

Los Angeles City Council, **Journal/Council Proceedings**
Wednesday, **December 16, 2009**
John Ferraro Council Chamber, Room 340, City Hall - 10 am

ALL ITEMS FORTHWITH

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

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

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
December 11, 2009

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 49

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 1-7

ITEM NO. (1) - MOTION ADOPTED TO DENY APPLICATION - SEE FOLLOWING

Roll Call #21 - Motion (Cárdenas - Smith) Adopted to Deny Application, Ayes (11); Absent: Koretz, Parks and Reyes (3)

[09-2753](#)
CD 6

HEARING COMMENTS relative to application for determination of "Public Convenience or Necessity" for alcohol sales for off-site consumption at Michael's Union 76 gas station and convenience store located at 16505 Victory Boulevard, Van Nuys, 91406.

Application filed by: Fascov, Inc. (Amlex, c/o Lorrie Hoel, representative)

TIME LIMIT FILE - DECEMBER 24, 2009

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

(Findings and Council recommendations required relative to the above application required)

ADOPTED

MOTION (CARDENAS - SMITH)

Recommendations for Council action:

1. **DETERMINE** that the “Public Convenience or Necessity” **WILL NOT** be served by the sale of alcohol for off-site consumption located at Michael’s Union 76 gas station and convenience store located at 16505 Victory Boulevard, Van Nuys, 91406, inasmuch as the requested liquor license location is in close proximity to homeless encampments along the MTA Orange Line, bike path and Sepulveda Basin, there are documented problems with public drunkenness and litter along the bike path and Sepulveda Basin, additional liquor licenses will exacerbate the problem with public drunkenness and transients and create a larger public hazard.
2. **DENY** the Application for Determination of “Public Convenience or Necessity” for the sale of alcoholic beverages at Michael’s Union 76 gas station and convenience store, based upon the above findings and the negative influence associated with the sale of alcohol in the concerned community.
3. **INSTRUCT** the City Clerk to transmit this determination to the State Department of Alcoholic Beverage Control as the required findings under Business and Professions Code Section 23958.4.

Applicant: Fascov, Inc. (Amlex, c/o Lorrie Hoel, representative)

TIME LIMIT FILE - DECEMBER 24, 2009

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

**Roll Call #2 - Motion (Reyes - Zine) Adopted to Grant Application, Ayes (11); Absent: Hahn, Koretz and Parks (4)
(Item Nos. 2-3)**

ITEM NO. (2) - MOTION ADOPTED TO GRANT APPLICATION - SEE FOLLOWING

[09-2771](#)

CD 14

HEARING COMMENTS relative to application for determination of “Public Convenience or Necessity” for alcohol sales for off-site consumption at El Super market and grocery store located at 5610 East York Boulevard, Los Angeles, 90042.

Application filed by: Bodega Latina, dba El Super (Kate Bartolo, Kate Bartolo and Associates, representative)

TIME LIMIT FILE - DECEMBER 28, 2009

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

(Findings and Council recommendations required relative to the above application required)

ADOPTED

MOTION (REYES - ZINE)

Recommendations for Council action:

1. **DETERMINE** that the issuance of a liquor license at El Super market and grocery store located at 5610 East York Boulevard, Los Angeles, 90042, will serve the “Public Convenience or Necessity” and will not tend to create a law enforcement problem.
2. **GRANT** the Application for Determination of “Public Convenience or Necessity” for the sale of alcoholic beverages for off-site consumption at El Super market and grocery store.
3. **INSTRUCT** the City Clerk to transmit this determination to the State Department of Alcoholic Beverage Control as the required findings under Business and Professions Code Section 23958.4.

Applicant: Bodega Latina, dba El Super (Kate Bartolo, Kate Bartolo and Associates, representation)

TIME LIMIT FILE - DECEMBER 28, 2009

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

ITEM NO. (3) - MOTION ADOPTED TO GRANT APPLICATION - SEE FOLLOWING

[09-2781](#)

CD 2

HEARING COMMENTS relative to application for determination of “Public Convenience or Necessity” for alcohol sales for off-site consumption at Rite Aid pharmacy located at 11350 Victory Boulevard, North Hollywood, 91606.

Application filed by: Thrifty Payless, Inc. (c/o John Caglia, Rite Aid Real Estate Construction Manager)

TIME LIMIT FILE - JANUARY 4, 2010

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

(Findings and Council recommendations required relative to the above application required)

ADOPTED

MOTION (REYES - ZINE)

Recommendations for Council action:

1. **DETERMINE** that the issuance of a liquor license at Rite Aid pharmacy located at 11350 Victory Boulevard, North Hollywood, 91606, will serve the “Public Convenience or Necessity” and will not tend to create a law enforcement problem.
2. **GRANT** the Application for Determination of “Public Convenience or Necessity” for the sale of alcoholic beverages for off-site consumption at Rite Aid pharmacy.
3. **INSTRUCT** the City Clerk to transmit this determination to the State Department of Alcoholic Beverage Control as the required findings under Business and Professions Code Section 23958.4.

Applicant: Thrifty Payless, Inc. (c/o John Caglia, Rite Aid Real Estate Construction Manager)

TIME LIMIT FILE - JANUARY 4, 2010

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

ITEM NO. (4) - CONTINUED TO JUNE 18, 2010

Roll Call #3 - Motion (Huizar - Smith) Adopted to Continue, Unanimous Vote (11); Absent: Hahn, Koretz and Parks (3)

[09-2510](#)
CD 14

HEARING PROTESTS relative to Department of Building and Safety report and confirmation of lien against property located at 729 East Temple Street, aka 718, 722 and 736 East Jackson Street, APN 5173-015-006. (Lien: \$7,851.25)

Recommendations for Council action:

1. HEAR PROTESTS relative to non-compliance of code violation, and proposed lien to recover the cost of inspections, recorded against the property above, to recover the cost of delinquent annual inspection invoices, plus appropriate fees and fines, as authorized by the Los Angeles Municipal Code Section 91.103, 98.0402, 98.0411(a) and Los Angeles Administrative Code Sections 7.35.3 and 7.35.5, as described in the Building and Safety report, attached to the Council file; and, CONFIRM said lien.
2. INSTRUCT the Department of Building and Safety to deposit to Department 08, Fund 48R, Balance Sheet Account 2200, any payment received against this lien in the amount of \$7,851.25 on the above referenced property.

**Roll Call #4 - Motion (Reyes - Perry) Adopted, Ayes (11); Absent: Hahn, Koretz and Parks (3)
(Item Nos. 5-6)**

ITEM NO. (5) - PUBLIC HEARING CLOSED - LIEN CONFIRMED

[09-2512](#)

CD 13

HEARING PROTESTS relative to Department of Building and Safety report and confirmation of lien against property located at 5800 West Santa Monica Boulevard, aka 5830 Santa Monica Boulevard, APN 5534-020-034. (Lien: \$12,275.21)

Recommendations for Council action:

1. HEAR PROTESTS relative to non-compliance of code violation, and proposed lien to recover the cost of inspections, recorded against the property above, to recover the cost of delinquent annual inspection invoices, plus appropriate fees and fines, as authorized by the Los Angeles Municipal Code Section 91.103, 98.0402, 98.0411(a) and Los Angeles Administrative Code Sections 7.35.3 and 7.35.5, as described in the Building and Safety report, attached to the Council file; and, CONFIRM said lien.
2. INSTRUCT the Department of Building and Safety to deposit to Department 08, Fund 48R, Balance Sheet Account 2200, any payment received against this lien in the amount of \$12,275.21 on the above referenced property.

ITEM NO. (6) - PUBLIC HEARING CLOSED - LIEN CONFIRMED

[09-2513](#)

CD 13

HEARING PROTESTS relative to Department of Building and Safety report and confirmation of lien against property located at 5230 West Sunset Boulevard, aka 5270 West Sunset Boulevard, APN 5544-034-036. (Lien: \$4,435.43)

Recommendations for Council action:

1. HEAR PROTESTS relative to non-compliance of code violation, and proposed lien to recover the cost of inspections, recorded against the property above, to recover the cost of delinquent annual inspection invoices, plus appropriate fees and fines, as authorized by the Los Angeles Municipal Code Section 91.103, 98.0402, 98.0411(a) and Los Angeles Administrative Code Sections 7.35.3 and 7.35.5, as described in the Building and Safety report, attached to the Council file; and, CONFIRM said lien.
2. INSTRUCT the Department of Building and Safety to deposit to Department 08, Fund 48R, Balance Sheet Account 2200, any payment received against this lien in the amount of \$4,435.43 on the above referenced property.

ITEM NO. (7) - RECEIVED AND FILED - INASMUCH AS THE LIEN HAS BEEN PAID

**Roll Call #5 - Motion (Cárdenas - Reyes) Adopted to Receive and File, Ayes (11);
Absent: Hahn, Koretz and Parks (3)**

[09-2511](#)
CD 6

HEARING PROTESTS relative to Department of Building and Safety report and confirmation of lien against property located at 9925 North San Fernando Road, Unit 1, APN 2624-020-022.
(Lien: \$2,374.01)

Recommendations for Council action:

1. HEAR PROTESTS relative to non-compliance of code violation, delinquent annual inspection invoices, and proposed lien to recover the cost of inspections, recorded against the property above, to recover the cost of delinquent annual inspection invoices, plus appropriate fees and fines, as authorized by the Los Angeles Municipal Code Section 91.103, 98.0402(e), 98.0411(a) and Los Angeles Administrative Code Sections 7.35.3 and 7.35.5, as described in the Building and Safety report, attached to the Council file; and, CONFIRM said lien.
2. INSTRUCT the Department of Building and Safety to deposit to Department 08, Fund 48R, Balance Sheet Account 2200, any payment received against this lien in the amount of \$2,374.01 on the above referenced property.

Items for Which Public Hearings Have Been Held - Items 8-33

ITEM NO. (8) - ADOPTED

Roll Call #14 - Motion (Wesson - Huizar) Adopted, Ayes (12); Absent: Koretz and Parks (2)

[09-2757](#)

COMMUNICATION FROM THE MAYOR relative to the appointment of Mr. Moctesuma Esparza to the Los Angeles Homeless Services Authority.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. Moctesuma Esparza to the Los Angeles Homeless Services Authority for the term ending June 30, 2011, is APPROVED and CONFIRMED. Mr. Esparza resides in Council District 14. (Current Board gender composition: M=4; F=1)

Ethics Commission Review: Pending.

Background Check Review: Pending.

Community Impact Statement: None submitted.

(Housing, Community and Economic Development 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

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the appointment of Mr. Moctesuma Esparza to the Los Angeles Homeless Services Authority.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. Moctesuma Esparza to the Los Angeles Homeless Services Authority for the term ending June 30, 2011, is **APPROVED** and **CONFIRMED**. Mr. Esparza resides in Council District 14. (Current Board gender composition: M=4; F=1)

Ethics Commission Review: Pending

Background Check Review: Pending

Community Impact Statement: None submitted.

ITEM NO. (9) - ADOPTED

Roll Call #15 - Motion (Rosendahl - Wesson) Adopted, Ayes (12); Absent: Koretz and Parks (2)

[09-2770](#)

COMMUNICATION FROM THE MAYOR relative to the reappointment of Mr. Alejandro Ortiz to the Community Redevelopment Agency (CRA) Board of Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Mr. Alejandro Ortiz to the CRA Board of Commissioners for the new term ending November 4, 2013, is APPROVED and CONFIRMED. Mr. Ortiz resides in Council District 11. (Current Board gender composition: M=4; F=3)

Ethics Commission Review: Pending.

Background Check Review: Pending.

Community Impact Statement: None submitted.

(Housing, Community and Economic Development 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

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the reappointment of Mr. Alejandro Ortiz to the Community Redevelopment Agency (CRA) Board of Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Mr. Alejandro Ortiz to the CRA Board of Commissioners for the new term ending November 4, 2013, is **APPROVED** and **CONFIRMED**. Mr. Ortiz resides in Council District 11. (Current Board gender composition: M=4; F=3)

Ethics Commission Review: Complete

Background Check Review: Pending

Community Impact Statement: None submitted.

ITEM NO. (10) - ADOPTED

Roll Call #16 - Motion (Wesson - Perry) Adopted, Ayes (12); Absent: Koretz and Parks (2)

[09-2818](#)

COMMUNICATION FROM THE MAYOR and the EXECUTIVE EMPLOYEE RELATIONS COMMITTEE (EERC) relative to the permanent appointment of Mr. Douglas Guthrie as General Manager, Los Angeles Housing Department.

A. COMMUNICATION FROM THE MAYOR

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. Douglas Guthrie as Permanent General Manager, Los Angeles Housing Department, is **APPROVED** and **CONFIRMED**.

Ethics Commission Review: Pending.

Background Check Review: Pending.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JANUARY 4, 2010

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

(Housing, Community and Economic Development 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.)

B. COMMUNICATION FROM THE EERC

Recommendation for Council action:

RESOLVE that the salary rate of pay for the position of permanent General Manager, Los Angeles Housing Department shall BE ESTABLISHED, as recommended by the Mayor and approved by the EERC on November 24, 2009. The effective date of the appointment is the date of City Council confirmation of said appointment.

(Council may recess to Closed Session, pursuant to Government Code Section 54957.6, relative to the above salary recommendation.)

ADOPTED

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the appointment of Mr. Douglas Guthrie as Permanent General Manager, Los Angeles Housing Department (LAHD).

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. Douglas Guthrie as Permanent General Manager, LAHD, is APPROVED and CONFIRMED.

Ethics Commission Review: Pending

Background Check Review: Pending

Community Impact Statement: None submitted.

Time Limit File - January 4, 2010

(Last Day for Council Action - December 16, 2009)

ADOPTED

MOTION (WESSON - PERRY)

Recommendation for Council action:

RESOLVE that the salary rate of pay for the position of permanent General Manager, Los Angeles Housing Department shall BE ESTABLISHED, as recommended by the Mayor and approved by the EERC on November 24, 2009. The effective date of the appointment is the date of City Council confirmation of said appointment.

ITEM NO. (11) - ADOPTED

Roll Call #6 - Motion (Smith - LaBonge) Adopted, Ayes (11); Absent: Hahn, Koretz and Parks (3)

[09-2929](#)

COMMUNICATION FROM THE MAYOR relative to extending by six months the temporary appointment of Ms. Kathy Davis as the Interim General Manager of the Department of Animal Services.

(Public Safety Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comments 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 extending the temporary appointment of Ms. Kathy Davis as the Interim General Manager of the Department of Animal Services.

Recommendation for Council action:

APPROVE an extension of the period of time by six months during which the position of Interim General Manager of the Department of Animal Services, currently filled by Ms. Kathy Davis, may be filled by temporary appointment.

Ethics Commission Review: Pending

Community Impact Statement: None submitted.

**Roll Call #8 - Motion (Perry - Rosendahl) Adopted, Ayes (12); Absent: Koretz and Parks (2)
(Item Nos. 12-13)**

ITEM NO. (12) - ADOPTED

[09-0648-S12](#)

COMMUNICATIONS FROM THE CITY ADMINISTRATIVE OFFICER and CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION establishing the American Recovery and Reinvestment Act of 2009 (ARRA) - Municipal Corporation of Los Angeles Commercial Paper fund and a new ARRA - Transportation Projects fund for ARRA transportation related projects to record front funded expenditures and reimbursements, and related actions.

(Ad Hoc Committee on Economic Recovery and Reinvestment 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

COMMUNICATION FROM CHAIR AND MEMBERS, AD HOC COMMITTEE ON ECONOMIC RECOVERY AND REINVESTMENT, and ORDINANCE FIRST CONSIDERATION relative to establishing the American Recovery and Reinvestment Act of 2009 (ARRA) - Municipal Corporation of Los Angeles Commercial Paper fund and a new ARRA – Transportation Projects fund.

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

- 1. PRESENT and ADOPT accompanying ORDINANCE creating two interest-generating special funds to be known as "ARRA - MICLA CP Special Fund" and "ARRA - Transportation Projects Special Fund" for the purpose of recording Municipal Corporation of Los Angeles Commercial Paper (MICLA) CP front funding for projects awarded by ARRA, and tracking receipts and disbursements of ARRA funds awarded to the City.**
- 2. AUTHORIZE the Los Angeles Department of Transportation (LADOT) and the Department of Public Works - Bureau of Engineering, upon the effective date of the above Ordinance, to establish accounts in the "ARRA - MICLA CP Special Fund" and TRANSFER appropriations, encumbrances, and expenditures from MICLA CP, Fund Nos. 298/50 and 298/94, from the accounts listed below, and any appropriations to operating budgets from these accounts, to the new "ARRA - MICLA CP Special Fund:"**

<u>Department</u>	<u>Account</u>	<u>Title</u>
50	F240	ARRA - General Services
50	F250	ARRA - Projects
50	F276	ARRA - PW - Contract Administration
50	F278	ARRA - PW - Engineering
50	F286	ARRA - PW - Street Services
94	F316	ARRA - DOT

- 3. RESCIND Council action taken July 31, 2009, approving the City Administrative Officer (CAO) report to the Mayor and Council dated July 21, 2009, to delete Recommendation No. 4 relative to the deposit of reimbursements into the Capital Finance Administration Fund No.100/53 for repayment of the Commercial Paper Notes, and replace with the following:**

INSTRUCT and AUTHORIZE the LADOT; the Bureaus of Engineering, Street Services, and Sanitation; and, the CAO to deposit reimbursements from ARRA transportation grants to the new "ARRA – Transportation Projects Special Fund," transfer applicable expenditures from the "ARRA - MICLA CP Special Fund" to the "ARRA - Transportation Projects Special Fund," and repay the appropriate front funding source(s), including the Capital Finance Administration Fund No. 100/53, for repayment of Commercial Paper Notes.

4. **AUTHORIZE the CAO to make technical corrections as necessary, consistent with this action.**

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. The above recommendations are administratively necessary, in accordance with the City Controller guidelines, to establish new funds to track grant funds from ARRA.

Community Impact Statement: None submitted.

ITEM NO. (13) - ADOPTED

[09-2802](#)

CD 4

COMMUNICATION FROM THE CITY CLERK and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to modifications to the Larchmont Village Business Improvement District Management District Plan.

(Jobs and Business Development 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

COMMUNICATION FROM CHAIR, JOBS AND BUSINESS DEVELOPMENT COMMITTEE and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to modifications to the Larchmont Village Business Improvement District (BID) Management District Plan.

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

1. **PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION to modify the Larchmont Village BID's Management District Plan.**
2. **INSTRUCT the City Clerk to schedule a public hearing before the City Council to consider modification of the Larchmont Village BID's Management District Plan.**
3. **REQUEST the City Attorney, with the assistance of the City Clerk, to prepare and present an Ordinance authorizing modification of the Larchmont Village BID's Management District Plan, for Council consideration during the required public hearing.**

Fiscal Impact Statement: The City Clerk reports that funding for one City-owned property located within the Larchmont Village BID was included in the General Fund allocation to the 2009-10 Business Improvement District Trust Fund 659.

Community Impact Statement: None submitted.

**ITEM NO. (14) - ADDITIONAL MOTION ADOPTED - SEE FOLLOWING - CONTINUED TO
JANUARY 13, 2010**

Roll Call #17 - Motion (Reyes - Rosendahl) Adopted to Continue, Ayes (12); Absent: Koretz and Parks (2)

[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)

(Continued from Council meeting of December 9, 2009)

ADOPTED

MOTION (PERRY - SMITH) relative to amending the Los Angeles Municipal Code to establish regulations regarding medical marijuana collectives.

Recommendation for Council action:

REQUEST the City Attorney to add a new section to the Ordinance to create a 500 to 1,000 foot radius buffer between residential uses in each Council District per the discretion of the Councilmember of the District.

**Roll Call #6 - Motion (Smith - LaBonge) Adopted, Ayes (11); Absent: Hahn, Koretz and Parks (3)
(Item Nos. 15-26)**

ITEM NO. (15) - ADOPTED

[08-2843](#)

ORDINANCE SECOND CONSIDERATION 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).

(Housing, Community and Economic Development Committee report adopted on December 9, 2009)

ITEM NO. (16) - ADOPTED

[09-2707](#)

CD 3

ORDINANCE SECOND CONSIDERATION, approved by the South Valley Area Planning Commission, 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.

(Mitigated Negative Declaration and Planning and Land Use Management Committee report adopted on December 9, 2009)

ITEM NO. (17) - ADOPTED

[09-2711](#)

CD 9

ORDINANCE SECOND CONSIDERATION , approved by the City Planning Commission, 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.

(Mitigated Negative Declaration and Planning and Land Use Management Committee report adopted on December 9, 2009)

ITEM NO. (18) - ADOPTED

[09-2741](#)

CD 7

ORDINANCE SECOND CONSIDERATION, approved by the City Planning Commission, 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.

(Mitigated Negative Declaration, Planning and Land Use Management Committee report and Resolution adopted on December 9, 2009)

ITEM NO. (19) - ADOPTED

[09-2742](#)

CD 7

ORDINANCE SECOND CONSIDERATION, approved by the City Planning Commission, 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.

(Mitigated Negative Declaration, Planning and Land Use Management Committee report and Resolution adopted on December 9, 2009)

ITEM NO. (20) - ADOPTED

[09-2243](#)

ORDINANCE SECOND CONSIDERATION 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 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.

(Communication from Chair and Member, Energy and Environment Committee adopted on December 9, 2009)

[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. (21) - ADOPTED

[09-2244](#)

ORDINANCE SECOND CONSIDERATION 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 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.

(Communication from Chair and Member, Energy and Environment Committee adopted on December 9, 2009)

[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. (22) - ADOPTED

[09-2833](#)

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to approval of the Los Angeles Department of Aging's (LADOA) 2008-09 Year End Annual Report.

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

1. APPROVE the LADOA's 2008-09 Year End Annual Report for submission to the California Department of Aging in accordance with both the Older Californians Act and Older Americans Act requirements.
2. AUTHORIZE the General Manager, LADOA, to process the 2008-09 Year End Annual Report, subject to the review and approval of the City Attorney as to form and legality.

Fiscal Impact Statement: The LADOA reports that the above recommendations do not involve any fiscal action and there is no impact on the City's General Fund.

Community Impact Statement: None submitted.

ITEM NO. (23) - ADOPTED

09-2615

BUDGET AND FINANCE COMMITTEE REPORT relative to retention of outside counsel.

Recommendation for Council action:

RECEIVE and FILE the Motion (Perry - Parks) relative to retaining outside legal counsel to represent the City Council and the Department of Building and Safety in the matter of issuance of permits relating to off-site signs, off-site digital displays and supergraphic signs relative to the Los Angeles Sports and Entertainment project, inasmuch as the Chief Assistant City Attorney advised the Committee that the City Attorney does not see that a conflict exists whereby the City Attorney cannot represent the City and the Council in this matter, and no Council action is necessary.

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.

ITEM NO. (24) - ADOPTED

09-2785

BUDGET AND FINANCE COMMITTEE REPORT relative to the sale at below market value of 14 surplus computer monitors to Jordan New Technology High School.

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

1. AUTHORIZE the sale of 14 surplus computer monitors to Jordan New Technology High School at the below market value price of \$1.00 each, in accordance with Los Angeles Administrative Code Section 22.547.
2. REQUEST the City Attorney to expedite preparation of the appropriate documents to effectuate the sale and transfer of the above identified surplus equipment at below market value to Jordan New Technology High School.
3. INSTRUCT the City Clerk to inform Jordan New Technology High School [Gary Kaloostian, Principal, 2265 East 103rd Street, Los Angeles, CA 90002, (323) 568-4185] that the surplus computer monitors must be claimed within 60 days from the date of Council approval of the request, at which time the equipment will revert to the City's surplus equipment pool for disposal by the Department of General Services.

Fiscal Impact Statement: The Chief Legislative Analyst reports that the sale of 14 surplus computer monitors at below market value is consistent with the City's Financial Policies as discarding, recycling or transporting the equipment produces a net financial cost to the City. This below market sale will increase the General Fund by \$14.00.

Community Impact Statement: None submitted.

ITEM NO. (25) - ADOPTED

[09-2863](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to a refund claim filed by The Vons Companies Inc., for overpayment of business tax.

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

APPROVE the refund claim filed by The Vons Companies Inc., for overpayment of business tax in the amount of \$56,406.94, plus daily interest of \$9.27 to be paid from the date of filing of the claim until the date the refund is paid.

Fiscal Impact Statement: None submitted by the Office of Finance. 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. (26) - ADOPTED

[09-0002-S193](#)

CONTINUED CONSIDERATION OF 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.

(Continued from Council meeting of December 9, 2009)

ITEM NO. (27) - ADOPTED, *AS AMENDED - SEE FOLLOWING

Roll Call #19 - Motion (Huizar - Cárdenas) Adopted, Ayes (11); Absent: Koretz, Parks and Reyes (3)

[09-2675](#)

INFORMATION TECHNOLOGY AND GOVERNMENT AFFAIRS (ITGA) COMMITTEE REPORT relative to a moratorium on the naming or dedication of all City facilities and the development of a policy for the naming or dedication of City facilities.

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

1. PLACE a moratorium on the naming or dedication of all City facilities, including rooms and spaces located within the facilities, under the jurisdiction of Council-controlled ~~*and proprietary departments~~, effective immediately.
2. INSTRUCT the Department of General Services (GSD), ~~*with the assistance of the Department of Recreation and Parks (RAP)~~ and the Bureau of Engineering (BOE) as needed, to work with each Council-controlled department and report back with a listing of all City facilities under the jurisdiction of each Council-controlled department, and include a) Location; b) Use/purpose of facility; and, c) Name/dedication.
3. INSTRUCT the Chief Legislative Analyst (CLA), the City Administrative Officer (CAO) and GSD, and request the City Attorney, to report back with a proposed policy for the naming/dedication of City facilities for Council-controlled. ~~*and proprietary departments~~. ***(Cárdenas - Perry)**
4. INSTRUCT the CLA and CAO, with assistance from GSD and the City Attorney, to inform all relevant departments, including Council-controlled and proprietary, regarding the development of standard procedures and/or a policy for the naming/dedication of City facilities and report back in 90 days to the ITGA Committee.

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

Community Impact Statement: None submitted.

**Roll Call #6 - Motion (Smith - LaBonge) Adopted, Ayes (11); Absent: Hahn, Koretz and Parks (3)
(Item Nos. 28-32)**

ITEM NO. (28) - ADOPTED

[09-2775](#)

COMMUNICATIONS FROM THE CITY ADMINISTRATIVE OFFICER AND COMMUNITY DEVELOPMENT DEPARTMENT relative to proposed agreement with the California Labor Federation in connection with the Citywide Hospitality Industry Sector Initiative - Workforce Investment Act Funding.

(Jobs and Business Development 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

COMMUNICATION FROM CHAIR, JOBS AND BUSINESS DEVELOPMENT COMMITTEE relative to proposed agreement with the California Labor Federation in connection with the Citywide Hospitality Industry Sector Initiative - Workforce Investment Act Funding.

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

1. **AUTHORIZE** the General Manager, Community Development Department (CDD), or designee, to negotiate and execute an agreement with the California Labor Federation substantially in conformance with the scope of work in the Citywide Hospitality Industry Sector Initiative Request for Proposals (RFP) issued on June 10, 2009 and detailed in Attachment 2 of the December 3, 2009 City Administrative Officer (CAO) report, attached to the Council file, for an amount not to exceed \$650,000 and a contract term of 18 months retroactive from December 1, 2009 through June 30, 2011, with an option to renew for an additional 18-month term, subject to compliance with the City's contracting and grant requirements and the review of the City Attorney as to form and legality.
2. **REQUEST** the General Manager, CDD, or designee, to report back to Council and Mayor in 12 months on the progress or status of the Initiative, including the results of the programs that were developed and implemented.
3. **AUTHORIZE** the General Manager, CDD, or designee to prepare Controller instructions needed to implement the actions approved by Council and Mayor on the matters presented in the December 3, 2009 CAO report and/or make technical adjustments, subject to the approval of the CAO; and further, **AUTHORIZE** the Controller to implement these instructions.

Fiscal Impact Statement: The CAO reports that there is no impact on the General Fund. The recommendations in the December 3, 2009 CAO report authorize funding for the California Labor Federation to provide services related to the Citywide Hospitality Industry Sector Initiative for of an amount not to exceed \$650,000 and a term of 18 months. The recommendations comply with the City's Financial Policies in that the full cost of the proposed contract is available from Workforce Investment Act grant funds.

Community Impact Statement: None submitted.

ITEM NO. (29) - ADOPTED

[09-2791](#)
CD 11

COMMUNICATION FROM THE CITY CLERK relative to the Brentwood Village (Property-based) Business Improvement District's 2009 Fiscal Year Annual Planning Report.

(Jobs and Business Development 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

COMMUNICATION FROM CHAIR, JOBS AND BUSINESS DEVELOPMENT COMMITTEE relative to the Brentwood Village (Property-based) Business Improvement District's (BID) 2009 Fiscal Year Annual Planning Report.

Recommendations for Council action:

- 1. FIND that the Annual Planning Report for the Brentwood Village BID's 2009 fiscal year, as attached to the Council file, complies with the requirements of the State Law.**
- 2. ADOPT the Brentwood Village (Property-based) BID 2009 Fiscal Year Annual Planning Report, as attached to the Council file, pursuant to the State Law.**

Fiscal Impact Statement: The City Clerk reports that there is no impact to the General Fund associated with this action.

Community Impact Statement: None submitted.

ITEM NO. (30) - ADOPTED

[09-2858](#)

RESOLUTION (KORETZ - ALARCON - PERRY) relative to the City of Los Angeles becoming a hunger-free community and fulfilling the Blueprint to End Hunger in Los Angeles.

(Jobs and Business Development Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)

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

(Click on the above hyperlink or go to <http://cityclerk.lacity.org/lacityclerkconnect/index.cfm> for background documents.)

ADOPTED

COMMUNICATION FROM CHAIR, JOBS AND BUSINESS DEVELOPMENT COMMITTEE relative to Los Angeles becoming a hunger-free community and fulfilling the Blueprint to End Hunger in Los Angeles.

Recommendation for Council action, pursuant to Resolution (Koretz - Alarcón - Perry):

ADOPT the accompanying **RESOLUTION** declaring the City's intention that Los Angeles become a hunger-free community, and **DIRECT** City departments work to fulfill the Blueprint to End Hunger in Los Angeles.

Fiscal Impact Statement: Neither the City Administrative Officer or the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

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

ITEM NO. (31) - ADOPTED

[09-1251](#)

MOTION (REYES - WESSON) relative to a review of the Rodino Associates June 25, 2008 study entitled: "Study of the Grocery Industry Impacts on the Los Angeles Economy" and enacting appropriate permitting and land use regulatory controls for grocery stores to address public safety concerns, provide quality and healthful amenities, and maintain the quality of life standards.

(Planning and Land Use Management 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

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to enacting appropriate permitting and land use regulatory controls for grocery stores to address public safety concerns, provide quality and healthful amenities, and maintain quality of life standards.

Recommendation for Council action, as initiated by Motion (Reyes - Wesson):

REQUEST the City Attorney and the Department of City Planning, in coordination with the Community Redevelopment Agency and other relevant city departments, to draft an ordinance within 90 days including the various recommendations in the Motion (Reyes - Wesson) attached to Council file No. 09-1251 and those recommendations raised and submitted at the Planning and Land Use Management Committee meeting on December 15, 2009; and **INSTRUCT** city staff to consider various stakeholder input before final recommendations and ordinance are drafted and provide a status report in 60 days.

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. (32) - ADOPTED

09-0206

CONTINUED CONSIDERATION OF PUBLIC SAFETY COMMITTEE REPORT relative to the licensing and monitoring of the valet parking service industry in the City of Los Angeles.

Recommendation for Council action, as initiated by Motion (Garcetti - Greuel - Perry):

REQUEST that the City Attorney, with the assistance and cooperation of the Board of Police Commissioners; the Departments of City Planning and Transportation; and the Office of Finance, to prepare and present an ordinance to establish a valet parking permit program 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.

(Continued from Council meeting of December 8, 2009)

ITEM NO. (33) - CONTINUED TO JANUARY 13, 2010

Roll Call #1 - Motion (Cárdenas - Zine) Adopted to Continue, Unanimous Vote (11); Absent: Hahn, Koretz and Parks (3)

09-1950

INFORMATION TECHNOLOGY AND GOVERNMENT AFFAIRS and ARTS, PARKS, HEALTH AND AGING COMMITTEES' REPORTS relative to the feasibility of creating lactation rooms for mothers with newborns in City facilities with 250 or more occupants.

A. INFORMATION TECHNOLOGY AND GOVERNMENT AFFAIRS COMMITTEE

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

1. INSTRUCT the City Administrative Officer (CAO), Chief Legislative Analyst (CLA), Department of General Services (GSD), and Human Services Department (HSD) to report on the feasibility of creating lactation rooms for mothers with newborns in City facilities with 250 or more occupants.
2. DIRECT the CLA to report back within 30 days as to identifying a location, the costs, and exploring possible sponsorship opportunities to create a lactation room within City Hall.
3. INSTRUCT the CAO, CLA, GSD, and HSD to review the materials submitted by the Breastfeeding Task Force of Greater Los Angeles to the Information Technology and Government Affairs Committee regarding steps for creating a breastfeeding friendly worksite, attached to Council file, and to report on the relevancy of these documents towards the feasibility of creating lactation rooms for mothers with newborns in City facilities with 250 or more occupants.

Community Impact Statement: None submitted.

B. ARTS, PARKS, HEALTH AND AGING COMMITTEE

Recommendations for Council action, pursuant to Motion (Cárdenas - Perry):

1. INSTRUCT the City Administrative Officer (CAO), Chief Legislative Analyst (CLA), Department of General Services, and Human Services Department to report on the feasibility of creating lactation rooms for mothers with newborns in City facilities with 250 or more occupants.
2. DIRECT the CLA to report back within 30 days as to identifying a location, the costs, and exploring possible sponsorship opportunities to create a lactation room within City Hall.

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

Community Impact Statement: None submitted.

Items for Which Public Hearings Have Not Been Held - Items 34-51

(10 Votes Required for Consideration)

**Roll Call #7 - Motion (Wesson - Perry) Adopted, Ayes (12); Absent: Koretz and Parks (2)
(Item Nos. 34a-34f)**

ITEM NO. (34) - ADOPTED

[09-0005-S791](#)

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 9, 2009:

[09-0005-S791](#)

CD 10

- a. Property at 1343 South Cloverdale Avenue (Case No. 174720).
Assessor I.D. No. 5070-011-011

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on December 31, 2008)

[09-0005-S792](#)

CD 4

- b. Property at 5755 North Beck Avenue (Case No. 5941).
Assessor I.D. No. 2338-020-002

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on December 5, 2002)

[09-0005-S793](#)

CD 15

- c. Property at 10967 South Main Street (Case No. 161106).
Assessor I.D. No. 6074-016-041

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on April 24, 2008)

[09-0005-S794](#)

CD 9

- d. Property at 115 West 60th Street aka 117 West 60th Street (Case No. 162494).
Assessor I.D. No. 6005-015-014

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 20, 2008)

[09-0005-S795](#)

CD 9

- e. Property at 115 West 60th Street aka 117 West 60th Street (Case No. 217816).
Assessor I.D. No. 6050-015-014

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on January 8, 2009)

[09-0005-S796](#)

CD 9

- f. Property at 470 East 47th Street aka 472 East 47th Street (Case No. 129589).
Assessor I.D. No. 5109-019-017

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 2, 2007)

ITEM NO. (35) - ADOPTED

Roll Call #22 - Motion (LaBonge - Perry) Adopted, Ayes (11); Absent: Koretz, Parks and Reyes (3)

[09-2755](#)

COMMUNICATION FROM CHAIR, ARTS, PARKS, HEALTH AND AGING COMMITTEE relative to various actions regarding acceptance of grant amendments to the Fiscal Year (FY) 2009-10 Senior Community Service Employment Program (SCSEP) and Older Californians Act programs.

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

1. APPROVE the FY 2009-10 Amendment No. 1 SCSEP Budget, Attachment 1 of the LADOA report attached to the Council file, and the forthcoming Standard Agreement No. TV 0910-25 with the State of California, Department of Aging, which provides a net increase of \$189,234 in SCSEP grant monies from \$1,976,826 to \$2,166,060.
2. APPROVE the FY 2009-10 Area Plan Budget Amendment No. 1 and Standard Agreement AP-0910-25 Amendment No. 1.
3. AUTHORIZE the General Manager, Los Angeles Department of Aging (LADOA), or designee to:
 - a. Execute the FY 2009-10 Amendment No. 1 Budget Application, Attachment 1, and the forthcoming Standard Agreement No. TV-0910-25, subject to the review and approval of the City Attorney as to form and legality.
 - b. Implement revised funding levels from the State of California, Department of Aging in the amount of \$2,166,060 of SCSEP Program funds.
 - c. Execute the FY 2009-10 Standard Agreement AP-0910-25 Amendment No. 1, subject to the review and approval of the City Attorney as to form and legality.
 - d. Negotiate and execute contract amendments to the FY 2009-10 contract with Wise & Healthy Aging for an additional \$130,136 OTO funds and deliver related service units under the Ombudsman Program/Special Deposit Fund and subject to the review and approval of the City Attorney as to form and legality.
 - e. Negotiate and execute non-financial agreements with contractors receiving City Workforce Investment Act Title I funds and providing appropriate services for SCSEP participants who are in the WorkSource Center system.
 - f. Prepare Controller accounting instructions and any necessary technical adjustments that are consistent with the Mayor and Council actions on this matter, subject to the approval of the City Administrative Officer, and authorize the Controller to implement those instructions.
4. AUTHORIZE the Controller to:
 - a. Increase the appropriations within the Other Programs for the Aging Fund No. 410 as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
F102	Aging	\$ 66,593
1020	FY 2009-10 Enrollee Wages	<u>122,641</u>
	Total	\$189,234

- b. Adjust the appropriations within the Community Based Services Program, AB2800 Fund No. 40F as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
F102	Aging	\$ (43,049)
F201	Alzheimer's Day Care	(162,154)
F600	Linkages	(311,647)
F700	Respite Services	(13,705)
F900	Senior Companion	<u>(12,016)</u>
	Total	\$(542,571)

- c. Adjust the appropriations with Fund No. 100/02 and transfer funds on an as needed basis as follows:

	<u>Fund</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
From:	410	F102	Aging	\$66,593
	40F	F102	Aging	<u>(43,049)</u>
			Total	\$23,544
To:	100/02	1010	Salaries - General	\$(16,427)
	100/02	1070	Salaries - As Needed	39,972
	100/02	2130	Traveling Expense	<u>(1)</u>
			Total	\$23,544

- d. Increase the appropriation within the Ombudsman Initiative Program Fund No. 47Y as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
F201	Ombudsman Initiative Program	\$130,136

Fiscal Impact Statement: The LADOA reports that the above recommendations authorize the receipt of \$2,166,060 in Federal grants for the SCSEP. This action also reduces grant funding under the Older Californians Act. There is no additional impact on the City's General Fund.

Community Impact Statement: None submitted.

ITEM NO. (36) - ADOPTED

Roll Call #23 - Motion (Cárdenas - Rosendahl) Adopted, Ayes (11); Absent: Koretz, Parks and Reyes (3)

[08-2983](#)

COMMUNICATION FROM CHAIR, INFORMATION TECHNOLOGY AND GOVERNMENT AFFAIRS COMMITTEE relative to issues regarding Proposition F fueling stations that are out of service.

Recommendation for Council action, as initiated by Motion (Zine - LaBonge):

NOTE and FILE the Joint City Engineer, Bureau of Contract Administration, Department of General Services and Los Angeles Fire Department report, dated July 28, 2009, relative to issues regarding Proposition F fueling stations that are out of service, 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.

ITEM NO. (37) - ADOPTED

Roll Call #20 - Motion (Wesson - Alarcón) Adopted, Ayes (11); Absent: Koretz, Parks and Reyes (3)

[08-1007](#)

CD 1

COMMUNICATION FROM THE COMMUNITY REDEVELOPMENT AGENCY (CRA) relative to executing a First Amendment to the Permanent Loan Agreement with MacArthur Park Metro, LLC, for the proposed MacArthur Park Metro Phase A Affordable Housing Development, to extend the Permanent Loan term from 30 years to 57 years.

Recommendation for Council action:

AUTHORIZE the Chief Executive Officer, CRA, or designee, to execute a First Amendment to the Permanent Loan Agreement and related loan documents with MacArthur Park Metro, LLC, and to take such other actions as are necessary to administer the Permanent Loan Agreement and the First Amendment, for the proposed MacArthur Park Metro Phase A Affordable Housing Development on property owned by the Los Angeles County Metropolitan Transportation Authority located on Westlake Avenue and Alvarado Street in the Westlake Recovery Redevelopment Area to extend the Permanent Loan term from 30 years to 57 years, subject to the review of the City Attorney as to form and legality.

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.

(Housing, Community and Economic Development Committee waived consideration of the above matter)

Roll Call #27 - Motion (Hahn - Wesson) Adopted in lieu of original recommendations, Ayes (11); Absent: Koretz, Parks and Reyes (3) (Item Nos. 38-39)

ITEM NO. (38) - RECEIVED AND FILED - SEE FOLLOWING

[09-2570](#)
CD 15

COMMUNICATION FROM THE COMMUNITY REDEVELOPMENT AGENCY (CRA) and RESOLUTION relative to transferring \$90,000 to the Department of Public Works, Bureau of Engineering, for technical studies and design services to improve the Gaffey Street Pedestrian Bridge in the Pacific Corridor Redevelopment Project Area.

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

1. ADOPT the accompanying RESOLUTION of the CRA and the City (Attachment E of the CRA report dated October 15, 2009), pursuant to Section 33445 of the California Health and Safety Code, making certain findings required for the expenditure of CRA funds on technical studies and design services for City-owned improvements.
2. AUTHORIZE the transfer of Assembly Bill (AB) 1290 funds in the amount of \$90,000 (\$76,700 from the Beacon Street Redevelopment Project Area and \$13,300 from the Pacific Corridor Redevelopment Project Area) to the Department of Public Works, Bureau of Engineering - Architectural Division, through an existing Cooperation Agreement between the CRA and the City (Contract No. 502808).

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.

(Housing, Community and Economic Development Committee waived consideration of the above matter)

ADOPTED

MOTION (HAHN - WESSON) relative to adopting the recommendations of the City Administrative Officer in connection with authorization to expend \$90,000 for technical and design services for improvements to the Gaffey Street Pedestrian Bridge.

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

1. **ADOPT a joint RESOLUTION by the Community Redevelopment Agency (CRA) Board of Commissioners and Council making certain findings, pursuant to California Redevelopment Law Health and Safety Code Section 33445, related to the CRA's expenditure of Assembly Bill (AB) 1290 funds from the Pacific Corridor Redevelopment Project Area (PCRPA) and the adjacent Beacon Street Redevelopment Project Area (BSRPA), to pay for technical and engineering studies for the Oliver Street Pedestrian Overpass Connector (Project), more commonly known as the Gaffey Street Pedestrian Bridge, a City-owned pedestrian overpass located in the PCRPA.**
2. **AUTHORIZE the CRA Chief Executive Officer, or designee, to utilize AB 1290 funds in an amount not to exceed \$90,000 (\$13,300 generated from the PCRPA and \$76,700 generated from the BSPRA), and allocate such to be expended under the terms of CRA Contract No. 502808 (Council file No. 05-0045), a Cooperation Agreement between the CRA and the Department of Public Works, Bureau of Engineering (BOE), to fund the Project.**
3. **AUTHORIZE the Controller to accept funds in an amount not to exceed \$90,000 from the CRA, deposit the funds into BOE Special Services Fund No. 682/50, in a new account entitled Gaffey Street Pedestrian Overpass, for technical and engineering studies, and therefrom increase salary appropriations to the BOE Fund No. 100/78, Salaries General Account 1010 by \$90,000.**
4. **AUTHORIZE the CAO to prepare Controller instructions and/or make any technical adjustments as necessary to implement Mayor and Council intentions, and AUTHORIZE the Controller to implement these instructions.**

Fiscal Impact Statement: The CAO reports that the impact on the General Fund is not known at this time. Approval of the recommendations will result in the expenditure of an aggregate of \$90,000 in AB 1290 funds from the CRA PCRPA and adjacent BSRPA, for public improvements to a City-owned pedestrian overpass. Upon construction completion, funding for ongoing maintenance costs will be subject to future appropriations by the Mayor and Council. The recommendations are in compliance with the City's Financial Policies in that a one-time expenditure of a General Fund department is an adjunct to a one-time source of funds from the CRA. 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.

(Housing, Community and Economic Development Committee waived consideration of the above matter)

ITEM NO. (39) - RECEIVED AND FILED - SEE FOLLOWING

[09-2758](#)

CD 15

COMMUNICATION FROM THE COMMUNITY REDEVELOPMENT AGENCY (CRA) and RESOLUTION relative to providing up to \$400,000 to the Department of General Services (GSD) for sidewalk repairs and related public improvements throughout downtown San Pedro.

Recommendations for Council action:

1. ADOPT the accompanying Joint RESOLUTION (Attachment D of the CRA report dated November 5, 2009) pursuant to Section 33445 of the California Health and Safety Code making certain findings required for expenditure of CRA funds for construction work to repair and replace City-owned sidewalks, curbs, gutters, and related public improvements, and for purchase and installation of street furniture on City-owned right-of-ways located in the Beacon Street and Pacific Corridor Redevelopment Project Areas.
2. AUTHORIZE the expenditure of up to \$400,000 in CRA funds apportioned from the Pacific Corridor Redevelopment Project Area (\$350,000) and from the Beacon Street Redevelopment Project Area (\$50,000).
3. AUTHORIZE the Chief Executive Officer, CRA, or designee, to issue a Work Order to the GSD, Construction Forces Division, not to exceed \$400,000 through an existing Cooperation Agreement between the CRA and the City (Contract No. 503391).

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.

(Housing, Community and Economic Development Committee waived consideration of the above matter)

ADOPTED

MOTION (HAHN - WESSON) relative to adopting the recommendations of the City Administrative Officer in connection with authorization to expend \$400,000 for the installation of public improvements in the Harbor Region.

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

1. ADOPT a joint RESOLUTION by the Community Redevelopment Agency (CRA) Board of Commissioners and Council making certain findings, pursuant to California Redevelopment Law Health and Safety Code Section 33445, related to the CRA's expenditure of the following CRA funding sources to pay for the construction and installation of City-owned streetscape public improvements (Project) located in the CRA's Pacific Corridor Redevelopment Project Area (PCRPA) and adjacent Beacon Street Redevelopment Project Area (BSRPA):

<u>Funding Source</u>	<u>Amount</u>
PCRPA Tax Allocation Bond Proceeds	\$350,000
BSRPA Tax Increment	<u>50,000</u>
Total	\$400,000

2. **AUTHORIZE** the CRA Chief Executive Officer, or designee, to utilize \$400,000 in funds and allocate such to be expended under the terms of CRA Contract No. 503391 (Council file No. 09-0523), a Cooperation Agreement between the CRA and the Department of General Services (GSD), Construction Forces Division (CFD), to fund the Project.

3. **AUTHORIZE** the Controller to accept payment not to exceed \$400,000 in compensation to the GSD, CFD for the construction and installation of City-owned streetscape public improvements, and **APPROPRIATE** such amount into the GSD Fund 1200/40 Revenue Account 3741, Revenue from the CRA, as payment for construction and other services provided by the GSD, CFD and **APPROPRIATE** therefrom to GSD Fund 100/40, into the following accounts reflected below as necessary for direct expenditures that may be required and are consistent with this action:

<u>Account</u>	<u>Title</u>
1014	Salaries, Construction
1101	Hiring Hall, Construction
1121	Hiring Hall, Fringe Benefits
3040	Contractual Services
3180	Construction Materials

4. **AUTHORIZE** the General Manager, GSD, or designee, 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 CAO, and **AUTHORIZE** the Controller to implement these instructions.

Fiscal Impact Statement: The CAO reports that the impact on the General Fund is not known at this time. Approval of the recommendations will result in the expenditure of an aggregate of \$400,000 in funds generated from the CRA's PCRPA and the adjacent BSRPA for City-owned streetscape public improvements. Upon construction completion, funding for ongoing maintenance costs will be subject to future appropriations by the Mayor and Council. The recommendations are in compliance with the City's Financial Policies in that a one-time expenditure of a General Fund department is an adjunct to a one-time source of funds from the CRA. 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.

(Housing, Community and Economic Development Committee waived consideration of the above matter)

ITEM NO. (40) - ADOPTED

Roll Call #7 - Motion (Wesson - Perry) Adopted, Ayes (12); Absent: Koretz and Parks (2)

[09-2927](#)

CDs 1, 13 & 14

COMMUNICATION FROM THE LOS ANGELES HOUSING DEPARTMENT (LAHD) and TAX EQUITY AND FISCAL RESPONSIBILITY ACT OF 1982 (TEFRA) RESOLUTION and TEFRA MINUTES relative to the LA PRO I (scattered site) Apartments Project.

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

ADOPT the accompanying TEFRA RESOLUTION and Minutes (Attached to the LAHD report dated November 6, 2009), as required pursuant to the TEFRA, for the LA PRO I (scattered site) Apartments Project located at 253 North Juanita Avenue, Los Angeles, CA 90004; 251 South Berendo Street, Los Angeles, CA 90004; 2802 West 8th Street, Los Angeles, CA 90005; 922 South Lake Street, Los Angeles, CA 90006, and 1011-25 North Cummings Street, Los Angeles, CA 90033, approving for purposes of Section 147(f) of the Internal Revenue Code of 1986, the issuance of bonds by the City to finance or refinance the acquisition, rehabilitation, construction, or equipping of a multifamily residential rental project located within the City and approving, further, applications to the California Debt Limit Allocation Committee.

Fiscal Impact Statement: The LAHD reports that there will be no impact on the City's General Fund related to the issuance of the bonds.

Community Impact Statement: None submitted.

(Housing, Community and Economic Development Committee waived consideration of the above matter)

ITEM NO. (41) - ADOPTED

Roll Call #24 - Motion (Wesson - Perry) Adopted, Ayes (11); Absent: Koretz, Parks and Reyes (3)

[09-2837](#)

CD 9

COMMUNICATION FROM THE COMMUNITY REDEVELOPMENT AGENCY (CRA) and RESOLUTIONS relative to various actions concerning the acquisition of property located at 5867 South Los Angeles Street, for an amount not to exceed \$13 million, to provide affordable housing and public open space.

Recommendations for Council action:

1. ADOPT the accompanying RESOLUTION (Attachment A of the CRA report dated November 19, 2009) finding that the expenditure of CRA funds for the acquisition of up to five acres of land for public open space is of benefit to the Council District Nine Corridors South of the Santa Monica Freeway Recovery Redevelopment Project Area ("CD9 Project Area"); that development of park improvements at the proposed Site will assist in the elimination of one or more blighting conditions in the CD9 Project Area; that there are no other reasonable means of financing available to the City; and that acquisition of the Site is consistent with the Redevelopment Plan and Five-Year Implementation Plan for the CD9 Project Area.
2. ADOPT the accompanying Finding of Benefit Joint RESOLUTION (Attachment B of the CRA report dated November 19, 2009) finding that the transfer of \$5,500,000 from the Bunker Hill Replacement Housing Trust Fund to the Council District Nine Corridors South of the Santa Monica Freeway Recovery Redevelopment Project Area for the acquisition of the property located at 5867 Los Angeles Street for affordable housing is of benefit to the Bunker Hill Redevelopment Project Area.
3. AUTHORIZE the Chief Executive Officer, CRA, or designee, subject to the review of the City Attorney as to form and legality, to:
 - a. Negotiate, within delegated authorities, with SWS Realty LLC for the purchase of the property located at 5867 South Los Angeles Street (the "Site") for no more than \$13 million based on fair market value, as determined by an appraisal, and taking into account unique attributes of the Site and to take all such actions necessary to complete the transaction.
 - b. Negotiate and execute a promissory note for an amount not to exceed \$9,000,000 in favor of SWS Realty LLC and secured by a deed of trust on the property as part of the purchase price for the Site.
 - c. Negotiate and execute an agreement with the Community Development Department for the use of up to \$3.3 million in CDBG funds for the acquisition of the Site.
 - d. Negotiate and enter into an Exclusive Negotiating Agreement with the Figueroa Corridor Community Land Trust and the Figueroa Corridor Land Company to master plan the Site and accept \$2,000,000 in funding from the Figueroa Corridor Land Company towards the purchase of the Site.
 - e. Reimburse SWS Realty LLC all costs associated with environmental documents produced by SCS Engineers for the direct benefit of the CRA if those documents are received by CRA and all expenditures are verified through production of the original scope of work, any scope of work amendments, invoices, and receipts.
 - f. Negotiate and execute a Cooperation Agreement with the Recreation and Parks Department for the planning, long-term ownership, maintenance, and management of the park space that may be incorporated into the final design of the Site.
4. AMEND the Fiscal Year 2010 Budget and Work Program to:

- a. Transfer \$5,500,000 of Bunker Hill Replacement Housing Trust Funds from budgeted line item "Affordable Housing" in the Bunker Hill and Central Industrial Project Areas to budgeted line item "Affordable Housing in the CD9 Project Area.
 - b. Transfer \$700,000 of Assembly Bill (AB) 1290 funds from budgeted line item "Commercial and Industrial" to budgeted line item "Public Improvements" in the CD9 Project Area.
5. RATIFY the Council action to utilize up to \$700,000 in AB 1290 funds towards the purchase of 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.

(Housing, Community and Economic Development Committee waived consideration of the above matter)

ITEM NO. (42) - ADOPTED

Roll Call #7 - Motion (Wesson - Perry) Adopted, Ayes (12); Absent: Koretz and Parks (2)

[02-1043](#)

CD 4

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to the extension of closure of La Punta Drive westerly of Quebec Drive.

Recommendations for Council:

1. FIND that the extension of closure of La Punta Drive westerly of Quebec Drive is exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5 of the City of Los Angeles Environmental Guidelines.
2. APPROVE the 18-month closure for the street as described in the October 27, 2009 City Engineer report and attached to the Council file, was originally approved by Council on June 21, 2002 and last granted an extension by Council on July 9, 2008 with an expiration date of December 21, 2009, be granted an additional 18-month period to June 21, 2011 pursuant to State Vehicle Code Section 21101.4.
3. ADOPT the accompanying RESOLUTION to extend the closure of La Punta Drive westerly of Quebec Drive for one additional 18-month period.
4. FIND that:
 - a. There was substantial evidence of serious and continual criminal activities in the street before the closure occurred.

- b. The temporary closure of the street has resulted in fewer complaints and call for police service, and the continuation of the closure will assist in preventing the recurrence of the serious and continual activity found to exist before the closure.
 - c. The closure does not provide necessary vehicular or pedestrian access to adjacent properties but affected property owners have agreed to the temporary closure.
 - d. The closure does not substantially adversely affect traffic flow, safety on adjacent streets or in the surrounding neighborhoods or public utility services, or the delivery of freight by commercial vehicles in the closed street.
 - e. Vehicular and pedestrian traffic in the street contributed to the criminal activities
 - f. The street has not been designated as a through highway or arterial street.
5. FIND that notification of the time and place of the Council meeting to consider this request has been sent to the entities as listed in the October 27, 2009 City Engineer report, as attached to the Council file.

Fiscal Impact Statement: The City Engineer reports that the Bureau of Engineering is absorbing the cost of processing the request in the approximate amount of \$1050. Maintenance of the public easement by City forces will be eliminated.

Community Impact Statement: None submitted.

(Public Works Committee waived consideration of the above matter)

ITEM NO. (43) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #25 - Motion (Huizar - Rosendahl) Adopted, Ayes (11); Absent: Koretz, Parks and Reyes (3)

[09-0484](#)

CD 14

MITIGATED NEGATIVE DECLARATION and COMMUNICATION FROM THE CITY ENGINEER relative to vacating Lyon Street northerly of Cesar E. Chavez Avenue and easterly of Vignes Street in connection with the Metro Union Division Bus Maintenance and Operations Facility Project (VAC E1401141).

Recommendations for Council action:

1. FIND that the City Council has imposed all of the mitigation measures that are within the control of the City, as described in the Mitigated Negative Declaration (NG-09-549 MTA), that are associated with the impacts of the street vacation of Street northerly of Cesar E. Chavez Avenue and easterly of Vignes Street and that other mitigation measures that are not within the authority of the City, have been or should be imposed as set forth in the findings of the Los Angeles County Metropolitan Transportation Authority (Metro), dated September 25, 2008 and attached to the Council file.

2. DIRECT that the street vacation proceedings pursuant to the Public Streets, Highways and Service Easements Vacation Law BE INSTITUTED for the vacation of the public right-of-way indicated below and shown colored blue on Exhibit B of the November 18, 2009 City Engineer report, attached to the Council file:

Lyon Street northerly of Cesar E. Chavez Avenue and easterly of Vignes Street

3. FIND that there is a public benefit to this vacation and that upon vacation of the alleys, the City is relieved of its ongoing obligation to maintain the rights-of-way and that the City is relieved of any potential liability that might result from continued ownership of the involved alley easements as detailed in the November 18, 2009 City Engineer report, attached to the Council file.
4. ADOPT the FINDINGS of the City Engineer dated November 18, 2009, as amended, as the Findings of the Council.
5. ADOPT the accompanying City Engineer report dated November 18, 2009, as amended, to approve the vacation.
6. INSTRUCT the City Clerk to set a public hearing date for **JANUARY 20, 2010**.

Financial Impact Statement: The City Engineer reports that to date, an estimated \$11,450.89 in charges have been expended in the investigation and processing of this vacation proceeding. Since Section 7.46 of the Los Angeles Administrative Code (LAAC) exempts all governmental agencies from payment of fees, the processing of this vacation action will be absorbed by the Bureau of Engineering. Maintenance of the public easement by City Forces will be eliminated.

Community Impact Statement: None submitted.

(Public Works Committee waived consideration of the above matter)

ADOPTED

AMENDING MOTION (HUIZAR - LABONGE)

Recommendation for Council action:

REVISE the conditions of the Bureau of Engineering report dated November 18, 2009 as follows:

Condition #4a):

Dedicate 12 feet as a public street along the northeasterly side of Cesar E. Chavez Avenue (Major Highway Class II Standards) to complete a 52-foot wide half street right-of-way together with a 20-foot radius property line return or a 15-foot by 15-foot property line cut corner at the northeast corner of the intersection of Cesar E. Chavez Avenue with Vignes Street. In the event that Cesar E. Chavez Avenue is reclassified as a Secondary highway by amendment to the General Plan and the Central City North Community Plan, dedicate sufficient land as public street to complete a 45-foot half street right-of-way along the northeasterly side of Cesar E. Chavez Avenue, together with a 20-foot radius property line return or a 15-foot by 15-foot property line corner cut at intersection of Cesar E. Chavez Avenue with Vignes Street.

Condition #4b):

Dedicate sufficient land as necessary as public street along the southeasterly side of Vignes Street (Major Highway, Class II Standards) to complete a 52-foot wide half street dedication. In the event that Vignes Street is reclassified as a Secondary highway by amendment to the General Plan and the Central City North Community Plan, dedicate sufficient land as necessary as a public street along the southeasterly side of Vignes Street to complete a 45-foot half street dedication.

Condition #5a):

Widen the existing varying 28-foot to 40-foot wide half roadway along the northeasterly side of Cesar E. Chavez Avenue to provide for a 40-foot wide half roadway. In the event that Cesar E. Chavez Avenue is reclassified as a secondary highway by amendment to the General Plan and the Central City North Community Plan, provide for a 35-foot half street roadway along the northeasterly side of Cesar E. Chavez Avenue. The improvements shall include integral curb and gutter, concrete sidewalk, asphalt concrete pavement, an access ramp for the handicapped at the northeast corner of the intersection of Cesar E. Chavez Avenue with Vignes Street, together with proper transitions to join the existing improvements.

Condition #5b):

Widen the existing half roadway along the southeasterly sides of Vignes Street to provide for a 40-foot wide half roadway. in the event that Vignes Street is reclassified as a Secondary highway by amendment to the General Plan and the Central City North Community Plan, provide for a 35-foot half roadway along the southeasterly and easterly sides of Vignes Street. The improvements shall include integral curb and gutter, concrete sidewalk, asphalt concrete pavement, together with proper transition to join the existing improvements.

**Roll Call #7 - Motion (Wesson - Perry) Adopted, Ayes (12); Absent: Koretz and Parks (2)
(Item Nos. 44-47)**

ITEM NO. (44) - ADOPTED

[09-2995](#)

CD 15

CATEGORICAL EXEMPTION and COMMUNICATION FROM THE BOARD OF HARBOR COMMISSIONERS (Board) relative to an amendment for foreign trade zone (FTZ) general purpose operating agreement between the City of Los Angeles Harbor Department and Citizen Watch Company of America, Inc., FTZ 202, Site 7D.

Recommendations for Council action:

1. FIND that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Article III Section 1 (14) of the Los Angeles City CEQA Guidelines.
2. APPROVE proposed first amendment for FTZ General Purpose Operating Agreement No. 2346, assigned Harbor Department Agreement No. 09-2346-A, between the City of Los Angeles Harbor Department and Citizen Watch Company of America, Inc., at FTZ 202, Site 7D, located at 1000 West 190th Street, Torrance, California.

Fiscal Impact Statement: The Harbor Department reports it will receive \$5,000 in fees per year for five years for a total of \$25,000 from the Operator. Compensation is expected to be \$5,000 per year should the renewal options be exercised, for a total of \$25,000 per five year renewal option. There is no cost to the Harbor Department as a result of this Board action. During calendar year 2008, \$140,000 in revenues was collected from all of the Harbor Department FTZ users with approximately \$85,000 spent on FTZ consulting services. No funding is requested of this Board action. The Harbor Department can choose not to approve the FTZ operating agreement with Citizen. However, the establishment of an FTZ creates an entity that confers among other advantages, tax and operating benefits to the operator and provides a tool for economic development. As the Harbor Department is a designated grantee of FTZs under the State of California enabling legislation, granting FTZ status to Citizen allows more efficient operations and puts Citizen on relative even footing with its competition. Loss of \$5,000 a year in fees or \$25,000 over the life of this contract. If Citizen does not obtain approval from the Harbor Department, it potentially has the choice of going to another FTZ in California such as Long Beach, San Diego, or Palmdale, etc., or even going out of the State of California as FTZs facilities exist in every state thereby shifting its employees to work elsewhere.

Community Impact Statement: None submitted.

TIME LIMIT FILE - FEBRUARY 8, 2010

(LAST DAY FOR COUNCIL ACTION - FEBRUARY 5, 2010)

(Trade, Commerce, and Tourism Committee waived consideration of the above matter)

ITEM NO. (45) - ADOPTED

[09-2899](#)

CD 5

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 8573 West Appian Way pursuant to the Los Angeles Municipal Code 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 September 15, 2009 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 8573 West Appian Way.
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 \$2,033 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 \$1,900 and a seven percent surcharge in the amount of \$133 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.

ITEM NO. (46) - ADOPTED

[09-2901](#)

CD 14

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 2748 North Woodhaven Drive pursuant to the Los Angeles Municipal Code 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 September 15, 2009 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 2748 North Woodhaven 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 \$2,033 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 \$1,900 and a seven percent surcharge in the amount of \$133 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.

ITEM NO. (47) - ADOPTED

[09-2903](#)

CD 14

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 2730 East 12th Street pursuant to the Los Angeles Municipal Code 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 September 15, 2009 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 2730 East 12th Street.
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 Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.

ITEM NO. (48) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #26 - Motion (Perry - Rosendahl) Adopted, Ayes (11); Absent: Koretz, Parks and Reyes (3)

09-2980

CONSIDERATION OF MOTION (PERRY - PARKS) relative to reprogramming \$250,000 from the Citywide Day Laborer Program to the Skid Row Development Corporation.

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

1. REPROGRAM Community Development Block Grant (CDBG) funds in the amount of \$250,000 from the Citywide Day Laborer Program to the Skid Row Development Corporation for continued operation of the Living Independently Through Employment (LITE) Program, operated at the Volunteers of America Drop-In Center in the Skid Row neighborhood of downtown Los Angeles.

~~*2. AUTHORIZE the Controller to transfer appropriations within the Community Development Trust Fund No. 424 as follows:~~

	<u>Account</u>	<u>Title</u>	<u>Amount</u>
From:	E309	CBDO Day Laborer	\$179,684
	G309	CBDO Day Laborer	\$ 70,315
To:	F730	Skidrow Development-LITE	\$250,000
		*(Perry - Reyes)	

3. AUTHORIZE the General Manager, Community Development Department, or designee, to:
 - a. Make any necessary amendments to the Housing and Community Development Block Grant Action Plan, in compliance with the City's adopted CDBG Citizen Participation Plan.
 - b. 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 (CAO) and authorize the Controller to implement these instructions.

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

Community Impact Statement: None submitted.

(Housing, Community and Economic Development Committee waived consideration of the above matter)

ADOPTED

AMENDING MOTION (PERRY - REYES)

Recommendation for Council action:

ADOPT the following in lieu of Recommendation No. 2:

AUTHORIZE the Controller to transfer appropriations within the Community Development Trust Fund No. 424 as follows:

	<u>Account</u>	<u>Title</u>	<u>Amount</u>
From:	C309	CBDO Day Laborer	\$179,685
	E309	CBDO Day Laborer	\$ 70,315
To:	F730	Skidrow Development -LITE	\$250,000

ITEM NO. (49) - ADOPTED

Roll Call #28 - Motion (Huizar - Rosendahl) Adopted, Ayes (11); Absent: Koretz, Parks and Reyes (3)

[09-2984](#)

CD 14

CONSIDERATION OF MOTION (HUIZAR - ROSENDAHL) relative to application for grant funding from the Federal Transit Administration Section 5309 Discretionary Grants for Urban Circulator Livability Projects for the Downtown LA Streetcar Project.

Recommendation for Council action:

DIRECT the Los Angeles Department of Transportation, in coordination with the Community Redevelopment Agency, METRO, LA Streetcar Inc., and any other appropriate department/agency to prepare and submit an application for grant funding from the Federal Transit Administration Section 5309 Discretionary Grants for Urban Circulator Livability Projects for the Downtown LA Streetcar Project before the application deadline.

Community Impact Statement: None submitted.

(Transportation Committee waived consideration of the above matter)

ITEM NO. (50) - SUBSTITUTE RESOLUTION ADOPTED IN LIEU OF ORIGINAL - SEE FOLLOWING

Roll Call #18 - Motion (Huizar - Alarcon) Adopted, Ayes (12); Absent: Koretz and Parks (2)

[09-2987](#)

RESOLUTION (HUIZAR - ALARCON) relative to declaring December 18, 2009 as International Migrant's Day in the City of Los Angeles.

Recommendation for Council action:

RESOLVE to DECLARE December 18, 2009 as International Migrant's Day in the City of Los Angeles, and extend its best wishes to all ethnic communities as they hold ceremonies to commemorate this observance.

ADOPTED

RESOLUTION (HUIZAR - ALARCON)

Recommendation for Council action:

RESOLVE to declare December 18, 2009 as “International Migrants Day” and extend best wishes to all migrant communities throughout the world as they hold ceremonies to commemorate this important day of observance.

**Roll Call #7 - Motion (Wesson - Perry) Adopted, Ayes (12); Absent: Koretz and Parks (2)
(Item Nos. 51a-51h)**

ITEM NO. (51) - MAPS APPROVED - CITY ENGINEER REPORTS ADOPTED

[09-2988](#)

et al. FINAL MAPS in the various Council Districts.

Recommendation for Council action:

APPROVE the Final Maps and ADOPT the City Engineer Reports as detailed in the various listed Council files, including bonds, agreements, contracts and other related issues as specified:

[09-2988](#)

CD 4

- a. FINAL MAP OF TRACT NO. 63397 located at 11150 La Maida Street for property lying easterly of Bellflower Avenue.
(Bond No. C-116388)
(Quimby Fee: \$207,936)
Applicants: MSB La Maida Partners, LP
PERMCO Engineering
Mark Handel

[09-2990](#)

CD 1

- b. FINAL MAP OF TRACT NO. 69629 located at 438-42 South Occidental Boulevard for property lying northerly of Sixth Street.
(Bond No. C-116389)
(Quimby Fee: \$90,668)
Applicants: 440 South Occidental, Inc.
TKIM Associates

[09-2991](#)

CD 4

- c. FINAL MAP OF TRACT NO. 65949 located at 10809 Hortense Street for property lying northerly of Lankershim Boulevard and easterly of Kling Street.
(Bond No. C-116390)
(Quimby Fee: \$21,660)
Applicants: Miragold Development, LLC
Techna Land Co.

[09-2992](#)

CD 5

- d. FINAL MAP OF TRACT NO. 64496 located at 1818-28 Thayer Avenue for property lying northerly of Missouri Avenue.
(Bond No. C-116391)
Applicants: MSW Investment Group
Project Engineering Group

[09-2993](#)

CD 5

- e. FINAL MAP OF TRACT NO. 66568 located at 745-51 North Fairfax Avenue for property lying westerly of Fairfax Avenue and southerly of Waring Avenue.
(Bond No. C-116392)
(Quimby Fee: \$83,712)
Applicants: R&E Development I, L.P.
DCA Civil Engineering Group

[09-2994](#)

CD 2

- f. FINAL MAP OF TRACT NO. 63856 located at 11469 West Moorpark Street for property lying northerly of Moorpark Street and westerly of Farmdale Avenue.
(Bond No. C-116393)
(Quimby Fee: \$30,732)
Applicants: Doran Meidan
Ofar Sharpira

[09-3000](#)

CD 15

- g. FINAL MAP OF TRACT NO. 64332 located at 1624 West 255th Street for property lying easterly of Western Avenue.
(Bond No. C-116395)
(Quimby Fee: \$6,996)
Applicants: Avery J. Knapp
James H. Mitsch

[09-2989](#)

CD 9

- h. PARCEL MAP L.A. NO. 2007-0556 located at 723-47 East 10th Street for property lying northwesterly of Crocker Street and northeasterly of 10th Street.
(Bond No. C-116394)
Applicants: Newmark Development, LLC
Iacobellis and Associates, Inc.

Items Called Special

Motions for Posting and Referral

Councilmembers' Requests for Excuse from Attendance at Council Meetings

Closed Sessions - Items 52-55

ITEM NO. (52) - MOTION ADOPTED

Roll Call #9 - Motion (Smith - Rosendahl) Adopted in Open Session, Ayes (12); Absent: Koretz and Parks (2)

[09-2819](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to settlement in the case entitled Chasity James v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BC398424. (This case arises out of a personal injury claim against the City, involving a Los Angeles Police Department vehicle which injured plaintiff.)

(Budget and Finance Committee considered the above matter in Closed Session on December 7, 2009.)

ADOPTED

MOTION (SMITH - ROSENDAHL)

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

1. AUTHORIZE the City Attorney to expend \$200,000 in settlement of the case entitled Chasity James v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BC398424, from the Liability Claims Account No. 9770, Fund 100, Department 59.
2. AUTHORIZE the City Attorney to draw a demand thereon in said amount payable to Steven A. Lerman and Associates and Chasity James.

This matter was approved by the Budget and Finance Committee (Parks - Huizar - Koretz - Rosendahl - Smith "yes") at its meeting on December 7, 2009, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (53) - MOTION ADOPTED

Roll Call #10 - Motion (Smith - Rosendahl) Adopted in Open Session, Ayes (12); Absent: Koretz and Parks (2)

[09-2846](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to settlement in the case entitled Thomas Henton v. City of Los Angeles, Workers' Compensation Appeals Board Case Nos. ADJ6463756, et al., Claim Nos. 9002-1971-7966, et al. (Claimant alleges he sustained personal injuries during the course and scope of his employment as a Police Officer with the Los Angeles Police Department.)

(Budget and Finance Committee considered the above matter in Closed Session on December 7, 2009.)

ADOPTED

MOTION (SMITH - ROSENDAHL)

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

1. **AUTHORIZE the City Attorney to enter into a settlement in the case entitled Thomas Henton v. City of Los Angeles, Workers' Compensation Appeals Board Case Nos. ADJ6463756, et al., Claim Nos. 9002-1971-7966, et al., by way of six Stipulations with Requests for Awards in the total amount of \$162,245.00.**
2. **AUTHORIZE the City Attorney to execute the Stipulations with Requests for Awards with all appropriate parties for submission to the Workers' Compensation Appeals Board for its award of payment.**

This matter was approved by the Budget and Finance Committee (Parks - Huizar - Koretz - Rosendahl - Smith "yes") at its meeting on December 7, 2009, in Closed Session, as permitted by Government Code Section 54956.9(a).

ITEM NO. (54) - MOTION ADOPTED

Roll Call #11 - Motion (Smith - Rosendahl) Adopted in Open Session, Ayes (12); Absent: Koretz and Parks (2)

[09-2848](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to settlement in the case entitled Samuel Dempsey v. City of Los Angeles, Workers' Compensation Control Board Case Nos. VNO488179, et al.; Claim Nos. 9003-1973-9147, et al. (Claimant alleges he sustained personal injuries during the course and scope of his employment as a Firefighter with the Los Angeles Fire Department.)

(Budget and Finance Committee considered the above matter in Closed Session on December 7, 2009.)

ADOPTED

MOTION (SMITH - ROSENDAHL)

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

1. **AUTHORIZE the City Attorney to enter into a settlement in the case entitled Samuel Dempsey v. City of Los Angeles, Workers' Compensation Control Board Case Nos. VNO488179, et al.; Claim Nos. 9003-1973-9147, et al., by way of three Stipulated Awards for a combined total of \$218,287.82.**
2. **AUTHORIZE the City Attorney to execute the Stipulated Awards with all appropriate parties for submission to the Workers' Compensation Appeals Board for its award of payment.**

ITEM NO. (55) - MOTION ADOPTED

Roll Call #37 - Motion (Rosendahl - Hahn) Adopted in Open Session, Ayes (11); Absent: Koretz, Parks and Reyes (3)

[09-2947](#)

CD 11

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(b)(3)(B) and 54956.9(a), to confer with its legal counsel regarding Federal Aviation Administration compliance review of Los Angeles World Airports Corrective Action Plans with respect to payments to LA INC. and disposition of Century Freeway taking proceeds.

(Trade, Commerce and Tourism Committee waived consideration of the above matter)

ADOPTED

MOTION (ROSENDAHL - HAHN)

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

ADOPT and APPROVE the recommendations of the City Attorney in order to comply with the Federal Aviation Administration (FAA) review of Los Angeles World Airports (LAWA) with respect to payments to LA INC. and disposition of Century Freeway taking proceedings, as outlined below.

ATA and AOPA v. City of Los Angeles (Century Freeway Case) - The FAA has approved the City's proposed corrective action plan which calls for the repayment from the City to LAWA of the \$1,986,719 (\$2,838,055 - amount with interest to June 1, 2009) over time with accumulating simple statutory interest.

LA INC (FAA audit) - The FAA has approved the City proposed corrective action plan which calls for repayment from the City to LAWA of \$14,041,904 (\$14,851,717 - amount with interest to June 1, 2009) over time, with accumulating simple statutory interest.

Under the plans the City will make its repayments over time in a series of semi-annual installments over a 10-year pay back period with the bulk of amounts due during the second five-years; to effect the repayments by allowing LAWA to withhold the amount of each repayment from what LAWA would otherwise owe the City for the costs of services rendered to the airport system operated by LAWA; and to verify that the repayments have been made. In addition, with respect to the FAA Audit matter, the LAWA agrees to follow certain principles with respect to its future dealings with LA INC. contract as described in the October 19, 2009 letter to FAA from LAWA.

Item for Which Public Hearing Has Been Held - Item 72

ITEM NO. (72) - ADOPTED

Roll Call #12 - Motion (Wesson - Perry) Adopted, Ayes (12); Absent: Koretz and Parks (2)

[07-2438-S9](#)

CONTINUED CONSIDERATION OF EXEMPTION, COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to extending the sunset date of the Foreclosure Eviction Ordinance from December 23, 2009 to December 31, 2010.

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

1. FIND that the adoption of this ordinance is exempt from the provisions of the California Environmental Quality Act (CEQA) under Article 18, Section 15060 (c) (2) of the State CEQA Guidelines and Article II, Section 2 (m) of the City CEQA Guidelines.
2. PRESENT and ADOPT the accompanying ORDINANCE amending Section 49.95 of Article 14.1 of Chapter IV of the Los Angeles Municipal Code to extend the sunset date of the Foreclosure Eviction Ordinance from December 23, 2009 to December 31, 2010.

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.

(Housing, Community and Economic Development Committee waived consideration of the above matter)

(Public Hearing closed on December 15, 2009)

Item for Which Public Hearing Has Not Been Held - Item 73

(10 Votes Required for Consideration)

ITEM NO. (73) - ADOPTED

Roll Call #13 - Motion (Rosendahl - Smith) Adopted, Ayes (12); Absent: Koretz and Parks (2)

[09-2658](#)

COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to amending Los Angeles Municipal Code (LAMC) section 21.07.

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

PRESENT and ADOPT the accompanying ORDINANCE amending Section 21.07 of the LAMC to provide for a lower interest on refunds of overpayments of business taxes to the City of Los Angeles.

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

Community Impact Statement: None submitted.

(Pursuant to Council action of December 15, 2009)

MOTION ADOPTED UPON FINDINGS BY COUNCIL THAT THE NEED TO TAKE ACTION AROSE SUBSEQUENT TO THE POSTING OF THE COUNCIL AGENDA FOR WEDNESDAY, DECEMBER 16, 2009, PURSUANT TO GOVERNMENT CODE SECTION 54954.2(b)(2) AND COUNCIL RULE 23

ADOPTED - FORTHWITH

Roll Call #29 - Motion (Wesson - Garcetti) Findings on Need to Act - Adopted, Ayes (11); Absent: Koretz, Parks and Reyes (3)

Roll Call #30 - Motion (Wesson - Garcetti) Adopted, Ayes (11); Absent: Koretz, Parks and Reyes (3)

[09-2841-S2](#)

MOTION (WESSON - GARCETTI) relative to the 2010 Affordable Housing Trust Fund (AHTF) Notice of Funding Availability (NOFA).

Recommendations for Council action:

- 1. AUTHORIZE the General Manager, Los Angeles Housing Department (LAHD), or designee, to accept applications from affordable housing developers according to the draft Affordable Housing Trust Fund (AHTF) Notice of Funding Availability (NOFA).**
- 2. INSTRUCT the LAHD to notify applicants for AHTF NOFA funds that applications are being accepted subject to:**

- a. Final Council approval of the NOFA and that they will be afforded an opportunity to amend their applications, in the event that the final NOFA approved by Council differs from the draft.
- b. Final approval of funding recommendations and successful applications by the Council and the Mayor at a later date.

ADOPTED - FORTHWITH

Roll Call #31 - Motion (Rosendahl - Garcetti) Findings on Need to Act - Adopted, Ayes (11); Absent: Koretz, Parks and Reyes (3)

Roll Call #32 - Motion (Rosendahl - Garcetti) Adopted, Ayes (11); Absent: Koretz, Parks and Reyes (3)

09-0002-S205

RESOLUTION (ROSENDAHL - LABONGE for KORETZ - GARCETTI) relative to the City's position in connection with Uganda's Anti-Homosexuality Bill 2009.

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

ADOPT the accompanying RESOLUTION to include in the City's 2009-10 Federal Legislative Program SUPPORT for legislation and/or administrative action, which would oppose any Ugandan law/legislation which results in the discrimination and/or acts of violence against gay Ugandans.

ADOPTED - FORTHWITH

Roll Call #33 - Motion (Perry - Cárdenas) Findings on Need to Act - Adopted, Ayes (11); Absent: Koretz, Parks and Reyes (3)

Roll Call #34 - Motion (Perry - Cárdenas) Adopted, Ayes (11); Absent: Koretz, Parks and Reyes (3)

07-0308

MOTION (PERRY - CARDENAS) relative to authorizing the Los Angeles Department of Water and Power (LADWP) to execute a Second Amendment to an agreement with Open Access Technology International, Inc. (OATI) (Agreement No. 47443).

Recommendation for Council action:

AUTHORIZE the LADWP to execute a Second Amendment to an Agreement with (OATI), as follows:

- a. Extend the expiration of the Agreement from December 31, 2010 to December 31, 2015 for a total agreement term of ten years.

- b. Increase the expenditure limit from \$700,000 to 2,264,000.
- c. Add key subscriptions to three software services that provide real-time power balancing components.

ADOPTED - FORTHWITH

Roll Call #35 - Motion (Perry - Cárdenas) Findings on Need to Act - Adopted, Ayes (11); Absent: Koretz, Parks and Reyes (3)

Roll Call #36 - Motion (Perry - Cárdenas) Adopted, Ayes (11); Absent: Koretz, Parks and Reyes (3)

09-2940

MOTION (PERRY - CARDENAS) relative to authorizing Los Angeles Department of Water and Power (LADWP) to execute a three-year Agreement between the Xerox Corporation (Xerox) and the Department for a total amount not to exceed \$1,250,880 to lease Xerox high speed, high volume copier equipment.

Recommendation for Council action:

AUTHORIZE the LADWP to execute a three year Agreement between the Xerox Corporation and the LADWP for a total amount not to exceed \$1,250,880 for the lease of high speed, high-volume copier equipment.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon his request, and without objections, Councilmember LaBonge was excused to arrive at 11:30 a.m. for the Council session of Tuesday, January 5, 2010 due to City business.

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

- 09-2500 - Griselia Puente** (Hahn)
- Roy E. Disney (LaBonge)
- Fred Chapa (Zine - Cardemas - Alacon)
- Frances Clarke Brown Doggett (Perry)

Ayes, Alarcón, Cárdenas, Hahn, Huizar, LaBonge, Perry, Rosendahl, Smith, Wesson, Zine and President Garcetti (11); Absent: Koretz, Parks and Reyes (3); Vacant: Council District Two

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL