

Los Angeles City Council, **Journal/Council Proceedings**
Wednesday, **May 1, 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, Garcetti, Huizar, Koretz, Krekorian, LaBonge, Parks, Perry, Reyes, Zine and President Wesson (13); Absent: Rosendahl (1); Vacant: Council District Six

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
APRIL 26, 2013

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - NONE

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 1-12

Adopted, Ayes (13); Absent: ROSENDAHL (1)
(Item Nos. 1-3)

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

[12-0143-S1](#)

CD 11

HEARING PROTESTS against the proposed improvement and maintenance of the Armacost Avenue and Iowa Avenue No. 1 Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Armacost Avenue and Iowa Avenue No. 1 Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on February 27, 2013 - Continue hearing and present Ordinance on May 22, 2013 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (2) - PUBLIC HEARING CLOSED - ADOPTED

[13-0126](#)

CD 4

HEARING PROTESTS against the proposed improvement and maintenance of the Lexington and Las Palmas Avenues Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Lexington and Las Palmas Avenues Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on February 27, 2013 - Continue hearing and present Ordinance on May 22, 2013 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (3) - PUBLIC HEARING CLOSED - ADOPTED

[13-0127](#)

CD 12

HEARING PROTESTS against the proposed improvement and maintenance of the Baden Avenue and Itasca Street Lighting District.

Recommendation for Council action:

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

(Ordinance of Intention adopted on February 27, 2013 - Continue hearing and present Ordinance on May 22, 2013 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (4) - PUBLIC HEARING CLOSED - ADOPTED

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

[13-0146](#)

CD 4

HEARING PROTESTS against the proposed improvement and maintenance of the La Brea Avenue and Yucca Street Lighting District.

Recommendation for Council action:

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

(Ordinance of Intention adopted on February 27, 2013 - Continue hearing and present Ordinance on May 22, 2013 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

Adopted, Ayes (13); Absent: ROSENDAHL (1)
(Item Nos. 5-11)

ITEM NO. (5) - PUBLIC HEARING CLOSED - ADOPTED

[13-0147](#)

CD 8

HEARING PROTESTS against the proposed improvement and maintenance of the Figueroa and 32nd Streets Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Figueroa and 32nd Streets Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on February 27, 2013 - Continue hearing and present Ordinance on May 22, 2013 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (6) - PUBLIC HEARING CLOSED - ADOPTED

[13-0156](#)

CD 13

HEARING PROTESTS against the proposed improvement and maintenance of the Allesandro and El Moran Streets Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Allesandro and El Moran Streets Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on February 27, 2013 - Continue hearing and present Ordinance on May 22, 2013 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (7) - PUBLIC HEARING CLOSED - ADOPTED

[13-0157](#)

CD 7

HEARING PROTESTS against the proposed improvement and maintenance of the Foothill Boulevard and Bledsoe Street Lighting District.

Recommendation for Council action:

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

(Ordinance of Intention adopted on February 27, 2013 - Continue hearing and present Ordinance on May 22, 2013 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (8) - PUBLIC HEARING CLOSED - ADOPTED

[13-0185](#)

CD 4

HEARING PROTESTS against the proposed improvement and maintenance of the Bloomfield Street and Cahuenga Boulevard No. 1 Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Bloomfield Street and Cahuenga Boulevard No. 1 Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on February 27, 2013 - Continue hearing and present Ordinance on May 22, 2013 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (9) - PUBLIC HEARING CLOSED - ADOPTED

[13-0186](#)

CD 6

HEARING PROTESTS against the proposed improvement and maintenance of the Nordhoff Street and Tobias Avenue Lighting District.

Recommendation for Council action:

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

(Ordinance of Intention adopted on February 27, 2013 - Continue hearing and present Ordinance on May 22, 2013 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

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

[13-0187](#)

CD 11

HEARING PROTESTS against the proposed improvement and maintenance of the Bundy Drive and Bundy Place Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Bundy Drive and Bundy Place Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on February 27, 2013 - Continue hearing and present Ordinance on May 22, 2013 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

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

[13-0188](#)

CD 12

HEARING PROTESTS against the proposed improvement and maintenance of the Reseda Boulevard and Halsted Street Lighting District.

Recommendation for Council action:

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

(Ordinance of Intention adopted on February 27, 2013 - Continue hearing and present Ordinance on May 22, 2013 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (12) - CONTINUED TO MAY 15, 2013

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

[12-1961](#)

CD 2

CONTINUED CONSIDERATION OF HEARING PROTESTS against the proposed improvement and maintenance of the Vineland Avenue and Kittridge Street Lighting District.

Recommendation for Council action:

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

(Ordinance of Intention adopted on January 16, 2013 - Continue hearing and present Ordinance on June 5, 2013 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

(Continued from Council meeting of April 17, 2013)

Items for Which Public Hearings Have Been Held - Items 13-27

ITEM NO. (13) - ADOPTED - SEE FOLLOWING

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

[13-0301](#)

CONTINUED CONSIDERATION OF COMMUNICATIONS FROM THE MAYOR AND CITY ETHICS COMMISSION relative to the appointment of Mr. Paul C. Hudson to the Board of Commissioners of the Housing Authority of the City of Los Angeles.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. Paul C. Hudson to the Board of Commissioners of the Housing Authority of the City of Los Angeles for the term ending June 6, 2016 is APPROVED and CONFIRMED. Mr. Hudson resides in Council District Four. (Current Board gender composition: M = 1; F = 4; Vacant = 2)

Ethics Commission Review: Complete.

Background Check Review: Complete.

Community Impact Statement: None submitted.

(Housing, Community and Economic Development 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 www.lacouncilfile.com for background documents.)

(Continued from Council meeting of April 17, 2013)

ADOPTED

COMMUNICATION FROM CHAIR, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE relative to the appointment of Mr. Paul C. Hudson to the Board of Commissioners for the Housing Authority of the City of Los Angeles.

Recommendation for Council action:

RESOLVE that the Mayor’s appointment of Mr. Paul C. Hudson to the Board of Commissioners for the Housing Authority of the City of Los Angeles for the term ending June 6, 2016 is APPROVED and CONFIRMED. Mr. Hudson resides in Council District Four. (Current Board gender composition: M = 1; F = 4; Vacant = 2)

Ethics Commission review: Complete.

Background Check Review: Complete.

Community Impact Statement: None submitted.

**Adopted, Ayes (13); Absent: ROSENDAHL (1)
(Item Nos. 14-22)**

ITEM NO. (14) - ADOPTED

11-1901

BUDGET AND FINANCE COMMITTEE REPORT relative to a refund for construction services which were not performed on the Warner Grand Theater Rehabilitation Project.

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

1. APPROVE the return to the Community Redevelopment Agency/Los Angeles (CRA/LA), a Designated Local Authority and Successor Agency to the former Community Redevelopment Agency, a total of \$299,625 which is a refund for an advance payment for construction services which were not performed on the Warner Grand Theater Rehabilitation Project.
2. AUTHORIZE the City Controller to refund \$299,625 to the CRA/LA from Fund 100/40 General Services as follows:

| <u>Account</u> | <u>Title</u> | <u>Amount</u> |
|----------------|-------------------------------------|--------------------|
| 001014 | Construction Salaries | \$177,053.22 |
| 001191 | Hiring Hall Overtime | \$58,947.16 |
| 003180 | Construction Materials and Supplies | <u>\$63,624.62</u> |
| | Total: | \$299,625.00 |

3. AUTHORIZE the City Administrative Officer (CAO) to make technical corrections as necessary to those transactions included in this report to implement Mayor and Council intentions.

Fiscal Impact Statement: The CAO reports that the fiscal impact is \$299,625 to issue a refund for an advance payment for construction services which were not performed on the Warner Grand Theater Rehabilitation Project (Project). Approval of the recommendations in this report will authorize a refund of \$299,625 from 100/40 General Services to the CRA/LA for the retained balance associated with the Project.

Community Impact Statement: None submitted.

ITEM NO. (15) - ADOPTED

[12-0600-S175](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to the status of the General Fund liability accounts as of December 31, 2012.

Recommendation for Council action:

NOTE and FILE the City Attorney's report relative to the status of the General Fund liability accounts as of December 31, 2012.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

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

ITEM NO. (16) - ADOPTED

[13-0307](#)

GENERAL EXEMPTION and ENERGY AND ENVIRONMENT COMMITTEE REPORT relative to proposed Amendment No. 2 to nine existing agreements to assist the Los Angeles Department of Water and Power (LADWP) with the implementation of its ongoing Renewable Portfolio Standard Programs.

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. 013-192, authorizing the execution of Amendment No. 2 to the following nine existing agreements (Agreement No's. 47836, 47837, 47838, 47839, 47840, 47841, 47842, 47843 and 47844) between the LADWP and Integrated Engineers & Contractors Corporation, Black & Veatch Corporation, Worley Parsons, Inc., Burns and McDonnell Engineering Company, Inc., TMAD Taylor and Gaines, and Hill International for the implementation of its ongoing Renewable Portfolio Standard Programs.

Fiscal Impact Statement: The City Administrative Officer reports that no additional funding is requested thus approval of the proposed resolution will have no impact to the Power Revenue Fund or the City's General Fund. The proposed Agreement complies with the Department's adopted Financial Policies.

Community Impact Statement: None submitted.

TIME LIMIT FILE - MAY 14, 2013

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

ITEM NO. (17) - ADOPTED

[13-0309](#)

GENERAL EXEMPTION and ENERGY AND ENVIRONMENT COMMITTEE REPORT relative to proposed Amendment No. 1 to Agreement No. 47721-8 between the Los Angeles Department of Water and Power (LADWP) and Intergraph Corporation for the Geospatial Electric System Maintenance Program.

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. 013-207, authorizing the execution of Amendment No. 1 to Agreement No. 47721-8 between the LADWP and Intergraph Corporation for the Geospatial Electric System Maintenance Program.

Fiscal Impact Statement: The City Administrative Officer reports that approval of the proposed amendment to the agreement with Intergraph Corporation will have no impact on the General Fund. Funding will be provided from the Department's Power Revenue Fund. All expenditures for this Agreement will be from the Department's Power Revenue Fund over a four-year period. The Department of Water and Power Financial Policies are not applicable.

Community Impact Statement: None submitted.

TIME LIMIT FILE - MAY 14, 2013

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

ITEM NO. (18) - ADOPTED

[09-1731](#)

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION relative to approval of a Fourth Modification to the Cooperation Agreement between the City and the Housing Authority of the City of Los Angeles (HACLA) concerning Council oversight of HACLA actions.

Recommendation for Council action:

EXECUTE the Fourth Modification to the Cooperation Agreement between the City of Los Angeles and HACLA which consists of the following protocols:

- a. Forward to each Councilmember all Board of Commissioner posted agendas.
- b. Upon Councilmember request, submit for Council review any HACLAs documents, provided such request does not preclude HACLAs from taking action in a timely manner.
- c. Be available to present to Council and its Committees.

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

Community Impact Statement: None submitted.

ITEM NO. (19) - ADOPTED

[12-1470](#)

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to authorization to award a Professional Services Agreement (PSA) to S. Groner Associates, Inc., in the amount of \$160,000 to provide education outreach services to landlords and tenants under the Rent Stabilization Ordinance (RSO) and Systematic Code Enforcement Program (SCEP).

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

1. AUTHORIZE the General Manager, Los Angeles Housing Department (LAHD), or designee, to execute a contract with S. Groner Associates, Inc., in the amount of \$160,000 for a term of one year from the date of execution, with the option to extend the contract by two one-year terms not to exceed at total of three years, subject to: review and approval by the City Attorney as to form; funding availability, the contractor's continuing compliance with applicable Federal, State, and local government legislation, and evaluations of the contractor's performance; and compliance with the City's contracting requirements. Funding will be provided as follows from Department 43:

| <u>Fund</u> | <u>Account</u> | <u>Amount</u> |
|--------------------------------------|--------------------------|-----------------|
| 41M, Systematic Code Enforcement Fee | 43J412, Service Delivery | \$80,000 |
| 440, Rent Stabilization Trust | 43J412, Service Delivery | <u>\$80,000</u> |
| | Total: | \$160,000 |

2. AUTHORIZE the General Manager, LAHD, or designee, to prepare Controller instructions for any necessary technical adjustments consistent with the Mayor and Council action in this matter, subject to approval of the City Administrative Officer (CAO), and AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: The CAO reports that there is no impact to the General Fund. Approval of the recommendations in this report will permit the LAHD to enter into a contract with S. Groner Associates, Inc. in the amount of \$160,000 for outreach and education strategies and assistance to raise awareness of LAHD programs and services. The recommendations are in compliance with City Financial Policies in that the full cost of these services will be paid through available special fund sources. Any subsequent funding awards and term extensions will be contingent on the availability of funding.

Community Impact Statement: None submitted.

TIME LIMIT ITEM - MAY 5, 2013
(LAST DAY FOR COUNCIL ACTION - MAY 3, 2013)

ITEM NO. (20) - ADOPTED

[13-0002-S28](#)

RULES, ELECTIONS AND INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT and RESOLUTION relative to the City's position opposing the proposed changes to the Enterprise Zone program.

Recommendation for Council action, pursuant to Resolution (Englander - Huizar - Wesson), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

ADOPT the accompanying RESOLUTION to include in the City's 2013-14 State Legislative Program OPPOSITION to the proposed changes to the Enterprise Zone program UNLESS AMENDED to leave retroactive vouchering and self-certification rules unchanged.

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

Community Impact Statement: None submitted.

ITEM NO. (21) - ADOPTED

[13-0002-S32](#)

RULES, ELECTIONS AND INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT and RESOLUTION relative to the City's position to support Senate Bill (SB) 57 (Lieu) which would increase the penalties for parolees who remove their ankle-mounted monitoring devices without approval.

Recommendation for Council action, pursuant to Resolution (Englander – Buscaino), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

ADOPT the accompanying RESOLUTION to include in the City's 2013-14 State Legislative Program SUPPORT for SB 57 (Lieu) which would increase the penalties for parolees who remove their ankle-mounted monitoring devices without approval.

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

Community Impact Statement: None submitted.

ITEM NO. (22) - ADOPTED

[13-0002-S56](#)

RULES, ELECTIONS AND INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT and RESOLUTION relative to the City's position to support Senate Bill (SB) 211 (Price) to allow the City to continue a reciprocal agreement with the Franchise Tax Board to exchange tax information.

Recommendation for Council action, pursuant to Resolution (Krekorian - LaBonge), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

ADOPT the accompanying RESOLUTION to include in the City's 2013-14 State Legislative Program SUPPORT for SB 211 (Price) to allow the City to continue to enter into a reciprocal agreement with the State of California Franchise Tax Board to exchange tax information.

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

Community Impact Statement: None submitted.

ITEM NO. (23) - ADOPTED, AS AMENDED - FORTHWITH - SEE FOLLOWING

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

[13-0337](#)

TRANSPORTATION COMMITTEE REPORT relative to establishing Measure R Local Return Programming priorities.

Recommendations for Council action:

1. ESTABLISH Measure R Local Return Programming Priorities in priority order, as follows:
 - a. Debt Service
 - b. Transit Capital Funding (also known as the Three Percent Local Match) - \$317 million
 - c. Streetcar operations (if needed)
 - d. Bicycle and Pedestrian Funding and sidewalk access ramp construction
 - e. Pavement Preservation Program - Road resurfacing, reconstruction, slurry sealing, crack sealing and pothole repair
 - f. Median island maintenance
 - g. Administrative costs required to support Measure R
 - h. A capital program for road repair (other than pavement preservation) such as, but not limited to: guardrail repair; retaining walls; tunnel ventilation; berm repair; bulkhead construction; sinkhole repair; sidewalk improvements; seismic bridge strengthening; and, alley improvement, repair, or construction
 - i. Transportation planning
 - j. Front funding for signal synchronization construction

2. DIRECT the Los Angeles Department of Transportation (LADOT) and the City Administrative Officer (CAO) to identify appropriations required to fulfill the priorities each year and to provide funding within the Measure R Local Return Fund consistent with established priorities with shortfalls in revenue resulting in reductions to the lowest priority appropriations first.
3. INSTRUCT and AUTHORIZE the LADOT and the CAO to prepare and present long-term forecasts of the Measure R Local Return Fund that are consistent with the established Programming Priorities for submission to the Federal Government and to potential bondholders.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund.

Community Impact Statement: None submitted.

ADOPTED

AMENDING MOTION (PARKS - WESSON - GARCETTI - ROSENDAHL)

Recommendation for Council action:

AMEND the Transportation Committee report to include an instruction for the City Administrative Officer to present a proposal to bond against future Measure R Local Return revenues to obtain a \$40 million City contribution for an underground station at Leimert Park and a \$15 million City contribution toward a rail station in Westchester as part of the Los Angeles County Metropolitan Transportation Authority's Crenshaw/LAX Light Rail Line Project.

ADOPTED

MOTION (ENGLANDER - BUSCAINO)

Recommendation for Council action:

INSTRUCT the City Administrative Officer to report/present at a joint meeting of the Public Works and Transportation Committees its proposal to bond against future Measure R Local Return revenues to obtain a \$40 million City contribution for an underground station at Leimert Park and a \$15 million City contribution toward a rail station in Westchester as part of the Los Angeles County Metropolitan Transportation Authority's Crenshaw/LAX Light Rail Line Project.

**Adopted, Ayes (13); Absent: ROSENDAHL (1)
(Item Nos. 24-27)**

ITEM NO. (24) - ADOPTED - FORTHWITH

[13-0358](#)

TRANSPORTATION COMMITTEE REPORT and RESOLUTION relative to authorizing the Los Angeles Department of Transportation (LADOT) to access federal, state, and local summary criminal history information for employment, licensing, and certification purposes.

Recommendations for Council action:

1. CONCUR with the actions taken by the Board of Transportation Commissioners and the Board of Taxicab Commissioners at their respective meetings held February 14, and February 21, 2013, approving the various findings and determinations of LADOT relative to accessing federal, state, and local summary criminal history information for employment, licensing, and certification purposes.
2. ADOPT the accompanying RESOLUTION authorizing the City of Los Angeles through LADOT to access state and federal level summary criminal history information for employment (including volunteers and contract employees), licensing, and certification of Parking Meter Collectors, Taxicab Drivers, Ambulance Drivers, Ambulance Attendants, Non-ambulatory Drivers, Non-ambulatory Attendants, Utter Van Drivers, Utter Van Attendants, PTV Drivers, Motor Bus Drivers, Pedi-cab Drivers, Animal-drawn vehicle Drivers, Company Owners, Company Directors, Company Managers, and Company Supervisors.
3. REQUEST the City Attorney to prepare and present an ordinance amending Article 1 of Chapter VII, Section 71.01.2 of the Los Angeles Municipal Code (LAMC), to authorize designated LADOT personnel to access federal and state summary criminal history information, substantially as written in the draft ordinance attached to the LADOT report to the Board of Transportation Commissioners dated February 14, 2013 (attached to the Council file).

Fiscal Impact Statement: None submitted. 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. (25) - ADOPTED

[13-0374](#)

CD 15

CATEGORICAL EXEMPTION and TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT relative to the proposed Successor Permit with H.J. Baker and Brothers, Inc. for the operation and maintenance of a sulphur processing, storage and maintenance facility.

Recommendations for Council action:

1. ADOPT the determination by the Los Angeles Harbor Department that the proposed action is exempt under the California Environmental Quality Act (CEQA) as provided in Article III Class 1(14) of the Los Angeles City CEQA Guidelines.
2. APPROVE the Successor Permit with H.J. Baker and Brothers, Inc. for the operation and maintenance of a sulphur processing, storage and maintenance facility.

Fiscal Impact Statement: The City Administrative Officer reports that approval of the proposed lease agreement with H. J. Baker and Brothers, Inc. (HJB) will have no impact on the City General Fund and any rental compensation will be deposited into the Harbor Revenue Fund. The proposed rental compensation will be increased by \$183,756 per year, from \$143,880 annually or \$11,990 per month, respectively, to a proposed rental rate of \$327,636 per year or \$27,303 per month, for a 10-year lease. The rental rate is based on a 10 percent rate of return on the land value of \$25 per square foot derived from a negotiated rate between HJB and the Port. The proposed compensation reflects the Board's approved rate of return on land value of 10 percent. The rental compensation will be reset after five years and adjusted annually based on the Consumer Price Index.

Community Impact Statement: None submitted.

TIME LIMIT FILE - MAY 2, 2013

(LAST DAY FOR COUNCIL ACTION - MAY 1, 2013)

ITEM NO. (26) - ADOPTED

13-0400

TRANSPORTATION COMMITTEE REPORT relative to extending the parking meter lease contract with IPS Group, Inc.

Recommendation for Council action:

AUTHORIZE the Los Angeles Department of Transportation (LADOT), subject to the approval of the City Attorney as to form and legality, to:

- a. Extend the city's current parking meter lease contract with IPS Group, Inc., for up to five additional years, changing the end date from May 5, 2013, to May 4, 2018.
- b. Execute a contractual agreement with IPS Group, Inc., to be signed and executed by the parties, amending the City's current parking meter lease contract (C-117382) to extend the term of the agreement one additional year with the option of four additional one year periods.

Fiscal Impact Statement: The LADOT reports that this action will not impact the General Fund. Funding for parking meters and related services is provided by the Special Parking Revenue Fund. Funding for the current lease strategy is provided in the Fiscal Year 2012-13 budget. Funding in the amount of approximately \$2.69 million would be needed to purchase the leased meters at the end of the current term.

Community Impact Statement: None submitted.

ITEM NO. (27) - ADOPTED

13-0465

TRANSPORTATION COMMITTEE REPORT and RESOLUTION relative to prohibiting or restricting the parking of vehicles displaying lost, stolen, canceled, or expired disabled parking placards.

Recommendation for Council action, as initiated by Motion (Rosendahl - Krekorian):

ADOPT the accompanying RESOLUTION allowing the City to prohibit or restrict the parking of vehicles displaying lost, stolen, canceled, or expired disabled parking placards, or placards belonging to a deceased person, as well as parking by vehicles displaying a placard when not being used to transport the individual to whom the placard was issued.

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

Community Impact Statement: None submitted.

Items for Which Public Hearings Have Not Been Held - Items 28-38

(10 Votes Required for Consideration)

ITEM NO. (28) - ADOPTED

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

[11-1988-S1](#)

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

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. Michael Keeley to the Los Angeles City Employees' Retirement System Board for the term ending June 30, 2017 is APPROVED and CONFIRMED. Mr. Keeley resides in Council District 11. (Current Board gender composition: M=3; F=0).

Ethics Commission Review: Complete.

Background Check Review: Complete.

Community Impact Statement: None submitted.

TIME LIMIT FILE - MAY 30, 2013

(LAST DAY FOR COUNCIL ACTION - MAY 29, 2013)

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

ITEM NO. (29) - CONTINUED TO MAY 3, 2013

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

[13-0405](#)

CONTINUED CONSIDERATION OF COMMUNICATIONS FROM THE BOARD OF FIRE AND POLICE PENSION COMMISSIONERS and THE MAYOR relative to the selection of Mr. Ray Joseph as General Manager of the Los Angeles Fire and Police Pensions.

Recommendation for Council action:

CONCUR in the Board of Fire and Police Pension Commissioners' action to appoint Mr. Ray Joseph as permanent General Manager of the Los Angeles Fire and Police Pensions, pursuant to Charter Section 1108(b).

Community Impact Statement: None submitted.

TIME LIMIT FILE - MAY 20, 2013

(LAST DAY FOR COUNCIL ACTION - MAY 17, 2013)

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

(Continued from Council meeting of April 26, 2013)

**Adopted, Ayes (13); Absent: ROSENDAHL (1)
(Item Nos. 30-31)**

ITEM NO. (30) - ADOPTED

[13-0447](#)

CD 5

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of Exposition and Venice Boulevards Lighting District.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated April 15, 2013.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **JULY 3, 2013** as the hearing date for the maintenance of the Exposition and Venice Boulevards Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$11,838.24 will be collected annually starting with tax year 2013-14 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: June 26, 2013)

ITEM NO. (31) - ADOPTED

[13-0448](#)

CD 11

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of Brockton Avenue and Idaho Avenue No. 1 Lighting District.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated April 15, 2013.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **JULY 3, 2013** as the hearing date for the maintenance of the Brockton Avenue and Idaho Avenue No. 1 Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$497.55 will be collected annually starting with tax year 2013-14 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: June 26, 2013)

ITEM NO. (32) - ADOPTED

**Adopted, Ayes (13); Absent: KREKORIAN (1)
(Item Nos. 32a-32h)**

[13-0005-S271](#)

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 24, 2013:

[13-0005-S271](#)

CD 4

- a. Property at 1022 South Masselin Avenue (Case No. 370033).
Assessor I.D. No. 5085-006-004

[13-0005-S272](#)

CD 8

- b. Property at 1374 West 37th Place (Case No. 331074).
Assessor I.D. No. 5040-011-004

[13-0005-S273](#)

CD 8

- c. Property at 5842 South Halldale Avenue (Case No. 287391).
Assessor I.D. No. 6002-004-001

[13-0005-S274](#)

CD 8

- d. Property at 5842 South Halldale Avenue (Case No. 357084).
Assessor I.D. No. 6002-004-001

[13-0005-S275](#)

CD 9

- e. Property at 356 East 52nd Street (Case No. 399936).
Assessor I.D. No. 5109-025-004

[13-0005-S76](#)

CD 10

- f. Property at 3039 South Hillcrest Drive (Case No. 169492).
Assessor I.D. No. 5057-020-025

[13-0005-S277](#)

CD 13

- g. Property at 1150 North Wilton Place (Case No. 380843).
Assessor I.D. No. 5536-007-029

[13-0005-S278](#)

CD 14

- h. Property at 5908 East Fayette Street (Case No. 363041).
Assessor I.D. No. 5484-008-030

ITEM NO. (33) - REFERRED TO INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE

Adopted to Refer, Unanimous Vote (13); Absent: KREKORIAN (1)

[13-0002-S68](#)

COMMUNICATION FROM THE CHIEF LEGISLATIVE ANALYST and RESOLUTION relative to the City's position to oppose Assembly Bill (AB) 185 (Hernandez), which would amend the Ralph M. Brown Act to require local entities to televise open and public meetings of legislative bodies, planning commissions, and advisory committee meetings.

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

ADOPT the accompanying RESOLUTION to include in the City's 2013-14 State Legislative Program, OPPOSITION to AB 185 (Hernandez) which would amend the Ralph M. Brown Act, in part, to require local entities that collect cable television franchise fees to televise open and public meetings of its legislative body and planning commission, and if financially feasible, to televise open and public meetings of its advisory committees. The bill would also duplicate existing statutory law authorizing the use of franchise fee revenues to televise these meetings on Public, Educational and Governmental Access channels.

Community Impact Statement: None submitted.

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

Adopted, Ayes (13); Absent: ROSENDAHL (1)
(Item Nos. 34-35)

ITEM NO. (34) - ADOPTED

[12-0418-S1](#)

CONSIDERATION OF MOTION (WESSON - LABONGE) relative to funding for the Los Angeles Fire Department's Automatic Vehicle Location pilot project.

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

TRANSFER \$3,000,000 from the Unappropriated Balance Fund No. 100/58, Layoff Avoidance Account No. 000137, to Fire Department 38 - Trust Fund 848, account to be determined.

Community Impact Statement: None submitted.

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

ITEM NO. (35) - ADOPTED

[13-0478](#)

CONSIDERATION OF MOTION (WESSON - GARCETTI) relative to identifying ways in which the Residential Parkway Landscaping Guidelines can be amended to expand what is allowable and reviewing the permitting process for gardening in parkways.

Recommendations for Council action:

1. INSTRUCT the Bureau of Engineering, the Bureau of Street Services, and the Board of Public Works - Office of Community Beautification to report back to the Council in 45 days on:
 - a. Ways in which the Residential Parkway Landscaping Guidelines can be amended to expand what is allowable.

- b. A review of the permitting process for gardening in parkways, with options and recommendations for policies that would allow more residents to participate.
2. INSTRUCT the Department of General Services, Department of Recreation and Parks and the Department of Water and Power to report back in 45 days on available surplus property that could be used in the promotion of community gardens throughout the City of Los Angeles.

Community Impact Statement: None submitted.

(Public Works Committee waived consideration of the above matter)

ITEM NO. (36) - ADOPTED

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

[12-1880-S1](#)

CONSIDERATION OF MOTION (ROSENDAHL - ZINE) relative to extending the expiration date of a Southern California Gas franchise.

Recommendation for Council action:

REQUEST the City Attorney to prepare and present an ordinance amending Section 2.1 of Ordinance No. 168164 (Southern California Gas franchise), substantially contained in the Motion (attached to the Council file), by deleting the franchise expiration date of June 30, 2013, and inserting the date of June 30, 2014, or sooner.

Community Impact Statement: None submitted.

(Transportation Committee waived consideration of the above matter)

ITEM NO. (37) - ADOPTED - FORTHWITH

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

[13-0395](#)

CONSIDERATION OF MOTION (HUIZAR - ROSENDAHL) relative to the status of the initiatives proposed by the Transit Corridors Cabinet.

Recommendation for Council action:

DIRECT the Transit Corridors Cabinet to:

1. Present its progress and update Council on its current initiatives to foster and incentivize a built environment that encourages transit use, optimizes the benefits of transit, and focuses equitable transit oriented development.

2. Propose a strategy and timeline for keeping Council and outside stakeholders up to date on existing and future initiatives that are deemed a priority.

Community Impact Statement: None submitted.

(Transportation Committee waived consideration of the above matter)

ITEM NO. (38) - ADOPTED

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

13-0002-S63

CONSIDERATION OF RESOLUTION (HUIZAR - WESSON) relative to the City's position to support for the Federal Transit Administration (FTA) Small Starts Program funding evaluation criteria to enhance opportunities for streetcar projects.

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

RESOLVE to include in the City's 2013-14 State Legislative Program, SUPPORT for the FTA Small Starts Program funding evaluation criteria that are consistent with the goals represented by the Partnership for Sustainable Communities to enhance the opportunities for streetcar projects.

Community Impact Statement: None submitted.

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

MOTION ADOPTED UPON FINDINGS BY COUNCIL THAT THE NEED TO TAKE ACTION AROSE SUBSEQUENT TO THE POSTING OF THE COUNCIL AGENDA FOR WEDNESDAY, MAY 1, 2013 PURSUANT TO GOVERNMENT CODE SECTION 54954.2(b)(2) AND COUNCIL RULE 23

ADOPTED - FORTHWITH

Findings on Need to Act - Adopted, Ayes (13); Absent: Krekorian (1)

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

13-0527

MOTION (KORETZ - PARKS) relative to naming a permanent alternate City representative on the Exposition Metro Line Construction Authority Board.

Recommendation for Council action:

APPOINT Jay Greenstein as the alternative representative on the Exposition Metro Line Construction Authority Board for the Councilmember of the 5th District.

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

[13-0528](#)

MOTION (WESSON - ALARCON) relative to the Leadership Development Institute Graduation Ceremony in the City Hall Tom Bradley Room on April 26, 2013.

[13-0529](#)

MOTION (ZINE - ROSENDAHL) relative to the assistance in the formation of the Reseda Business Improvement District.

[13-0530](#)

MOTION (LABONGE for KREKORIAN - BUSCAINO) relative to promoting a street banner announcing the North Hollywood West Neighborhood Council.

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

[13-0003-S1](#) - Donna Lee Andrews

(Perry - Parks)

Jesse Wilkes

(Englander - All Councilmembers)

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

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL