

Los Angeles City Council, **Journal/Council Proceeding**  
**Friday, February 14, 2014**  
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, Englander, Fuentes, Koretz, Martinez, O'Farrell, Price and President Wesson (10); Absent: Cedillo, Huizar, Krekorian, LaBonge and Parks (5)**

**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 PROTEST, APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien for nuisance abatement costs and/or non-compliance of code violations/Annual Inspection costs, pursuant to Los Angeles Municipal Code (LAMC) and/or Los Angeles Administrative Code (LAAC).

Recommendation for Council action:

HEAR PROTEST, APPEALS OR OBJECTIONS relative to proposed lien for nuisance abatement costs and/or non-compliance of code violations/Annual Inspection costs, pursuant to LAMC and/or LAAC and CONFIRM said lien for the following properties:

(a)

[13-0160-S252](#)

CD 7 14759 West Lakeside Avenue (Lien: \$719.26)

(Continued from Council meeting of January 31, 2014)

**Adopted to Receive and File, ( 13 ) ; Absent: Huizar , Krekorian (2)**

**RECEIVED AND FILED INASMUCH AS PROPERTY HAS BEEN DETERMINED TO BE AN OWNER-OCCUPIED SINGLE FAMILY HOME AND THEREFORE EXEMPT FROM LIEN PROCESSING**

ITEM NO. (2)

[13-1717](#)

CD 9 CONTINUED CONSIDERATION OF HEARING COMMENTS relative to an Application for Determination of Public Convenience or Necessity for alcohol sales for off-site consumption at CVS pharmacy and retail store.

Recommendations for Council action:

1. DETERMINE that the issuance of a liquor license at CVS pharmacy and retail store located at 5837 South Central Avenue, Los Angeles, 90001, 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 off-site consumption at 5837 South Central Avenue.
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: Garfield Beach CVS, LLC; Christian Charbonnet with Armstrong Development, representative)

**TIME LIMIT FILE – MARCH 20, 2014**

**(LAST DAY FOR COUNCIL ACTION – MARCH 19, 2014)**

(Continued from Council meeting of January 31, 2014)

**Adopted, ( 13) ; Absent: Huizar , Krekorian (2)**

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

ITEM NO. (3)

[13-1587](#)

CD 2 HEARING COMMENTS relative to an Application for Determination of Public Convenience or Necessity for the sale of alcoholic beverages for off-site consumption at the 76 fueling station and mini-market.

Recommendations for Council action:

1. DETERMINE that the Public Convenience or Necessity WILL NOT be served by the sale of alcoholic beverages for on-site consumption at the 76 fueling station and mini-market located at 14059 Oxnard Street, Van Nuys, 91401, inasmuch as the site is located in a census tract with an undue concentration of alcoholic beverage sales licenses.
2. DENY the Application for Determination of Public Convenience or Necessity for the sale of alcoholic beverages for on-site consumption at 14059 Oxnard Street based upon the above finding and the negative influence associated with the sale of alcohol in the concerned community.
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: Payam Sahih (Elizabeth Peterson, representative)

**TIME LIMIT FILE – FEBRUARY 24, 2014**

**(LAST DAY FOR COUNCIL ACTION – FEBRUARY 21, 2014)**

**ADOPTED**

**MOTION (BONIN for KREKORIAN - BUSCAINO)**

Recommendations for Council action:

1. **DENY the application for a finding of "Public Convenience or Necessity" for the sale of beer and wine for off-site consumption from 14059 Oxnard Street, Los Angeles, California based upon the following finding.**
2. **FIND that the "Public Convenience or Necessity" WILL NOT be served by the sale of beer and wine for off-site consumption at the 76 Fueling Station and mini mart located at 14059 Oxnard Street, Los Angeles, California, inasmuch as there is an undue concentration of alcoholic beverage sale licenses within a 600-foot radius of the site in which the proposed site is located and the location does provide a public benefit or serve unmet public service in the community.**
3. **INSTRUCT the City Clerk to transmit this determination to the State Department of Alcoholic Beverage Control as the required finding under Business and Professions Code Section 23958.4.**

**Adopted, ( 13) ; Absent: Huizar , Krekorian (2)**

**PUBLIC HEARING CLOSED - MOTION ADOPTED TO DENY APPLICATION**

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

ITEM NO. (4)

[14-0079](#)

INNOVATION, TECHNOLOGY and GENERAL SERVICES COMMITTEE REPORT relative to a draft policy for the purchase, installation and maintenance of electric vehicle charging stations.

Recommendations for Council action, as initiated by Motion (Blumenfield - Fuentes):

1. DIRECT the City Administrative Officer (CAO) with assistance from the Chief Legislative Analyst (CLA), to work with the Department of General Services, Department of Water and Power, Department of Recreation and Parks, Department of Transportation, Personnel Department, and any other departments as necessary, to draft a City policy for the purchase, installation and maintenance of electric vehicle charging stations.
2. INSTRUCT the Harbor Department and Los Angeles World Airports to report on their procurement and deployment processes for electric vehicle charging stations.

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

Community Impact Statement: None submitted.

**Adopted, ( 13) ; Absent: Huizar , Krekorian (2)**

ITEM NO. (5)

[14-0195](#)

INNOVATION, TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to the retention of outside counsel for the Citywide Free Internet Service Project.

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

1. AUTHORIZE the Information Technology Agency (ITA), to transfer an

appropriation of \$300,000 to the City Attorney as follows:

	<u>Fund/Dept No.</u>	<u>Account Title</u>	<u>Amount</u>
From:	342/32	32013K Cable Franchise Oversight	\$300,000
To:	100/12	009301 Outside Counsel	\$300,000

2. **AUTHORIZE** the City Attorney to enter into a contract with Best Best and Krieger for the purpose of assisting the City in developing a City of Los Angeles Broadband Request for Proposal and other related legal services including negotiating and drafting transactional documents in the event that the City selects one or more proposers, with an initial appropriation of \$300,000 to be paid out of fund 100/12/009301.
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 (CAO), and **AUTHORIZE** the Controller to implement the instructions.
4. **APPROVE** the waiver of Best Best and Krieger's conflict in their representation of Terra-Gen Power in negotiations with the Los Angeles Department of Water and Power.

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

**Community Impact Statement:** None submitted.

**Adopted, ( 11) ; Absent: Englander , Huizar , Krekorian , LaBonge (4)**

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

ITEM NO. (6)

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)

[14-0005-S49](#)

CD 5                    1034 North Croft Avenue (Case No. 383042) Assessor I.D. No. 5529-001-013

**Adopted, ( 13 ) ; Absent: Huizar , Krekorian (2)**

(b)

[14-0005-S50](#)

CD 8                    708 West 83rd Street (Case No. 414511) Assessor I.D. No. 6032-019-007

**Adopted, ( 13 ) ; Absent: Huizar , Krekorian (2)**

(c)

[14-0005-S51](#)

CD 9                    224 West 66th Street (Case No. 430893) Assessor I.D. No. 6012-002-007

**Adopted, ( 13 ) ; Absent: Huizar , Krekorian (2)**

(d)

[14-0005-S52](#)

CD 10                    1252 South Bronson Avenue (Case No. 246411) Assessor I.D. No. 5081-007-008

**Adopted, ( 13 ) ; Absent: Huizar , Krekorian (2)**

(e)

[14-0005-S53](#)

CD 10                    1252 South Bronson Avenue (Case No. 412583) Assessor I.D. No. 5081-007-008

**Adopted, ( 13 ) ; Absent: Huizar , Krekorian (2)**

ITEM NO. (7)

[14-0187](#)

MOTION (FUENTES - O'FARRELL) relative to the Ernani Bernardi Scholarship Trust Fund.

Recommendation for Council action:

REQUEST the City Attorney, in consultation with the Bureau of Sanitation, to prepare and present an ordinance to amend the Ernani Bernardi Scholarship Trust Fund (Administrative Code Section 5.439.1., et seq.) to expand the scope of this fund, as feasible, to permit scholarships to eligible students attending both public and private Higher Education Institutions located within or outside of the City of Los Angeles.

**Adopted, ( 13 ) ; Absent: Huizar , Krekorian (2)**

ITEM NO. (8)

[14-0010-S2](#)

MOTION (CEDILLO - HUIZAR) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the murder of Atilio Benavides-Amaya on November 6, 2013.

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

1. PROVIDE an offer of reward in the amount of \$50,000 for information leading to the identification, apprehension, and conviction of the person(s) responsible for the murder of Atilio Benavides-Amaya.
2. FIND that the subject reward complies with the provisions of Chapter 12, Article 1, Division 19, of the Los Angeles Administrative Code.
3. DIRECT the City Clerk to publish the required notices and/or advertisements to effectuate this reward.

**Adopted - FORTHWITH, ( 13 ) ; Absent: Huizar , Krekorian (2)**

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

13-1549-S1 MOTION (CEDILLO - FUENTES) relative to funding from Affirmed Housing for

public linkage improvements in connection with the affordable housing development located at 719 Yale Street.

12-0303-S3 MOTION (O'FARRELL - PARKS) relative to amending the General Plan's Framework Element and revising the Environmental Impact Report (EIR) for the Hollywood Community Plan Update (HCPU).

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

14-0003	Rev. Samuel Sunjoo Lee	Wesson - All Councilmembers
	Emily Elizabeth Rivera	Buscaino - All Councilmembers
	Jim Fregosi	Koretz - All Councilmembers
	4th Anniversary of Passing of Charmette Bonpua	Wesson

**ENDING ROLL CALL**

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

**Whereupon the Council did adjourn.**

ATTEST: Holly L. Wolcott, INTERIM CITY CLERK

By  
Council Clerk

PRESIDENT OF THE CITY COUNCIL