

Los Angeles City Council, **Journal/Council Proceeding**

**October 22 2013**

TUESDAY - JOHN FERRARO COUNCIL CHAMBER ROOM 340, CITY HALL 200 NORTH  
SPRING STREET, LOS ANGELES, CA 90012 - 10:00 AM

## **TUESDAY**

(For further details see Official Council Files)

**(For communications referred by the President see Referral Memorandum)**

### **ROLL CALL**

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

[12-1922](#)

CD 13 HEARING PROTEST relative to the vacation of a portion of the alley easterly of Highland Avenue from Selma Avenue to 25 feet northerly thereof (Airspace) (VAC-E1401220).

(Categorical Exemption, Findings and Public Works and Gang Reduction Committee report adopted on September 24, 2013.)

**Adopted, ( 12) ; Absent: Bonin , Englander , Price (3)**

### **PUBLIC HEARING CLOSED**

ITEM NO. (2)

[13-0901](#)

CD 4 HEARING COMMENTS relative to an application for determination of Public Convenience or Necessity for alcohol sales for on- and off-site consumption at Spin the Bottle Wine Studio gourmet wine bar and shop.

Recommendations for Council action:

1. DETERMINE that the issuance of a liquor license at Spin the Bottle Wine Studio gourmet wine bar and shop located at 10139 1/2 West Riverside Drive, Toluca Lake, 91602, will serve the Public Convenience or Necessity and will not tend to create a law enforcement problem.
2. GRANT the Application for Determination of Public Convenience or Necessity for the sale of alcoholic beverages for on- and off-site consumption at 10139 1/2 West Riverside Drive.
3. INSTRUCT the City Clerk to transmit this determination to the State Department of Alcoholic Beverage Control as the required findings under Business and Professions Code Section 23958.4.

Application filed by: Spin the Bottle Wine Studio, LLC (Elizabeth Peterson Group, Inc., representative)

**TIME LIMIT FILE – OCTOBER 22, 2013**

**(LAST DAY FOR COUNCIL ACTION – OCTOBER 22, 2013)**

**Adopted, ( 14) ; Absent: Bonin (1)**

**PUBLIC HEARING CLOSED - ADOPTED TO GRANT APPLICATION**

#### **Items for which Public Hearings Have Been Held**

ITEM NO. (3)

[11-0923-S1](#)

ARTS, PARKS, HEALTH, AGING AND RIVER and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to proposed administrative rules in connection with the Mural Ordinance (Ordinance No. 182706).

Recommendation for Council action:

APPROVE the administrative rules for original art murals as detailed in the October 3, 2013 Department of Cultural Affairs (DCA) report, attached to the Council file, and amend said rules as follows:

- a. Section III A 2: Revise the second paragraph so as to read:

If the mural is placed on a lot with two or more residential units, the applicant shall send the letter, as described above, to the applicable City Council District office, Neighborhood Council, immediately adjoining neighbors and applicable Community Council, Homeowners Association, Block Club, or Improvement Association.

b. Section IV A 5: Revise 5 A so as to read:

Copy of each mailed notice with a Certificate of Mailing to the applicable City Council District office, Neighborhood Council, Business Improvement District, and Improvement Association.

c. Section V: Revise the second sentence so as to read:

The party providing maintenance to the mural is required to apply anti-graffiti coating to the mural immediately upon completion of the mural, and is encouraged to provide other measures that will discourage vandalism or facilitate easier and less costly repair of the mural in the future.

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

Community Impact Statement: None submitted.

**Adopted, ( 12) ; Absent: Bonin , Englander , Price (3)**

ITEM NO. (4)

[13-1082](#)

COMMUNICATION FROM THE CITY ETHICS COMMISSION relative to recommended changes to the City's Governmental Ethics Ordinance.

**(Rules, Elections and Intergovernmental Relations Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)**

**(Click on the above hyperlink or go to <http://www.lacouncilfile.com> for background documents.)**

**ADOPTED**

**RULES, ELECTIONS AND INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT relative to recommended changes to the City's Governmental Ethics Ordinance (GEO).**

**Recommendations for Council action:**

- 1. APPROVE the recommended changes to the City's GEO as detailed in the August 16, 2013 City Ethics Commission report, attached to the Council file, with the following amendments and REQUEST the**

**City Attorney's Office to draft the appropriate ordinance(s):**

**a. Semi Annual List of all City contractors and bidders**

- i. Provide that the City will have one comprehensive official database for restricted sources that are covered under Sections 49.5.2(M)(1)(b) and 2(b) maintained by the City Ethics Commission and updated on a quarterly basis and revise Section 49.5.12(B) accordingly. All contracts, whether housed in a separate City database or not, must be included in the Ethics Commission database.**
- ii. Provide that the City will provide the Ethics Commission adequate staffing and funding to create, maintain, and update the database.**
- iii. Provide the City Ethics Commission with the authority to notify the Mayor, City Attorney, City Controller, City Council, and the respective General Manager/Executive Director of delinquency after 5 business days of the due date with respect to providing the City Ethics Commission information required under Section 49.5.12(B).**

**b. Restricted sources**

- i. Restricted Source Gift limit (other than lobbyists and lobbying firms) shall be 33 percent of the gift limit under the Political Reform Act, as adjusted by regulation, rounded to the nearest ten dollars (\$10) during any calendar year.**
- ii. Provide clarity that City officials shall comply with the gift limitations and requirements in the Political Reform Act and that section precedes the section on Restricted Sources (Section C).**
- iii. Add back in Section (C)(3) to read "A restricted source shall not act as an agent or intermediary in, or arrange for the making of, a gift by another person to a City official that exceeds the applicable limit".**
- iv. Add back Section (C)(1) to read "A City official shall not solicit a gift from a restricted source. A City official shall not accept a gift from a restricted source that exceeds the applicable limit".**
- v. Include "educational institution" under exemptions located in LAMC 49.5.8(C)(4)(e).**

- vi. **Provide clarity that the gift limit with respect to lobbyists/lobbying firms is zero.**
  - vii. **Provide that restricted source gift limit is not applicable to Sections 49.5.2(M)(1)(b) and 2(b) sources until the City Ethics Commission and the Los Angeles City Council certify an official database to identify restricted sources.**
  - viii. **Provide that the official database covering Sections 49.5.2(M)(1)(b) and 2(b) is the reference for compliance and enforcement purposes. For Sections 2 49.5.2(M)(1)(a) and 2(a), the lobbyist/lobbying firm database is the reference for compliance and enforcement purposes. For Sections 49.5.2(M)(1)(c), (1)(d), (2)(c) and (2)(d), the Ethics Commission will not maintain an inventory or database covering these sections and it will be the responsibility of the filers and givers to thoroughly vet a potential restricted source.**
  - ix. **Provide a disclaimer that the official database covering Sections 49.5.2(M)(1)(b) and (2)(b) is the reference for compliance and enforcement purposes as of the date the database has been updated. Furthermore provide that it will be the responsibility of the filer and givers to thoroughly vet a potential restricted source during the three month period between updates until the new database is released.**
- c. Political Activity**
- i. **Remove the word "wearing" and replace with appropriate language. Furthermore, remove last sentence dealing with personal vehicles. LAMC 49.5.2(K).**
- d. Political Activity**
- i. **Change the words "This includes" to "This may include" – 49.5.5(B)(2)(b).**
- e. Misuse of City Position or Resources**
- i. **Replace language with the following to reflect current case law: "This section does not prohibit the use of City resources to provide information to the public about the possible effects of a bond issue or ballot measure relating to City activities when the use of public resources is otherwise legally authorized". – LAMC 49.5.5(E).**
- f. Permanent Lobbying Ban**

- i. Add back in language “and substantially” as well as last sentence of section defining “personal and substantial”; – LAMC 49.5.14(B).

**g. Time-Based Lobbying Ban**

- i. Delete all provisions and replace with a 12-month ban for any city lobbying that applies to Mayor, City Attorney, City Controller, Councilmembers, Board of Public Works Commissioners, General Managers, Executive Directors, Chief Administrative Officers, Mayor’s Chief of Staff, Deputy Mayor, Mayoral Aide VII, Mayoral Aide VIII, Assistant City Attorney, Chief Deputy Controller, Admin Deputy Controller, PR Deputy Controller, Council Aide VI, Council Aide VII, and equivalent positions after leaving city service.
  - ii. For all other SEI Form 700 filers, provide a 12-month ban for lobbying the agency they were employed by, loaned to, or assigned for in the prior 24-months.
  - iii. Remove definition of High-level official since it is no longer needed.
  - iv. Add back in the last sentence contained under LAMC 49.5.14(J) and amend into LAMC 49.5.14(A) as the last sentence of that section to clarify that commissioners may appear before a City agency as a member of the general public on a matter related to his or her personal interests.
  - v. Rewrite Section 48.5.8(C)(4)(c) to read “Items received by a City official from an organization to which the City, the City official acting in an official City capacity, or the City official’s agency belongs ...”
  - vi. Delete and remove all provisions of proposed Section 49.5.9 and related issues in other sections.
- 2. **REQUEST** the City Ethics Commission to report back to the City Council with any necessary changes to the Administrative Code to implement these amendments by January 6, 2014.
  - 3. **AUTHORIZE** the City Attorney, in consultation with the Executive Director of the City Ethics Commission and the Chair of the Rules, Elections, and Intergovernmental Relations Committee, to make any necessary technical or legal changes to these amendments and throughout the municipal code for purposes of consistency in preparation of the draft ordinance.

