SPECIAL COUNCIL MEETING

ALL ITEMS FORTHWITH

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

ROLL CALL

Members Present: Bonin, Buscaino, Englander, Fuentes, Huizar, Koretz, Krekorian, LaBonge, Martinez, Parks, Price and President Wesson (12); Absent: Blumenfield, Cedillo and O'Farrell (3)

Approval of the Minutes

Commendatory Resolutions, Introductions and Presentations

Public Testimony of Non-agenda Items Within Jurisdiction of Council

Items for which Public Hearings Have Been Held

ITEM NO. (10)

14-0187

BUDGET AND FINANCE COMMITTEE REPORT and ORDINANCE FIRST
CONSIDERATION relative to expanding the scope of the Ernani Bernardi
Scholarship Trust Fund.

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

PRESENT and ADOPT the accompanying ORDINANCE relative to amending
the Los Angeles Administrative Code to expand the scope of the Ernani
Bernardi Scholarship Trust Fund to include both public and private Higher
Education Institutions located within or outside of the City of Los Angeles.

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

Community Impact Statement: None submitted.
ITEM NO.  (11)

14-0189

CD 11

BUDGET AND FINANCE COMMITTEE REPORT relative to waiving a one-year moratorium on cutting into newly resurfaced streets for a restaurant project located at 5656 West Manchester Avenue.

Recommendations for Council action, pursuant to Motion (Bonin - Wesson):

1. APPROVE a waiver of the City’s one-year moratorium on cutting into newly resurfaced streets to allow the construction of a gas line connection for the restaurant project located at 5656 West Manchester Avenue.

2. REQUIRE the permittee to properly repair and resurface the cut area, in accordance with Bureau of Engineering requirements, to maximize the longevity of the street.

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.

(Public Works and Gang Reduction Committee waived consideration of the above matter)

Adopted, ( 10) ; Nays: Parks (1) ; Absent: Blumenfield , Buscaino , Cedillo , Englander (4)

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

ITEM NO.  (12)

13-0844

CD 8, 9, 10

COMMUNICATION FROM THE CULTURAL HERITAGE COMMISSION (CHC) relative to the inclusion of the South Los Angeles Canary Island Pine Street Trees in the list of Historic-Cultural Monuments.

Recommendation for Council action:
DENY the application filed by the City of Los Angeles and THEREBY DISAPPROVE the inclusion of the South Los Angeles Canary Island Pine Street Trees located on Martin Luther King (MLK), Jr. Boulevard between Hooper and Nicolet Avenue; Degnan Boulevard between MLK, Jr. and 43rd Street; and Crenshaw Boulevard between Vernon Avenue and 59th Street in the list of Historic-Cultural Monuments.

Applicant: City of Los Angeles
Case No. CF 13-0844

Fiscal Impact Statement: The CHC reports that such designation in and of itself has no fiscal impact. Future applications for permits may cause minimal administrative costs.

Community Impact Statement: None submitted.

(On April 3, 2014, the CHC failed to reach a consensus by a majority vote on the above matter.)

TIME LIMIT FILE - JULY 2, 2014
(LAST DAY FOR COUNCIL ACTION - JULY 2, 2014)

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

ADOPTED

AMENDING MOTION (WESSION - HUIZAR)

Recommendations for Council action:

1. DECLARE portions of the property including Martin Luther King (MLK) Jr. Boulevard between Hooper and Nicolet Avenue; Degman Boulevard, between MLK Jr. Boulevard and 43rd Street, and Leimert Boulevard between MLK, Jr. Boulevard and 43rd Street, a Historic-Cultural Monument.

2. ADOPT the report findings.

Adopted as Amended, (13); Absent: Blumenfield, Cedillo (2)

ITEM NO. (13)
14-0398

CONSIDERATION OF MOTION (ENGLANDER - BLUMENFIELD) relative to the no-cost license agreement with Los Angeles Regional Interoperable
Communications Joint Powers Authority and Motorola Solutions Inc., for the installation and maintenance of Countywide Interoperable Dual-Band Communications System equipment.

Recommendation for Council action:

AUTHORIZE the Department of General Services to negotiate and execute a no-cost license agreement with the Los Angeles Regional Interoperable Communications Joint Powers Authority and its vendor, Motorola Solutions, Inc., through June 30, 2018 for the installation and maintenance of Countywide Interoperable Dual-Band Communications System equipment.

Community Impact Statement: None submitted.

(Innovation, Technology and General Services Committee waived consideration of the above matter)

Adopted, (13) ; Absent: Blumenfield , Cedillo (2)

ITEM NO. (14)
CD 14 CONSIDERATION OF MOTION (HUIZAR - O'FARRELL) relative to the issuance of a Right of Entry Permit to the LA Parks Foundation for the purposes of delivering improvements to Hazard Park.

Recommendation for Council action, pursuant to Motion (Huizar - O'Farrell):

AUTHORIZE the Department of Recreation and Parks to issue a Right of Entry Permit to the LA Parks Foundation for the purposes of delivering improvements to Hazard Park.

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.

(Arts, Parks, Health, Aging and River Committee waived consideration of the above matter)

Adopted, (13) ; Absent: Blumenfield , Cedillo (2)

ITEM NO. (15)
14-0437 COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER (CAO)
relative to a request from a law firm to represent Councilmember Jose Huizar under the Attorney Conflicts Panel in the case entitled Francine Godoy v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BC524640 and a COMMUNICATION FROM THE PERSONNEL DEPARTMENT relative to a Special Committee on Investigative Oversight and Transmittal of Independent Investigator's Report.

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

1. AUTHORIZE the CAO to retain and enter into a legal services contract with the law firm of Walsh & Associates, APC, in the initial amount up to $200,000 for advice and legal representation relating to the matter of Francine Godoy v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BC524640, commencing from August 1, 2013, with the funds to be encumbered within the Attorney Conflicts Panel Fund No. 46T, Department 10.

2. AUTHORIZE the CAO to prepare Controller instructions for any technical adjustments and INSTRUCT the Controller to implement the instructions.

Fiscal Impact Statement: The CAO reports that the recommendations in this report will have no additional impact on the General Fund. The proposed legal services agreement with the law firm of Walsh & Associates, APC, is in compliance with the City's Financial Policies in that ongoing revenue will be used to support this program and sufficient funds are available in the Attorney's Conflicts Panel under ACP Fund 46T to fund the necessary expenses this fiscal year.

Community Impact Statement: None submitted.

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

[Council may recess to closed session, pursuant to Government Code Section 54956.9(d)(1), in order to confer with its legal counsel relative to the case entitled Francine Godoy v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BC524640. (This matter concerns an employee's claims of sexual harassment and retaliation.)]

(Note: The confidential Independent Investigator's Report has been submitted to the Councilmembers pursuant to Los Angeles Administrative Code Sections 4.408 and 4.411)

Adopted, (10); Absent: Blumenfield, Cedillo, Englander, Huizar, Koretz (5)

Closed Session
ITEM NO. 14-0404

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 Sinisha Nisevic v. City of Los Angeles, Los Angeles Superior Court Case No. SC111319. (This case arises from a sewage back up on August 4, 2010, that flooded the Plaintiffs’ home office and destroyed his personal property. The back up occurred because of root intrusion in the City’s sewer main line.)

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

ADOPTED

MOTION (KREKORIAN - ENGLANDER)

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

1. APPROVE payment of the Plaintiff’s judgment against the City in the amount of $6,187,678.68, plus $566.69 per day after April 30, 2014, until the judgment is paid.

2. AUTHORIZE the City Attorney to execute all documents necessary to pay the judgment.

3. AUTHORIZE and INSTRUCT the City Attorney, without further instruction, to draw the amount of $6,187,678.68, plus $566.69 per day after April 30, 2014, payable to Manatt, Phelps & Phillips, LLP Attorney Client Trust Account from the Sewer Operations and Maintenance Fund No. 760, Account 50JX82, titled PW-Sanitation Expense & Equipment.

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.

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

Adopted in Open Session, (10); Absent: Blumenfield, Cedillo, Englander, Huizar, Koretz (5)

MOTION ADOPTED IN OPEN SESSION
Whereupon the Council did adjourn.

ATTEST: Holly L. Wolcott, INTERIM CITY CLERK

By
  Council Clerk                          PRESIDENT OF THE CITY COUNCIL