Los Angeles City Council, Journal/Council Proceeding
August 28 2013
WEDNESDAY - JOHN FERRARO COUNCIL CHAMBER ROOM 340, CITY HALL 200 NORTH SPRING STREET, LOS ANGELES, CA 90012 - 10:00 AM

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

ROLL CALL

Members present: Blumenfield, Bonin, Buscaino, Cedillo, Englander, Huizar, Koretz, LaBonge, O'Farrell, Parks and President Wesson (11); Absent: Fuentes, Krekorian, Martinez, Price (4)

Approval of the Minutes

Commendatory Resolutions, Introductions and Presentations

Public Testimony of Non-agenda Items Within Jurisdiction of Council

Items Noticed for Public Hearing

ITEM NO. (1)

HEARING PROTESTS relative to Office of Finance reports requesting approval to record liens against taxpayers for unpaid taxes.

Recommendation for Council action:

APPROVE and AUTHORIZE the Office of Finance to record a lien for unpaid taxes in the amounts stated below, pursuant to Los Angeles Municipal Code Section 21.15(o) for the following:

(a)

13-0170-S24
CD 7 Fine Line Inc. (Lien: $10,620.11)

(Continued from Council meeting of July 31, 2013)

Adopted to Receive and File, Unanimous Vote (11) ; Absent: Fuentes, Krekorian, Martinez, Price (4)

RECEIVED AND FILED - INASMUCH AS THE LIABILITY HAS BEEN RESOLVED

(b)

13-0170-S29
Pacific Dining Car Inc. (Lien: $33,600.51)

(Continued from Council meeting of August 14, 2013)

Adopted to Continue, Unanimous Vote (11) ; Absent: Fuentes, Krekorian, Martinez, Price (4)

CONTINUED TO SEPTEMBER 11, 2013
CD 14  HEARING PROTESTS against the proposed improvement and maintenance of the Burwood Avenue and Great Oak Circle Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Burwood Avenue and Great Oak Circle Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on June 26, 2013 - Continue hearing and present Ordinance on September 25, 2013 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

Adopted, (14) ; Absent: Price (1)

PUBLIC HEARING HELD - CONTINUED HEARING AND ORDINANCE TO BE PRESENTED ON SEPTEMBER 25, 2013

ITEM NO. (3)
13-0604
CD 11  HEARING PROTESTS against the proposed improvement and maintenance of the Exposition Boulevard and Bundy Drive No. 1 Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Exposition Boulevard and Bundy Drive 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 June 26, 2013 - Continue hearing and present Ordinance on September 25, 2013 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

Adopted, (14) ; Absent: Price (1)

PUBLIC HEARING HELD - CONTINUED HEARING AND ORDINANCE TO BE PRESENTED ON SEPTEMBER 25, 2013

ITEM NO. (4)
13-0668
CD 13  HEARING PROTESTS against the proposed improvement and maintenance of the Third Street and Juanita Avenue Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Third Street and Juanita 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 June 26, 2013 - Continue hearing and present Ordinance on September 25, 2013 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

Adopted, (14) ; Absent: Price (1)

PUBLIC HEARING HELD - CONTINUED HEARING AND ORDINANCE TO BE PRESENTED ON SEPTEMBER 25, 2013

ITEM NO. (5)
13-0669
CD 12  HEARING PROTESTS against the proposed improvement and maintenance of the San Fernando and Balboa Roads Lighting District.

Recommendation for Council action:
HEAR PROTESTS against the proposed improvement and maintenance of the San Fernando and Balboa Roads Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on June 26, 2013 - Continue hearing and present Ordinance on September 25, 2013 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

Adopted, (14) ; Absent: Price (1)

PUBLIC HEARING HELD - CONTINUED HEARING AND ORDINANCE TO BE PRESENTED ON SEPTEMBER 25, 2013

ITEM NO. (6)
12-1434
CD 4
CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCES FIRST CONSIDERATION relative to the proposed street lighting installation and maintenance of WINDSOR SQUARE LIGHTING DISTRICT - A'13-L1370049.

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

1. DENY the protests and confirm the installation and maintenance assessments.

2. PRESENT and ADOPT the accompanying ORDINANCE levying a special assessment and ordering the necessary electroliers and appliances in certain public streets and places in the City of Los Angeles, to be maintained and electric current to be furnished for lighting said electroliers.

3. PRESENT and ADOPT the accompanying ORDINANCE confirming and levying the special assessments and ordering all the work and acquisitions (if any), described and referred in Ordinance No. 182,573 and the Engineer's report.

(Public Hearing held August 7, 2013)

Adopted, (14) ; Absent: Price (1)

ITEM NO. (7)
11-0923
CONTINUED CONSIDERATION OF CATEGORICAL EXEMPTION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to the creation of new original art murals and the preservation of existing original art murals on private property.

A. Recommendations for Council action:

1. FIND that this action is categorically exempt from California Environmental Quality Act pursuant to Article III, Section 1, Class 1 of the City's Environmental Guidelines. [ENV 2008-2143-CE]

2. ADOPT the FINDINGS of the Los Angeles City Planning Commission (LACPC) as the FINDINGS of the Council.

3. REVISE new Los Angeles Administrative Code Section 22.119(d)(6) to read:

   No mural shall be placed over the exterior surface of any building opening, including, but not limited to, windows, doors and vents, except that murals and public art installations shall be allowed on roll-down security doors.

4. APPROVE the July 30, 2013 technical changes from the City Attorney:

   a. Revise the last sentence of the first paragraph in Section 14.4.20 for Ordinance Version A and B to read:

      A building permit from the Department of Building and Safety is required for new hand-tiled
or digitally printed Original Art Murals and all Public Art Installations.

b. Update, if Ordinance Version B is approved, the delayed operative date of 90 days.

c. Delete the Citywide Sign Code's current ban on "mural signs" to avoid inadvertent use of that prohibition against Original Art Murals.

d. Add the term "Vintage Art Mural" immediately after the term "Original Art Mural" in Section 22.119(b)(1) in either Ordinance Version A or B.

5. APPROVE the proposed amendments to Ordinance Version B below:

a. Keep a two-year requirement and have for property owners, through the Department of Cultural Affairs, a process to de-register and remove murals.

b. Revise Appendix B of Ordinance Version B to reflect the above recommendation.

c. Allow communities to opt in for single family residences if the community wants.

6. INSTRUCT the Department of City Planning, in conjunction with the City Attorney, to report back on:

a. The pro's and con's of opting in and out for each version of the Mural Ordinance.

b. How to streamline each process for opting in and opting out.

c. The adjudication process when there are controversies regarding a mural, whether the mural is hate speech, obscene speech or art.

d. The adjudication process should a neighborhood or Neighborhood Council want to opt out.

B. SUBMITS WITHOUT RECOMMENDATION the recommendation of the City Attorney, SUBJECT TO THE APPROVAL OF THE MAYOR:

ADOPT the accompanying ORDINANCE Version A or B, along with any amendments made during Council consideration of this matter.

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

Community Impact Statement: Yes

Support Proposal: LA-32 Neighborhood Council
Reseda Neighborhood Council
Silver Lake Neighborhood Council
Winnetka Neighborhood Council

Against Proposal: Valley Village Neighborhood Council
Mid-City Neighborhood Council
Encino Neighborhood Council
Greater Wilshire Neighborhood Council
Westside Neighborhood Council

General Comments: North Hills West Neighborhood Council
West Hills Neighborhood Council
Studio City Neighborhood Council
Glassell Park Neighborhood Council

(10 VOTES REQUIRED ON SECOND READING)

(Continued from Council meeting of August 23, 2013)

MOTION 7C (Huizar - Englander)

Recommendation for Council action:
INSTRUCT the City Attorney, in conjunction with the Departments of Planning and Cultural Affairs, to prepare and present:

1. A report back to the Planning and Land Use Management Committee within 30 days with options to create "opt in" provisions to allow murals on single-family home properties, including the potential for a discretionary process to allow murals on single-family homes on a case-by-case basis and/or setting up Specific Plans or Overlays in communities that are supportive of such mural.

2. A report back to the Planning and Land Use Management Committee within 60 days detailing implementation of the process, through the Department of Cultural Affairs' Administrative Rules, to de-register and remove murals within two years.

AMENDING MOTION 7C (Huizar - O'Farrell)

Recommendation for Council action:

INSTRUCT the City Attorney to also report back to the Arts, Parks, Health, Aging and River Committee.

MOTION 7D (Blumenfield - O'Farrell)

Recommendations for Council action:

1. INSTRUCT the Planning Department, in consultation with the City Attorney, to study how to streamline or expedite an "opt-in It process that facilitates murals on a case by case basis using compatibility standards issues with content neutral review in low density residential zones or residences with five units or less.

2. INSTRUCT the Planning Department, in consultation with the City Attorney, to study a mechanism that would allow a property owner with the support of two-thirds of adjacent neighbors within the public view shed of that location, to apply for a mural permit and has sign-off from the Department of Building and Safety.

MOTION 7E (Huizar - Engander)

Recommendation for Council action:

PRESENT and ADOPT the accompanying ORDINANCE in lieu of the Ordinance identified as Alternative B attached to the file.

MOTION 7F (Cedillo - Huizar)

Recommendation for Council action:

INSTRUCT the Planning Department, with the assistance of the City Attorney and the Department of Cultural Affairs, to report in 30 days with an ordinance to establish a pilot program in Council Districts 1 and 14 which implements the proposals contained in the ordinance identified as Alternative A, specifically allowing murals on single-family residences.

AMENDING MOTION 7F (Huizar - Cedillo)

Recommendation for Council action:

INSTRUCT the Planning Department, with the assistance of the City Attorney and the Department of Cultural Affairs, to report in 30 days to the Arts, Parks, Health, Aging and River and Planning and Land Use Management Committees with an ordinance to establish a pilot program in Council Districts 1 and 14 which implements the proposals contained in the ordinance identified as Alternative A, specifically allowing murals on single-family residences.

MOTION 7G (O'Farrell - Huizar)
Recommendation for Council action:

INSTRUCT the Arts, Health, Aging and River and Planning and Land Use Management Committees to hold a joint meeting within 30 days to discuss the following items related to the Ordinance:

1. Consider a requirement in the Ordinance and/or within the Department of Cultural Affairs Administrative Guidelines to require all new murals have an anti-graffiti coating.

2. Consider a process for review of murals in residential areas other than single family neighborhoods.

3. Create a system that would allow for a more inclusive notification requirement for new murals.

AMENDING MOTION 7G (Huizar - O'Farrell)

Recommendation for Council action:

AMEND to include the following additional discussion item at the joint meeting of the Arts, Parks, Health, Aging and River and Planning and Land Use Management Committees:

ESTABLISH a maintenance and up-keep requirement for new murals.

Adopted as Amended, Motion 7C (Huizar - O'Farrell) and Adopted Motion 7E (Huizar - Englander), (13) ; Nays: Blumenfield, Koretz (2)

Adopted to Refer 7D Motion (Blumenfield - O'Farrell), Unanimous Vote (15)

Adopted as Amended, Motions 7F (Cedillo - Huizar) and 7G (O'Farrell - Huizar), (15)

Items for which Public Hearings Have Been Held

ITEM NO. (8)
13-0877
CD 4

ENVIRONMENTAL IMPACT REPORT, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to appeals, a vesting zone change, and a height district change for property at 4827 Sepulveda Boulevard (Il Villaggio Toscana Project).

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

1. CERTIFY that the Environmental Impact Report (EIR) (EIR No. ENV-2004-6000-EIR, SCH#2004111068) 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 No. 13-0877 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 EIR filed on December 10, 2010.

2. ADOPT the FINDINGS of the Los Angeles City Planning Commission (LACPC), including the Environmental Findings, as the Findings of the Council.

3. RESOLVE TO DENY APPEALS filed by Homeowners of Encino (Representative: Gerald A. Silver, President), Sherman Oaks Residents for a Safe Environment (Representative: Bradly S. Torgan, JD, AICP), and Marshall Long on behalf of the Sherman Oaks Homeowners Association, from the entire determination of the LACPC, and THEREBY APPROVE:

   a. A Site Plan Review.
b. A Conditional Use Permit for a full-line of alcoholic beverages for off-site consumption in conjunction with the operation of a grocery market.

c. Specific Plan Exceptions as follows:
   i. A Floor Area Ratio of 2.25:1.
   
   ii. A front yard setback in excess of 10 feet and up to 59 feet for approximately 137 lineal feet of the project's approximate 461 lineal-foot Sepulveda Boulevard frontage to accommodate portions of an approximate 13,000 square-foot public plaza, which is 69 feet deep and approximately 137 feet wide.
   
   iii. A maximum lot coverage of 78.5 percent at grade.
   
   iv. A height of 82 feet.

d. A Project Permit based on the above exception grants.

4. PRESENT and ADOPT the accompanying ORDINANCE, approved by the LACPC, effecting a vesting zone change from (Q)CR-1L, (Q)P-1L, R3-1L, and R1-1 zones to the (T)(Q)C2-2D zone, with a residential density limited to 325 units, and a height district change from Height District 1L to Height District 2D with "D" limitations to floor area and height as prescribed under the Specific Plan Exceptions grant, subject to Conditions of Approval as modified by the Planning and Land Use Management Committee, attached to Council file No. 13-0877, for the construction of a new mixed-use project including 325 residential units and 52,000 square feet of retail space on a mostly vacant 4.5 acre property, located at 4827 Sepulveda Boulevard.

5. REMOVE the (T) Tentative classification as described in detail on the sheet(s) attached to the Council file.

6. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.

7. ADVISE the applicant that, pursuant to:
   
a. 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.

b. 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 - SEPTEMBER 21, 2013
(LAST DAY FOR COUNCIL ACTION - SEPTEMBER 17, 2013)

Adopted - TO THE MAYOR FORTHWITH, (15)

ITEM NO. 13-0811

ENERGY AND ENVIRONMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to proposed power sales agreement (PSA No. BP 13-033) and related agency agreement (AA No. BP 13-034) with the Southern California Public Power Authority (SCPPA) for geothermal power from the Heber 1 Geothermal Energy Project (HGE).

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

1. CONCUR with the Board of Water and Power Commissioner's action of June 19, 2013, Resolution No. 013-310, approving PSA No. BP 13-033 and AA No. BP 13-034 with the SCPPA for the purchase of
46 Megawatts of renewable geothermal energy, generating capacity, and the associated environmental credits through the Heber Geothermal Company for power from the HGEP.

2. PRESENT and ADOPT the accompanying ORDINANCE approving: 1) the Heber-1 Geothermal Energy Project Power Sales Agreement No. BP 13-033; and 2) the Heber-1 Geothermal Energy Project Agency Agreement, No. BP 13-034, by and between the City of Los Angeles, acting by and through the Los Angeles Department of Water and Power and the SCPPA.

Fiscal Impact Statement: The City Administrative Officer reports that the proposed Power Purchase Agreement will have no direct impact on the City General Fund. Funds will be included in future Power Revenue Fund budget requests to provide up to $249 million over the 10-year term of the Power Sales Agreement.

Adopted, (11); Absent: Fuentes, Krekorian, Martinez, Price (4)

ITEM NO. (10)

ENVIRONMENTAL IMPACT REPORT and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to appeals filed regarding the Vesting Tentative Tract Map for property at 4827 Sepulveda Boulevard.

Recommendations for Council action:

1. CERTIFY that the Environmental Impact Report (EIR) (EIR No. ENV-2004-6000-EIR, SCH No. 2004111068) 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 No. 13-0877-S1 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the EIR filed on December 10, 2010.

2. ADOPT the FINDINGS of the Los Angeles City Planning Commission (LACPC), including the Environmental Findings, as the Findings of the Council.

3. RESOLVE TO DENY APPEALS filed by Homeowners of Encino (Representative: Gerald A. Silver, President), Sherman Oaks Residents for a Safe Environment (Representative: Bradley S. Torgan, JD, AICP), and Marshall Long on behalf of the Sherman Oaks Homeowners Association, from the entire determination of the LACPC, and THEREBY APPROVE Vesting Tentative Tract Map No. 61216-CN, composed of one ground lot and nine airspace lots, for the proposed construction, use and maintenance of a maximum 325 residential condominium units located at 4827 Sepulveda Boulevard, subject to Conditions of Approval as amended by the Planning and Land Use Management Committee, attached to the Council file.

Applicant: M. David Paul and Associates
Representative: Jim Ries, Craig Lawson and Company, Incorporated

Case No. VTT-61216-CN-1A

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 - SEPTEMBER 17, 2013

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

Adopted - FORTHWITH, (15)
MITIGATED NEGATIVE DECLARATION and PLANNING AND LAND USE MANAGEMENT COMMITTEE
REPORT relative to an appeal filed regarding the Vesting Tentative Tract Map for the Highland Park Transit
Village Project.

Recommendations for Council action:

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's
Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the
Mitigated Negative Declaration reflects the independent judgment of the City of Los Angeles; that the
documents constituting the record of proceedings in this matter are located in Council File No. 13-
0876-S1 in the custody of the City Clerk and in the files of the Department of City Planning in the
custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV-

2. ADOPT the FINDINGS of the Los Angeles City Planning Commission (LACPC), including the
Environmental Findings, as the Findings of the Council.

3. RESOLVE TO DENY THE APPEAL filed by Lisa Duardo on behalf of the Friends of Highland Park
Representative: Dean Wallraff, Advocates for the Environment), from the entire determination of the
LACPC, and THEREBY APPROVE Vesting Tentative Tract Map No. VTT-72147-CN, to permit the
merger and re-subdivision of four lots into one master lot and two airspace lots on a 34,920 net
square-foot site, for the construction and maintenance of the Highland Park Transit Village Project,
located at 119 North Avenue 56 (Site One), 5712 East Marmion Way (Site Two: 123 and 125 North
Avenue 57, and 5706, 5708 and 5712 East Marmion Way), and 124 North Avenue 59 (Site Three:
124, 128, and 132 North Avenue 59), subject to Conditions of Approval as amended by the Planning
and Land Use Management Committee, attached to the Council file.

Applicant: Daniel Falcon, Jr., HPTV Apartments, LP
Representative: Andie Adame, Craig Lawson and Company, Incorporated

Case No. VTT-72147-CN-1A

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

Community Impact Statement: Yes

For proposal: Historic Highland Park Neighborhood Council

TIME LIMIT FILE - SEPTEMBER 17, 2013
(LAST DAY FOR COUNCIL ACTION - SEPTEMBER 17, 2013)

Adopted, (15)

CATEGORICAL EXEMPTION and TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT relative
to proposed Foreign-Trade Zone (FTZ) developer agreement with STRS Ohio CA Real Estate Investments
II, LLC, FTZ 202, Site 20.

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, Section 1(14) of the
Los Angeles City CEQA Guidelines.

2. APPROVE the FTZ Developer Agreement No.13-3150 between the City of Los Angeles Harbor
Department and STRS Ohio CA Real Estate Investments II, LLC, FTZ 202, Site 20.
Fiscal Impact Statement: The Board of Harbor Commissioners reports that the applicant has paid an initial application fee of $2,500 to the Harbor Department. When the site is activated, each site operator will pay the Harbor Department a $5,000 activation fee and a $5,000 annual fee per FTZ Tariff No.1. No Harbor Department funds are required for the actions granted by this item.

Community Impact Statement: None submitted.

TIME LIMIT FILE - SEPTEMBER 16, 2013
(LAST DAY FOR COUNCIL ACTION - SEPTEMBER 13, 2013)

Adopted, (11) ; Absent: Fuentes , Krekorian , Martinez , Price (4)

ITEM NO. (13)
13-0912

CATEGORICAL EXEMPTION and TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT relative to proposed Foreign-Trade Zone (FTZ) operating agreement with Puma North America, Inc., FTZ 202, Site 28.

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, Section 1(14) of the Los Angeles City CEQA Guidelines.

2. APPROVE the FTZ Operating Agreement No.13-3148 between the City of Los Angeles Harbor Department and Puma North America, Inc., FTZ 202, Site 28.

Fiscal Impact Statement: The Board of Harbor Commissioners reports that Puma will pay the Harbor Department a $5,000 activation application fee. If the proposed agreement is approved, the Harbor Department will receive an annual fee of $5,000 (per FTZ Tariff No.1) for each of five years from Puma. Should the renewal options be exercised subsequent to the completion of the initial term of the agreement, compensation will also be $5,000 per year. Although there is no direct cost to the Harbor Department arising from this action, the Harbor Department does incur FTZ related expenses. During calendar year 2012, approximately $80,000 was spent on outside FTZ related consulting services while $159,000 in revenue was collected from the Harbor Department FTZ operators.

Community Impact Statement: None submitted.

TIME LIMIT FILE - SEPTEMBER 16, 2013
(LAST DAY FOR COUNCIL ACTION - SEPTEMBER 13, 2013)

Adopted, (11) ; Absent: Fuentes , Krekorian , Martinez , Price (4)

ITEM NO. (14)
13-0912-S1

CATEGORICAL EXEMPTION and TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT relative to proposed Foreign-Trade Zone (FTZ) operating agreement with Puma North America, Inc., FTZ 202, Site 9.

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, Section 1(14) of the Los Angeles City CEQA Guidelines.

2. APPROVE the FTZ Operating Agreement No.13-3149 between the City of Los Angeles Harbor
Fiscal Impact Statement: The Board of Harbor Commissioners reports that Puma will pay the Harbor Department a $5,000 activation application fee. If the proposed agreement is approved, the Harbor Department will receive an annual fee of $5,000 (per FTZ Tariff No.1) for each of five years from Puma. Should the renewal options be exercised subsequent to the completion of the initial term of the agreement, compensation will also be $5,000 per year. Although there is no direct cost to the Harbor Department arising from this action, the Harbor Department does incur FTZ related expenses. During calendar year 2012, approximately $80,000 was spent on outside FTZ related consulting services while $159,000 in revenue was collected from the Harbor Department FTZ operators.

Community Impact Statement: None submitted.

TIME LIMIT FILE - SEPTEMBER 16, 2013
(LAST DAY FOR COUNCIL ACTION - SEPTEMBER 13, 2013)

Adopted, (11) ; Absent: Fuentes, Krekorian, Martinez, Price (4)

ITEM NO.  (15)
11-0400-S1

AUDITS COMMITTEE REPORT relative to the Fiscal Year 2010-11 Audited Financial Statements for the City of Los Angeles.

Recommendation for Council action:

NOTE and FILE the report from the City Controller relative to the Fiscal Year 2010-11 Audited Financial Statements, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

Adopted, (11) ; Absent: Fuentes, Krekorian, Martinez, Price (4)

ITEM NO.  (16)
13-0914

CATEGORICAL EXEMPTION and TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT relative to proposed first amendment to Foreign-Trade Zone (FTZ) operating agreement with KW International, Inc., FTZ 202, SITE 4C.

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, Section 1(14) of the Los Angeles City CEQA Guidelines.

2. APPROVE the first amendment to FTZ Operating Agreement No.13-2605-A between the City of Los Angeles Harbor Department and KW International, Inc., FTZ 202, SITE 4C.

Fiscal Impact Statement: The Board of Harbor Commissioners reports that the Harbor Department has received $25,000 in operator fees from KW International for the original five-year term. If the proposed Amendment is approved for the first extension, the Harbor Department will receive $5,000 annually (per FTZ Tariff No.1) for five years from KW International. Although there is no direct cost to the Harbor Department arising from this action, the Harbor Department does incur FTZ related expenses. During calendar year 2012, approximately $80,000 was spent on outside FTZ related consulting services while $159,000 in revenues was collected from all of the Harbor Department's FTZ operators.
ITEM NO. (17)

13-0937

CD 8

INNOVATION, TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to voiding the sale of surplus property located at 5975 South Western Avenue, Los Angeles, California and the return of Escrow funds.

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

1. APPROVE the return of a $2.2 million deposit to the Community Redevelopment Agency/Los Angeles (CRA/LA), a designated Local Authority and Successor Agency to the former Community Redevelopment Agency, which is currently held in the General Services Department (GSD) Trust Fund No. 843 because the sale of the City-owned property located at 5975 South Western Avenue (APN 6001-014-900) to the former Agency was never finalized.

2. AUTHORIZE the City Controller to refund $2.2 million to the CRA/LA from GSD Trust Fund 843/40/40294F entitled “sale of surplus property.”

3. INSTRUCT the GSD, with the assistance of the City Administrative Officer (CAO), to prepare any Controller instructions required to release the $2.2 million deposit and return the funds to the CRA/LA, and AUTHORIZE the Controller to implement the instructions.

4. REQUEST the Office of the City Attorney to prepare and present an amending ordinance voiding the sale of the City-owned property located at 5975 South Western Avenue, Los Angeles, California.

Fiscal Impact Statement: The CAO reports that there is no impact to the City’s General Fund. Approval of the recommendations in this report will authorize a refund of a $2.2 million deposit to the Community Redevelopment Agency/Los Angeles, which is currently held in the General Services Department Trust Fund because the sale of the City-owned property located at 5975 South Western Avenue (APN 6001-014-900) to the former Community Redevelopment Agency was never finalized.

Community Impact Statement: None submitted.

ITEM NO. (18)

13-0696

PUBLIC WORKS AND GANG REDUCTION and BUDGET AND FINANCE COMMITTEES REPORT relative to accepting grant funds, and negotiating and executing any necessary agreement with the State of California, Department of Transportation (Caltrans) for the Bridge Preventive Maintenance Program grant funds.

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

1. AUTHORIZE the Department of Public Works, Bureau of Engineering to:

   a. Accept grant funds in the amount of $88,530, and negotiate and execute any necessary agreement with Caltrans for the Bridge Preventive Maintenance Program (BPMP) grant funds.
b. Deposit the grant funds into the Engineering Special Services Fund No. 682/50 and create a new appropriation account therein to expend the funds for the implementation of the BPMP.

c. Transfer $11,470 from Fund 100/78, Account 1090 entitled Overtime, Salaries to the new BPMP account within the Engineering Special Services Fund No. 682/50 to provide the necessary 11.47 percent local funding match for the BPMP.

2. AUTHORIZE the Controller to make any technical corrections or clarifications to the above actions in order to effectuate the intent of this motion.

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

**Community Impact Statement:** None submitted.

**Adopted, (11) ; Absent: Fuentes, Krekorian, Martinez, Price (4)**

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ITEM NO. (19)  
13-0968

**INNOVATION, TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT** relative to a license agreement with the State of California for custodial services, and space at the East Los Angeles courthouse for the City Attorney’s Office.

**Recommendation for Council action:**

AUTHORIZE the Department of General Services (GSD) to negotiate and execute:

a. A license agreement with the State of California for use of space at the East Los Angeles courthouse as substantially outlined in the May 30, 2013 report from the GSD, attached to the Council file.

b. An agreement, if and as necessary, with the Superior Court of the County of Los Angeles for custodial services.

**Fiscal Impact Statement:** The GSD reports that the annual expense for the license agreement is anticipated to be approximately $17,244 annually. Tenant improvement expenses, including communications, could cost up to an additional $100,000. There is no funding in the GSD 6030 Leasing Account FY 2013-14 proposed budget for this license or related expenses. Funding is however provided in that budget for two courthouse licenses (San Pedro and David Kenyon) which the State is closing. The combined annual savings of $12,645 ($12,010 for San Pedro and $635 for David Kenyon) can be used to offset a portion of the license. If the Superior Court of the County of Los Angeles requires separate payment for custodial charges, the Administrative Office of the Courts will reduce the rental amount due by the corresponding custodial charge, resulting in no net change to the total rent owed by the City.

**Community Impact Statement:** None submitted.

**Adopted - FORTHWITH, (11) ; Absent: Fuentes, Krekorian, Martinez, Price (4)**

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ITEM NO. (20)  
13-0944

**INNOVATION, TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT** relative to a lease agreement with Long Beach Judicial Partners LLC for space within the Long Beach courthouse for use by the City Attorney’s Office and the Los Angeles Police Department.

**Recommendation for Council action:**

AUTHORIZE the Department of General Services (GSD) to negotiate and execute a lease with Long Beach Judicial Partners LLC for office space in the Long Beach Courthouse as substantially outlined in the July
Fiscal Impact Statement: The GSD reports that the annual expense for the new lease and parking is anticipated to be approximately $79,747 annually. Since the new space would not be built out and ready for occupancy for at least five months into the new fiscal year, the amount needed for the remainder of FY 2013-14 is expected to be $60,486.65. GSD budgeted $110,340 for FY 2013-14 for this location. There will therefore be $43,853.35 available in the budget. The Courthouse sub-landlord is providing a tenant improvement.

Community Impact Statement: None submitted.

Adopted - FORTHWITH, (11) ; Absent: Fuentes, Krekorian, Martinez, Price (4)

ITEM NO. (21)
13-0876
CD 1

MITIGATED NEGATIVE DECLARATION and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an appeal filed for the Highland Park Transit Village.

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

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council File No. 13-0876 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV-2013-221-MND] filed on March 15, 2013.

2. ADOPT the FINDINGS of the Los Angeles City Planning Commission (LACPC), including the Environmental Findings, as the Findings of the Council.

3. RESOLVE TO DENY THE APPEAL filed by Lisa Duardo on behalf of the Friends of Highland Park (Representative: Dean Wallraf, Advocates for the Environment), from the entire determination of the LACPC, and THEREBY APPROVE the items listed below, subject to Conditions of Approval as amended by the Planning and Land Use Management Committee, attached to the Council file, for the construction and maintenance of the Highland Park Transit Village located at 119 North Avenue 56 (Site One), 5712 East Marmion Way (Site Two: 123 and 125 North Avenue 57, and 5706, 5708 and 5712 East Marmion Way), and 124 North Avenue 59 (Site Three: 124, 128, and 132 North Avenue 59).

   a. A Conditional Use to permit the construction of a joint public and private development:

      i. With residential housing and public parking that is more intensive than those uses permitted in the most restrictive adjoining zone with the following residential densities: Site One: 20 units, Site Two: 50, and Site Three: 10 units.

      ii. That is more intensive than those uses permitted in the most restrictive adjoining zone with the approval of the following yard setbacks: Site One: a zero foot to 20 foot 6 inch front yard setback along Avenues 56 and 57, Site One: a zero foot to 22 foot side yard setback along the northern property line and southern property line, Site Two: a zero foot to 21 foot side yard setbacks along Marmion Way, the abutting alley and the adjoining property, Site Three: a zero foot to 10 foot side yard setback along Avenue 59 and the western property line, and Site Three: a 10 foot to 15 foot rear yard setback.

      iii. Building height of 47 feet 6 inches on Site Two.

   b. A Zoning Administrator's adjustment to allow: Site One: a 9 foot passageway, Site Two: a 9 foot 8 inch passageway between a stair and a wall, Site Two: a 11 foot 3 inch passageway between a stair and a wall and a 12 foot 7 inch passageway, and Site Three: a 9 foot 8 inch passageway between a stair and a wall and a 11 foot 6 inch passageway.

   c. A Project Permit Compliance approval of the Avenue 57 Transit Oriented Specific Plan and deny without prejudice the Specific Plan Exception of the Avenue 57 Transit Oriented Specific Plan.
d. A Certificate of Compatibility for the construction of a joint public and private development consisting of 80 multi-family residential units and 221 public parking spaces and 106 resident parking spaces located within the Highland Park - Garvanza Historic Preservation Overlay Zone.

4. ADVISE the applicant that, pursuant to:

a. 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.

b. 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: Yes

For proposal: Historic Highland Park Neighborhood Council

TIME LIMIT FILE - SEPTEMBER 21, 2013

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

Adopted, (15)

ITEM NO. 13-0685

ENERGY AND ENVIRONMENT COMMITTEE REPORT and RESOLUTION relative to approval of an application to renew the designation of the City as a Recycling Market Development Zone.

Recommendation for Council action, pursuant to Resolution (Huizar - Alarcon), SUBJECT TO THE APPROVAL OF THE MAYOR:

ADOPT the accompanying RESOLUTION authorizing the Bureau of Sanitation to submit an application to the State of California, Department of Resources Recovery and Recycling requesting renewal of the Los Angeles Recycling Market Development Zone.

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

Community Impact Statement: None submitted.

Adopted, (11); Absent: Fuentes, Krekorian, Martinez, Price (4)

ITEM NO. 13-0935

ENERGY AND ENVIRONMENT COMMITTEE REPORT relative to the Bureau of Sanitation’s (BOS) long-term strategy for solid waste disposal and ensuring that City residents will not see significant rate hikes associated with the Puente Hills Landfill closure.

Recommendation for Council action, pursuant to Motion (Fuentes - Englander):

DIRECT the BOS to provide a report to the Energy and Environment Committee in 30 days on its long-term strategy for solid waste disposal and how it will ensure that the residents of the City of Los Angeles will not see significant rate hikes in their sanitation charges associated with the Puente Hills Landfill closure.
Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

Adopted, (11); Absent: Fuentes, Krekorian, Martinez, Price (4)

Items for which Public Hearings Have Not Been Held - (10 Votes Required for Consideration)

ITEM NO. (24)
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 (Reballot) 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 August 12, 2013.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of OCTOBER 30, 2013 as the hearing date for the maintenance of the Brockton Avenue and Idaho Avenue No. 1 (Reballot) Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $416.13 will be collected annually starting with tax year 2013-14 that will go into a dedicated street lighting maintenance assessment account for use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: October 23, 2013)

Adopted, (11); Absent: Fuentes, Krekorian, Martinez, Price (4)

ITEM NO. (25)
13-0976
CD 7
COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of Van Nuys Boulevard and Telfair Avenue 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 August 5, 2013.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of OCTOBER 30, 2013 as the hearing date for the maintenance of the Van Nuys Boulevard and Telfair Avenue Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $685.38 will be collected annually starting with tax year 2013-14 that will go into a dedicated street lighting maintenance assessment account for use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: October 23, 2013)

Adopted, (14); Absent: Price (1)
COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION
FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of Sunset Boulevard and Western Avenue 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 August 6, 2013.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of OCTOBER 30, 2013 as the hearing date for the maintenance of the Sunset Boulevard and Western Avenue Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $5,590.78 will be collected annually starting with tax year 2013-14 that will go into a dedicated street lighting maintenance assessment account for use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: October 23, 2013)

Adopted, (14); Absent: Price (1)

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION
FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of Cesar Chavez Avenue and Indiana Street 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 August 6, 2013.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of OCTOBER 30, 2013 as the hearing date for the maintenance of the Cesar Chavez Avenue and Indiana Street Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $1,916.28 will be collected annually starting with tax year 2013-14 that will go into a dedicated street lighting maintenance assessment account for use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: October 23, 2013)

Adopted, (11); Absent: Fuentes, Krekorian, Martinez, Price (4)

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION
FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of Alvarado and Santa Ynez Streets 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 August 6, 2013.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of OCTOBER 30, 2013 as the hearing date for the maintenance of Alvarado and Santa Ynez Streets Lighting District.

(Board of Public Works Hearing Date: October 23, 2013)

Adopted, (14); Absent: Price (1)
Lighting District, in accordance with Proposition 218, Articles XIIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $520.36 will be collected annually starting with tax year 2013-14 that will go into a dedicated street lighting maintenance assessment account for use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: October 23, 2013)

Adopted, (11) ; Absent: Fuentes, Krekorian, Martinez, Price (4)

ITEM NO. 29

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 attached to the Council File:

(a)

13-0005-S517
CD 1 1636 West 12th Street (Case No. 393677)
Assessor I.D. No. 5137-028-004

Adopted, (14) ; Absent: Price (1)

(b)

13-0005-S518
CD 8 1659 West Leighton Avenue (Case No. 408524)
Assessor I.D. No. 5035-016-016

Adopted, (14) ; Absent: Price (1)

(c)

13-0005-S519
CD 9 708 East Martin Luther King Jr. Boulevard (Case No. 358418)
Assessor I.D. No. 5114-005-023

Adopted, (14) ; Absent: Price (1)

(d)

13-0005-S520
CD 14 1451 North Ricardo Street (Case No. 307439)
Assessor I.D. No. 5202-014-016
COMMUNICATION FROM THE CITY ENGINEER and CATEGORICAL EXEMPTION relative to the private driveway name establishment request for Veranda Way, North Seaglass Circle, East Seaglass Circle, South Seaglass Circle, West Seaglass Circle, Sparrow Court, Seahorse Court, Lantern Court, Heron Way, Hammock Lane and Discovery Creek Place to be located between Dawn Creek and McConnell Avenue and also Runway Road and Bluff Creek Drive.

Recommendations for Council action:

1. FIND that the private driveway name establishment request for Veranda Way, North Seaglass Circle, East Seaglass Circle, South Seaglass Circle, West Seaglass Circle, Sparrow Court, Seahorse Court, Lantern Court, Heron Way, Hammock Lane and Discovery Creek Place to be located between Dawn Creek and McConnell Avenue and also Runway Road and Bluff Creek Drive is exempt from the California Environmental Quality Act (CEQA) of 1970, pursuant to the categorical exemptions in the City of Los Angeles Environmental Guidelines under Article III, Class 5(4).

2. ESTABLISH the private driveways located at between Dawn Creek and McConnell Avenue and also Runway Road and Bluff Creek Drive, as shown on Exhibit A of the August 15, 2013 City Engineer report and attached to the Council file.

3. ADOPT the FINDINGS of the City Engineer dated August 15, 2013, as the Findings of the Council.

4. ADOPT the accompanying City Engineer report dated August 15, 2013 to approve the name establishment of the private driveways between Dawn Creek and McConnell Avenue and also Runway Road and Bluff Creek Drive.

5. INSTRUCT the City Clerk to transmit the following:
   a. A copy of the City Council’s action on this matter to the Board of Supervisor of the County of Los Angeles pursuant to Section 34092 of the Government Code.
   b. A copy of the City Council’s action on this matter to the Department of Transportation, City-wide Investigation Section, 100 S. Main Street, 10th Floor, Caltrans Building, Los Angeles, CA 9002.

Fiscal Impact Statement: The City Engineer reports that a fee of $49,434 was paid for processing this request pursuant to Section 18.09 of the Municipal Code.

Community Impact Statement: None submitted.

(Public Works and Gang Reduction Committee waived consideration of the above matter)
CONTINUED CONSIDERATION OF MOTION (LABONGE FOR ENGLANDER - BUSCAINO) relative to replacing/renaming the Community Care Facilities Working Group with/as the Ad Hoc Committee on Community Care Facilities.

Recommendation for Council action:

AMEND Council's action of January 30, 2013 to replace/rename the Community Care Facilities Working Group with/as the Ad Hoc Committee on Community Care Facilities, with all other aspects of that action remaining unchanged and with the members of the ad hoc committee being the three Council members designated in the original action.

Community Impact Statement:  Yes

For Proposal: Lake Balboa Neighborhood Council

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

(Continued from Council meeting of August 21, 2013)

AS AMENDED

MOTION (ENGLANDER - WESSON)

AMEND Motion (LaBonge for Englander - Buscaino) relative to replacing/renaming the Community Care Facilities Working Group with/as the Ad Hoc Committee on Community Care Facilities, as follows:

1. The Ad Hoc Committee will have a sunset date of eight months from establishment.

2. The Council President shall appoint the Ad Hoc Committee's chair and members.

Adopted as Amended - FORTHWITH, (15)

CD 4 MOTION (LABONGE - O’FARRELL) relative to reinstating the reward offer in the hit-and-run of Damian Kevitt for an additional six months.

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

REAFFIRM Council's findings and REINSTATE the reward offer relative to the hit-and-run of Damian Kevitt (Council action of March 5, 2013) 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 $25,000 shall be the aggregate maximum sum of any payment or payments of a City reward in this instance.

Adopted, (14) ; Absent: Price (1)

Closed Session
The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(d)(1), to confer with its legal counsel relative to the case entitled Morris and Pesce v. City of Los Angeles, Los Angeles Superior Court Case No. BC448511. (This is a lawsuit for inverse condemnation, public nuisance, private nuisance, dangerous condition of public property and denial of equal protection).

(Budget and Finance Committee considered the above matter in Closed Session on August 19, 2013)

ADOPTED

MOTION (KREKORIAN - ENGLANDER)

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

1. APPROVE settlement of Plaintiffs' causes of action against the City and the Department of Water and Power in the instant matter for payment of $2,000,000, and for a full release of Plaintiffs' claims.

2. AUTHORIZE the City Attorney to execute a settlement agreement and all other documents necessary to implement the proposed settlement with Ms. Susan Morris and Mr. P. J. Pesce for $2,000,000. This settlement would be contingent on the City being granted an order for good faith settlement.

3. AUTHORIZE and INSTRUCT the City Attorney, without further instructions, to draw the amount of $2,000,000 payable to P. J. Pesce and Susan Morris and Guizot & Mouser from the Sewer Operations and Maintenance Fund Number 760, Account 50JX82, titled PW - Sanitation Expense & Equipment. (The DWP may contribute funds towards this settlement which will reimburse the Sewer Operations and Maintenance Fund)

4. AUTHORIZE the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer, and AUTHORIZE the Controller to implement the instructions.

This matter was approved by the Budget and Finance Committee (Krekorian - Blumenfield - Bonin "yes") at its meeting on August 19, 2013, in Closed Session as permitted by Government Code Section 54956.9(d)(1).

Adopted in Open Session, (14) ; Absent: Koretz (1)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(d)(1), to confer with its legal counsel relative to the case entitled Druzelle Atkins v. City of Los Angeles, Los Angeles Superior Court Case No. BC503734. (This matter concerns a trip and fall incident occurring on April 28, 2012, on the sidewalk at 10150 National Boulevard, in the City of Los Angeles.)

(Budget and Finance Committee considered the above matter in Closed Session on August 19, 2013)

Adopted in Open Session, (14) ; Absent: Price (1)

The purpose of this memorandum is to note for the record that the City Council considered this matter and instructed legal counsel with respect to the subject litigation.
The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(d)(1), to confer with its legal counsel relative to the case entitled Blaine Blackstone v. City of Los Angeles, Los Angeles Superior Court Case No. BC 391558. (This case arises from plaintiffs’ claims of discrimination and retaliation under the Fair Employment and Housing Act.)

(Budget and Finance Committee considered the above matter in Closed Session on August 19, 2013)

ADOPTED

MOTION (KREKORIAN - ENGLANDER)

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

1. AUTHORIZE the City Attorney to pay a total of $145,982.60 plus accrued interest in satisfaction of negotiated attorneys’ fees and costs on appeal after judgment (attorneys’ fees on appeal of $143,395.00 and costs of $2,587.60) in the above-entitled matter from the City Attorney Fund No. 100/59, Account 009770.

2. AUTHORIZE the City Attorney to draw the necessary demand thereon in the gross amount of $145,982.60 plus applicable interest at the legal rate and made payable to:
   a. Benedon & Serlin for $128,045.10 (costs on appeal of $2,587.60 and attorneys fees on
appeal of $125,457.50
b. Christopher Brizzolara for $14,750.00
c. Kevin Salute for $3,187.50

3. AUTHORIZE the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer, and AUTHORIZE the Controller to implement the instructions.

This matter was approved by the Budget and Finance Committee (Krekorian - Blumenfield - Bonin "yes") at its meeting on August 19, 2013, in Closed Session as permitted by Government Code Section 54956.9(d)(1).

Adopted in Open Session, (14) ; Absent: Price (1)
MOTION ADOPTED UPON FINDINGS BY COUNCIL THAT THE NEED TO TAKE ACTION AROSE SUBSEQUENT TO THE POSTING OF THE COUNCIL AGENDA PURSUANT TO GOVERNMENT CODE SECTION 54954.2(b)(2) AND COUNCIL RULE 23

Findings - Adopted, (14) ; Absent: Price (1)

Motion - Adopted - TO THE MAYOR FORTHWITH, (14) ; Absent: Price (1)

MOTION (LABONGE- WESSON) relative to a reward for information leading to the identification, apprehension, and conviction of the person responsible for the fatal hit-and-run collision on August 18, 2013.

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

10-0703-S1 MOTION (O'FARRELL - LABONGE) relative to accepting funds contributed by KR Hollywood LLC, to be used for the purposes as detailed in the development agreement between the City and PPD Gower I, LLC, for Off-Site Streetscape Improvements.

13-0010-S26 MOTION (KREKORIAN - KORETZ) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the fatal hit-and-run-collision on August 17, 2013.

13-0010-S27 MOTION (PARKS - MARTINEZ) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the murder of Elroy Schenck on July 2, 2013.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

13-0004-S2 American Red Cross - Los Angeles Preparedness Month Wesson - Koretz

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

13-0003-S2 Nick Gadia O'Farrell - All Councilmembers
Mallory Ross Blumenfield - All Councilmembers
Mrs. John Eva Beaman Wesson - All Councilmembers

ENDING ROLL CALL

Blumenfield, Bonin, Buscaino, Cedillo, Englander, Fuentes, Huizar, Koretz, Krekorian, LaBonge, Martinez, O'Farrell, Parks, Price and President Wesson (15)

Whereupon the Council did adjourn.

ATTEST: Holly L. Wolcott, INTERIM CITY CLERK
By

Council Clerk   PRESIDENT OF THE CITY COUNCIL