**Fiscal Impact Statement:** Neither the Chief Legislative Analyst nor the City

**Administrative Officer has completed a financial analysis of this report.**

**Community Impact Statement: None submitted.**

**Adopted to Continue, Unanimous Vote ( 14) ; Absent: Bonin (1)**

**CONTINUED TO OCTOBER 23, 2013**

ITEM NO. (5)

[13-1364](#)

CONSIDERATION OF RESOLUTION (LABONGE FOR WESSON - KREKORIAN) relative to the establishment of the City of Los Angeles Municipal Elections Reform Commission to determine the best manner in which to improve and enhance voter participation and civic engagement with respect to the City's electoral process.

**(Rules, Elections and Intergovernmental Relations Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)**

**(Click on the above hyperlink or go to <http://www.lacouncilfile.com> for background documents.)**

**ADOPTED**

**RULES, ELECTIONS AND INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT and RESOLUTION relative to the establishment of the City of Los Angeles Municipal Elections Reform Commission.**

**Recommendation for Council action, pursuant to Resolution (LaBonge for Wesson - Krekorian):**

**ADOPT the accompanying RESOLUTION relative to the establishment of the City of Los Angeles Municipal Elections Reform Commission to determine the best manner in which to improve and enhance voter participation and civic engagement with respect to the City's electoral process; including the following specific features and tasks:**

- a. **Undertake a comprehensive review of the City's Elections Code (2008), Los Angeles City Charter Article IV Elections, and Los Angeles City Charter Sections 206, 241, 801, and 804.**
- b. **Provide a final report to the Mayor and City Council on May 14, 2014 proposing specific options and recommendations to increase voter turnout and participation, including but not limited to exploring: changing the dates of the election cycle, methods to outreach to populations with historically low voter registration/turnout, same-day voter registration, locations and access to polling places, early voting, vote-by-mail only for Special elections, easier access to**

absentee ballots, efficiencies in vote counting, and utilizing technology for outreach and voting.

- c. The Commission shall be composed of:
  - i. One member who serves as Chair jointly appointed by the Mayor and the President of the City Council.
  - ii. Four members appointed by the Mayor.
  - iii. Four members appointed by the President of the City Council.
- d. Appointing authorities are generally encouraged to appoint individuals with expertise in one or more of the following areas: elections, marketing, outreach, neighborhood council leadership, polling places, or persons with significant experience managing large one-day events.
- e. Appointments to The City of Los Angeles Municipal Elections Reform Commission shall be made no later than 30 days after the passage of this Resolution.
- f. Appointments shall be directed to the City of Los Angeles City Clerk's office and do not require confirmation by the full City Council.
- g. The Commission support staff will include the City Clerk, Chief Legislative Analyst (CLA), City Administrative Officer (CAO), Mayor's Office, City Council President's Office, City Attorney's Office, and the City Ethics Commission.
- h. Regular meetings of the Commission will be held in the John Ferraro Council Chambers at minimum every two weeks; 8 off-site special meetings in the evening or on the weekend (one Westside region, one Eastside region, one Harbor region, one Central region, one West Valley, one Northeast Valley and two in Van Nuys Council Chambers) shall also be held during the term of the Commission.
- i. The City of Los Angeles Municipal Elections Reform Commission shall terminate its existence on May 16, 2014.

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

**Community Impact Statement:** None submitted.

Adopted, ( 12) ; Absent: Bonin , Englander , Price (3)



ITEM NO. (6)

[13-0660-S2](#)

INNOVATION, TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and RESOLUTION relative to authorization to destroy certain obsolete records from the Department of Transportation, Parking Operations, Support and Adjudication, (DOT/70 - 208 Boxes) for the period of January 1, 1999 through December 31, 2007.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION authorizing the destruction of certain obsolete records from the Department of Transportation, Parking Operations, Support and Adjudication, (DOT/70 - 208 Boxes) for the period of January 1, 1999 through December 31, 2007.

Fiscal Impact Statement: The City Clerk reports that the retention of the 208 records boxes beyond the required retention time period, based on industry commercial standard rates, will continue to cost the City the equivalent of a minimum of \$32.45 per month, or \$389.38 per year.

Community Impact Statement: None submitted.

**[These records will be retained for a period of 60 days after the City Council's action to authorize their destruction to allow for public inspection. Contact the Records Management Division at (213) 473-8449 or via email at [Todd.Gaydowski@lacity.org](mailto:Todd.Gaydowski@lacity.org) to arrange for inspection of records.]**

**Adopted, ( 12) ; Absent: Bonin , Englander , Price (3)**

ITEM NO. (7)

[13-0660-S3](#)

INNOVATION, TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and RESOLUTION relative to authorization to destroy certain obsolete records from the Department of Transportation, Parking Operations (DOT/62 - 118 Boxes) for the period of April 3, 2006 through October 31, 2006.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION authorizing the destruction of certain obsolete records from the Department of Transportation, Parking Operations (DOT/62 - 118 Boxes) for the period of April 3, 2006 through October 31, 2006.

Fiscal Impact Statement: The City Clerk reports that the retention of the 118 records boxes beyond the required retention time period, based on industry

commercial standard rates, will continue to cost the City the equivalent of a minimum of \$18.41 per month, or \$220.90 per year.

Community Impact Statement: None submitted.

**[These records will be retained for a period of 60 days after the City Council's action to authorize their destruction to allow for public inspection. Contact the Records Management Division at (213) 473-8449 or via email at [Todd.Gaydowski@lacity.org](mailto:Todd.Gaydowski@lacity.org) to arrange for inspection of records.]**

**Adopted, ( 12) ; Absent: Bonin , Englander , Price (3)**

ITEM NO. (8)

[13-0660-S4](#)

INNOVATION, TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and RESOLUTION relative to authorization to destroy certain obsolete records from the Department of Transportation, Accounting Division (DOT/16 - 20 Boxes) and Material Services Division (DOT/17 - 47 boxes) from 2003 through 2009.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION authorizing the destruction of certain obsolete records from the Department of Transportation, Accounting Division (DOT/16 - 20 Boxes) and Material Services Division (DOT/17 - 47 boxes) from 2003 through 2009.

Fiscal Impact Statement: The City Clerk reports that the retention of the 67 records boxes beyond the required retention time period, based on industry commercial standard rates, will continue to cost the City the equivalent of a minimum of \$10.85 per month, or \$130.25 per year.

Community Impact Statement: None submitted.

**[These records will be retained for a period of 60 days after the City Council's action to authorize their destruction to allow for public inspection. Contact the Records Management Division at (213) 473-8449 or via email at [Todd.Gaydowski@lacity.org](mailto:Todd.Gaydowski@lacity.org) to arrange for inspection of records.]**

**Adopted, ( 12) ; Absent: Bonin , Englander , Price (3)**

ITEM NO. (9)

[13-0660-S5](#)

INNOVATION, TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and RESOLUTION relative to authorization to destroy certain obsolete records from the Department of Transportation, Risk Management/Audit Division (DOT/02 - 18 Boxes) from 1999 through 2002.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION authorizing the destruction of certain obsolete records from the Department of Transportation, Risk Management/Audit Division (DOT/02 - 18 Boxes) from 1999 through 2002.

Fiscal Impact Statement: The City Clerk reports that the retention of the 18 records boxes beyond the required retention time period, based on industry commercial standard rates, will continue to cost the City the equivalent of a minimum of \$2.92 per month, or \$35.00 per year.

Community Impact Statement: None submitted.

**[These records will be retained for a period of 60 days after the City Council's action to authorize their destruction to allow for public inspection. Contact the Records Management Division at (213) 473-8449 or via email at [Todd.Gaydowski@lacity.org](mailto:Todd.Gaydowski@lacity.org) to arrange for inspection of records.]**

**Adopted, ( 12) ; Absent: Bonin , Englander , Price (3)**

ITEM NO. (10)

[13-1185-S2](#)

INNOVATION, TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and RESOLUTION relative to authorization to destroy certain obsolete records from the Office of Finance (FIN/08 - 1,125 Boxes) for the period of January 2, 1977 through June 30, 2010.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION authorizing the destruction of certain obsolete records from the Office of Finance (FIN/08 - 1,125 Boxes) for the period of January 2, 1977 through June 30, 2010.

Fiscal Impact Statement: The City Clerk reports that the retention of the 1,125 records boxes beyond the required retention time period, based on industry commercial standard rates, will continue to cost the City the equivalent of a

minimum of \$182.25 per month, or \$2,187.00 per year.

Community Impact Statement: None submitted.

**[These records will be retained for a period of 60 days after the City Council's action to authorize their destruction to allow for public inspection. Contact the Records Management Division at (213) 473-8449 or via email at [Todd.Gaydowski@lacity.org](mailto:Todd.Gaydowski@lacity.org) to arrange for inspection of records.]**

**Adopted, ( 12) ; Absent: Bonin , Englander , Price (3)**

ITEM NO. (11)

[13-1185-S1](#)

INNOVATION, TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and RESOLUTION relative to authorization to destroy certain obsolete records from the Office of Finance (CLK/04, FIN/08 - 1,392 Boxes) for the period of April 1, 1975 through May 31, 2002.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION authorizing the destruction of certain obsolete records from the Office of Finance (CLK/04, FIN/08 - 1,392 Boxes) for the period of April 1, 1975 through May 31, 2002.

Fiscal Impact Statement: The City Clerk reports that the retention of the 1,392 records boxes beyond the required retention time period, based on industry commercial standard rates, will continue to cost the City the equivalent of a minimum of \$225.50 per month, or \$2,706.05 per year.

Community Impact Statement: None submitted.

**[These records will be retained for a period of 60 days after the City Council's action to authorize their destruction to allow for public inspection. Contact the Records Management Division at (213) 473-8449 or via email at [Todd.Gaydowski@lacity.org](mailto:Todd.Gaydowski@lacity.org) to arrange for inspection of records.]**

**Adopted, ( 12) ; Absent: Bonin , Englander , Price (3)**

ITEM NO. (12)

[13-1185](#)

INNOVATION, TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and RESOLUTION relative to authorization to destroy certain obsolete records from the Office of Finance, Accounting Division (TRE/04 - 87 Boxes) for the period of January 1, 1973 through December 31, 2004.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION authorizing the destruction of certain obsolete records from the Office of Finance, Accounting Division (TRE/04 - 87 Boxes) for the period of January 1, 1973 through December 31, 2004.

Fiscal Impact Statement: The City Clerk reports that the retention of the 87 records boxes beyond the required retention time period, based on industry commercial standard rates, will continue to cost the City the equivalent of a minimum of \$14.09 per month, or \$169.13 per year.

Community Impact Statement: None submitted.

**[These records will be retained for a period of 60 days after the City Council's action to authorize their destruction to allow for public inspection. Contact the Records Management Division at (213) 473-8449 or via email at [Todd.Gaydowski@lacity.org](mailto:Todd.Gaydowski@lacity.org) to arrange for inspection of records.]**

**Adopted, ( 12) ; Absent: Bonin , Englander , Price (3)**

ITEM NO. (13)

[13-1184](#)

INNOVATION, TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and RESOLUTION relative to authorization to destroy certain obsolete records from the Department of Aging (AGE/01 - 14 Boxes) for the period of January 1, 1997 through December 31, 2000.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION authorizing the destruction of certain obsolete records from the Department of Aging (AGE/01 - 14 Boxes) for the period of January 1, 1997 through December 31, 2000.

Fiscal Impact Statement: The City Clerk reports that the retention of the 14 records boxes beyond the required retention time period, based on industry commercial standard rates, will continue to cost the City the equivalent of a minimum of \$2.27 per month, or \$27.22 per year.

Community Impact Statement: None submitted.

**[These records will be retained for a period of 60 days after the City Council's action to authorize their destruction to allow for public inspection. Contact the Records Management Division at (213) 473-8449 or via email at [Todd.Gaydowski@lacity.org](mailto:Todd.Gaydowski@lacity.org) to arrange for inspection of records.]**

**Adopted, ( 12) ; Absent: Bonin , Englander , Price (3)**

ITEM NO. (14)

[13-0415-S2](#)

INNOVATION, TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and RESOLUTION relative to authorization to destroy certain obsolete records from the City Employees' Retirement System (CER/00 - 50 Boxes) for the period of January 1, 1975 through March 31, 2013.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION authorizing the destruction of certain obsolete records from the City Employees' Retirement System (CER/00 - 50 Boxes) for the period of January 1, 1975 through March 31, 2013.

Fiscal Impact Statement: The City Clerk reports that the retention of the 50 records boxes beyond the required retention time period, based on industry commercial standard rates, will continue to cost the City the equivalent of a minimum of \$8.10 per month, or \$97.20 per year.

Community Impact Statement: None submitted.

**[Approval is sought to destroy these documents prior to the expiration of their full retention time period. These records have been imaged pursuant to the conditions of Los Angeles Administrative Code Section 12.4, and the image files will be maintained in two different file locations for the balance of their required retention time period. Dispensation with the usual 60-day hold from the date of Council approval is also requested because the image copies are as readily available as the paper documents. Contact the Records Management Division at (213) 473-8449 or via email at [Todd.Gaydowski@lacity.org](mailto:Todd.Gaydowski@lacity.org) to arrange for inspection of records.]**

**Adopted, ( 12) ; Absent: Bonin , Englander , Price (3)**

ITEM NO. (15)

PERSONNEL AND ANIMAL WELFARE COMMITTEE REPORT relative to proposed First Supplemental Agreement to Contract No. C-117333 with the Spay and Neuter Project LA, Inc. (SNP LA) to extend the contract term for three years.

Recommendation for Council action:

APPROVE the First Supplemental Agreement to Contract No. C-117333 with SNP LA to extend the contract term for three years.

Fiscal Impact Statement: The Department of Animal Services reports that there is no impact to the General Fund. Funds will be used from the Animal Sterilization Trust Fund, in accordance with the trust fund limitations and as they would be paid to outside veterinary services for providing sterilization on adopted animals qualifying for coupon/free certificates. The amount of the discount taken off Board-approved rates will result in more funding to accomplish additional sterilization surgeries.

Community Impact Statement: None submitted.

**TIME LIMIT FILE- NOVEMBER 16, 2013**

**(LAST DAY FOR COUNCIL ACTION - NOVEMBER 8, 2013)**

**Adopted, ( 12) ; Absent: Bonin , Englander , Price (3)**

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

ITEM NO. (16)

[12-0014-S17](#)

CD 9 COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER (CAO) relative to the Nevin Avenue Elementary School Pedestrian Safety Improvements Project.

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

1. APPROVE execution of the Assignment and Assumption Agreement (attached to the Council file) between the City of Los Angeles and the Community Redevelopment Agency/Los Angeles (CRA/LA), a Designated Local Authority (DLA).

2. INSTRUCT the Director, Bureau of Street Services, or designee, to:

- a. Execute the Assignment and Assumption Agreement relative to the Nevin Avenue Elementary School Pedestrian Safety Improvements Project in the amount of \$855,000.
  - b. Implement the project on behalf of the City and to negotiate, execute, and submit to the grantor all necessary documents relative to the grant award, subject to the approval of the City Attorney as to form and legality.
  - c. Spend up to the grant amount of \$855,000 in accordance with the grant award.
  - d. Prepare Controller instructions for any technical adjustments, subject to the approval of the CAO; and, AUTHORIZE the Controller to implement the instructions.
  - e. Return to Council with recommendations if the project scope changes and/or additional funding is required.
  - f. Immediately submit an invoice to the CRA/LA-DLA for payment of the \$245,000 match to the City.
  - g. Receive and deposit the \$245,000 match payment to the Transportation Grant Fund 655/94.
3. REQUEST the Controller to establish a new account entitled Nevin Avenue Elementary School Pedestrian Safety Improvements Project and appropriate funds in the amount of \$1,100,000 from the cash available balance to the new account, both within the Transportation Grant Fund No. 655/94.
4. WAIVE any related cost reimbursements not funded by the grant.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. Upon execution of the Assignment and Assumption Agreement with the CRA/LA-DLA the City will be authorized to spend up to \$1,100,000 of funds provided by a non-City grant program and the CRA/LA-DLA.

Community Impact Statement: None submitted.

**(Transportation Committee waived consideration of the above matter)**

**Adopted, ( 12) ; Absent: Bonin , Englander , Price (3)**



ITEM NO. (17)

[12-0014-S18](#)

CD 1 COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER (CAO) relative to the Visual and Performing Arts School Pedestrian Safety Improvements Project.

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

1. APPROVE execution of the Assignment and Assumption Agreement (attached to the Council file) between the City of Los Angeles and the Community Redevelopment Agency/Los Angeles (CRA/LA), a Designated Local Authority (DLA).
2. INSTRUCT the Director, Bureau of Street Services, or designee to:
  - a. Execute the Assignment and Assumption Agreement relative to the Visual and Performing Arts School Pedestrian Safety Improvements Project in the amount of \$280,030.
  - b. Implement the project on behalf of the City including negotiating, executing, and submitting to the grantor all necessary documents relative to the grant award, subject to the approval of the City Attorney as to form and legality.
  - c. Spend up to the grant amount of \$280,030 in accordance with the grant award.
  - d. Prepare Controller instructions for any technical adjustments, subject to the approval of the CAO; and, AUTHORIZE the Controller to implement the instructions.
  - e. Return to Council with recommendations if the project scope changes and/or additional funding is required.
  - f. Immediately submit an invoice to the CRA/LA-DLA for payment of the \$365,000 match to the City.
  - g. Receive and deposit the \$31,114 match payment to the Transportation Grant Fund 655/94.
3. REQUEST the Controller to establish a new account entitled Visual and Performing Arts School Pedestrian Safety Improvements Project and appropriate funds in the amount of \$311,144 from the cash available balance to the new account, both within the Transportation Grant Fund 655/94.
4. WAIVE any related cost reimbursements not funded by the grant.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. Upon execution of the Assignment and Assumption Agreement with the CRA/LA-DLA, the City will be authorized to spend up to \$311,144 of funds provided by a non-City grant program and the CRA/LA-DLA.

Community Impact Statement: None submitted.

**(Transportation Committee waived consideration of the above matter)**

**Adopted, ( 12) ; Absent: Bonin , Englander , Price (3)**

ITEM NO. (18)

[12-0014-S19](#)

CD 13 COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER (CAO) relative to the Hollywood Pedestrian/Transit Crossroads Phase I Project.

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

1. APPROVE execution of the Assignment and Assumption Agreement (attached to the Council file) between the City of Los Angeles and the Community Redevelopment Agency/Los Angeles (CRA/LA), a Designated Local Authority (DLA).
2. INSTRUCT the Director, Bureau of Street Services, or designee, to:
  - a. Execute the Assignment and Assumption Agreement relative to the Hollywood Pedestrian/Transit Crossroads Phase I Project in the amount of \$1,032,000.
  - b. Implement the project on behalf of the City and to negotiate, execute, and submit to the grantor all necessary documents relative to the grant award, subject to the approval of the City Attorney as to form and legality.
  - c. Spend up to the grant amount of \$1,032,000 in accordance with the grant award.
  - d. Prepare Controller instructions for any technical adjustments, subject to the approval of the CAO; and, AUTHORIZE the Controller to implement the instructions.
  - e. Report to Council with recommendations if the project scope changes and/or additional funding is required.
  - f. Immediately submit an invoice to the CRA/LA-DLA for payment of the

\$365,000 match to the City.

g. Receive and deposit the \$365,000 match payment to the Transportation Grant Fund 655/94.

3. REQUEST the Controller to establish a new account entitled Hollywood Pedestrian/TransitCrossroads Phase I Project and appropriate funds in the amount of \$1,397,000 from the cash available balance to the new account, both within the Transportation Grant Fund 655/94.

4. WAIVE any related cost reimbursements not funded by the grant.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. Upon execution of the Assignment and Assumption Agreement with the CRA/LA-DLA, the City will be authorized to spend up to \$1,397,000 of funds provided by a non-City grant program and the CRA/LA-DLA.

Community Impact Statement: None submitted.

**(Transportation Committee waived consideration of the above matter)**

**Adopted, ( 14) ; Absent: Bonin (1)**

ITEM NO. (19)

[13-0611-S1](#)

CD 1 CONSIDERATION OF MOTION (CEDILLO - HUIZAR) relative to a time extension regarding the inclusion of the Shopper's Market Building located at 4511-4525 North Figueroa Street and 129-135 West Avenue 45 in the list of Historic-Cultural Monuments.

Recommendation for Council action:

EXTEND by 15 days for good cause the time to act on the report from the Cultural Heritage Commission, as allowed by Los Angeles Administrative Code Section 22.171.10(f), relative to the inclusion of the Shopper's Market Building located at 4511-4525 North Figueroa Street and 129-135 West Avenue 45, that is pending consideration by the Planning and Land Use Management Committee (Council file No. 13-0611), and which has a deadline for Council to act of October 30, 2013, to enable all interested stakeholders more time to fully deliberate its merits.

Community Impact Statement: None submitted.

**(Planning and Land Use Management Committee waived consideration of the above matter)**

**Adopted, ( 12) ; Absent: Bonin , Englander , Price (3)**

ITEM NO. (20)

[13-0905-S1](#)

CD 8

MOTION (PARKS - O'FARRELL) relative to funding for various community charter bus services in Council District Eight.

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

APPROPRIATE \$3,200.34 from the Unappropriated Balance Fund No.100/58 to the Transportation Fund No. 385/94, Account No. H226 for various community charter bus services in Council District Eight (said funds to be reimbursed to the General Fund by various community organizations); and AUTHORIZE the Los Angeles Department of Transportation to accept these reimbursements and to make any corrections or clarifications to the above fund transfer instructions in order to effectuate the intent of this Motion.

**Adopted - TO THE MAYOR FORTHWITH, ( 14) ; Absent: Bonin (1)**

ITEM NO. (21)

[13-1356](#)

CD 9

MOTION (PRICE - CEDILLO) relative to the creation of a mural in Council District Nine.

Recommendations for Council action:

1. ALLOCATE \$2,500 in the Council District Nine portion of the Cultural, Art and City Events line item in the General City Purposes Fund No. 100/56 for the efforts of the American Legion -Benjamin J. Bowie Post 228 towards the creation of a mural by artist Patrick Henry Johnson which will be painted on its building in Council District Nine.
2. DIRECT the City Clerk to prepare the necessary document(s) or agreement(s) with the American Legion-Benjamin J. Bowie Post 228, or any other agency or organization, as appropriate, in the above amount, for the above purpose, subject to the approval of the City Attorney as to form, if needed; and AUTHORIZE the Councilmember of the Ninth District to execute any such documents on behalf of the City, as may be needed.

3. AUTHORIZE the City Clerk to make any corrections, clarifications or revisions to the above fund transfer instructions, including any new instructions, in order to effectuate the intent of this Motion.

**Adopted, ( 12) ; Absent: Bonin , Englander , Price (3)**

ITEM NO. (22)

[11-1920-S3](#)

CD 1 RESOLUTION (CEDILLO - BUSCAINO) relative to a grant for development of infrastructure supporting the accessibility of a rental housing development to transit at 900 North Broadway for the project known as Blossom Plaza.

Recommendations for Council action:

1. AUTHORIZE the General Manager, Los Angeles Housing Department, to submit an application on behalf of the City for a Transit Oriented Development (TOD) grant to the City pursuant to the Notice of Funding Availability (NOFA) in an amount not to exceed \$1,574,128 for use in the County of Los Angeles for the Blossom Plaza project at 900 North Broadway.
2. AUTHORIZE, if the application is approved, the General Manager, Los Angeles Housing Department to incur an obligation for the TOD grant on behalf of the City; that in connection with the City's TOD grant, the General Manager, Los Angeles Housing Department, is authorized and directed to enter into, execute, and deliver, a State of California Standard Agreement, and any and all other documents required or deemed necessary or appropriate to carry into effect the full intent and purpose of the above Resolution, in order to evidence the TOD grant, the City's obligations related thereto, and the Department's security therefore; including, but not limited to a Disbursement Agreement, HCD covenant and certain other documents required by the Department as security for, evidence of or pertaining to the TOD grant, and all amendments thereto (collectively, the "TOD Grant Documents").
3. AUTHORIZE the General Manager, Los Angeles Housing Department, on behalf of the City to request amendments, including increases in amounts approved by the Department, and to execute any and all documents required by the Department to govern and secure these amendments.
4. AUTHORIZE the General Manager, Los Angeles Housing Department, to execute an application for a TOD grant, the TOD Grant Documents, and any amendment or modifications thereto, on behalf of the City.

5. RESOLVE that this Resolution shall take effect immediately upon its passage.

**Adopted, ( 14) ; Absent: Bonin (1)**

ITEM NO. (23)

[13-0955](#)

CD 1 MOTION (CEDILLO - BUSCAINO) relative to amending prior Council action of September 4, 2013, regarding the Chinatown Pedestrian Bridge/Los Angeles Dodgers Organization/Signature Blue Collar and Team Name.

Recommendation for Council action:

AMEND prior Council action of September 4, 2013 to AUTHORIZE the Los Angeles Department of Transportation to negotiate and execute any necessary agreement(s) with CalTrans and the Los Angeles Dodgers for the painting and ongoing maintenance of the Chinatown Pedestrian Bridge over the Pasadena Freeway, subject to the approval of the City Attorney as to form.

**Adopted, ( 12) ; Absent: Bonin , Englander , Price (3)**

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

- 13-0011-S32 MOTION (HUIZAR - BUSCAINO) relative to funding for a beautification project in Council District 14.
- 13-1397 MOTION (HUIZAR - BUSCAINO) relative to costs associated with the use of a mobile stage by Midnight Mission for their Thanksgiving Celebration Event on November 28, 2013.
- 13-1398 MOTION (CEDILLO - HUIZAR) relative to installing street banners to promote the "Welcome Home Veterans Day Parade" to be held in Council District One on Eagle Rock Boulevard, Sunday, November 10, 2013.

13-1399

MOTION (LABONGE - KREKORIAN) relative to funding for irrigation improvements on the median along Highland Avenue from Melrose to Wilshire.

## COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

13-0004-S3

## Bill Bruns

Buscaino for Bonin - Cedillo

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

13-0003-S3

Tom

Foley

# Bum Phillips

Al Sorkin

## Bud Adams

Alice Roth

## LaBonge - All Councilmembers

LaBonge - All Councilmembers

## LaBonge - All Councilmembers

LaBonge - All Councilmembers

LaBonge - O'Farrell - All  
Councilmembers

Los Angeles City Council Agenda, **Continuation Agenda**  
**October 22 2013**

TUESDAY, JOHN FERRARO COUNCIL CHAMBER, ROOM 340, CITY HALL, 200 NORTH  
SPRING STREET, LOS ANGELES CA 90012 - 10:00 AM

CONTINUED FROM: FRIDAY, OCTOBER 18, 2013

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**ROLL CALL**

**Approval of the Minutes**

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

ITEM NO. (24)

[13-1353](#)

CONTINUED CONSIDERATION OF MOTION (KORETZ - LABONGE) relative to preserving the City's right to appeal a recent California Public Utilities Commission (CPUC) decision regarding the regulation of ridesharing services.

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

REQUEST the City Attorney to submit the necessary filings to preserve the City's right to appeal the September 19, 2013 decision by the CPUC to create the category of Transportation Network Company and regulate ridesharing services.

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.

**(Transportation Committee waived consideration of the above matter)**

**(Council may recess to closed session pursuant to Government Code**



**Section 54956.9(d)(4) in order to confer with legal counsel in deciding whether, based upon existing facts and circumstances, to initiate litigation in the matter described above.)**

**Adopted to Continue, Unanimous Vote ( 13) ; Absent: Bonin , Price (2)**

**CONTINUED TO OCTOBER 23, 2013**

**ENDING ROLL CALL**

Blumenfield, Buscaino, Cedillo, Englander, Fuentes, Huizar, Koretz, Krekorian, LaBonge, Martinez, O'Farrell, Parks and President Wesson (13); Absent: Bonin and Price (2)

**Whereupon the Council did adjourn.**

ATTEST: Holly L. Wolcott, INTERIM CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL