Angeles, lying on San Fernando Road at Division Street, a public street of said City.
5. INSTRUCT the Real Estate Division of the Bureau of Engineering to record the Ordinance, as detailed above in Recommendation No.4, with the County Recorder.
6. INSTRUCT the City Clerk to forward a copy of the Council action on this project be forwarded to the Real Estate Division of the Bureau of Engineering for processing.

Fiscal Impact Statement: The City Engineer reports that this action is being processed under Work Order No. SZC11776.

ITEM NO. (11) - PUBLIC HEARING CLOSED - ADOPTED

Adopted, Ayes (11); Absent: ALARCON, GARCETTI, ROSENDAHL (3)

[09-0021](#)

CD 1

CATEGORICAL EXEMPTION and COMMUNICATION FROM THE CITY ENGINEER relative to an offer to dedicate an easement for sanitary sewer purposes lying on 900 East Montecito Drive (Right of Way No. 36000-1737).

Recommendations for Council action:

1. FIND that the offer to dedicate an easement for sanitary sewer purposes lying on 900 East Montecito Drive (Right of Way No. 36000-1737) 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 sanitary sewer purposes lying on 900 East Montecito Drive (Right of Way No. 36000-1737), as depicted on the Exhibit Map in the December 30, 2008 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 \$2,337.95 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. (12) - PUBLIC HEARING CLOSED - ADOPTED

Adopted, Ayes (10); Absent: ALARCON, BUSCAINO, GARCETTI, REYES (4)

[09-0564](#)

CD 1

CATEGORICAL EXEMPTION and COMMUNICATION FROM THE CITY ENGINEER relative to an offer to dedicate an easement for sidewalk purposes on Emerald Street at Emerald Drive (Right of Way No. 36000-1743).

Recommendations for Council action:

1. FIND that the offer to dedicate an easement for sidewalk purposes on Emerald Street at Emerald Drive (Right of Way No. 36000-1743) 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 purposes on Emerald Street at Emerald Drive (Right of Way No. 36000-1743), as depicted on the Exhibit Map in the March 3, 2009 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 \$2,337.95 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.

**Adopted, Ayes (11); Absent: ALARCON, GARCETTI, ROSENDAHL (3)
(Item Nos. 13-17)**

ITEM NO. (13) - PUBLIC HEARING CLOSED - ADOPTED

[09-1909](#)

CD 1

CATEGORICAL EXEMPTION and COMMUNICATION FROM THE CITY ENGINEER relative to an offer to dedicate an easement for street purposes on San Fernando Road southeast of Fletcher Drive (Right of Way No. 36000-1768).

Recommendations for Council action:

1. FIND that the offer to dedicate an easement for street purposes on San Fernando Road southeast of Fletcher Drive (Right of Way No. 36000-1768) 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 San Fernando Road southeast of Fletcher Drive (Right of Way No. 36000-1768), as depicted on the Exhibit Map in the July 15, 2009 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 \$2,337.95 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. (14) - PUBLIC HEARING CLOSED - ADOPTED

[10-0407](#)

CD 1

CATEGORICAL EXEMPTION and COMMUNICATION FROM THE CITY ENGINEER relative to an offer to dedicate an easement for street purposes on the east side of Budlong Avenue and the south side of Washington Boulevard (Right of Way No. 36000-1780).

Recommendations for Council action:

1. FIND that the offer to dedicate an easement for street purposes on the east side of Budlong Avenue and the south side of Washington Boulevard. (Right of Way No. 36000-1780) 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 east side of Budlong Avenue and the south side of Washington Boulevard. (Right of Way No. 36000-1780), as depicted on the Exhibit Map in the March 3, 2010 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 \$2,337.95 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. (15) - PUBLIC HEARING CLOSED - ADOPTED

[11-0047](#)
CD 1

CATEGORICAL EXEMPTION and COMMUNICATION FROM THE CITY ENGINEER relative to an offer to dedicate an easement for sidewalk purposes on the southwest side of Tacoma Avenue southeast of Cliff Drive (Right of Way No. 36000-1839).

Recommendations for Council action:

1. FIND that the offer to dedicate an easement for sidewalk purposes on the southwest side of Tacoma Avenue southeast of Cliff Drive. (Right of Way No. 36000-1839) 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 purposes on the southwest side of Tacoma Avenue southeast of Cliff Drive. (Right of Way No. 36000-1839), as depicted on the Exhibit Map in the January 6, 2011 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 \$2,461 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. (16) - PUBLIC HEARING CLOSED - ADOPTED

[12-1020](#)

CD 1

CATEGORICAL EXEMPTION AND COMMUNICATION FROM THE CITY ENGINEER relative to an offer to dedicate an easement for storm drain on property on the southeast side of Albany Street northeast of Olympic Boulevard (Right of Way No. 36000-1914).

Recommendations for Council action:

1. FIND that the offer to dedicate an easement for storm drain on property on the southeast side of Albany Street northeast of Olympic Boulevard 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 storm drain on property on the southeast side of Albany Street northeast of Olympic Boulevard, as depicted on the Exhibit Map in the July 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 fee of \$3,317 was paid for the processing of this action pursuant to Los Angeles Administrative Code Sections 7.3 and 7.41.1. No additional City funds are needed.

ITEM NO. (17) - PUBLIC HEARING CLOSED - ADOPTED

[13-0234](#)

CD 11

CATEGORICAL EXEMPTION and COMMUNICATION FROM THE CITY ENGINEER relative to an offer to dedicate an easement for sanitary sewer purposes on the property east of Rayford Drive south of Manchester Avenue (Right of Way No. 36000-1941).

Recommendations for Council action:

1. FIND that the offer to dedicate an easement for sanitary sewer purposes on the property east of Rayford Drive south of Manchester Avenue (Right of Way No. 36000-1941) 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 sewer purposes on the property east of Rayford Drive south of Manchester Avenue (Right of Way No. 36000-1941), as depicted on the Exhibit Map in the February 25, 2013 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. (18) - PUBLIC HEARING CLOSED - ADOPTED

Adopted, Ayes (10); Absent: ALARCON, BUSCAINO, GARCETTI, REYES (4)

[06-2471](#)

HEARING PROTESTS relative to vacating an alley northwesterly of Lucas Avenue from Fifth Street to approximately 300 feet northeasterly thereof (VAC-E1401011).

(Findings and Public Works Committee report adopted on March 6, 2013)

Items for Which Public Hearings Have Been Held - Items 19-24

ITEM NO. (19) - ADOPTED

Adopted, Ayes (11); Absent: ALARCON, GARCETTI, ROSENDAHL (3)

[12-0191](#)

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to executing a contract with Gartner, Incorporated to provide information technology research and advisory subscription services.

Recommendation for Council action:

APPROVE and AUTHORIZE the General Manager, Information Technology Agency, to execute a personal services contract with Gartner, Incorporated for the provision of information technology research and advisory subscription services for a term of three years effective July 1, 2012 through June 30, 2015 and compensation not to exceed \$951,735, subject to the approval of the City Attorney.

Fiscal Impact Statement: The City Administrative Officer reports that first-year funding for the proposed information technology research and advisory subscription services contract with Gartner, Incorporated in the cumulative amount of \$288,735 is provided within various user department's 2012-13 Adopted Budget accounts. There is no additional impact on the General Fund. The recommendations stated in this report are in compliance with the City Financial Policies as budgeted funds are available to support the proposed contract expenditures for the 2012-13 Fiscal Year, and payments in future fiscal years, up to the proposed contract maximum compensation of \$951,735, will be subject to annual appropriation by the Mayor and City Council.

Community Impact Statement: None submitted.

ITEM NO. (20) - ADOPTED

Adopted, Ayes (12); Absent: ALARCON, GARCETTI (2)

[13-0230](#)

CD 14

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to the assignment of the Merced Theatre located at 420 North Main Street for the Channel 35 Television Studio Relocation Project.

Recommendations for Council action, as initiated by Motion (Huizar - Buscaino), SUBJECT TO THE APPROVAL OF THE MAYOR:

1. ACKNOWLEDGE the assignment of the Merced Theatre located at 420 North Main Street to the Information Technology Agency to be used as the new studio and administrative building for the Channel 35 Television Studio.
2. TRANSFER a total of \$1,300,000 from the Telecommunications Development Fund 342/32, \$300,000 from Account 32008H, and \$1,000,000 from Account 32008J to the Capital Improvement Expenditure Program, Fund 100/54, New Account Entitled Channel 35 Studios for the schematic design work for the project.
3. AUTHORIZE the Controller and City Administrative Officer (CAO) to make any necessary technical corrections to effectuate the intent of the instructions.

Fiscal Impact Statement: The CAO reports that the cost of the Channel 35 Relocation Project will not have an impact on the General Fund once the final budget is approved because there are sufficient Telecommunications funds for the cost.

Community Impact Statement: None submitted.

ITEM NO. (21) - ADOPTED

Adopted, Ayes (11); Absent: ALARCON, GARCETTI, ROSENDAHL (3)

[13-0284](#)

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to the negotiation and execution of a license renewal with J.L. Vignes Ranch, Inc. for a communications site on top of Oat Mountain in Chatsworth, California.

Recommendation for Council action:

AUTHORIZE the General Services Department (GSD) to negotiate and execute a license agreement with J.L. Vignes Ranch, Inc. for the communications site on Oat Mountain, Chatsworth, California, under the terms and conditions as substantially outlined in the February 28, 2013 report with a Consumer Price Index ceiling not to exceed three percent, attached to the Council file.

Fiscal Impact Statement: GSD reports that the GSD 6030 Leasing Account budget for FY2012-13 includes \$6,498 for this lease. GSD will use existing funds to cover the balance of \$3,502 and will request a Financial Report adjustment prior to year-end if necessary.

Community Impact Statement: None submitted.

ITEM NO. (22) - CONTINUED TO APRIL 24, 2013

Adopted to Continue, Unanimous Vote (11); Absent: ALARCON, GARCETTI, ROSENDAHL (3)

[13-0101](#)

CD 3

CONTINUED CONSIDERATION OF MITIGATED NEGATIVE DECLARATION and COMMUNICATION FROM LOS ANGELES CITY PLANNING COMMISSION relative to appeals filed by REW DeSoto Partners, LLC and Josh Vasbinder on behalf of Warner 2D/E/P, LLC from part of the decision of the Advisory Agency in approving the modification of Vesting Tentative Tract No. 69061-M1, composed of two lots located at 6205-6219 De Soto Avenue, Woodland Hills, 91367, for the proposed construction of a maximum of 707 residential apartment units, including 312 senior apartment units and 395 market rate apartment units, subject to modified Conditions of Approval.

Applicant: Warner 2D/E/P, LLC
Representative: Fred Gaines, Gaines and Stacey LLP
Case No. VTT-69061-M1-1A

TIME LIMIT FILE - APRIL 10, 2013

(LAST DAY FOR COUNCIL ACTION - APRIL 10, 2013)

(Planning and Land Use Management 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.)

(Continued from Council meeting of March 19, 2013)

ITEM NO. (23) - ADOPTED - SEE FOLLOWING

Adopted, Ayes (12); Absent: ALARCON, GARCETTI (2)

[13-0212-S1](#)

CD 15

MITIGATED NEGATIVE DECLARATION (MND) and COMMUNICATION FROM THE HARBOR AREA PLANNING COMMISSION relative to an appeal filed by Jesse N. Marquez on behalf of the Coalition for a Safe Environment and Skip Baldwin on behalf of the Wilmington Citizens Committee (Jesse N. Marquez, Representative) from part of the decision of the Zoning Administrator in approving a zone variance from Los Angeles Municipal Code (LAMC) Section 12.09.1-A to permit overnight parking for tractor/trailer trucks and the open storage of shipping containers in the [Q]RD3-1XL-O zone, as otherwise not permitted; approving a zone variance from LAMC Section 12.21-A, 6(d) to permit no enclosing walls along the front, side and rear property line as otherwise required of an automobile parking area; and adopting the MND as the environmental clearance for the above actions, subject to Conditions of Approval, for the proposed truck/trailer parking and container storage facility located at 920 North Eubank Avenue in Wilmington. (Pursuant to LAMC Section 12.27.N, the appellant filed a request for a transfer of jurisdiction to the City Council for decision regarding the February 5, 2013 Harbor Area Planning Commission's failure to act by a vote of two to two on the appeal of the Zoning Administrator's approval of the zone variances and adoption of the MND.)

Applicant: William Hall, Elizabeth McGrath Johansing Partnership

Representative: Lee Ambers, California Property Consultants

Case No. ZA-2011-2387-ZV-ZAA-1A

Fiscal Impact Statement: None submitted.

Community Impact Statement: None submitted.

TIME LIMIT FILE - APRIL 12, 2013

(LAST DAY FOR COUNCIL ACTION - APRIL 12, 2013)

(Planning and Land Use Management 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

MITIGATED NEGATIVE DECLARATION (MND) and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an appeal for property at 920 North Eubank Avenue in Wilmington.

Recommendations for Council action:

- 1. ADOPT the FINDINGS of the Planning and Land Use Management Committee as the**

Findings of Council.

2. **RESOLVE TO GRANT THE APPEAL** filed by Jesse N. Marquez on behalf of the Coalition for a Safe Environment and Skip Baldwin on behalf of the Wilmington Citizens Committee (Jesse N. Marquez, Representative) from part of the decision of the Zoning Administrator and **THEREBY DENY** a zone variance from Los Angeles Municipal Code (LAMC) Section 12.09.1-A to permit overnight parking for tractor/trailer trucks and the open storage of shipping containers in the [Q]RD3-1XL-O zone, as otherwise not permitted; **DENY** a zone variance from LAMC Section 12.21-A, 6(d) to permit no enclosing walls along the front, side and rear property line as otherwise required of an automobile parking area; and **NOT ADOPT** the MND as the environmental clearance for the above actions, for the proposed truck/trailer parking and container storage facility located at 920 North Eubank Avenue in Wilmington. (Pursuant to LAMC Section 12.27.N, the appellant filed a request for a transfer of jurisdiction to the City Council for decision regarding the February 5, 2013 Harbor Area Planning Commission's failure to act by a vote of two to two on the appeal of the Zoning Administrator's approval of the zone variances and adoption of the MND.)

Applicant: William Hall, Elizabeth McGrath Johansing Partnership

Representative: Lee Ambers, California Property Consultants

Case No. ZA 2011-2387-ZV-ZAA-1A

Fiscal Impact Statement: None submitted by the Department of City Planning. 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 - APRIL 12, 2013

(LAST DAY FOR COUNCIL ACTION - APRIL 12, 2013)

ITEM NO. (24) - ADOPTED

Adopted, Ayes (11); Absent: ALARCON, GARCETTI, ROSENDAHL (3)

[13-0345](#)

PERSONNEL AND ANIMAL WELFARE AND PUBLIC SAFETY COMMITTEE REPORT relative to the Department of Animal Services' (DAS) elimination of the "graveyard shift" (midnight to 6:00 am) for all 16 Animal Care Technicians working at the City's six animal shelters.

Recommendation for Council action, as initiated by Motion (Koretz - Zine):

NOTE and FILE the April 1, 2013 DAS report relative to the elimination of the "graveyard shift" (midnight to 6:00 am) for all 16 Animal Care Technicians working at the City's six animal shelters.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

Items for Which Public Hearings Have Not Been Held - Items 25-35

(10 Votes Required for Consideration)

ITEM NO. (25) - ADOPTED

Adopted, Ayes (11); Absent: ALARCON, BUSCAINO, GARCETTI (3)

[13-0292](#)

COMMUNICATIONS FROM THE MAYOR and CITY ETHICS COMMISSION relative to the appointment of Mr. Barker Khorasanee to the Los Angeles City Employees' Retirement System Board.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. Barker Khorasanee to the Los Angeles City Employees' Retirement System Board for the term ending June 30, 2016 is APPROVED and CONFIRMED. Mr. Khorasanee resides in Council District 12. (Current Board gender composition: M=3; F=0).

Ethics Commission Review: Complete.

Background Check Review: Complete.

Community Impact Statement: None submitted.

TIME LIMIT FILE - APRIL 25, 2013

(LAST DAY FOR COUNCIL ACTION - APRIL 24, 2013)

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

Adopted, Ayes (10); Absent: ALARCON, BUSCAINO, GARCETTI, REYES (4)
(Item Nos. 26a-26j)

ITEM NO. (26) - ADOPTED

[13-0005-S219](#)

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 April 3, 2013:

[13-0005-S219](#)

CD 1

- a. Property at 1425 West 18th Street (Case No. 251466).
Assessor I.D. No. 5056-010-019

[13-0005-S220](#)

CD 1

- b. Property at 1346 West Court Street (Case No. 358240).
Assessor I.D. No. 5160-011-010

[13-0005-S221](#)

CD 8

- c. Property at 1804 West 24th Street (Case No. 7248).
Assessor I.D. No. 5058-021-034

[13-0005-S222](#)

CD 9

- d. Property at 678 East 41st Street (Case No. 358575).
Assessor I.D. No. 5115-002-006

[13-0005-S223](#)

CD 9

- e. Property at 678 East 41st Street (Case No. 399418).
Assessor I.D. No. 5115-002-006

[13-0005-S224](#)

CD 10

- f. Property at 3703 West Jefferson Boulevard (Case No. 227197).
Assessor I.D. No. 5050-030-058

[13-0005-S225](#)

CD 10

- g. Property at 909 South Fedora Street (Case No. 331048).
Assessor I.D. No. 5094-022-030

[13-0005-S226](#)

CD 10

- h. Property at 932 South Normandie Avenue (Case No. 386828).
Assessor I.D. No. 5094-022-002

[13-0005-S227](#)

CD 13

- i. Property at 320 North Burlington Avenue (Case No. 22485).
Assessor I.D. No. 5159-004-012

[13-0005-S228](#)

CD 13

- j. Property at 320 North Burlington Avenue (Case No. 361533).
Assessor I.D. No. 5159-004-012

ITEM NO. (27) - ADOPTED

Adopted, Ayes (10); Absent: ALARCON, BUSCAINO, GARCETTI, REYES (4)

[12-0600-S172](#)

COMMUNICATION FROM CHAIR AND MEMBER, BUDGET AND FINANCE COMMITTEE relative to outside counsel expenditures for the second quarter of Fiscal Year (FY) 2012-13.

Recommendation for Council action:

NOTE and FILE the City Attorney's report relative to outside counsel expenditures for the second quarter of FY 2012-13 as of December 2012.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (28) - ADOPTED

Adopted, Ayes (11); Absent: ALARCON, GARCETTI, ROSENDAHL (3)

[13-0363](#)

COMMUNICATION FROM CHAIR AND MEMBER, BUDGET AND FINANCE COMMITTEE relative to appropriations for outside counsel in the Kern County Biosolids Litigation.

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

1. AUTHORIZE the City Attorney to extend the term of Contract No. C-110169 for two years to May 14, 2014, and increase the funding by \$700,000.00 for a total Contract amount with Beveridge & Diamond, P.C. not to exceed \$3,483,565.00, and an additional \$50,000.00 for the services of the Law Offices of Michael J. Lampe in Visalia, California.
2. APPROVE the waiver of the potential conflict of interest which may arise from Beveridge & Diamond's representation of Siemens Industry, Inc. in its permit transfer processes within the City.

Fiscal Impact Statement Submitted: 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.

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

ITEM NO. (29) - CONTINUED TO MAY 10, 2013

Adopted to Continue, Unanimous Vote (11); Absent: ALARCON, GARCETTI, ROSENDAHL (3)

[13-0316](#)

CD 1

COMMUNICATION FROM CHAIR AND MEMBER, PUBLIC SAFETY COMMITTEE relative to the Los Angeles Fire Department (LAFD) deploying ambulances and Emergency Medical Services (EMS) personnel at Dodger home games.

SUBMITS WITHOUT RECOMMENDATION the following recommendation, pursuant to Motion (Englander - Reyes):

REQUEST the LAFD, City Administrative Officer (CAO), and City Attorney report relative to the operational, financial, and legal implications of an agreement for the LAFD to deploy two Advanced Life Support rescue ambulances, one Basic Life Support rescue ambulance, and one EMS Captain at all Dodger home games.

Fiscal Impact Statement: None submitted by the LAFD. Neither the CAO nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

ITEM NO. (30) - ADOPTED

Adopted, Ayes (11); Absent: ALARCON, BUSCAINO, GARCETTI (3)

[11-1593-S6](#)

COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER (CAO) relative to authorization to execute a contract with ICF Jones and Stokes, Inc. for historic preservation review services, and related actions.

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

1. APPROVE the results of a Request for Proposals (RFP) issued on July 6, 2012 and the selection of ICF Jones and Stokes, Inc. (Jones and Stokes) to provide historic review services for City projects, in compliance with federal regulations for an amount not to exceed \$300,000.
2. AUTHORIZE the General Managers, Community Development Department (CDD) and Los Angeles Housing Department (LAHD), or designees, to negotiate and execute a contract with Jones and Stokes to provide historic review services that are substantially similar to the specifications of the RFP and the terms and services listed in Attachment A of the CAO report dated March 26, 2013 (attached to Council File No. 11-1593-S6), for a term of one year from April 1, 2013 to March 31, 2014, with options to renew for two additional one-year terms, subject to the approval of the City Attorney as to form, funding availability and compliance with the City's contracting requirements.
3. AUTHORIZE the Controller to:

- a. Establish and appropriate a new account within the Housing Production Revolving Fund No 240/43 as follows:

<u>Account</u>	<u>Name</u>	<u>Amount</u>
43K368	Historical Preservation	\$300,000

- b. Expend an amount not to exceed \$300,000 upon proper demand by the General Manager, LAHD, or designee, for historic review services.
4. AUTHORIZE the General Managers, CDD and LAHD, or designees, to prepare Controller instructions and make technical adjustments that may be required and are consistent with this action, subject to the approval of the CAO; and, AUTHORIZE the Controller to implement these instructions.

Fiscal Impact Statement: The CAO reports that there is no General Fund impact. Approval of the recommendations in this report will allow the City to negotiate and execute a contract with Jones and Stokes to provide environmental and historic review services on City projects in an amount not to exceed \$300,000. The recommendations comply with the City's Financial Policies in that funding is available in grant funds. All funding is subject to the availability of grant funds and funding determinations by the Mayor and Council.

Community Impact Statement: None submitted.

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

ITEM NO. (31) - ADOPTED

Adopted, Ayes (10); Absent: ALARCON, BUSCAINO, GARCETTI, REYES (4)

[11-1161-S1](#)

MOTION (WESSON - HUIZAR) relative to amending a contract with Granicus for continued access to live and on-demand video and audio of City meetings.

Recommendations for Council action:

1. INSTRUCT the City Clerk to execute the sixth Amendment to the existing Granicus Contract No. C-109835, essentially in the form of the draft attached to the Council file, subject to City Attorney approval as to form and legality, to extend the term of the contract an additional three years through June 1, 2016 and increase the agreement by \$225,000 for a total amount not to exceed \$835,520.
2. AUTHORIZE the City Clerk to make any technical corrections or clarifications as necessary to these instructions to effectuate the intent of this Motion.

ITEM NO. (32) - ADOPTED

Adopted, Ayes (10); Absent: ALARCON, BUSCAINO, GARCETTI, REYES (4)

[12-0498-S1](#)

CD 14

MOTION (HUIZAR - ALARCON) relative to funding for the community beautification efforts of the Clean and Green program in Council District 14.

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

1. TRANSFER/APPROPRIATE \$75,000 in the AB1290 Fund No. 53P, Account No. 281214 (CD 14 Redevelopment Projects – Services) and \$24,000 in the Central Los Angeles Recycling and Transfer Station Community Amenities Trust Fund No. 47S/14 (Total: \$99,000) to the Board of Public Works Fund 100/74, Account 3040 (Contractual Services) for the community beautification efforts of the Clean and Green program in Council District 14.
2. AUTHORIZE the Board of Public Works to make any technical corrections or clarifications as necessary to the above fund transfer instruction in order to effectuate the intent of the Motion.

ITEM NO. (33) - ADOPTED

Adopted, Ayes (11); Absent: ALARCON, GARCETTI, ROSENDAHL (3)

[12-0378-S1](#)

CD 1

MOTION (HUIZAR - REYES) relative to installing street banners promoting the Lincoln Heights Neighborhood Council.

Recommendations for Council action:

1. APPROVE the street banner program identifying the Lincoln Heights Neighborhood Council, as a City of Los Angeles Non-Event Street Banner Program.
2. APPROVE the content of the Street Banner design, attached to the Council file.

ITEM NO. (34) - SUBSTITTUTE MOTION ADOPTED IN LIEU OF ORIGINAL MOTION - SEE FOLLOWING

Substitute Motion adopted, Ayes (10); Absent: ALARCON, BUSCAINO, GARCETTI, REYES (4)

[13-0600](#)

MOTION (KREKORIAN - WESSON) relative to the City Council holding public hearings on the Mayor's Proposed 2013-14 Budget for the City.

Recommendations for Council action:

1. HOLD public hearings on the Mayor's Proposed 2013-14 Budget for the City commencing on Friday, May 17, 2013 at 10:00 a.m. in the John Ferraro Council Chamber and continuing each regular and special Council meeting day at said hour until such time as the City Council concludes its consideration of the Proposed Budget.
2. SCHEDULE a special meeting of the City Council on Thursday, May 23, 2013 at 10:00 a.m. to be devoted entirely to consideration of the Budget and Finance Committee report and City Council motions to amend the Mayor's Proposed 2013-14 Budget.
3. INSTRUCT the City Clerk, with the assistance of the City Administrative Officer and Chief Legislative Analyst, to provide information to the public on the Mayor's Proposed 2013-14 Budget and publish the required notices.

ADOPTED

SUBSTITUTE MOTION (KREKORIAN - WESSON)

Recommendations for Council action:

1. **HOLD public hearings on the Mayor's Proposed 2013-14 Budget for the City Council on Friday, May 17, 2013 at 10:00 a.m. in the John Ferraro Council Chamber.**
2. **SCHEDULE a special meeting of the City Council on Thursday, May 23, 2013 at 10:00 a.m. to be devoted entirely to consideration of the Budget and Finance Committee report and City Council motions to amend the Mayor's Proposed 2013-14 Budget, and continuing each regular and special Council meeting day at said hour until such time as the City Council concludes its consideration of the Proposed Budget.**
3. **INSTRUCT the City Clerk, with the assistance of the City Administrative Officer and Chief Legislative Analyst, to provide information to the public on the Mayor's Proposed 2013-14 Budget and publish the required notices.**

ITEM NO. (35) - ADOPTED

Adopted, Ayes (10); Absent: ALARCON, BUSCAINO, GARCETTI, REYES (4)

[13-0002-S47](#)

RESOLUTION (ROSENDAHL - ZINE - GARCETTI) relative to the City's position in connection with the AIDS/LifeCycle seven-day bicycle ride from San Francisco to Los Angeles.

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

RESOLVE that the City SUPPORT the AIDS/LifeCycle seven-day bicycle ride from San Francisco to Los Angeles, which will pass over State Highway Route 1 on June 8, 2013 in the City of Los Angeles.

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

[13-0432](#)

MOTION (HUIZAR - ENGLANDER) relative to the Corporate Connection Dinner hosted by Women Business Enterprise Council - West on April 9, 2013.

[13-0433](#)

MOTION (REYES - ROSENDAHL) relative to The Getty Foundation for the Multicultural Undergraduate Summer Internship program.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

[13-0004-S1](#) - Chi State Organization of Delta Kappa Gamma Society (Krekorian - Huizar)

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

[13-0003-S1](#) - Charles Watson Johnson (Englander - All Councilmembers)

Englander, Huizar, Koretz, Krekorian, LaBonge, Parks, Perry, Rosendahl, Zine and President Wesson (10); Absent: Alarcón, Buscaino, Garcetti, Reyes (4); Vacant: Council District Six

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL

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Regular Meeting Recessed at 10:59 a.m.
Special Meeting Convened at 10:59 a.m.
Special Meeting Adjourned at 12:01 p.m.
Regular Meeting Convened at 12:01 p.m.