

Los Angeles City Council, **Journal/Council Proceedings**  
Friday, **December 11, 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: Alarcón, Hahn, Huizar, Koretz, LaBonge, Perry, Reyes, Smith, Wesson, Zine and President Garcetti (11); Absent: Cárdenas, Parks and Rosendahl (3); Vacant: Council District Two.**

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF  
DECEMBER 8, 2009

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 28

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

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

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## **Items for Which Public Hearings Have Been Held - Items 1-6**

**ITEM NO. (1) - ADOPTED, AS AMENDED - FORTHWITH - SEE FOLLOWING**

**Roll Call #10 - Motion (Garcetti - Alarcón) to Adopt as Amended, Ayes (11); Absent: Cárdenas, Parks and Smith (3)**

[09-0365](#)

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to a proposed framework for an Ordinance to establish registration and maintenance requirements, as well as associated fees and fines, for properties in foreclosure.

Recommendations for Council action, as initiated by Motion (Garcetti - Smith - Parks):

1. APPROVE the proposed framework for an Ordinance [Attachment A of the Chief Legislative Analyst (CLA) report dated November 2, 2009] to establish registration and maintenance requirements and associated fees and fines for properties in foreclosure in the City.
2. REQUEST the City Attorney, with the assistance of the CLA and Los Angeles Housing Department (LAHD), to prepare and present an ordinance in 30 days based on the proposed framework (Attachment A of the CLA report dated November 2, 2009) that includes:

- a. A requirement lenders, mortgagees, or beneficiaries of trust (Lenders) who issued a Notice of Default on a residential property in the City as a result of a defaulted obligation shall register the property with the City.
  - b. A requirement that Lenders maintain subject properties according to provisions contained in the proposed framework.
  - c. A fee for registration and fines for failure to register and/or maintain, as outlined in the proposed framework.
  - d. Provisions to establish a special fund for fee and fine revenue associated with the registry requirement to support LAHD administrative costs associated with enforcement of the registry, subject to a requirement that any fine revenue remaining in the fund in excess of LAHD administrative costs revert to the General Fund at the end of each Fiscal Year.
3. INSTRUCT the CLA to report back relative to:
- a. Potential City liability associated with the proposed Ordinance.
  - ~~b. Further defining the maintenance requirement and vacancy definitions of the proposed framework (Attachment A of the CLA report dated November 2, 2009). **\*(Alarcón - Garcetti)**~~
  - c. The possibility of depositing into the Affordable Housing Trust Fund (rather than the General Fund) all post cost recovery maintenance fine revenue that is collected.

Fiscal Impact Statement: The CLA reports that, as proposed in its report dated November 2, 2009, fines collected by the City as a result of failure to comply with the maintenance requirement contained in the proposed framework will be deposited in the General Fund. As a result, the recommendations have a potential positive impact on the General Fund. The amount of fine revenue to be generated as a result of the maintenance requirement is unknown at this time. As proposed, registration fee revenue and fines for failure to maintain will support the LAHD to address costs associated with maintenance and enforcement of the registry, subject to a requirement that any fine revenue remaining in the fund in excess of LAHD administrative costs revert to the General Fund at the end of each Fiscal Year.

Community Impact Statement: None submitted.

**ADOPTED**

**AMENDING MOTION (ALARCON - GARCETTI)**

**Recommendation for Council action:**

**DELETE Recommendation 3b and ADD the following additional recommendation:**

- 4. **REQUEST the City Attorney to include language in the Ordinance to:**
  - a. **Further clarify maintenance requirements by specifying the various elements to be maintained, and define the appropriate level of maintenance.**

- b. Define “vacancy” such that clear notice is provided to affected parties as to when they are required to maintain properties in foreclosure according to requirements to be set forth in the Ordinance.

**Roll Call #2 - Motion (Smith - Hahn) Adopted, Ayes (12); Absent: Cárdenas and Parks (2)  
(Item Nos. 2-3)**

**ITEM NO. (2) - ADOPTED**

[08-3127](#)

PUBLIC WORKS COMMITTEE REPORT relative to allowable parkway landscaping on City streets.

Recommendation for Council action:

NOTE and FILE the January 29, 2009 Joint Bureau of Street Services/Bureau of Engineering report in response to Motion (Rosendahl - Garcetti) relative to the utilization of drought-resistant landscapes for parkway landscaping.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

**ITEM NO. (3) - ADOPTED - TO THE MAYOR FORTHWITH - SEE FOLLOWING**

[09-2399](#)

COMMUNICATIONS FROM THE BOARD OF POLICE COMMISSIONERS, CITY ADMINISTRATIVE OFFICER and MOTION (SMITH - ZINE) relative to the 2009-12 Community Oriented Policing Services American Recovery and Reinvestment Act Grant.

(Budget and Finance Committee and Ad Hoc Committee on Economic Recovery and Reinvestment reports 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**

**BUDGET AND FINANCE COMMITTEE REPORT relative to the 2009-12 Community Oriented Policing Services (COPS) American Recovery and Reinvestment Act Grant.**

**Recommendations for Council action, as initiated by Motion (Smith - Zine), SUBJECT TO THE APPROVAL OF THE MAYOR:**

1. **AUTHORIZE** the Chief of Police, or designee, to accept the American Recovery and Reinvestment Act 2009 COPS Hiring Recovery Program (CHRP) Grant in the amount of \$16,285,650 from the United States Department of Justice, Community Oriented Policing Services Grant Administration Division (grantor), for the period July 1, 2009 through June 30, 2013.

2. INSTRUCT the City Administrative Officer (CAO), or designee, to submit written documentation to the COPS Office to accurately reflect the number of General Funded sworn positions listed on the CHRP award.
3. AUTHORIZE the Chief of Police, or designee, to accept a Recovery Act CHRP award modification from the grantor, for four years from the effective program start date, subject to the approval of the City Attorney as to form and legality.
4. AUTHORIZE the Chief of Police, or designee, to negotiate and execute any grant award modifications necessary to maintain consistency between the 2009 Recovery Act CHRP Grant Agreement and the Los Angeles Police Department (LAPD) authorized hiring plan, as well as any necessary documents relative to the grant award, subject to the approval of the City Attorney as to form and legality.
5. AUTHORIZE the LAPD to expend grant funds in accordance with the grant award cooperative agreement for the duration of the grant term.
6. AUTHORIZE the Controller to:
  - a. Establish a new interest-generating fund titled ARRA - 2009 CHRP, Fund No. to be determined by the Controller's Office, Department No. 70. This fund shall be administered by the LAPD.
  - b. Establish a receivable from the federal government for \$16,285,650 within the new ARRA - CHRP Fund, Department No. 70.
  - c. Increase appropriation within the new ARRA - CHRP Fund, as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
Fxxx - to be determined	2009 CHRP	\$11,752,586
F170	Sworn Salaries - LAPD	3,007,275
F299	Fringe Benefits	<u>1,525,789</u>
	Total	\$16,285,650

7. AUTHORIZE the Controller to increase appropriations, up to \$3,007,275, from the new ARRA - CHRP Fund, Department No. 70 to Fund No. 100/70, Account No. 1012, Sworn Salaries.
8. AUTHORIZE the LAPD to submit grant reimbursement requests to the grantor and deposit grant reimbursement receipts into the new ARRA - CHRP Fund, Department No. 70.
9. RESOLVE that the Employment Authority for the following positions within the LAPD for four years from the effective program start date is APPROVED:

<u>No.</u>	<u>Class</u>	<u>Title</u>
50	2214-2	Police Officer II

10. AUTHORIZE the LAPD to begin hiring CHRP funded officers on July 6, 2009.
11. INSTRUCT the LAPD to request grant reimbursement for all CHRP funded officers hired under the terms and conditions and in accordance with the provisions of the CHRP Award Agreement since July 6, 2009.
12. AUTHORIZE the LAPD to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the CAO, and AUTHORIZE the Controller to implement the instructions.

**Fiscal Impact Statement:** The CAO reports that the fiscal impact of the salaries, fringe benefits and equipment costs related to the administration of the 2009 Community Oriented Policing Services Hiring Recovery Program Grant is \$7,867,433; grant monies are provided on a reimbursement basis; therefore the LAPD will provide front funding for this program. The City's financial support of the CHRP award will extend beyond the CHRP funding period; after the fourth year, the City may discontinue funding the CHRP authorities. These recommendations are in compliance with the City's Financial Policies in that expenditure of CHRP funds is strictly limited to the mandates of the funding source. CHRP funds are not to be used to subsidize other General Fund programs. Current appropriations for all CHRP funds are limited to the sum of available, unencumbered cash balances, and revenues estimated to be received in the current budget year. The City will consider General Fund requests for new or existing programs during the course of the annual budget process.

**Community Impact Statement:** None submitted.

**ADOPTED**

**AD HOC COMMITTEE ON ECONOMIC RECOVERY AND REINVESTMENT REPORT** relative to the 2009-12 Community Oriented Policing Services (COPS) American Recovery and Reinvestment Act (ARRA) grant.

**Recommendation for Council action, as initiated by Motion (Smith - Zine), SUBJECT TO THE APPROVAL OF THE MAYOR:**

**CONCUR** with the action taken by the Budget and Finance Committee at its meeting held December 7, 2009, approving the recommendations of the November 20, 2009, City Administrative Officer (CAO) report to the Mayor and Council relative to accepting ARRA COPS grant in the amount of \$16,285,650 from the United States Department of Justice, Community Oriented Policing Services Grant Administration Division (grantor), for the period July 1, 2009 through June 30, 2013, resolution authorities for 50 police officers for 4 years in the Los Angeles Police Department (LAPD) and related actions.

**Fiscal Impact Statement:** The CAO reports that the fiscal impact of the salaries, fringe benefits and equipment costs related to the administration of the 2009 Community Oriented Policing Services Hiring Recovery Program Grant is \$7,867,433; grant monies are provided on a reimbursement basis; therefore the LAPD will provide front funding for this program. The City's financial support of the CHRP award will extend beyond the CHRP funding period; after the fourth year, the City may discontinue funding the CHRP authorities. These recommendations are in compliance with the City's Financial Policies in that expenditure of CHRP funds is strictly limited to the mandates of the funding source. CHRP funds are not

be used to subsidize other General Fund programs. Current appropriations for all CHRP funds are limited to the sum of available, unencumbered cash balances, and revenues estimated to be received in the current budget year. The City will consider General Fund requests for new or existing programs during the course of the annual budget process.

**Community Impact Statement:** None submitted.

**Roll Call #11 - Motion (Zine - Wesson) Adopted, Ayes (11); Absent: Cárdenas, Parks and Smith (3)  
(Item Nos. 4-5)**

**ITEM NO. (4) - ADOPTED - SEE FOLLOWING**

[09-2566](#)

COMMUNICATIONS FROM THE BOARD OF POLICE COMMISSIONERS, CHIEF LEGISLATIVE ANALYST AND CITY ADMINISTRATIVE OFFICER relative to a donation in the amount of \$900,000 from the Los Angeles Police Foundation to help cover costs incurred for the Los Angeles Lakers celebration parade in June, 2009.

(Public Safety and Budget and Finance Committees' reports 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 and BUDGET AND FINANCE COMMITTEES' REPORT** relative to a donation from the Los Angeles Police Foundation to help cover costs incurred for the Los Angeles Lakers celebration parade.

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

- 1. ACCEPT and APPROVE cash donation in the amount of \$900,000 from the Los Angeles Police Foundation to help cover costs incurred by the City of Los Angeles for the Los Angeles Lakers celebration parade and rally in June, 2009, and THANK the donor for its generous donation.**
- 2. APPROVE a transfer of funds, as follows:**

**From: Police Donation Trust Fund No. 885, Revenue Source Code 4513**

**To: Fund 100/62, Revenue Source 4518, Council Approved Donation over \$5,000**

**Fiscal Impact Statement:** The Chief Legislative Analyst and City Administrative Officer report that the \$900,000 donation from the Los Angeles Police Foundation will offset all of the City overtime costs, and a portion of straight time salary costs, for services provided for the Lakers parade and rally.

**Community Impact Statement:** None submitted.

**ITEM NO. (5) - ADOPTED - SEE FOLLOWING**

[09-2616](#)

COMMUNICATION FROM THE CHIEF LEGISLATIVE ANALYST AND CITY ADMINISTRATIVE OFFICER relative to the costs incurred by the City for the Los Angeles Lakers celebration parade and Michael Jackson memorial events, seeking reimbursement for said costs, and related matters, pursuant to Motion (Perry - Parks).

(Public Safety and Budget and Finance Committees' reports 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 and BUDGET AND FINANCE COMMITTEES' REPORT relative to seeking reimbursement for costs incurred by the City for the Michael Jackson memorial event.**

**Recommendations for Council action, as initiated by Motion (Perry - Parks):**

- 1. REQUEST the City Attorney to provide, in Closed Session, a detailed briefing of the legal basis for compelling the Michael Jackson memorial event organizers to provide the cost reimbursements, including an analysis of their previous advice relative to large venues with ongoing and continuous operations, and the impact of the timing of the Michael Jackson Memorial event with the transmission to, and adoption by Council of, the Special Events Ordinance.**
- 2. REQUEST the Mayor and the Councilmember from the Ninth Council District to resume, as soon as the criminal investigation into this matter conducted by the City Attorney is resolved, their discussions with event organizers to seek reimbursement for costs incurred by the City of Los Angeles for services provided associated with the Michael Jackson memorial event.**

**Fiscal Impact Statement: The Chief Legislative Analyst (CLA) and City Administrative Officer report that costs incurred by the City of Los Angeles for the Michael Jackson Memorial, that it would otherwise not have incurred had the event been held elsewhere, total approximately \$2 million (overtime costs for salaries and expenses). The CLA also reports that the estimated economic benefit to the city from the event totals approximately \$4 million.**

**Community Impact Statement: None submitted.**

**ITEM NO. (6) - ADOPTED, AS AMENDED - SEE FOLLOWING**

**Roll Call #13 - Motion (Huizar - Perry) to Adopt as Amended, Ayes (10); Absent: Cárdenas, Koretz, Parks and Smith (4)**

[06-2849](#)

PUBLIC WORKS COMMITTEE REPORT and COMMUNICATION FROM CHAIR, EDUCATION AND NEIGHBORHOODS COMMITTEE relative to the development of a template to allow Neighborhood Councils to partner with the Million Trees Initiative.

**ADOPTED, AS AMENDED**

**A. PUBLIC WORKS COMMITTEE REPORT**

Recommendations for Council action, as initiated by Motion (Hahn - LaBonge):

1. DIRECT the Department of Neighborhood Empowerment (DONE) to work with the Department of Public Works and the City Attorney to develop a template to allow Neighborhood Councils to partner with the Million Trees Initiative by identifying areas where new trees can be planted, obtaining approval from adjacent property owners and paying for the watering and maintenance of the trees for two years.
2. DIRECT the DONE to place information about the Million Trees Initiative on its website with said website to include data from the Board of the Public Works regarding the tree canopy statistics for each individual Neighborhood Council's area; and further, DIRECT that such information posted to said website be also available by Council District.
3. INSTRUCT the City Administrative Officer (CAO) and Chief Legislative Analyst (CLA) to report to Council on the costs to water newly planted trees for two years to include rental or purchase of water trucks and other essential equipment.
4. INSTRUCT the CAO and CLA to report to Council on the feasibility of the City purchasing additional watering trucks in response to the Million Trees Initiative; and further, INSTRUCT the above entities to include in their report consideration of the capacity of local nonprofit organizations to provide this service.
5. NOTE and FILE the December 7, 2006 DONE report relative to the Million Trees Initiative.

**ADOPTED**

**AMENDING MOTION (HUIZAR - KORETZ)**

**Recommendation for Council action:**

**AMEND Recommendation No. 4 of the Public Works Committee report to read, as follows:**

4. **INSTRUCT the City Administrative Officer and Chief Legislative Analyst to report to Council on the capacity of local nonprofit organizations and Neighborhood Councils to take responsibility for the watering of newly planted trees for a period of two years.**



**RECEIVED AND FILED**

**B. COMMUNICATION FROM CHAIR, EDUCATION AND NEIGHBORHOODS COMMITTEE**

Recommendations for Council action, pursuant to Motion (Hahn - LaBonge):

1. DIRECT the Department of Neighborhood Empowerment (DONE) to work with the Department of Public Works and the City Attorney to develop a template to allow Neighborhood Councils to partner with the Million Trees Initiative by identifying areas where new trees can be planted, obtaining approval from adjacent property owners and paying for the watering and maintenance of the trees for two years.
2. DIRECT the DONE to place information about the Million Trees Initiative on its website with said website to include data from the Board of the Public Works regarding the tree canopy statistics for each individual Neighborhood Council's area; and further, DIRECT that such information posted to said website be also available by Council District.
3. INSTRUCT the City Administrative Officer (CAO) and Chief Legislative Analyst (CLA) to report to Council on the feasibility of the City purchasing additional watering trucks in response to the Million Trees Initiative to ensure that the effort going into tree planting over the next year will result in the greatest number of trees making it into maturity and self-reliance as possible; and further, INSTRUCT the above entities to include in their report consideration of the capacity of local nonprofit organizations to provide this service.

Fiscal Impact Statement: None submitted by the DONE. Neither the CAO nor the CLA has completed a financial analysis of this report.

Community Impact Statement: None submitted.

(On May 11, 2007, Council referred this matter back to the Education and Neighborhoods and Public Works Committees.)

**Items for Which Public Hearings Have Not Been Held - Items 7-22**

(10 Votes Required for Consideration)

**ITEM NO. (7) - NO ACTION TAKEN**

[09-0648](#)

CONSIDERATION OF AND AUTHORITY TO submit potential grant applications in order to meet deadlines established by the Federal Government to secure American Recovery and Reinvestment Act of 2009 funding for the City of Los Angeles, and related discussions.

(Pursuant to Council action of April 7, 2009)

**Roll Call #3 - Motion (Reyes - LaBonge) Adopted, Ayes (12); Absent: Cárdenas and Parks (2)  
(Item Nos. 8-9)**

**ITEM NO. (8) - ADOPTED**

[09-2809](#)

CD 9

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and ORDINANCE FIRST CONSIDERATION relative to the quitclaim of street and sidewalk easement for 12th Street between Figueroa Street and Flower Street (Right of Way No. 36000-1714).

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

1. FIND that the quitclaim of street and sidewalk easement for 12th Street between Figueroa Street and Flower Street (Right of Way No. 36000-1714) is categorically exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(4) of the City's Environmental Guidelines.
2. APPROVE the quitclaim of street and sidewalk easement for 12th Street between Figueroa Street and Flower Street (Right of Way No. 36000-1714) as shown colored green on Exhibit A of the November 18, 2009 City Engineer report, attached to the Council file, subject to the following condition:

That petitioner make satisfactory arrangement with the Real Estate Group of the Bureau of Engineering with respect to the payment of the document recording fee.

3. ADOPT the City Engineer report dated November 18, 2009, to approve the petitioner's request for the quitclaim of street and sidewalk easement for 12th Street between Figueroa Street and Flower Street (Right of Way No. 36000-1714).
4. PRESENT and ADOPT the accompanying ORDINANCE authorizing the quitclaim of street and sidewalk easement for 12th Street between Figueroa Street and Flower Street (Right of Way No. 36000-1714).
5. INSTRUCT the City Clerk to forward a copy of the Council action and ordinance to the Real Estate Division of the Bureau of Engineering for processing.

Fiscal Impact Statement: The City Engineer reports that a fee of \$4,815 was paid for processing this request pursuant to Section 7.40 of the Los Angeles Administrative Code.

**ITEM NO. (9) - ADOPTED**

[09-0005-S773](#)

et al. 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 of December 4, 2009.

[09-0005-S773](#)

CD 9

- a. Property at 1426 East 20th Street (Case No. 239308).  
Assessor I.D. No. 5119-031-009

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 18, 2009)

[09-0005-S774](#)

CD 8

- b. Property at 1434 West 69th Street aka 1436 West 69th Street (Case No. 221526).  
Assessor I.D. No. 6015-025-007

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 26, 2009)

[09-0005-S775](#)

CD 8

- c. Property at 1434 West 69th Street aka 1436 West 69th Street (Case No. 115147).  
Assessor I.D. No. 6015-025-007

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 13, 2008)

[09-0005-S776](#)

CD 9

- d. Property at 249 West 84th Street aka 8318 South Broadway (Case No. 45327).  
Assessor I.D. No. 6031-035-033

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on September 21, 2006)

[09-0005-S777](#)

CD 10

- e. Property at 4000 West 21st Street aka 4002 West 21st Street (Case No. 253978).  
Assessor I.D. No. 5060-010-021

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on October 1, 2009)

[09-0005-S778](#)

CD 8

- f. Property at 443 West 95th Street aka 447 West 95th Street (Case No. 45933).  
Assessor I.D. No. 6039-006-001

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 14, 2007)

[09-0005-S779](#)

CD 8

- g. Property at 443 West 95th Street aka 447 West 95th Street (Case No. 182065).  
Assessor I.D. No. 6039-006-001

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on April 10, 2008)

[09-0005-S780](#)

CD 4

- h. Property at 5944 North Cahuenga Boulevard (Case No. 204828).  
Assessor I.D. No. 2415-030-020

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on April 16, 2009)

[09-0005-S781](#)

CD 4

- i. Property at 6415 West Romaine Street aka 1004 North Wilcox Avenue (Case No. 135928).  
Assessor I.D. No. 5533-014-011

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 30, 2007)

[09-0005-S782](#)

CD 5

- j. Property at 7932 West Blackburn Avenue aka 7934 West Blackburn Avenue (Case No. 207641).  
Assessor I.D. No. 5511-038-020

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on December 11, 2008)

**ITEM NO. (10) - ADOPTED, AS AMENDED - SEE FOLLOWING**

**Roll Call #14 - Motion (Reyes - LaBonge) to Adopt as Amended, Ayes (10); Absent: Cárdenas, Koretz, Parks and Smith (4)**

[07-1342-S5](#)

CONTINUED CONSIDERATION OF COMMUNICATION FROM CHAIR, AD HOC RIVER COMMITTEE relative to Los Angeles River access and uses.

Recommendations for Council action, as initiated by Motion (Garcetti - Reyes - Greuel):

1. DIRECT the Los Angeles Police Department (LAPD) and the Los Angeles Fire Department (LAFD), in consultation with the Department of General Services, external agencies, and local river organizations as appropriate, to determine the resources required to deploy the necessary River security personnel and associated equipment, assess enforcement practices, and make recommendations that would facilitate adequate oversight of public access to the 32-miles of the river within the City on a daily basis and report to the Ad Hoc River Committee within 90 days.

2. DIRECT the Department of Recreation and Parks to work with the Office of the Chief Legislative Analyst (CLA), the City Attorney's Office, risk management personnel, the LAPD and LAFD, and in consultation with external agencies and organizations as appropriate, to identify resources for maintenance, maintenance personnel and associated equipment, existing barriers to public river access, including physical hazards and solutions to those in order to facilitate safe public access to all or portions of the 32-mile river corridor within the City and report to the Ad Hoc River Committee with a process and key projects to accomplish these goals within 90 days.
3. DIRECT the Los Angeles Department of Water and Power, in consultation with appropriate City staff and external agencies and organizations, to establish the Watershed Infiltration for Supply and Environmental Restoration (WISER) committee of experts and task the committee with identifying ways to streamline river project guidance information, permitting processes, and regulatory compliance that will result in increased water supply benefits, better water quality and improved ecological health in the river corridor. Specific outcomes may include maps and guidelines designating areas within the river corridor and upstream in the river's watershed where certain projects may take place such as green streets, water attenuation, water quality, groundwater recharge, and brownfield redevelopment. Maps may also indicate the best areas for water-contact recreation versus non-water-contact recreation given water quality and flow concerns. A representative of the WISER committee will participate in the City Interdepartmental Task Force on the River and report to the City's Ad Hoc River Committee with its first report submitted in 90 days outlining a process and key projects to achieve these objectives.
4. DIRECT the CLA to work with the appropriate City departments and external agencies to make recommendations on the establishment of a River Opportunities for Wildlife, Ecology, and Recreation committee of experts and task them with identifying ways to streamline river project guidance information, river projects, codes, permitting processes, and regulatory compliance that will result in increased access, safety, biodiversity and improved ecological health in the river corridor and report to the Ad Hoc River Committee within 90 days.
5. REQUEST that the City Attorney, in consultation with the Bureau of Engineering (BOE), the City Administrative Officer (CAO), and other appropriate City staff, recommend strategies to identify the prevailing codes, covenants, restrictions, regulations, laws, other legally-binding measures (such as permitting requirements), that would need to be amended in order to facilitate public access to the 32-mile river corridor (easements and channel areas) within the City and report to the City's Ad Hoc River Committee within 90 days.
6. DIRECT the Los Angeles Department of Transportation, in consultation with appropriate City staff and external agencies and organizations, to develop a process and key projects to accomplish simultaneous river access and bicycle safety improvements, including the prioritization of the river bike path per the City's Bicycle Plan, intersection improvements, grade crossings, etc. and report to the City's Ad Hoc River Committee within 90 days.
7. DIRECT the BOE's Los Angeles River Project Office to develop recommendations for a comprehensive River signage program, including scope, design, cost, funding, and implementation strategy, in consultation with appropriate City staff and external agencies and organizations, and report back to the Ad Hoc River Committee within 60 days.

Fiscal Impact Statement: None submitted by the BOE. Neither the CAO nor the CLA has completed a financial analysis of this report.

Community Impact Statement: None submitted.

(Public Works Committee waived consideration of the above matter)

(Continued from Council meeting of December 4, 2009)

## **ADOPTED**

### **AMENDING MOTION (REYES - HUIZAR)**

**Recommendations for Council action, as initiated by Motion (Garcetti - Reyes - Greuel):**

**INCLUDE the following recommendations, which consist of minor technical changes, in lieu of the recommendations in the communication from the Chair, Ad Hoc River Committee:**

- 1. DIRECT the Los Angeles Police Department (LAPD) and the Los Angeles Fire Department (LAFD), in consultation with the Department of General Services, external agencies, and local river organizations as appropriate, to determine the resources required to deploy the necessary River security personnel and associated equipment, assess enforcement practices, and make recommendations that would facilitate adequate oversight of public access to the 32-miles of the river within the City on a daily basis and report to the Ad Hoc River Committee within 90 days.**
- 2. DIRECT the Department of Recreation and Parks to work with the Office of the Chief Legislative Analyst (CLA), the City Administrative Officer (CAO), the City Attorney's Office, risk management personnel, the LAPD and LAFD, and in consultation with external agencies and organizations as appropriate, to identify resources for maintenance, maintenance personnel and associated equipment, existing barriers to public river access, including physical hazards and solutions to those in order to facilitate safe public access to all or portions of the 32-mile river corridor within the City and report to the Ad Hoc River Committee with a process and key projects to accomplish these goals within 90 days.**
- 3. DIRECT the Los Angeles Department of Water and Power, in consultation with the Bureau of Engineering (BOE), Bureau of Sanitation, other appropriate City staff and external agencies and organizations, to establish the Watershed Infiltration for Supply and Environmental Restoration (WISER) committee of experts and task the committee with identifying ways to streamline river project guidance information, permitting processes, and regulatory compliance that will result in increased water supply benefits, better water quality and improved ecological health in the river corridor. The WISER Committee will have opportunity to contribute to future water supply plans to ensure consistency with established City policies and goals. Specific outcomes may include maps and guidelines designating areas within the river corridor and upstream in the river's watershed where certain projects may take place such as green streets, water attenuation, water quality, groundwater recharge, and brownfield redevelopment. Maps may also indicate the best areas for water-contact recreation versus non-water-contact recreation given water quality and flow concerns. A representative of the WISER**

committee will participate in the City Interdepartmental Task Force on the River and report to the City's Ad Hoc River Committee with its first report submitted in 90 days outlining a process and key projects to achieve these objectives.

4. **DIRECT** the CLA and the CAO to work with the appropriate City departments and external agencies to make recommendations on the establishment of a River Opportunities for Wildlife, Ecology, and Recreation committee of experts and task them with identifying ways to streamline river project guidance information, river projects, codes, permitting processes, and regulatory compliance that will result in increased access, safety, biodiversity and improved ecological health in the river corridor and report to the Ad Hoc River Committee within 90 days.
5. **REQUEST** the City Attorney, in consultation with the BOE, the CAO, the CLA, and other appropriate City staff, to recommend strategies to identify the prevailing codes, covenants, restrictions, regulations, laws, other legally-binding measures (such as permitting requirements), that would need to be amended in order to facilitate public access to the 32-mile river corridor (easements and channel areas) within the City and report to the City's Ad Hoc River Committee within 90 days.
6. **DIRECT** the Los Angeles Department of Transportation and the Department of Planning, in consultation with appropriate City staff and external agencies and organizations, to develop a process and key projects to accomplish simultaneous river access and bicycle safety improvements, including the prioritization of the river bike path per the City's Bicycle Plan, intersection improvements, grade crossings, etc. and report to the City's Ad Hoc River Committee within 90 days.
7. **DIRECT** the BOE's Los Angeles River Project Office to develop recommendations for a comprehensive river signage program, including scope, design, cost, funding, and implementation strategy, in consultation with appropriate City staff and external agencies and organizations, and report back to the Ad Hoc River Committee within 60 days.

**Roll Call #3 - Motion (Reyes - LaBonge) Adopted, Ayes (12); Absent: Cárdenas and Parks (2)  
(Item Nos. 11-19)**

**ITEM NO. (11) - ADOPTED**

[09-2808](#)

CD 7

CATEGORICAL EXEMPTION and COMMUNICATION FROM THE CITY ENGINEER relative to an offer to dedicate an easement for sidewalk purposes on Golden State Road south of San Fernando Road (Right of Way No. 36000-1765).

Recommendations for Council action:

1. **FIND** that the offer to dedicate an easement for sidewalk purposes on Golden State Road south of San Fernando Road (Right of Way No. 36000-1765) is categorically exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(19) of the City's Environmental Guidelines.

2. AUTHORIZE the Board of Public Works to acquire the easement for sidewalk purposes on Golden State Road south of San Fernando Road (Right of Way No. 36000-1765), as depicted on the Exhibit Map in the November 18, 2009 City Engineer report, attached to the Council file.
3. INSTRUCT the City Clerk to forward a copy of the Council action on this project be forwarded to the Real Estate Division of the Bureau of Engineering for processing.

Fiscal Impact Statement: The City Engineer reports that a fee of \$2,337.95 was paid for processing this action pursuant to Los Angeles Administrative Code Sections 7.3 and 7.41.1. No additional City Funds are needed.

## **ITEM NO. (12) - ADOPTED**

[09-2768](#)

CD 4

CATEGORICAL EXEMPTION and COMMUNICATION FROM THE CITY ENGINEER relative to an offer to dedicate an easement for street purposes on Cadman Drive northwest of Shannon Road (Right of Way No. 36000-1788).

Recommendations for Council action:

1. FIND that the offer to dedicate an easement for street purposes on Cadman Drive northwest of Shannon Road (Right of Way No. 36000-1788) is categorically exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(19) of the City's Environmental Guidelines.
2. AUTHORIZE the Board of Public Works to acquire the easement for street purposes on Cadman Drive northwest of Shannon Road (Right of Way No. 36000-1788), as depicted on the Exhibit Map in the November 2, 2009 City Engineer report, attached to the Council file.
3. INSTRUCT the City Clerk to forward a copy of the Council action on this project be forwarded to the Real Estate Division of the Bureau of Engineering for processing.

Fiscal Impact Statement: The City Engineer reports that a fee of \$2,337.95 was paid for processing this action pursuant to Los Angeles Administrative Code Sections 7.3 and 7.41.1. No additional City Funds are needed.

## **ITEM NO. (13) - ADOPTED**

[09-2567](#)

CD 11

CATEGORICAL EXEMPTION and COMMUNICATION FROM THE CITY ENGINEER relative to an offer to dedicate an easement for street lighting purposes on Oxford Avenue at Marr Avenue (Right of Way No. 36000-1728).

Recommendations for Council action:



1. FIND that the offer to dedicate an easement for street lighting purposes on Oxford Avenue at Marr Avenue (Right of Way No. 36000-1728) is categorically exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(19) of the City's Environmental Guidelines.
2. AUTHORIZE the Board of Public Works to acquire the easement for street lighting purposes on Oxford Avenue at Marr Avenue (Right of Way No. 36000-1728), as depicted on the Exhibit Map in the October 6, 2009 City Engineer report, attached to the Council file.
3. INSTRUCT the City Clerk to forward a copy of the Council action on this project be forwarded to the Real Estate Division of the Bureau of Engineering for processing.

Fiscal Impact Statement: The City Engineer reports that a fee of \$2,386.10 was paid for processing this action pursuant to Los Angeles Administrative Code Sections 7.3 and 7.41.1. No additional City Funds are needed.

## ITEM NO. (14) - ADOPTED

[09-2877](#)

CD 14

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 3615 Lavell Drive, pursuant, to the Los Angeles Municipal Code (LAMC) Section 12.37 (Highway Dedication Ordinance).

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(5) of the City's Environmental Guidelines.
2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan, pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.
3. ADOPT the City Engineer report dated November 13, 2009 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 3615 Lavell Drive.
4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of \$2,386.10 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of \$2,230 and a seven percent surcharge in the amount of \$156.10 in accordance with Sections 12.37 and 61.03 of the LAMC respectively. No additional funds will be required from the General Fund for the processing of this request.

**ITEM NO. (15) - ADOPTED**

[09-2878](#)

CD 14

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 3611 Lavell Drive, pursuant to the Los Angeles Municipal Code (LAMC) Section 12.37 (Highway Dedication Ordinance).

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(5) of the City's Environmental Guidelines.
2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan, pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.
3. ADOPT the City Engineer report dated November 13, 2009 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 3611 Lavell Drive.
4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of \$2,386.10 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of \$2,230 and a seven percent surcharge in the amount of \$156.10 in accordance with Sections 12.37 and 61.03 of the LAMC respectively. No additional funds will be required from the General Fund for the processing of this request.

**ITEM NO. (16) - ADOPTED**

[09-2879](#)

CD 14

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 440 West Avenue 44, pursuant to the Los Angeles Municipal Code (LAMC) Section 12.37 (Highway Dedication Ordinance).

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(5) of the City's Environmental Guidelines.
2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan, pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.

3. ADOPT the City Engineer report dated November 13, 2009 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 440 West Avenue 44.
4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of \$1,926 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of \$1,800 and a seven percent surcharge in the amount of \$126 in accordance with Sections 12.37 and 61.03 of the LAMC respectively. No additional funds will be required from the General Fund for the processing of this request.

#### **ITEM NO. (17) - ADOPTED**

[09-2880](#)

CD 14

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 5231 East Remstoy Drive, pursuant to the Los Angeles Municipal Code (LAMC) Section 12.37 (Highway Dedication Ordinance).

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(5) of the City's Environmental Guidelines.
2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan, pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.
3. ADOPT the City Engineer report dated November 13, 2009 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 523 East Remstoy Drive.
4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of \$1,926 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of \$1,800 and a seven percent surcharge in the amount of \$126 in accordance with Sections 12.37 and 61.03 of the LAMC respectively. No additional funds will be required from the General Fund for the processing of this request.

**ITEM NO. (18) - ADOPTED**

[09-2881](#)

CD 14

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 5237 East Remstoy Drive, pursuant to the Los Angeles Municipal Code (LAMC) Section 12.37 (Highway Dedication Ordinance).

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(5) of the City's Environmental Guidelines.
2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan, pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.
3. ADOPT the City Engineer report dated November 13, 2009 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 5237 East Remstoy Drive.
4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of \$2,739.20 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of \$2,560 and a seven percent surcharge in the amount of \$179.20 in accordance with Sections 12.37 and 61.03 of the LAMC respectively. No additional funds will be required from the General Fund for the processing of this request.

**ITEM NO. (19) - ADOPTED**

[09-2872](#)

CD 13

COMMUNICATION FROM THE CITY ENGINEER relative to the installation of the name of Sam Waterston on the Hollywood Walk of Fame.

Recommendation for Council action:

APPROVE the installation of the name of Sam Waterston on the Hollywood Walk of Fame at 7040 Hollywood Boulevard.

Fiscal Impact Statement: The City Engineer reports that there is no General Fund impact.

**ITEM NO. (20) - ADOPTED**

**Roll Call #15 - Motion (Huizar - Reyes) Adopted, Ayes (10); Absent: Absent: Cárdenas, Koretz, Parks and Smith (4)**

[09-2873](#)

CD 13

COMMUNICATION FROM THE CITY ENGINEER relative to the installation of the name of James Cameron on the Hollywood Walk of Fame.

Recommendation for Council action:

APPROVE the installation of the name of James Cameron on the Hollywood Walk of Fame at 6712 Hollywood Boulevard.

Fiscal Impact Statement: The City Engineer reports that there is no General Fund impact.

**Roll Call #3 - Motion (Reyes - LaBonge) Adopted, Ayes (12); Absent: Cárdenas and Parks (2)  
(Item Nos. 21-22)**

**ITEM NO. (21) - ADOPTED**

[09-2874](#)

CD 13

COMMUNICATION FROM THE CITY ENGINEER relative to the installation of the name of Mary Steenburgen on the Hollywood Walk of Fame.

Recommendation for Council action:

APPROVE the installation of the name of Mary Steenburgen on the Hollywood Walk of Fame at 7021 Hollywood Boulevard.

Fiscal Impact Statement: The City Engineer reports that there is no General Fund impact.

**ITEM NO. (22) - ADOPTED**

[09-2875](#)

CD 13

COMMUNICATION FROM THE CITY ENGINEER relative to the installation of the name of Leslie Caron on the Hollywood Walk of Fame.

Recommendation for Council action:

APPROVE the installation of the name of Leslie Caron on the Hollywood Walk of Fame at 6153 Hollywood Boulevard.

Fiscal Impact Statement: The City Engineer reports that there is no General Fund impact.

## Item for Which Public Hearing Has Been Held - Item 23

ITEM NO. (23) - CONTINUED TO DECEMBER 15, 2009

Roll Call #1 - Motion (Alarcón - LaBonge) Adopted to Continue, Unanimous Vote (11);  
Absent: Cárdenas, Parks and Rosendahl (3)

[07-0971](#)

CONTINUED CONSIDERATION OF ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to a Commission on Children, Youth and Their Families study conducted on child safety in Los Angeles.

Recommendation for Council action:

NOTE and FILE the Commission for Children, Youth and Their Families report dated April 17, 2009 relative to a study conducted on child safety in Los Angeles, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

(Continued from Council meeting of December 8, 2009)

## Items for Which Public Hearings Have Not Been Held - Items 24-31

(10 Votes Required for Consideration)

ITEM NO. (24) - VERBAL REPORT NOTED

[09-0600-S142](#)

CITY ADMINISTRATIVE OFFICER and LOS ANGELES POLICE DEPARTMENT TO REPORT relative to funding and the funding source for the Department's January 2010 academy class.

(Pursuant to Council action of December 9, 2009)

ITEM NO. (25) - ADOPTED

Roll Call #4 - Motion (Zine - Perry) Adopted, Ayes (12); Absent: Cárdenas and Parks (2)

[09-0600-S150](#)

CONTINUED CONSIDERATION OF 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.

(Lost Quorum - Left on Desk - Continued from Council meeting of December 9, 2009)

#### **ITEM NO. (26) - ADOPTED - FORTHWITH**

**Roll Call #5 - Motion (Alarcón - Reyes) Adopted, Ayes (12); Absent: Cárdenas and Parks (2)**

09-2740  
CD 6

CONTINUED CONSIDERATION OF 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 Policies 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)

(Lost Quorum - Left on Desk - Continued from Council meeting of December 9, 2009)

**ITEM NO. (27) - ADOPTED**

**Roll Call #6 - Motion (Alarcón - Rosendahl) Adopted, Ayes (12); Absent: Cárdenas and Parks (2)**

[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.

(Lost Quorum - Left on Desk - Continued from Council meeting of December 9, 2009)

#### **ITEM NO. (28) - ADOPTED**

**Roll Call #8 - Motion (Perry - Smith) Adopted, Ayes (12); Absent: Cárdenas and Parks (2)**

#### [09-0002-S191](#)

CONTINUED CONSIDERATION OF 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.

(Lost Quorum - Left on Desk - Continued from Council meeting of December 9, 2009)

**ITEM NO. (29) - ADOPTED - FORTHWITH**

**Roll Call #12 - Motion (Perry - Zine) Adopted, Ayes (10); Absent: Cárdenas, Koretz, Parks and Smith (4)**

[09-0158](#)

CONTINUED CONSIDERATION OF COMMUNICATIONS FROM THE LOS ANGELES DEPARTMENT OF WATER AND POWER (LADWP) and CITY ADMINISTRATIVE OFFICER (CAO) relative to amendments to the 2005-10 Memoranda of Understanding (MOU) for LADWP bargaining units represented by IBEW Local 18.

Recommendations for Council action:

1. APPROVE the 2010-14 extensions to the 2005-10 MOUs for the following bargaining units: MOU 41, MOU 42, MOU 47, MOU 48, MOU 50, MOU 51, MOU 52, MOU 53, MOU 54 and MOU 56.
2. AUTHORIZE the CAO and the Controller to make clerical or technical corrections to the MOUs as required.

Fiscal Impact Statement: The CAO reports that this is entirely an obligation of the LADWP and there is no impact to the General Fund. Because of the 3.25 percent is a cash payment rather than applied to base salaries, retirement contributions are reduced by \$69 million.

Community Impact Statement: None submitted.

(Personnel Committee waived consideration of the above matter)

(Continued from Council meeting of December 9, 2009)

**ITEM NO. (30) - ADOPTED**

**Roll Call #16 - Motion (Garcetti - Wesson) Adopted, Ayes (10); Absent: Cárdenas, Koretz, Parks and Smith (4)**

[09-1519](#)

CONTINUED CONSIDERATION OF 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)

(Lost Quorum - Left on Desk - Continued from Council meeting of December 9, 2009)

#### **ITEM NO. (31) - NOTED AND FILED**

**Roll Call #9 - Motion (Perry - Koretz) Adopted to Note and File, Ayes (12); Absent: Cárdenas and Parks (2)**

[09-2916](#)

CONTINUED CONSIDERATION OF 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

(Lost Quorum - Left on Desk - Continued from Council meeting of December 9, 2009)

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

[09-3001](#)

MOTION (WESSON - SMITH) relative to development of a skate plaza in Council District 10.

[09-1222-S2](#)

MOTION (ALARCON - ZINE) relative to restoring the Vote By Mail process for the upcoming 2010 Neighborhood Council Elections and subsequent elections.

[09-2535](#)

MOTION (HUIZAR for PARKS - ROSENDAHL) relative to amending prior Council action of December 9, 2009 regarding the 2009-10 First Construction Projects report.

[09-3009](#)

MOTION (REYES - LABONGE) relative to a presentation for Council on the 2009 Guadalajara Book Fair by the General Manager, Department of Cultural Affairs.

[09-3010](#)

MOTION (REYES - GARCETTI) relative to funding for the Bixel House Apartments project in Council District One.

## **COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS**

Upon his request, and without objections, Councilmember Cárdenas was excused from the Council session of December 15, 2009 due to City business.

## **COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:**

[09-2501](#) - Chief Lawrence E. Manion

(Zine - All Councilmembers)

Nancy Niles

(Rosendahl - All Councilmembers)

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

[09-2500](#) - Constance Simmons

(Perry - All Councilmembers)

**Ayes, Alarcón, Hahn, Huizar, LaBonge, Perry, Reyes, Rosendahl, Wesson, Zine and President Garcetti (10); Absent: Cárdenas, Koretz, Parks and Smith (4); Vacant: Council District Two.**

**Whereupon the Council did adjourn.**

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL