

Los Angeles City Council, **Journal/Council Proceedings**
Wednesday, **December 9, 2009**
John Ferraro Council Chamber, Room 340, City Hall - 10 am

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

ROLL CALL - Members present: Huizar, Koretz, LaBonge, Perry, Reyes, Rosendahl, Smith, Wesson, Zine and President Garcetti (10); Absent: Alarcón, Cárdenas, Hahn and Parks (4); Vacant: Council District Two

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
DECEMBER 4, 2009

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - NONE

PUBLIC TESTIMONY ON NON-AGENDA ITEMS AT THE CALL OF THE CHAIR -
An opportunity for public testimony was provided.

ROLL CALL NUMBER (#) - INDICATES THE ORDER IN WHICH THE ITEMS WERE ACTED
UPON DURING THE COUNCIL MEETING

Items Noticed for Public Hearing - Items 1-3

**Roll Call #1 - Motion (Reyes - Huizar) Adopted, Ayes (10); Absent: Alarcón, Cárdenas, Hahn and Parks (4)
(Item Nos. 1-3)**

ITEM NO. (1) - PUBLIC HEARING CLOSED - CITY ENGINEER INSTRUCTED TO PROCEED

[01-0208-S1](#)

CD 1

HEARING PROTESTS relative to vacating North Main Street (portion of) westerly of Alpine Street (VAC E1400959).

(Categorical exemption and Public Works Committee report adopted on November 18, 2009)

ITEM NO. (2) - PUBLIC HEARING CLOSED - CITY ENGINEER INSTRUCTED TO PROCEED

[09-0181](#)

CD 14

HEARING PROTESTS relative to vacating Eaton Street between Nolden Street and Avenue 56 southerly of Tehama Street (Reapplication; VAC E1400971).

(Categorical exemption and Public Works Committee report adopted on November 18, 2009)

ITEM NO. (3) - PUBLIC HEARING CLOSED - CITY ENGINEER INSTRUCTED TO PROCEED

[09-0743](#)

CD 13

HEARING PROTESTS relative to vacating the walkway easterly of the Hollywood Freeway (I-101) and southerly of Hollywood Boulevard (VAC E1401144).

(Categorical exemption and Public Works Committee report adopted on November 18, 2009)

Items for Which Public Hearings Have Been Held - Items 4-27

Roll Call #2 - Motion (Wesson - Rosendahl) Adopted, Ayes (11); Absent: Cárdenas, Hahn and Parks (3) (Item Nos. 4-17)

ITEM NO. (4) - ADOPTED - ORDINANCE OVER TO DECEMBER 16, 2009

[08-2843](#)

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to eliminating the debt incurrence limitation date of May 9, 2004, pursuant to Senate Bill (SB) 211, for the original Crenshaw Redevelopment Project Area.

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

PRESENT and ADOPT the accompanying ORDINANCE eliminating the time limit of May 9, 2004, for the establishment of loans, advances, and indebtedness for the original Crenshaw Redevelopment Project Area pursuant to SB 211 (2001).

Fiscal Impact Statement: The City Administrative Officer reports that there will be no impact on the City General Fund. The recommended action is in conformance with the Community Redevelopment Agency's (CRA) Work Program and Budget. The City's Financial Policies are not applicable to the CRA. The CRA is only bound by the disclosure provisions of the City's Debt Management Policies.

Community Impact Statement: None submitted.

ITEM NO. (5) - ADOPTED - ORDINANCE OVER TO DECEMBER 16, 2009

09-2707

CD 3

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change at 18913 West Gault Street.

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 lead agency in the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 09-2707 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 2008-77 MND] filed on May 30, 2008.
2. ADOPT the FINDINGS of the South Valley Area Planning Commission (SVAPC) as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the SVAPC, effecting a zone change from R1-1 to (T)(Q)RD3-1 for the proposed construction of a seven lot, single-family, small lot subdivision on a net 20,299 square-foot (0.47 acres) lot, with 16 onsite parking spaces located at 18913 West Gault Street, subject to Conditions of Approval.

Applicant: Hamid Javahari (James Roepel, Representative)

APCSV 2008-76 ZC-ZV

4. REMOVE the (T) Tentative classification as described in detail on the Council file.
5. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.
6. ADVISE the applicant that, pursuant to 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.
7. ADVISE the applicant that, pursuant to 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 SVAPC reports that there is no General Fund impact, as administrative costs are recovered through fees.

Community Impact Statement: None submitted.

TIME LIMIT FILE - FEBRUARY 1, 2010

(LAST DAY FOR COUNCIL ACTION - JANUARY 29, 2010)

ITEM NO. (6) - ADOPTED - ORDINANCE OVER TO DECEMBER 16, 2009

09-2711

CD 9

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change at 814-28 East Traction Avenue.

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 lead agency in the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 09-2711 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 2008-1031 MND] filed on June 13, 2008.
2. ADOPT the FINDINGS of the City Planning Commission (CPC) as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the CPC, effecting a zone change from M3-1 to (T)(Q)CM-1 for the proposed construction of a mixed use project in the Artists-in-Residence District, totaling 31,470 square feet of Adaptive Reuse construction of an existing warehouse building and 52,156 square feet of new construction of a residential building for a total floor area of 83,356 square feet, that will result in 31 adaptive reuse and 44 newly constructed Joint Live/Work dwelling units for artists and artisans, 6,900 square feet of ground floor commercial retail and 1,800 square feet of community artists space; and 139 parking spaces and a roof top pool with a decking area for the property at 814-28 East Traction Avenue.

Applicant: F.O.C Electronics, Gideon Kotzer

CPC 2008-1070-ZC-ZV-ZAD-ZAA-SPR

4. REMOVE the (T) Tentative classification as described in detail on the sheet(s) attached to the Council file.
5. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.
6. ADVISE the applicant that, pursuant to 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.
7. ADVISE the applicant that, pursuant to 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 CPC reports that there is no General Fund impact, as administrative costs are recovered through fees.

Community Impact Statement: None submitted.

TIME LIMIT FILE - FEBRUARY 1, 2010

(LAST DAY FOR COUNCIL ACTION - JANUARY 29, 2010)

ITEM NO. (7) - ADOPTED - ORDINANCE OVER TO DECEMBER 16, 2009

[09-2741](#)

CD 7

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT, RESOLUTION and ORDINANCE FIRST CONSIDERATION relative to a General Plan Amendment and zone change for property at 15445-447 West Roxford Street.

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 lead agency in the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 09-2741 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 2006-8988 MND] filed on October 19, 2007.
2. ADOPT the FINDINGS of the City Planning Commission (CPC) as the Findings of the Council.
3. ADOPT the accompanying RESOLUTION as recommended by the Mayor, the Director of Planning and the CPC APPROVING the proposed General Plan Amendment to the Sylmar Community Plan from Very Low I Residential to Low Residential for the proposed demolition of existing buildings and construction of four, one-story, single family dwellings with detached carports for the property at 15445-447 West Roxford Street.

Applicant: Hector and Connie Galvan

Representative: Veronica Granovsky

CPC 2006-10312 GPA-ZC

4. PRESENT and ADOPT the accompanying ORDINANCE, approved by the CPC, effecting a zone change from RA-1-K to (T)(Q)RS-1-K for the property at 15445-447 West Roxford Street, subject to Conditions of Approval.
5. REMOVE (T) Tentative classification as described in detail on the sheet(s) attached to the Council file.
6. INSTRUCT the Planning Department to update the General Plan and appropriate maps pursuant to this action.

7. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.
8. ADVISE the applicant that, pursuant to 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.
9. ADVISE the applicant that, pursuant to 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 CPC reports that there is no General Fund impact, as administrative costs are recovered through fees.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JANUARY 25, 2010

(LAST DAY FOR COUNCIL ACTION - JANUARY 22, 2010)

ITEM NO. (8) - ADOPTED - ORDINANCE OVER TO DECEMBER 16, 2009

[09-2742](#)
CD 7

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT, RESOLUTION and ORDINANCE FIRST CONSIDERATION relative to a General Plan Amendment and zone change for property at 8904 North Willis Avenue.

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 lead agency in the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 09-2742 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 2008-2642 MND] filed on September 19, 2008.
2. ADOPT the FINDINGS of the City Planning Commission (CPC) as the Findings of the Council.
3. ADOPT the accompanying RESOLUTION as recommended by the Mayor, the Director of Planning and the CPC, APPROVING the proposed General Plan Amendment to the Mission Hills-Panorama City-North Hills Community Plan from Low Medium II Density Residential to Medium Density Residential, for the demolition of an existing single-family dwelling for the construction of a Very-Low-Income Senior Citizen Housing Apartment building consisting of 42 units for the property at 8904 North Willis Avenue.

Applicant: Willis Avenue Apartments, LLC

CPC 2008-3419 GPA ZC

4. PRESENT and ADOPT the accompanying ORDINANCE, approved by the CPC, effecting a zone change from RA-1 to (T)(Q)R3-1, for the demolition of an existing single-family dwelling for the construction of a Very-Low-Income Senior Citizen Housing Apartment building consisting of 42 units for the property at 8904 North Willis Avenue, subject to Conditions of Approval.
5. REMOVE (T) Tentative classification as described in detail on the sheet(s) attached to the Committee report.
6. INSTRUCT the Planning Department to update the General Plan and appropriate maps pursuant to this action.
7. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.
8. ADVISE the applicant that, pursuant to 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.
9. ADVISE the applicant that, pursuant to 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 CPC reports that there is no General Fund impact, as administrative costs are recovered through fees.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JANUARY 25, 2010

(LAST DAY FOR COUNCIL ACTION - JANUARY 22, 2010)

ITEM NO. (9) - ADOPTED

[09-0600-S152](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to overtime administration.

Recommendations for Council action:

1. NOTE and FILE the City Administrative Officer's (CAO) report relative to overtime administration inasmuch as the report is submitted for information only and no Council action is necessary.
2. INSTRUCT the CAO, when addressing overtime administration, to emphasize:
 - a. That the determination of the necessity to work overtime should be based on the availability of funds in the operating budget, and that overtime expenditures do not create a budget shortfall.

- b. Relative to proprietary departments, that reimbursement for overtime for services performed by non-proprietary departments should be recovered in the fiscal year that the services are provided.
- c. Relative to Grant funds, that an ongoing priority be established for reimbursement during the fiscal year of usage.

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

Community Impact Statement: None submitted.

ITEM NO. (10) - ADOPTED

09-0904

BUDGET AND FINANCE COMMITTEE REPORT relative to the status of the City's liability claims payments and measures that have been put in place to reduce the City's liability claims payouts.

Recommendations for Council action, pursuant to Motion (Parks - Smith):

1. INSTRUCT the City Administrative Officer (CAO), with the assistance of the City Attorney and the Chief Legislative Analyst (CLA), to submit a written report to the Budget and Finance Committee in March 2010, prior to budget deliberations, describing the implementation of liability programs and initiatives discussed during the 2009-10 budget hearings. The report should describe the impacts, corrective actions, and measures of effectiveness, with a concentration on the top seven City departments that represent approximately 90 percent of the liability costs.
2. INSTRUCT all City departments to report to the Budget and Finance Committee, in conjunction with their 2009-10 Budget hearings, as to what measures they have taken to correct conditions which have lead to the liability claims being filed against them and what they have done to correct the problems which give rise to the liability.

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

Community Impact Statement: None submitted.

ITEM NO. (11) - ADOPTED

09-2850

BUDGET AND FINANCE COMMITTEE REPORT relative to contract extensions for outside counsel.

Recommendation for Council action:

APPROVE two-year contract extensions to Contract No. 111527 with Greines Martin Stein and Richland LLP, and to Contract No. 111296 with Akerman Senterfitt LLP from September 20, 2009 to September 19, 2011.

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.

[Council may recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to the above matter.]

ITEM NO. (12) - ADOPTED

[09-2223](#)

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to awarding contracts for various environmental planning consulting services, in a total aggregate amount not to exceed \$8 million, for various projects.

Recommendation for Council action:

AUTHORIZE the Chief Executive Officer, Community Redevelopment Agency (CRA), or designee, to negotiate and execute contracts with 15 environmental planning firms [Attachment A of the Chief Legislative Analyst (CLA) report dated October 20, 2009] in various categories on an as-needed basis, for a total aggregate amount not to exceed \$8 million, for a period of three years with two one-year options to renew, subject to the review of the City Attorney as to form and legality.

Fiscal Impact Statement: The CLA reports that there is no impact to the General Fund as a result of this action. Funds will be derived from various projects including tax increment and/or Community Development Block Grant.

Community Impact Statement: None submitted.

ITEM NO. (13) - ADOPTED

[09-2473](#)

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to awarding contracts to 15 pre-qualified firms to provide grant consultant services on an as-needed basis.

Recommendation for Council action:

AUTHORIZE the Chief Executive Officer, Community Redevelopment Agency (CRA), or designee, to:

- a. Negotiate and execute contracts with 15 additional pre-qualified firms [Attachment A of the Chief Legislative Analyst (CLA) report dated November 18, 2009] for grant consultant services on an as-needed basis, for the period through June 30, 2010, with two one-year options to renew, subject to the review of the City Attorney as to form and legality.

- b. Renew or extend terms for contracts awarded to the existing pre-qualified pool of 32 grant consulting firms (Attachment B of the CLA report dated November 18, 2009) through June 30, 2010, and up to two additional years through June 30, 2012, subject to the review of the City Attorney as to form and legality, and the Department of Public Works, Bureau of Contract Administration, for compliance with contracting requirements.

Fiscal Impact Statement: The CLA reports that there is no fiscal impact to the General Fund as a result of this action. Tax increment funds from the individual Redevelopment Project Areas were previously approved.

Community Impact Statement: None submitted.

ITEM NO. (14) - ADOPTED

[09-2569](#)

CD 8

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to a sole source contract with Community Housing Management Services (CHMS) for emergency building repairs and temporary management services of a transitional shelter located at 2600 South Hoover Street (Site).

Recommendation for Council action:

AUTHORIZE the Chief Executive Officer, Community Redevelopment Agency (CRA), or designee, to:

- a. Execute a sole source contract with CHMS, in an amount not to exceed \$174,000, for emergency building repairs and temporary management services at the CRA-owned Site, subject to the review of the City Attorney as to form and legality.
- b. Negotiate and execute a Memorandum of Understanding (MOU) with the California Department of Housing and Community Development (HCD) regarding the management and future disposition of the Site to a permanent operator, subject to the review of the City Attorney as to form and legality.

Fiscal Impact Statement: The Chief Legislative Analyst (CLA) reports that there is no impact to the General Fund as a result of this action. Source of funds is tax increment from the Exposition/University Park Redevelopment Project Area Low and Moderate Income Housing funds.

Community Impact Statement: None submitted.

ITEM NO. (15) - ADOPTED

[09-2826](#)

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to approving the name change of pre-qualified environmental consultant EIP Associates to Post, Buckley, Schuh & Jernigan (PBS&J).

Recommendation for Council action:

APPROVE the name change of pre-qualified consultant EIP Associates to PBS&J based on its 2007 notification to the Community Redevelopment Agency (CRA) of such name change in order to maintain its status as a pre-qualified firm on the CRA's approved list of environmental consultants for the period of 2005 to 2010.

Fiscal Impact Statement: The CRA reports that there is no fiscal impact to the City's General Fund as a result of this action.

Community Impact Statement: None submitted.

ITEM NO. (16) - ADOPTED - TO THE MAYOR FORTHWITH

[09-1951-S1](#)

CD 8

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION relative to issuing Tax-Exempt Multi-Family Housing Revenue Bonds (Bonds), in an amount not to exceed \$14 million, for the Buckingham Place Senior Housing Apartments (Buckingham Project) located at 4020 Buckingham Road.

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

1. ADOPT the accompanying RESOLUTION [Attachment D of the Community Redevelopment Agency (CRA) report dated November 5, 2009] for purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended, providing for issuance of the Bonds to finance said construction and rehabilitation work for the Buckingham Project, a 70-unit affordable senior housing project.
2. APPROVE an application to the California Debt Limit Allocation Committee (CDLAC) and AFFIRM the CRA's intent to issue Bonds to finance construction completion and rehabilitation work in an amount not to exceed \$14M in order to complete the first phase of the Buckingham Project, subject to the CRA's subsequent approval of financing documents for the Bonds.
3. AUTHORIZE the CRA staff to conduct a Tax Equity and Fiscal Responsibility Act (TEFRA) Public Hearing for issuance of the Bonds in accordance with federal tax requirements with the Chief Executive Officer, CRA, or designee, serving as hearing officer and transmit the public testimony to Council.
4. AUTHORIZE the appointment of, and enter into a contract with, Sidley Austin as Bond Counsel, in an amount not to exceed \$34,750, including reimbursable expenses, relative to the proposed issuance and sale of the Bonds, subject to the review of the City Attorney as to form and legality, and the Department of Public Works (DPW), Bureau of Contract Administration (BCA), as to compliance with certain CRA contracting requirements.

- 5 AUTHORIZE the appointment of Gardner, Underwood & Bacon, LLC, to serve as Financial Advisors and Backstrom, McCarley, Berry & Co, LLC, as Co-Financial Advisor to provide financial advisory services in connection with preparation of the CDLAC application, and the structuring, issuance, and placement of the Bonds, for an amount not to exceed \$50,000, Including reimbursable expenses for financial advisory services relative to the proposed issuance and placement of the Bonds for the Buckingham Project, subject to the review of the City Attorney as to form and legality, and the DPW, BCA, as to compliance with certain CRA contracting requirements.

Fiscal Impact Statement: The CAO reports that there is no impact on the General Fund. As proposed, the CRA will issue Bonds to finance construction completion and rehabilitation work, in an amount not to exceed \$14 million, in order to complete the first phase of the Buckingham Project, a 70 unit affordable senior housing project. The Bonds will be secured only by Buckingham Project revenues and will not be a financial or other obligation of the CRA, the City, the State, or any other governmental entity. Unless the Buckingham Project is completed and ready for occupancy by June 30, 2011, the U.S. Department of Housing and Urban Development will require the City to repay the \$8.5 million in previously disbursed HOME Investment Partnership (HOME) funds from non-federal funds. In turn, the CRA will be liable for the repayment of the \$8.5 million in HOME funds. The CRA is only bound by the disclosure provisions of the City Debt Management Policies; the City Financial Policies are not applicable to the CRA.

Community Impact Statement: None submitted.

ITEM NO. (17) - ADOPTED

[09-2816](#)

CD 13

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION relative to the transfer of \$150,000 to the Department of Public Works (DPW), Bureau of Engineering (BOE), to fund a Landscaping Design Plan for City-owned property located at 4550 Santa Monica Boulevard (Site).

Recommendations for Council action:

1. ADOPT the accompanying joint RESOLUTION [attached to the Community Redevelopment Agency (CRA) report dated November 19, 2009] of the CRA and the City Council, pursuant to Section 33445 of the Health and Safety Code, finding that the expenditure of \$150,000 from the East Hollywood/Beverly-Normandie Earthquake Disaster Assistance Project (Project) for the funding of a Landscaping Design Plan for a City owned facility of way is of benefit to the East Hollywood/Beverly-Normandie Project Area (Project Area).
- 2 AUTHORIZE the transfer of \$100,000 in Assembly Bill (AB) 1290 funds and \$50,000 in Tax Increment funds, for a total amount of \$150,000, from the Project Area to the DPW, BOE, through an existing Cooperation Agreement between the CRA and the DPW (Contract No. 502808), for the funding of a Landscaping Design Plan related to a DPW, Bureau of Street Lighting, Maintenance Yard located outside the Project Area at the Site.

Fiscal Impact Statement: The CRA reports that there is no fiscal impact to the City's General Fund as a result of these actions.

Community Impact Statement: None submitted.

ITEM NO. (18) - CONTINUED TO DECEMBER 16, 2009

Roll Call #4 - Motion (Zine - Wesson) Adopted to Continue, Unanimous Vote (11); Absent: Cárdenas, Hahn and Parks (3)

[09-0002-S193](#)

INFORMATION TECHNOLOGY AND GOVERNMENT AFFAIRS COMMITTEE REPORT and RESOLUTION relative to the City's position on HR 3745 (Baldwin).

Recommendation for Council action, pursuant to Resolution (Cárdenas - Rosendahl - Garcetti) SUBJECT TO THE CONCURRENCE OF THE MAYOR:

ADOPT the accompanying RESOLUTION to include in the City's 2009-10 Federal Legislative Program, SUPPORT for HR 3745 (Baldwin), which would establish the Community Access Preservation Act, and amend the Communications Act of 1934 to provide for carriage and display of public, educational, and governmental (PEG) channels in a manner consistent with commercial channels, and for other purposes.

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

Community Impact Statement: None submitted.

Roll Call #2 - Motion (Wesson - Rosendahl) Adopted, Ayes (11); Absent: Cárdenas, Hahn and Parks (3) (Item Nos. 19-20)

ITEM NO. (19) - ADOPTED

[08-1882](#)

PERSONNEL COMMITTEE REPORT relative to the status of the provision of services for administration of sworn workers' compensation claims by Tristar Risk Management (Tristar).

Recommendation for Council action:

NOTE and FILE the November 24, 2009 Personnel Department report relative to the status of the provision of services for administration of sworn workers' compensation claims by Tristar, a Third Party Administrator.

Fiscal Impact Statement: The Personnel Department reports that there is no impact to the General Fund. The Tristar contract is fully funded for the current fiscal year.

Community Impact Statement: None submitted.

ITEM NO. (20) - ADOPTED

[09-2624](#)

PERSONNEL COMMITTEE REPORT relative to an amendment to the 2007-12 Memorandum of Understanding (MOU) for the Crossing Guard Unit.

Recommendations for Council action:

1. APPROVE Amendment No. 1 to the 2007-12 MOU for the Crossing Guard Unit (MOU 34).
2. AUTHORIZE the City Administrative Officer (CAO) and the Controller to make clerical or technical corrections to the MOU as required.

Fiscal Impact Statement: The CAO reports that the estimated savings to the General Fund in Fiscal Year 2009-10 for the Crossing Guard Unit will be approximately \$350,000.

Community Impact Statement: None submitted.

ITEM NO. (21) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #7 - Motion (Rosendahl - Zine) to Adopt as Amended, Ayes (11); Absent: Cárdenas, Hahn and Parks (3)

RECEIVED AND FILED

[09-2506](#)

CD11

MITIGATED NEGATIVE DECLARATION and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to a Vesting Tentative Tract Map appeal for property at 6040 and 6055 Center Drive.

SUBMITS WITHOUT RECOMMENDATION the following actions of the City Planning Commission:

1. DENIED THE APPEAL.
2. SUSTAIN the decision of the Advisory Agency in approving Vesting Tentative Tract Map No. 70318-CN to permit a two-lot subdivision for the construction of a 325-unit apartment building and 1,500 square feet of restaurant space on Lot No. 1 (located at 6040 Center Drive) with 483 residential parking spaces on-site and 15 restaurant parking spaces off-site and a 225-unit residential condominium on Lot No. 2 (located at 6055 Center Drive) with 688 parking spaces, including 138 off-site guest parking spaces, on a 117,655 net square foot site in the C2-1 zone.
3. ADOPT the Advisory Agency's Conditions of Approval (attached to the Council file).
4. FIND that the information contained in the Mitigated Negative Declaration (MND) (ENV-2008-3887-MND-REC1) has been reviewed and considered by City Planning Commission, found that the MND adequately describes the potential impacts of the project and no additional environmental clearance is necessary; and found that there is no evidence in the record that any of the conditions in the California Environmental Quality Act Guidelines section 15162 are met.

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - DECEMBER 11, 2009

(LAST DAY FOR COUNCIL ACTION - DECEMBER 11, 2009)

ADOPTED, AS AMENDED

MOTION (ROSENDAHL - REYES)

Recommendations for Council action:

1. DENY the APPEAL.
2. SUSTAIN the decision of the Advisory Agency in approving Vesting Tentative Tract Map No. 70318-CN to permit a two-lot subdivision for the construction of a 325-unit apartment building and 1,500 square feet of restaurant space on Lot No. 1 (located at 6040 Center Drive) with 483 residential parking spaces on-site and 15 restaurant parking spaces off-site and a 225-unit residential condominium on Lot No. 2 (located at 6055 Center Drive) with 688 parking spaces, including 138 off-site guest parking spaces, on a 117,655 net square foot site in the C2-1 zone.
3. ADOPT the Advisory Agency's Conditions of Approval (attached to the Council file).
4. FIND that the information contained in the Mitigated Negative Declaration (MND) (ENV-2008-3887-MND-REC1) has been reviewed and considered by City Planning Commission, found that the MND adequately describes the potential impacts of the project and no additional environmental clearance is necessary; and found that there is no evidence in the record that any of the conditions in the California Environmental Quality Act Guidelines section 15162 are met.

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - DECEMBER 11, 2009

(LAST DAY FOR COUNCIL ACTION - DECEMBER 11, 2009)

ADOPTED

AMENDING MOTION (ROSENDAHL - ZINE)

Recommendations for Council action:

ADOPT the following Conditions:

Workforce Housing. Prior to issuance of a building permit, the Applicant shall submit a proposed Workforce Housing Plan to the Planning Department for review and approval. This Plan shall provide the following:

a. Units Reserved for Workforce Households.

- 1) The property owner shall reserve 10 units in the Project for rent to households meeting the Workforce Income Levels for Qualified Workforce Tenants.**
- 2) In the event that Vesting Tentative Map 70318-CN-1A and Case No. ZA-2008-2700-VCU are modified to increase the number of units in the Project from 550 units to 600 units pursuant to tract map modification, plan approval and any other required approval pursuant to the Los Angeles Municipal Code (as previously authorized by the City Council in 2005 pursuant to the Second Amendment to the Howard Hughes Center Development Agreement), then the property owner shall reserve an additional 15 units in the Project for rent to households meeting the Workforce Income Levels for Qualified Workforce Tenants.**
- 3) At the option of the property owner, units reserved for workforce households pursuant to this condition, may be sold instead of rented to households meeting workforce income levels (AMI 150 percent) at price levels that do not exceed then applicable prices adjusted by bedroom size established by the LAHD for workforce for-sale housing.**

b. For the purposes of this condition:

- 1) “Workforce Rents” mean rent levels that do not exceed the maximum Workforce Rent Levels adjusted by bedroom size as set forth in LAHD 2009 Income and Rent Limit - Land Use Schedule 1 (April 2009) on file, adjusted annually by the annual automatic rent adjustment rate allowed under the Rent Stabilization Ordinance.**
- 2) “Qualified Workforce Tenants” mean tenants who earn no more than the allowable maximum Workforce Income Level as set forth in LAHD 2009 Income and Rent Limit - Land Use Schedule 1 (April 2009) on file, as adjusted annually based on the annual percentage increase in median income for the Los Angeles-Long Beach-Santa Ana metro area.**

- c. **Marketing of Workforce Housing Units to Community-Serving Employees.** The applicant shall make good faith efforts to market the Workforce Housing units in the Project to households meeting the Workforce Income Levels for Qualified Workforce Tenants who are Community-serving employees (including, but not limited, to police officers, fire fighters, teachers, government employees, and health care professionals). Such efforts may include placing advertisements in local area newspapers and newsletters and placing advertisements in bulletins/newsletters/bulletin boards of LAPD, LAFD, LAUSD, private schools and hospitals/medical clinics.
- d. **Covenant.** Prior to the issuance of any building permit for the Project, the property owner shall record a covenant on the subject property requiring that the Workforce Housing units required hereunder be restricted in accordance with this condition for a period of 30 years.

ADOPTED

AMENDING MOTION (ROSENDAHL - REYES)

Recommendation for Council action:

DIRECT the Planning Department staff to prepare additional finding(s) to support the new condition relative to Workforce Housing.

Roll Call #2 - Motion (Wesson - Rosendahl) Adopted, Ayes (11); Absent: Cárdenas, Hahn and Parks (3) (Item Nos. 22-26)

ITEM NO. (22) - ADOPTED

[07-2876-S3](#)

PUBLIC SAFETY COMMITTEE REPORT relative to the status of the Los Angeles Police Department's (LAPD) Consent Decree Mental Illness Project.

Recommendation for Council action:

APPROVE the LAPD report to the Board of Police Commissioners dated August 28, 2009 (attached to the Council file), relative to the status of the LAPD's Consent Decree Mental Illness Project for the period January through June, 2009.

Fiscal Impact Statement: None submitted by the LAPD. 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. (23) - ADOPTED - TO THE MAYOR FORTHWITH - SEE FOLLOWING

[08-1684](#)

COMMUNICATIONS FROM THE MAYOR and CITY ADMINISTRATIVE OFFICER relative to a grant award in the amount of \$500,000 from the United States Department of Justice 2009 COPS Technology Program for the period March 11, 2009, through March 10, 2012, for the development of a citywide emergency mass notification system.

(Public Safety 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://cityclerk.lacity.org/lacityclerkconnect/index.cfm> for background documents.)

ADOPTED

PUBLIC SAFETY COMMITTEE REPORT relative to a grant award from the United States Department of Justice 2009 Community Oriented Policing Services (COPS) Technology Program for the development of a citywide emergency mass notification system.

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

1. **AUTHORIZE** the Mayor and the Chief of Police, or their respective designees, to:
 - a. **Accept, on behalf of the City, the Fiscal Year (FY) 2009 COPS Technology Program grant award (Award Number 2009CKWX0532) in the amount of \$500,000 and for a performance period of March 11, 2009, through March 10, 2012, to be used for the development of a citywide emergency mass notification system.**
 - b. **Negotiate and execute the 2009 COPS Technology grant award agreement, provided as Attachment 2 to the Mayor's report to Council dated November 13, 2009 (attached to the Council file), on behalf of the City, and to submit any other necessary agreements and documents relative to the grant award, subject to the approval of the City Attorney as to form and legality.**
2. **INSTRUCT** the Information Technology Agency, the Chief Legislative Analyst, and the City Administrative Officer (CAO), working with other applicable City departments including the Los Angeles Police Department, the Los Angeles Fire Department, the Emergency Management Department, the Los Angeles Department of Water and Power, and the Department on Disability, to report back to the Council with a finalized grant budget and a request for authority to expend the 2009 COPS Technology grant funds.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. Approval of the above recommendations will authorize the acceptance of a FY 2009 COPS Technology Program grant award totaling \$500,000.

Community Impact Statement: None submitted.

(Information Technology and Governmental Affairs Committee waived consideration of the above matter)

ITEM NO. (24) - ADOPTED

[09-2521](#)

PUBLIC SAFETY COMMITTEE REPORT relative to the SB 165 report for the Proposition Q - Citywide Public Safety Bond Program for Fiscal Year (FY) 2005-06.

Recommendation for Council action:

NOTE and FILE City Administrative Officer (CAO) report to the Mayor and Council dated October 9, 2009 (attached to the Council file), relative to the SB 165 report for the Proposition Q - Citywide Public Safety Bond Program for FY 2005-06.

Fiscal Impact Statement: The CAO reports that this program does not impact the General Fund. Program costs are funded by Proposition Q - Citywide Public Safety General Obligation Bonds and accrued interest earnings.

Community Impact Statement: None submitted.

ITEM NO. (25) - ADOPTED

[09-2521-S1](#)

PUBLIC SAFETY COMMITTEE REPORT relative to the SB 165 report for the Proposition Q - Citywide Public Safety Bond Program for Fiscal Year (FY) 2006-07.

Recommendation for Council action:

NOTE and FILE City Administrative Officer (CAO) report to the Mayor and Council dated October 9, 2009 (attached to the Council file), relative to the SB 165 report for the Proposition Q - Citywide Public Safety Bond Program for FY 2006-07.

Fiscal Impact Statement: The CAO reports that this program does not impact the General Fund. Program costs are funded by Proposition Q - Citywide Public Safety General Obligation Bonds and accrued interest earnings.

Community Impact Statement: None submitted.

ITEM NO. (26) - ADOPTED

[09-2521-S2](#)

PUBLIC SAFETY COMMITTEE REPORT relative to the SB 165 report for the Proposition Q - Citywide Public Safety Bond Program for Fiscal Year (FY) 2007-08.

Recommendation for Council action:

NOTE and FILE City Administrative Officer (CAO) report to the Mayor and Council dated October 9, 2009 (attached to the Council file), relative to the SB 165 report for the Proposition Q - Citywide Public Safety Bond Program for FY 2007-08.

Fiscal Impact Statement: The CAO reports that this program does not impact the General Fund. Program costs are funded by Proposition Q - Citywide Public Safety General Obligation Bonds and accrued interest earnings.

Community Impact Statement: None submitted.

**ITEM NO. (27) - ADOPT INFORMATION TECHNOLOGY AND GOVERNMENT AFFAIRS COMMITTEE
REPORT - BUDGET AND FINANCE COMMITTEE REPORT RECEIVED AND FILED**

Roll Call #11 - Motion (Huizar - Koretz) Adopted, Ayes (8); Noes: Perry and Smith (2); Absent: Cárdenas, Hahn, Parks and Reyes (4)

[09-2535](#)

INFORMATION TECHNOLOGY AND GOVERNMENT AFFAIRS and BUDGET AND FINANCE COMMITTEES' REPORTS relative to the 2009-10 First Construction Projects Report.

ADOPTED

A. INFORMATION TECHNOLOGY AND GOVERNMENT AFFAIRS COMMITTEE

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

1. TRANSFER \$594,265 between departments and funds as specified in Attachment 1 of the October 13, 2009 City Administrative Officer (CAO) report, attached to the Council file.
2. TRANSFER \$11,574,376 between funds and other financings, including the Municipal Corporation of Los Angeles (MICLA), as specified in Attachment 2 of the CAO report.
3. TRANSFER \$63,641 between departments and funds from General Obligation Bond Funds as specified in Attachment 3 of the CAO report.
4. TRANSFER \$610,409 between accounts within departments and funds as specified in Attachment 4 of the CAO report.
5. AUTHORIZE the Controller to increase appropriations to various departments as delineated in Attachment 5 of the CAO report, in the amount of \$1,652,021 from MICLA Fund No. 26A, for estimated project and construction management support expenses related to the Police Administration Building (New Parker Center).
6. AUTHORIZE the Controller to transfer cash, in accordance with Attachment 2 and 5, from the appropriate MICLA and Proposition K Funds to reimburse the General Fund on an as-needed basis upon proper documentation from the departments and approval of the Program Managers and the CAO.
7. AUTHORIZE the Controller to transfer cash, in accordance with Attachment 3, from the appropriate General Obligation Bond Funds to reimburse the General Fund on an as-needed basis upon proper documentation from the departments and approval of the Bureau of Engineering Program Managers and the CAO.

8. AUTHORIZE the CAO to make technical corrections, as necessary, to those transactions included in the report to implement the Mayor and Council's intentions.

RECEIVED AND FILED

B. BUDGET AND FINANCE COMMITTEE

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

1. CONCUR with the recommendations of the Information Technology and Government Affairs Committee relative to the 2009-10 First Construction Projects Report.
2. INSTRUCT the City Administrative Officer (CAO) and Chief Legislative Analyst to work with Council District 14 and affected City departments to value engineer the remaining tenant improvements to eliminate the \$2 million funding gap identified in the Construction Projects report and remain within the \$17.9 million approved funding.
3. INSTRUCT the CAO to report back to the Budget and Finance Committee relative to the Percent for Arts project at the Hollenbeck Police Station and options relative to recouping any of the expended costs inasmuch as the art project was not installed.

Fiscal Impact Statement: The CAO reports that transfers and appropriations totaling \$14,494,712 are recommended in the October 13, 2009 CAO report. Of this amount, \$12,345,453 is for transfers and appropriations to the Department of General Services, \$472,738 to other City Funds and \$1,676,521 for additional staff cost reimbursements. All transfers and appropriations are based on existing funds, reimbursements or revenues. There is no additional impact to the General Fund.

Community Impact Statement: None submitted.

Items for Which Public Hearings Have Not Been Held - Items 28-42

(10 Votes Required for Consideration)

ITEM NO. (28) - LOST QUORUM - LEFT ON DESK - CONTINUED TO DECEMBER 11, 2009

[09-0600-S150](#)

GENERAL EXEMPTION, COMMUNICATION FROM CHAIR, ENERGY AND ENVIRONMENT COMMITTEE and ORDINANCE FIRST CONSIDERATION relative to the deposit of 50 percent of proceeds from the sale of recyclables generated from City facilities into an Integrated Solid Waste Management Trust Fund and the elimination of the City Facilities Recycling Trust Fund.

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

1. FIND that the activity in question will not have a significant effect on the environment and that the Ordinance is exempt from the provisions of the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061(b)(3) and City CEQA Guidelines, Article II, (1) General Rule and General Exemption.

2. PRESENT and ADOPT the accompanying ORDINANCE amending Section 5.429 of the Los Angeles Administrative Code (LAAC) to amend the Integrated Solid Waste Management Trust Fund to authorize the deposit of 50 percent of proceeds from the sale of recyclables generated from City facilities into an Integrated Solid Waste Management Trust Fund and to eliminate the City Facilities Recycling Trust Fund, Section 5.504 of the LAAC.

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.

**Roll Call #3 - Motion (Perry - LaBonge) Adopted, Ayes (11); Absent: Cárdenas, Hahn and Parks (3)
(Item Nos. 29-30)**

ITEM NO. (29) - ADOPTED - ORDINANCE OVER TO DECEMBER 16, 2009

[09-2243](#)

COMMUNICATION FROM CHAIR AND MEMBER, ENERGY AND ENVIRONMENT COMMITTEE and ORDINANCE FIRST CONSIDERATION relative to settlement in the case entitled The People of the State of California v. The City of Los Angeles Department of Water and Power, et al., Los Angeles Superior Court Case No. 389971.

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

1. CONCUR with the Board of Water and Power Commissioners' (Board) action of September 1, 2009, Resolution No. 010-086, authorizing entering into a Stipulation for Judgment and Final Order of Condemnation for the settlement of an eminent domain lawsuit for highway purposes and a temporary construction easement over Los Angeles Department of Water and Power (LADWP) property located in Los Angeles County.
2. PRESENT and ADOPT the accompanying ORDINANCE approving Stipulations for Judgment for Entry of Judgment and Final Order of Condemnation in an eminent domain action brought against the City relating to the California Department of Transportation Interstate Highway 10 improvement project.

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

Community Impact Statement: None Submitted.

[Council may recess to Closed Session, pursuant to Government Code Sections 54956.9(a) and/or (b), to confer with its legal counsel relative to the above matter.]

ITEM NO. (30) - ADOPTED - ORDINANCE OVER TO DECEMBER 16, 2009

[09-2244](#)

COMMUNICATION FROM CHAIR AND MEMBER, ENERGY AND ENVIRONMENT COMMITTEE and ORDINANCE FIRST CONSIDERATION relative to settlement in the case entitled The People of the State of California v. The City of Los Angeles Department of Water and Power, et al., Mono County Superior Court Case No. 16508.

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

1. CONCUR with the Board of Water and Power Commissioners' (Board) action of September 1, 2009, Resolution No. 010-085, authorizing entering into a Stipulation for Judgment and Final Order of Condemnation for the settlement of an eminent domain lawsuit for an easement over Los Angeles Department of Water and Power (LADWP) property located in Mono County.
2. PRESENT and ADOPT the accompanying ORDINANCE approving Stipulations for Judgment for Entry of Judgment and Final Order of Condemnation in an eminent domain action brought against the City relating to the California Department of Transportation State Highway 395 widening project.

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

Community Impact Statement: None Submitted.

[Council may recess to Closed Session, pursuant to Government Code Sections 54956.9(a) and/or (b), to confer with its legal counsel relative to the above matter.]

ITEM NO. (31) - LOST QUORUM - LEFT ON DESK - CONTINUED TO DECEMBER 11, 2009

[09-2740](#)

CD 6

COMMUNICATION FROM CHAIR, ARTS, PARKS, HEALTH AND AGING COMMITTEE relative to an agreement with Michael Leslie Productions, Inc., dba Ready Golf Centers for the operation of the Sepulveda Golf Complex Professional Concession.

Recommendation for Council action:

APPROVE and AUTHORIZE the President and Secretary of the Board of Recreation and Park Commissioners to execute, the agreement with Michael Leslie Productions, Inc., dba Ready Golf Centers relative to the Sepulveda Golf Professional Concession, for a term of ten years with two five year options to renew, subject to the approval of the United States Army Corps of Engineers and the City Attorney.

Fiscal Impact Statement: The City Administrative Officer reports that Michael Leslie Productions, Inc. will pay the City five percent of gross receipts from the golf professional shop, golf lessons and rentals. Michael Leslie Productions, Inc. will also pay the City 25 percent of gross receipts from the golf driving range for revenues up to and including \$600,000. Further, Michael Leslie Productions, Inc. will pay the City 60 percent for golf driving range revenues exceeding \$600,000. There is no impact on the General Fund. The above recommendation is in compliance with the City Financial Polices in that user charges and fees are set to support the full cost of operations for which the fees are charged.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JANUARY 8, 2010

(LAST DAY FOR COUNCIL ACTION - JANUARY 8, 2010)

ITEM NO. (32) - ADOPTED

Roll Call #3 - Motion (Perry - LaBonge) Adopted, Ayes (11); Absent: Cárdenas, Hahn and Parks (3)

[09-2769](#)
CD 10

COMMUNICATION FROM CHAIR, ARTS, PARKS, HEALTH AND AGING COMMITTEE relative to an agreement with Richard P. Williams dba Rancho Cienega Tennis Shop for the operation and maintenance of the Rancho Cienega Sports Complex tennis professional concession

Recommendation for Council action:

APPROVE and AUTHORIZE the President and Secretary of the Board of Recreation and Park Commissioners to execute, the agreement with Richard P. Williams dba Rancho Cienega Tennis Shop, for a term of five years with two five-year options to renew, subject to the approval of the City Attorney.

Fiscal Impact Statement: The City Administrative Officer reports that Richard P. Williams dba Rancho Cienega Tennis Shop (Concessionaire) will pay the City 12 percent of gross receipts from tennis lessons and 15 percent of gross receipts from all tennis professional shop sales and rentals. The Concessionaire will be responsible for utility charges relative to its operation, except for water. Ninety percent of the revenues from this concession agreement will be deposited into the Department of Recreation and Parks' operating fund, and 10 percent will be deposited into the Concessions Improvements Account. There is no additional impact on the General Fund. The above recommendation is in compliance with the City Financial Polices in that user charges and fees are set to support the full cost of operations for which the fees are charged.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JANUARY 11, 2010

(LAST DAY FOR COUNCIL ACTION - JANUARY 8, 2010)

ITEM NO. (33) - LOST QUORUM - LEFT ON DESK - CONTINUED TO DECEMBER 11, 2009

[07-0970-S1](#)

CONTINUED CONSIDERATION OF COMMUNICATION FROM CHAIR AND MEMBER, ENERGY AND ENVIRONMENT COMMITTEE relative to the status and implementation of the proposed City of Los Angeles Green Business Certification Program and related matters.

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

1. AUTHORIZE the General Manager, Environmental Affairs Department (EAD), to enter into a Memorandum of Understanding (MOU) with the Los Angeles Department of Water and Power (LADWP) to support the implementation of the Los Angeles Green Business Certification Program.
2. AUTHORIZE the General Manager, EAD, to accept up to \$150,000 from LADWP for the services provided through the Los Angeles Green Business Certification Program, including green jobs education and training, outreach and marketing to businesses, and technical expertise related to energy and other resource conservation equipment and strategies.
3. AUTHORIZE the Controller to TRANSFER funds for support of the Green Business Certification Program from the LADWP according to the MOU and other future funding sources to the EAD Trust Fund, Fund 537, Account 0052, Los Angeles Green Business Certification Program.
4. FIND, in accordance with Charter Section 1022, that the work to be performed for the Green Business Certification Program (as defined in the RFP/Scope of Work, attached to the Council file) can be performed more feasibly by an independent consultant(s), rather than by City of Los Angeles employees, because the work is of limited scope and of an intermittent nature.
5. AUTHORIZE the General Manager, EAD, or designee, to negotiate and execute, on behalf of the City, all grant contracts/MOUs, agreements, and amendments with grantor/cooperative agencies and contractors as necessary to fully implement the Green Business Certification Program, subject to the approval of the City Attorney as to form and legality.
6. AUTHORIZE the General Manager, EAD, to enter into an MOU with LA Inc. The Convention and Visitors Bureau and Green Seal Inc., to further implement the Los Angeles Green Lodging Program as a component of the City of Los Angeles Green Business Certification Program, subject to the City Attorney as to form and legality.
7. AUTHORIZE the Controller to TRANSFER funds up to the amount of \$150,000 from the EAD Trust Fund, Fund 537, Account 0052 for services related to the Los Angeles Green Business Certification Program to the EAD, Fund 100/37, Fiscal Year 2009-10 Account No. 3040, Contractual Services.
8. AUTHORIZE the General Manager, EAD, to prepare controller instructions and/or make any technical adjustments that may be required and are consistent with this action, subject to the approval of the City Administrative Officer, and AUTHORIZE the Controller to implement these instructions.

Fiscal Impact Statement: The EAD reports that implementation of the Green Business Certification Program and the Green Lodging component will not impact the General Fund.

Community Impact Statement: None submitted.

(Continued from Council meeting of November 24, 2009)

ITEM NO. (34) - ADOPTED

Roll Call #3 - Motion (Perry - LaBonge) Adopted, Ayes (11); Absent: Cárdenas, Hahn and Parks (3)

[07-1102](#)

COMMUNICATION FROM CHAIR, ENERGY AND ENVIRONMENT COMMITTEE relative to a proposed first amendment to an agreement with Fuentes & McNally, LLP (F&M) to continue to provide legal representation in the matter of Miranda v. Los Angeles Department of Water and Power (LADWP).

Recommendation for Council action:

CONCUR with the Board of Water and Power Commissioners' (Board) action of October 20, 2009, Resolution No. 010-125, authorizing the execution of Amendment No. 1 to Agreement No. 47569-7 with F&M to extend the term of the agreement by 14 months, beginning on November 1, 2009 and ending on December 31, 2010, and to add additional compensation of \$250,000 for a total non-to-exceed amount of \$400,000, to continue to provide legal representation in the matter of Miranda v. LADWP (Case No. CV07-0609).

Fiscal Impact Statement: The City Administrative Officer reports that approval of the proposed resolution will result in a new expenditure of \$250,000 for a total not-to-exceed amount of \$400,000 from the Power Revenue Fund. Since the LADWP is bound only by the City Debt Management Policies, the City Financial Policies are not applicable. Approval of the proposed resolution will have no impact on the General Fund.

Community Impact Statement: None submitted.

TIME LIMIT FILE - DECEMBER 27, 2009

(LAST DAY FOR COUNCIL ACTION - DECEMBER 16, 2009)

ITEM NO. (35) - ADOPTED

Roll Call #9 - Motion (Huizar - Garcetti) Adopted, Ayes (10); Absent: Cárdenas, Hahn, Parks and Reyes (4)

[09-0002-S189](#)

COMMUNICATION FROM CHAIR, INFORMATION TECHNOLOGY AND GOVERNMENT AFFAIRS COMMITTEE and RESOLUTION relative to the City's position on extension of the SR-710 through Zones 1 and 2 as defined by Caltrans in their SR-710 Tunnel Technical Study and a study that explores a tunnel option to close the I-210/SR-710 gap via Zone 3.

Recommendation for Council action, as initiated by Resolution (Garcetti - Huizar - Reyes),
SUBJECT TO THE CONCURRENCE OF THE MAYOR:

ADOPT the accompanying RESOLUTION, as amended in Information Technology and Government Affairs Committee, to include in the City's 2009-10 State Legislative Program OPPOSITION to the extension of the SR-710 through Zones 1 and 2 as defined by Caltrans in their SR-710 (North) Tunnel Technical Study and OPPOSITION to legislation and/or administrative action regarding the extension of the SR-710 (North) UNLESS AMENDED to include language protecting the community of El Sereno by specifying that the freeway tunnel portal must begin and end south of Valley Boulevard.

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

Community Impact Statement: Yes
For Proposal: Arroyo Seco Neighborhood Council

ITEM NO. (36) - LOST QUORUM - LEFT ON DESK - CONTINUED TO DECEMBER 11, 2009

[09-0002-S191](#)

COMMUNICATION FROM CHAIR, INFORMATION TECHNOLOGY AND GOVERNMENT AFFAIRS COMMITTEE and RESOLUTION relative to the City's position on legislation that preserves the City's allocation of Hoover Power Plant energy and capacity in order to support the City's continued access to clean, emission-free and low cost energy.

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

ADOPT the accompanying RESOLUTION to include in the City's 2009-10 Federal Legislative Program SUPPORT and/or SPONSORSHIP of legislation that preserves the City's allocation of Hoover Power Plant energy and capacity, which is currently set at 441 megawatts and 602,000 megawatt hours of energy entitlements, in order to support the City's continued access to clean, emission-free and low cost energy.

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

Community Impact Statement: None submitted.

**Roll Call #3 - Motion (Perry - LaBonge) Adopted, Ayes (11); Absent: Cárdenas, Hahn and Parks (3)
(Item Nos. 37-39)**

ITEM NO. (37) - ADOPTED

[09-0660](#)

COMMUNICATION FROM VICE-CHAIR, PUBLIC SAFETY COMMITTEE relative to receiving and filing an application for a grant award from the Office of Traffic Safety for the Electronic Traffic Citation System.

Recommendation for Council action:

RECEIVE and FILE Board of Police Commissioners report to the Mayor and Council dated March 17, 2009 (attached to the Council file) relative to a Los Angeles Police Department application for a grant award from the Office of Traffic Safety for the Electronic Traffic Citation System.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (38) - ADOPTED

[09-2772](#)

GENERAL EXEMPTION, COMMUNICATION FROM MEMBER, TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT relative to an amendment to a personal services agreement between the City of Los Angeles Harbor Department and McLarand Vasquez Emsiek and Partners, Inc.

Recommendations for Council action:

1. FIND that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Article II Section 2 (f) of the Los Angeles City CEQA Guidelines.
2. APPROVE Amendment No. Three to agreement No. 2311 (assigned Harbor Department agreement No. 09-2311-C) between the City of Los Angeles Harbor Department and McLarand Vasquez Emsiek and Partners, Inc.
3. CONCUR with the Board of Harbor Commissioners (Board) action of November 5, 2009 authorizing the Executive Director to execute Amendment No. Three to agreement No. 2311 between the City of Los Angeles Harbor Department and McLarand Vasquez Emsiek and Partners, Inc.

Fiscal Impact Statement: The Board reports that this proposed amendment does not request additional funds but merely an additional two year time extension, (bringing the total contract term to eight years) for the specific reasons stated in the Board report. To date, the Board has approved a total of \$5,505,499 under the design contract, of which \$4,850,781.04 has been expended to date.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JANUARY 12, 2010

(LAST DAY FOR COUNCIL ACTION - JANUARY 12, 2010)

ITEM NO. (39) - ADOPTED

[09-2861](#)

GENERAL EXEMPTION, COMMUNICATION FROM MEMBER, TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT relative to an agreement with Adesta Limited Partnership for security upgrades and other improvements to the Harbor Administration Building lobby.

Recommendations for Council action:

1. FIND that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Article II Section 2 (f) of the Los Angeles City CEQA Guidelines.
2. APPROVE proposed supplemental agreement No. Three (assigned Harbor Department agreement No. 09-2498-C) between the City of Los Angeles Harbor Department and Adesta Limited Partnership.
3. CONCUR with the Board of Harbor Commissioners (Board) action of August 13, 2009 authorizing the Executive Director to execute supplemental agreement No. Three between the City of Los Angeles Harbor Department and Adesta Limited Partnership.

Fiscal Impact Statement: The Board reports that there is no financial impact associated with the proposed one-year time extension and if approved, the total contract period will be four years. Harbor Department staff has confirmed with the Homeland Security Grants Division of the California Emergency Management Agency that funds for this project are approved for reimbursement.

The City Administrative Officer reports that there is no financial impact on the City General Fund. The proposed third amendment to the agreement with Adesta Limited Partnership will extend the contract by one year, for a total contract period of four years, to December 13, 2010, with no increase in compensation. The agreement includes approximately \$8.8 million in compensation to Adesta Limited Partnership and \$887,000 in change orders for a total contract amount of approximately \$9.7 million.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JANUARY 24, 2010

(LAST DAY FOR COUNCIL ACTION - JANUARY 22, 2010)

ITEM NO. (40) - LOST QUORUM - LEFT ON DESK - CONTINUED TO DECEMBER 11, 2009

[09-1519](#)

COMMUNICATION FROM CITY ETHICS COMMISSION relative to amendments to Schedules A and B of the Conflict of Interests Code for the Community Development Department's Workforce Investment Board.

Recommendation for Council action:

ADOPT the proposed amendments to Schedules A and B of the conflict of interest code for the Community Development Department's Workforce Investment Board to accurately reflect the staffing structure.

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

Community Impact Statement: None submitted.

(Rules and Elections Committee waived consideration of this matter.)

ITEM NO. (41) - LOST QUORUM - LEFT ON DESK - CONTINUED TO DECEMBER 11, 2009

[09-2916](#)

MOTION (PERRY - CARDENAS) relative to asserting jurisdiction over the Board of Water and Power Commissioner's action on December 1, 2009.

Recommendations for Council action:

1. ASSERT jurisdiction over the Board of Water and Power Commissioners action on December 1, 2009 (Item No. 31 on the Agenda) relative to a Resolution authorizing the Owens Dry Lake Solar Demonstration and Information Collection Study, which will be used for the development of a long-term, large scale Owens Valley Solar Park.
2. REFER this matter to the Energy and Environment Committee for review and further action, upon assertion of jurisdiction.

TIME LIMIT FILE - DECEMBER 11, 2009

(LAST DAY FOR COUNCIL ACTION - DECEMBER 11, 2009)

10 VOTES REQUIRED

ITEM NO. (42) - MAP APPROVED - CITY ENGINEER REPORT ADOPTED

Roll Call #3 - Motion (Perry - LaBonge) Adopted, Ayes (11); Absent: Cárdenas, Hahn and Parks (3)

[09-2944](#)

CD 13

PARCEL MAP L.A. NO. 2008-2946 for property located at 6040 West Sunset Boulevard lying westerly of Hollywood Freeway.

Applicants: Chris Barton

Bruce G. Ehrlich

Thomas D. Iacobellis & Associates

Closed Session - Item 43

ITEM NO. (43) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Roll Call #8 - Motion (Garcetti - Rosendahl) Adopted, Ayes (10); Absent: Cárdenas, Hahn, Parks and Reyes (4)

[09-2717](#)

[08-15730-S2](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to pending litigation in the cases entitled Summit Media, LLC v. City of Los Angeles, Los Angeles Superior Court Case No. BS 116611, and Summit Media, LLC v. City of Los Angeles, United States District Court Case No. CV 07-02649 (AJWX).

(Planning and Land Use Management Committee will consider the above matter in Closed Session on December 8, 2009.)

ADOPTED

MOTION (GARCETTI - ROSENDAHL)

Recommendations for Council action:

1. DIRECT the Department of Building and Safety to comply with the ruling and cease implementing the settlement agreement.
2. REQUEST the City Attorney to not join in any appeal of Judge Green's ruling.

Items for Which Public Hearings Have Been Held - Items 46-48

ITEM NO. (46) - CONTINUED TO DECEMBER 16, 2009

Roll Call #5 - Motion (Reyes - Rosendahl) Adopted to Continue, Unanimous Vote (11); Absent: Cárdenas, Hahn and Parks (3)

[08-0923](#)

CONTINUED CONSIDERATION OF AN ORDINANCE TO BE SUBMITTED FIRST CONSIDERATION relative to amending the Los Angeles Municipal Code to establish regulations regarding medical marijuana collectives.

(Pursuant to Council action of December 8, 2009)

**Roll Call #6 - Motion (Alarcón - Smith) Adopted, Ayes (11); Absent: Cárdenas, Hahn and Parks (3)
(Item Nos. 47-48)**

ITEM NO. (47) - ADOPTED

[08-1783](#)

CONTINUED CONSIDERATION OF JOBS AND BUSINESS DEVELOPMENT COMMITTEE REPORT relative to the ten hardest to film locations in the City of Los Angeles.

Recommendations for Council action:

1. REQUEST FilmLA to report to the Jobs and Business Development Committee on a quarterly basis relative to issues in connection with the ten hardest to film locations in the City of Los Angeles as defined by the Motion Picture and Theatrical Trade Teamsters, Local 399.
2. REQUEST FilmLA to prepare a rental cost survey of frequently filmed locations in the City of Los Angeles and report back to the Jobs and Business Development Committee with its findings.
3. REQUEST Motion Picture and Theatrical Trade Teamsters, Local 399 to report to the Jobs and Business Development Committee relative to criteria used to create its list of the ten hardest to film locations in the City of Los Angeles.

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.

ITEM NO. (48) - ADOPTED

[08-1783-S2](#)

CONTINUED CONSIDERATION OF JOBS AND BUSINESS DEVELOPMENT COMMITTEE REPORT relative to the implementation of a program to provide City-owned parking lots at no cost to film and television productions.

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

1. DIRECT the Department of General Services (GSD) to implement a program within 30 days to provide City-owned parking lots at no cost to film and television productions after operating hours and including special events; and further, DIRECT that said program shall include an exception for the cost of providing a Parking Attendant on site, as detailed in the October 28, 2009 GSD report, attached to the Council file.
2. AUTHORIZE that all future filming services and use fee revenues for the GSD be deposited into the Motion Picture Coordination Fund, No. 417, retroactive to July 1, 1996.

3. AUTHORIZE the Controller and the GSD to TRANSFER funds from the Motion Picture Coordination Fund No. 417 to GSD Fund 100/40, Salaries Overtime Account No. 1090 to GSD Fund 100/40, Salaries Overtime Account No. 1090, Salaries General Account No. 1010, Salaries As-Needed Account No. 1070 as reimbursement for direct expenditures for the GSD providing parking services for filming; and further, AFFIRM that the GSD will be providing parking attendants in lieu of security officers as part of said parking services.
4. INSTRUCT the GSD to provide accounting services for the Trust Fund within existing staff levels.
5. DIRECT that the program to provide City-owned parking lots at no cost to film and television productions should be provided in all available City parking lots after operating hours, including special events, as detailed in the October 28, 2009 GSD report, attached to the Council file.
6. DIRECT that those customers of City-owned parking facilities who are monthly parking permit holders will not be displaced from their parking spaces while the parking facility is being utilized by the film production company.
7. INSTRUCT the GSD to report back to the Jobs and Business Development Committee in 30 days with recommendations relative to City-owned parking lots that could be utilized by film and television production companies during operating hours that would be revenue-neutral or offered at a discount and that would cause no harm to local businesses.
8. INSTRUCT the GSD to create a list of City-owned parking lots, to include maps of each lot, hours of operation and report back to the Jobs and Business Development Committee with said list.
9. INSTRUCT the GSD to provide information in regard to City-owned parking facilities to FilmLA as a means of promoting filming activity in the City of Los Angeles with said information to be distributed as part of the film permitting process.

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

Community Impact Statement: None submitted.

Councilmember Zine moved, seconded by Councilmember Perry, that the Council meeting adjourn, due to the lack of a quorum.

**Ayes, Alarcón, Huizar, Koretz, LaBonge, Perry, Smith, Wesson, Zine and President Garcetti (9);
Absent: Cárdenas, Hahn, Parks, Reyes and Rosendahl (5); Vacant: Council District Two**

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL