Los Angeles City Council, Journal/Council Proceedings
Tuesday, September 28, 2010
John Ferraro Council Chamber, Room 340, City Hall - 10 am

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

ROLL CALL - Members present: Hahn, Koretz, Krekorian, LaBonge, Parks, Perry, Rosendahl, Smith, Wesson and President Garcetti (10); Absent: Alarcón, Cárdenas, Huizar, Reyes and Zine (5)

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF SEPTEMBER 22, 2010

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 29

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

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

Items Noticed for Public Hearing - Items 1-3

ITEM NO. (1) - PUBLIC HEARING CLOSED - ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #9 - Adopted, Ayes (13); Absent: Cárdenas and Reyes (2)

10-0600-S7

COMMUNICATION FROM CHAIR, PUBLIC SAFETY COMMITTEE and ORDINANCE FIRST CONSIDERATION relative to revising and increasing adoption fees, for kennel and exhibition permit fees, and other specific fees charged by the Department of Animal Services.

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

PRESENT and ADOPT the accompanying ORDINANCE amending Los Angeles Municipal Code Sections 53.12, 53.15.2, and 53.50 to revise and increase adoption fees, for kennel and exhibition permit fees, and other specific fees charged by the Department of Animal Services.

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

Community Impact Statement: None submitted.
ITEM NO. (2) - PUBLIC HEARING CLOSED - ADOPTED - ORDINANCE OVER TO OCTOBER 5, 2010

Roll Call #8 - Adopted, Ordinance Over One Week, Ayes (11); Noes: Hahn (1); Absent: Alarcón, Cárdenas and Reyes (3)

COMMUNICATION FROM CHAIR, PUBLIC SAFETY COMMITTEE and ORDINANCE FIRST CONSIDERATION relative to revising the Police Permit Fee Schedule and increasing the fees for false alarms.

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

PRESENT and ADOPT the accompanying ORDINANCE amending Los Angeles Municipal Code Sections 103.12 and 103.206 to revise the Police Permit Fee Schedule and to increase the fees for false alarms from $136 to $149.

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

Community Impact Statement: None submitted.

ITEM NO. (3) - PUBLIC HEARING CLOSED - ADOPTED

Roll Call #10 - Adopted, Ayes (13); Absent: Cárdenas and Reyes (2)

COMMUNICATION FROM CHAIR, PUBLIC SAFETY COMMITTEE and ORDINANCE FIRST CONSIDERATION relative to establishing a fee for Noise Variance Applications.

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

PRESENT and ADOPT the accompanying ORDINANCE amending Los Angeles Municipal Code Section 41.40 to establish a fee in the amount of $233 for Noise Variance Applications.

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.
Items for Which Public Hearings Have Been Held - Items 4-17

ITEM NO. (4) - ADOPTED - SEE FOLLOWING

Roll Call #7 - Adopted, Ayes (12); Absent: Alarcón, Cárdenas and Reyes (3)

10-1360

ENERGY AND ENVIRONMENT COMMITTEE REPORT and ORDINANCE FIRST
CONSIDERATION relative to proposed agreements in connection with the Milford II Wind Project
located in Beaver and Millard Counties, Utah to provide for the purchase of renewable wind energy.

Recommendation for Council action:

SUBMITS WITHOUT RECOMMENDATION the following recommendations as contained in
Resolution No. 011-033 and approved by the Board of Water and Power Commissioners on July 22,
2010 and August 8, 2010 City Attorney report, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. CONCUR with the Board of Water and Power Commissioners’ action of March 18, 2010,
Resolution No. 011-033, approving the following agreements:

   a. Milford Wind Corridor Phase II Project Power Sales Agreement (BP 10-005) with
      SCPPA, to authorize the Los Angeles Department of Water and Power (LADWP) to
      purchase 102 megawatts of renewable wind energy from the Project starting July 1,
      2011, for a period of 20 years.

   b. Milford Wind Corridor Phase II Project Agency Agreement for Project Management
      Services (BP 10-006) with SCPPA which provides for the designation of LADWP as the
      Project Manager, to administer on behalf of and for the benefit of the Project participants,
      which include the City of Glendale.

   c. Contract for Sale and Purchase of Milford Wind Phase II Energy Agreement (BP 10-007)
      with SCPPA and the City of Glendale, which provides for LADWP to purchase Glendale’s
      share of 5 megawatts of the metered output and associated environmental attributes as
      produced by the Project.

2. CONCUR with the Board of Water and Power Commissioners’ action of March 18, 2010,
Resolution No. 011-033, approving the following actions:

   a. Rescinding Resolution No. 010-177, which approved LADWP contracts No. BP 09-026,
      BP 09-027, and BP 09-042.

   b. Authorize and direct the President or the Vice President of the Board of Water and
      Power Commissioners (Board), or General Manager of the LADWP, or such person as
      the General Manager shall designate in writing, and the Secretary, Assistant Secretary,
      or the Acting Secretary of this Board to execute the Milford Wind Corridor Phase II
      Project PSA No. BP 10-005, the Milford Wind Corridor Phase II Project Agency
      Agreement No. BP 10- 006, and the Contract for Sale and Purchase of Milford Wind
      Phase II Energy Agreement No. BP 10-007, for and on behalf of LADWP.
c. Authorize the Chief Accounting Employee of the LADWP upon proper certification to draw demands on the Power Revenue Fund, over the term of the Milford Wind Corridor Phase II Project PSA No. BP 10-005, the Milford Wind Corridor Phase II Project Agency Agreement No. BP 10-006, and the Contract for Sale and Purchase of Milford Wind Phase II Energy Agreement No. BP 10-007, in payment of the obligations incurred by such agreements.

d. Direct the Board to review and act on material matters to be voted on by LADWP as a member of the coordinating committee established pursuant to the Milford Wind Corridor Phase II Project PSA No. BP 10-005, which includes any recommendation that Southern California Power Authority purchase the Project and any approval of the costs of acquisition of the Project that would be borne by LADWP as provided under said agreement.

e. Direct that the energy acquired from Milford Wind Corridor Phase II Project PSA No. BP 10-005 and the Contract for Sale and Purchase of Milford Wind Phase II Energy Agreement No. BP 10-007, shall be credited towards the LADWP's Renewable Portfolio Standard (RPS) goal of 20 percent.

3. PRESENT and ADOPT the accompanying ORDINANCE approving the agreements as detailed above in Recommendation Nos. 1a, 1b and 1c in connection with the Milford II Wind Project.

Fiscal Impact Statement: The City Administrative Officer reports that the proposed Power Sales Agreement, Agency Agreement and Contract for Sale and Purchase Contract with the City of Glendale will have no impact on the City General Fund; therefore the City's Financial Policies are not applicable. The estimated total cost for the Milford II Project between the LADWP and the Southern California Power Authority is $396 million over 20 years. Annual payments will vary from $18.5 million for the first year and $19.8 million for each of the remaining 19 years. Funding by OWP's Power Revenue Fund is to be defined by the LADWP.

Community Impact Statement: None submitted.

ADOPTED

MOTION (PERRY - GARCETTI)

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

1. CONCUR with the Board of Water and Power Commissioners’ action of March 18, 2010, Resolution No. 011-033, approving the following agreements:

   a. Milford Wind Corridor Phase II Project Power Sales Agreement (BP 10-005) with SCPPA, to authorize the Los Angeles Department of Water and Power (LADWP) to purchase 102 megawatts of renewable wind energy from the Project starting July 1, 2011, for a period of 20 years.

   b. Milford Wind Corridor Phase II Project Agency Agreement for Project Management Services (BP 10-006) with SCPPA which provides for the designation of LADWP as the Project Manager, to administer on behalf of and for the benefit of the Project participants, which include the City of Glendale.
c. Contract for Sale and Purchase of Milford Wind Phase II Energy Agreement (BP 10-007) with SCPPA and the City of Glendale, which provides for LADWP to purchase Glendale's share of 5 megawatts of the metered output and associated environmental attributes as produced by the Project.

2. CONCUR with the Board of Water and Power Commissioners’ action of March 18, 2010, Resolution No. 011-033, approving the following actions:

a. Rescinding Resolution No. 010-177, which approved LADWP contracts No. BP 09-026, BP 09-027, and BP 09-042.

b. Authorize and direct the President or the Vice President of the Board of Water and Power Commissioners (Board), or General Manager of the LADWP, or such person as the General Manager shall designate in writing, and the Secretary, Assistant Secretary, or the Acting Secretary of this Board to execute the Milford Wind Corridor Phase II Project PSA No. BP 10-005, the Milford Wind Corridor Phase II Project Agency Agreement No. BP 10-006, and the Contract for Sale and Purchase of Milford Wind Phase II Energy Agreement No. BP 10-007, for and on behalf of LADWP.

c. Authorize the Chief Accounting Employee of the LADWP upon proper certification to draw demands on the Power Revenue Fund, over the term of the Milford Wind Corridor Phase II Project PSA No. BP 10-005, the Milford Wind Corridor Phase II Project Agency Agreement No. BP 10-006, and the Contract for Sale and Purchase of Milford Wind Phase II Energy Agreement No. BP 10-007, in payment of the obligations incurred by such agreements.

d. Direct the Board to review and act on material matters to be voted on by LADWP as a member of the coordinating committee established pursuant to the Milford Wind Corridor Phase II Project PSA No. BP 10-005, which includes any recommendation that Southern California Power Authority purchase the Project and any approval of the costs of acquisition of the Project that would be borne by LADWP as provided under said agreement.

e. Direct that the energy acquired from Milford Wind Corridor Phase II Project PSA No. BP 10-005 and the Contract for Sale and Purchase of Milford Wind Phase II Energy Agreement No. BP 10-007, shall be credited towards the LADWP’s Renewable Portfolio Standard (RPS) goal of 20 percent.

3. PRESENT and ADOPT the accompanying ORDINANCE approving the agreements as detailed above in Recommendation Nos. 1a, 1b and 1c in connection with the Milford II Wind Project.
ITEM NO. (5) - ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #12 - Adopted, Ayes (13); Absent: Cárdenas and Reyes (2)

07-2858-S1
CDs 4, 5, & 13

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to amending the Hollywood Signage Supplemental Use District (SUD) Ordinance No. 176172.

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

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the lead agency in the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 07-2858-S1 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV-2003-1377-MND (REC1)] filed on December 8, 2008.

2. ADOPT the FINDINGS of the City Planning Commission (CPC), including the Environmental Findings, and the supplemental Findings of the Planning and Land Use Management Committee as the Findings of Council.

3. PRESENT and ADOPT the accompanying ORDINANCE, disapproved by the Director of Planning, amending the Hollywood Signage SUD, Ordinance No. 176172, for the designated commercial and industrially zoned properties roughly bounded by the Hollywood Freeway (101 Freeway) on the north and east, Melrose Avenue on the south, and La Brea Boulevard on the west.

Applicant: City of Los Angeles

CPC-2007-5866-SN

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

Community Impact Statement: Yes, Greater Griffith Park Neighborhood Council

(2/3 votes required on second reading)

ITEM NO. (6) - ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #11 - Adopted, Ayes (13); Absent: Cárdenas and Reyes (2)

10-0335

PUBLIC SAFETY COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to enacting additional enforcement options for the City's Rooster Ordinance.

Recommendation for Council action, as initiated by Motion (Hahn - Cardenas), SUBJECT TO THE APPROVAL OF THE MAYOR:
PRESENT and ADOPT the accompanying ORDINANCE amending Section 57.71(d) of the Los Angeles Municipal Code to enact additional enforcement options for the City’s Rooster Ordinance.

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

Community Impact Statement: None submitted.

Roll Call #1 - Adopted, Ayes (12); Absent: Alarcón, Cárdenas and Reyes (3)
(Item Nos. 7-8)

ITEM NO. (7) - ADOPTED

10-0826

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to various actions regarding the donation, fabrication, installation and maintenance of the statue of Cyrus the Great by the Delijani Family at Pershing Square.

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

1. REQUEST the Board of Recreation and Parks Commissioners to accept the donation of a bronze representation of Cyrus the Great as a gift from the Delijani Family on behalf of the City to be installed at Pershing Square, subject to all necessary approvals and permits.

2. INSTRUCT the Department of Cultural Affairs to facilitate the review and approval process required by Los Angeles Administrative Code Section 22.109 and schedule the matter expeditiously before the Cultural Affairs Commission.

3. REQUEST the Board of Recreation and Parks Commissioners to authorize the installation of the Cyrus the Great work of art at Pershing Square, subject to all necessary approvals and permits.

4. REQUEST the Board of Recreation and Parks Commissioners to work cooperatively with the Mr. Houshang Seyhoun (the Delijani Cyrus Project Manager) and any other involved parties as necessary to facilitate the issuance of a Right of Entry permit and any other necessary approvals/permits expeditiously.

5. INSTRUCT the Bureau of Contract Administration to monitor the installation of the Cyrus Project and provide any technical assistance as necessary.

6. REQUEST the City Attorney to work cooperatively with all involved parties and provide assistance in reviewing any legal documents and advise the parties involved as necessary.

7. REQUEST the Department of Recreation and Parks to work cooperatively with the Delijani Family and other City departments as necessary to expeditiously facilitate the installation of the Cyrus Project.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.
ITEM NO. (8) - ADOPTED

AUDITS AND GOVERNMENT EFFICIENCY COMMITTEE REPORT relative to the Fiscal Year (FY) 2008-09 Audit Observations and Recommendations Report and the Municipal Improvement Corporation (MICLA) Financial Statements, Management Discussion, and Analysis Report.

Recommendation for Council action:

RECEIVE and FILE the City Controller reports dated:


Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (9) - ADOPTED

Roll Call #16 - Adopted, Ayes (12); Absent: Cárdenas, Reyes and Wesson (3)

BUDGET AND FINANCE COMMITTEE REPORT relative to the sale of surplus property of the St. Peter's Episcopal Church Building to Green Hills Memorial Park for the below market price of $1.00.

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

1. AUTHORIZE the sale of the original St. Peter's Church building to Green Hills Memorial Park, for the below market price of $1.00, in accordance with the Los Angeles Administrative Code (LAAC).

2. REQUEST the City Attorney to expedite preparation of the appropriate documents to effectuate the sale and transfer of the above identified surplus property at below market price to Green Hills Memorial Park.

3. INSTRUCT the City Clerk to inform Green Hills Memorial Park [Ray Frew, 27501 South Western Avenue, Rancho Palos Verdes, California 90275, (310) 521-4417] that the surplus property must be claimed within 60 days from the date of Council approval of the request, at which time it will revert to the City's surplus equipment/property pool for disposal by the Department of General Services.
Fiscal Impact Statement: The Chief Legislative Analyst reports that the sale of the St. Peter's building at below market value is consistent with the City's Financial Policies as the costs to transport, demolish or historically restore the property exceeds the market value of the property. This below market sale will increase the General Fund by $1.00.

Community Impact Statement: None submitted.

Roll Call #1 - Adopted, Ayes (12); Absent: Alarcón, Cárdenas and Reyes (3) (Item Nos. 10-12)

ITEM NO. (10) - ADOPTED - FORTHWITH

09-3050 CONTINUED CONSIDERATION OF BUDGET AND FINANCE COMMITTEE REPORT relative to changes in the City of Los Angeles’ Investment Policy.

Recommendations for Council action:

1. RESCIND the Council's action pursuant to Council file No. 86-1264 creating the Investment Advisory Committee (IAC).

2. REQUEST the City Attorney to prepare and present an ordinance that authorizes the City Treasurer to reconstitute the IAC, as detailed in the January 15, 2010 City Treasurer report and attached to the Council file, that includes as ex officio members, the Chief Legislative Analyst (CLA) and City Administrative Officer (CAO).

3. DIRECT the City Treasurer to submit the IAC membership recommendations to the City Council and Mayor for review and approval.

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

Community Impact Statement: None submitted.

(Continued from Council meeting of September 21, 2010)

ITEM NO. (11) - ADOPTED

08-0672 ENERGY AND ENVIRONMENT COMMITTEE REPORT relative to proposed Amendment No. 1 to Agreement No. 47765-8 with POWER Engineers, Inc. for professional environmental services in connection with the proposed Barren Ridge Renewable Transmission Project.

Recommendation for Council action:

CONCUR with the Board of Water and Power Commissioners’ action of July 22, 2010, Resolution No. 011-020, approving Amendment No. 1 to Agreement No. 47765-8 with POWER Engineers, Inc. for professional environmental services in connection with the proposed Barren Ridge Renewable
Transmission Project as detailed in the Board of Water and Power Commissioner’s July 27, 2010 report and attached to the Council file.

Fiscal Impact Statement: The City Administrative Officer reports that approval of Resolution No. 011-020 will result in a total not to exceed expenditure of $5.4 million from the Power Revenue Fund. Since the LADWP is bound only by the City Debt Management Policies, the City Financial Policies are not applicable. Approval of the proposed resolution will have no impact on the City's General Fund.

Community Impact Statement: None submitted.

ITEM NO. (12) - ADOPTED

10-1462

ENERGY AND ENVIRONMENT COMMITTEE REPORT relative to a proposed membership agreement with the California Transmission Planning Group (CTPG) for sub-regional transmission planning.

Recommendation for Council action:

CONCUR with the Board of Water and Power Commissioners’ action of August 3, 2010, Resolution No. 011-036, approving DWP No. BP 10-003 with CTPG for sub-regional transmission planning, as detailed in the Board of Water and Power Commissioner’s August 5, 2010 report and attached to the Council file.

Fiscal Impact Statement: The City Administrative Officer reports that approval of DWP No. BP 10-003 will have no direct impact on the City General Fund. The proposed Membership Agreement with the CTPG obligates the Power Revenue Fund to an annual membership fee of $5,000 or a maximum aggregate amount of $50,000 over the term of the Agreement.

Community Impact Statement: None submitted.

TIME LIMIT FILE - OCTOBER 9, 2010

(LAST DATE FOR COUNCIL ACTION - OCTOBER 8, 2010)

ITEM NO. (13) - ADOPTED

Roll Call #17 - Adopted, Ayes (12); Absent: Cárdenas, Reyes and Wesson (3)

10-2281

CD 15

FINAL ENVIRONMENTAL IMPACT REPORT (FEIR) and ENERGY AND ENVIRONMENT COMMITTEE REPORT relative to Wilmington Drain Multi-Use and Machado Lake Ecosystem Rehabilitation Project.

Recommendations for Council action:
1. FIND that the FEIR (SCH No. 2009081093; EIR-10-010-BE) was completed in compliance with the California Environmental Quality Act (CEQA); that City Council reviewed and considered the information contained in the FEIR prior to approving the Wilmington Drain Multi-Use and Machado Lake Ecosystem Rehabilitation Project; that the FEIR reflects and expresses the City's independent judgment and analysis; and that the documents constituting the record of proceedings in this matter are in the custody of the City Clerk and in the files of the Department of Public Works, Bureau of Engineering (BOE).

2. ADOPT the Findings and Statement of Overriding Considerations as attached to the Council file.

3. APPROVE the Wilmington Drain Multi-Use and Machado Lake Ecosystem Rehabilitation Project, as detailed in the FEIR and attached to the Council file.

4. ADOPT the Mitigation Plan as attached to the Council file.

Fiscal Impact Statement: The Board of Public Works Commissioners reports that the various components of the proposed Wilmington Drain Multi-Use and Machado Lake Ecosystem Rehabilitation Project have a budget of approximately $118,000,000.

Community Impact Statement: None submitted.

ITEM NO. (14) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #18 - to Adopt as Amended, Ayes (11); Absent: Cárdenas, Perry, Reyes and Wesson (4)

10-1439
CD 15

CATEGORICAL EXEMPTION and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to mitigating the adverse impacts on the community caused by the operation of Dima Market located at 10609 Wilmington Avenue.

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

1. FIND that this action is categorically exempt from California Environmental Quality Act of pursuant to Article VII, Section 1, Class 21(2) of the City's Environmental Guidelines.

2. ADOPT the FINDINGS of the Zoning Administrator as the Findings of the Council.

3. RESOLVE TO GRANT IN PART/DENY IN PART APPEAL filed by Sam Zatar (Stuart Miller, Wellman and Warren LLP, Representative) from part of the Zoning Administrator's determination in imposing Condition Nos. 4 and 5 (relating to hours of operation and provision of security guard) and THEREBY IMPOSE conditions, as modified, on the operation of Dima Market located at 10609 Wilmington Avenue at, inasmuch as the business was found to be a nuisance and required modification of its operation to mitigate adverse impacts to the surrounding area.

Applicant: City of Los Angeles (Office of Zoning Administration)DIR 2008-2822(RV)

4. DIRECT the Los Angeles Police Department to report to Council in six months relative to this matter.
Fiscal Impact Statement: None submitted by the Planning Department. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

TIME LIMIT FILE - SEPTEMBER 28, 2010

(LAST DAY FOR COUNCIL ACTION - SEPTEMBER 28, 2010)

ADOPTED

AMENDING MOTION (HAHN - LABONGE)

Recommendations for Council action:

AMEND as follows:

1. ADOPT all the conditions of approval, Findings, and environmental clearance as recommended by the Zoning Administrator’s report dated June 30, 2010, which specifically required that the hours of business operation shall not exceed 7 am to 7 pm daily

2. DISAPPROVE recommendation No. 3 only as reflected in today’s Council agenda as recommended by the Planning and Land Use Management Committee on September 21, 2010, and thereby uphold and approve all the June 30, 2010 actions of the Zoning Administrator.

Roll Call #1 - Adopted, Ayes (12); Absent: Alarcón, Cárdenas and Reyes (3)
(Item Nos. 15-17)

ITEM NO. (15) - ADOPTED

10-2395

PUBLIC SAFETY COMMITTEE REPORT relative to a donation of a 2007 Ford Cargo Van for use by the Los Angeles Police Department's (LAPD) Metropolitan Division.

Recommendation for Council action:

ACCEPT the donation of a 2007 Ford Cargo Van, valued at $17,000 from Target Stores, for use by the LAPD’s Metropolitan Division, and THANK the donor for its generous gift.

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

Community Impact Statement: None submitted.
ITEM NO. (16) - ADOPTED

10-2396
PUBLIC SAFETY COMMITTEE REPORT relative to a donation of consultant services for use by the Los Angeles Police Department (LAPD).

Recommendation for Council action:

ACCEPT the donation of consultant services valued at $20,000, from the Los Angeles Police Foundation for use by the LAPD, and THANK the donor for its generous gift.

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

Community Impact Statement: None submitted.

ITEM NO. (17) - ADOPTED

10-2419
PUBLIC SAFETY COMMITTEE REPORT relative to the financial status of the Disaster Assistance Trust Fund for the fiscal year ended June 30, 2010 (FY 2010).

Recommendation for Council action:

NOTE and FILE City Administrative Officer (CAO) report to Council dated September 10, 2010 (attached to the Council file), relative to the financial status of the Disaster Assistance Trust Fund for FY 2010.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund.

Community Impact Statement: None submitted.

Items for Which Public Hearings Have Not Been Held - Items 18-33
(10 Votes Required for Consideration)

ITEM NO. (18) - ADOPTED

Roll Call #13 - Adopted, Ayes (13); Absent: Cárdenas and Reyes (2)

10-1059
COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to the provision of full salaries and benefits to City employees activated by the armed services in response to the Operation Deepwater Horizon Response, recovery of City costs, and related matters.

Recommendation for Council action, as initiated by Motion (Krekorian - Zine), SUBJECT TO THE APPROVAL OF THE MAYOR:
PRESENT and ADOPT the accompanying ORDINANCE which:

a. Provides employees in the City of Los Angeles who are activated as members of the National Guard, Naval Militia or any reserve component of the armed services of the United States as a result of the deployment of military personnel in response to Operation Deepwater Horizon Response with the difference between their regular City salaries and their military salaries and ensures the continuation of certain benefits for the duration of their military assignment.

b. Authorizes the City Attorney to take all appropriate actions to recover the costs incurred by the City in the provision of the aforementioned benefits from the responsible parties.

c. Authorizes the City Attorney to pursue recovery of the net costs of pending increased or additional public services during the term of the employees' military assignment necessitated by Operation Deepwater Horizon Response.

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.

(Personnel Committee waived consideration of the above matter)

Roll Call #3 - Adopted, Ayes (12); Absent: Alarcon, Cárdenas and Reyes (3)  
(Item Nos. 19a,19c-19g)

ITEM NO. (19) - ADOPTED

10-0005-S710 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 September 21, 2010:

10-0005-S710 CD 8

Property at 1125 West 84th Place (Case No. 210742).  
Assessor I.D. No. 6033-015-046

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

Roll Call #2 - Adopted to Receive and File, Unanimous Vote (12); Absent: Alarcón, Cárdenas and Reyes (3)

10-0005-S711
CD 9
b. Property at 831 West 43rd Street (Case No. 268960).
   Assessor I.D. No. 5019-006-013
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 11, 2010)

10-0005-S712
CD 14
c. Property at 1014 North Sentinel Avenue a.k.a. 1016 North Sentinel Avenue (Case No. 24527).
   Assessor I.D. No. 5229-027-014
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 13, 2006)

10-0005-S713
CD 14
d. Property at 145 South Dacotah Street (Case No. 219498).
   Assessor I.D. No. 5179-003-024
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on September 24, 2009)

10-0005-S714
CD 10
e. Property at 3128 West Exposition Place a.k.a. 3133 West Exposition Place (Case No. 245024).
   Assessor I.D. No. 5044-001-006
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on January 5, 2010)

10-0005-S715
CD 11
f. Property at 314 North Venice Boulevard a.k.a. 318 North Venice Boulevard (Case No. 281384).
   Assessor I.D. No. 4238-024-018
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 22, 2010)

10-0005-S716
CD 10
g. Property at 3751 West San Marino Street a.k.a. 939 South Wilton Place (Case No. 237873).
   Assessor I.D. No. 5092-022-018
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on October 20, 2009)
COMMUNICATIONS FROM CHAIR AND MEMBER, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE AND CHAIR, PERSONNEL COMMITTEE relative to staffing the Human Relations Commission within the Community Development Department (CDD).

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

1. AUTHORIZE the General Manager, CDD, or designee, to:
   a. Reprogram $300,000 from unexpended Community Development Block Grant - American Recovery Reinvestment Act (CDBG-ARRA) funds allocated for the Los Angeles City Works Academy Project for partial salary costs for four positions currently employed by CDD to perform human relations functions.
   b. Prepare and submit a substantial change amendment to the CDBG-ARRA plan reflecting these changes to the U.S. Housing and Urban Development Department.
   c. Prepare Controller instructions and make any necessary technical adjustments consistent with Mayor and Council actions on this matter, subject to the approval of the City Administrative Officer (CAO), and authorize the Controller to implement these instructions.

2. RESOLVE that Employment Authority for one Senior Project Coordinator, Civil Service Code No. 1538, and three Human Relation Advocates, Civil Class Code No. 9207, subject to the review and approval by the Personnel Department as to Civil Service classification, allocation and exemption, as appropriate is APPROVED.

3. DELETE one vacant Senior Management Analyst I and three vacant Management Analyst II positions that are currently held in lieu of one Senior Project Coordinator and three Human Relations Advocates effective upon allocation of the authorities in Recommendation No. Two.

4. AUTHORIZE the Controller to:
   a. Transfer appropriations within the Workforce Investment Act (WIA) - American Reinvestment Act Trust Fund No. 51G as follows:

      | Account | Title                  | Amount |
      |---------|------------------------|--------|
      | F279    | WIA Rapid Response     | 339,489|
      | G122    | CDD                   | 224,931|
      | G299    | Related Costs          | 114,558|
b. Increase appropriations within Fund No. 100/22, CDD as follows:

<table>
<thead>
<tr>
<th>Account</th>
<th>Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1010</td>
<td>Salaries, General</td>
<td>203,081</td>
</tr>
<tr>
<td>6010</td>
<td>Office and Administrative</td>
<td>3,784</td>
</tr>
<tr>
<td>6030</td>
<td>Leasing</td>
<td>18,066</td>
</tr>
</tbody>
</table>

c. Transfer appropriations within the CDBG-ARRA Fund No. 51N as follows:

<table>
<thead>
<tr>
<th>Account</th>
<th>Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>From:</td>
<td>F204 LA City Works Academy</td>
<td>300,000</td>
</tr>
<tr>
<td>To:</td>
<td>G122 CDD</td>
<td>198,767</td>
</tr>
<tr>
<td></td>
<td>G299 Related Costs</td>
<td>101,233</td>
</tr>
</tbody>
</table>

d. Increase appropriations within Fund No. 100/22, CDD as follows:

<table>
<thead>
<tr>
<th>Account</th>
<th>Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1010</td>
<td>Salaries, General</td>
<td>179,459</td>
</tr>
<tr>
<td>6010</td>
<td>Office and Administrative</td>
<td>3,344</td>
</tr>
<tr>
<td>6030</td>
<td>Leasing</td>
<td>15,964</td>
</tr>
</tbody>
</table>

**Fiscal Impact Statement:** The CAO reports there is no additional impact on the General Fund if the recommendations in this report are adopted. The recommendations in the CAO report will provide approximately $215,971 in reimbursements to the General Fund for 2010-11 for full cost recovery for salary costs for four resolution authorities that perform human relations functions within the CDD. This revenue is included in the 2010-11 Adopted Budget Revenue for CDD. Funding for these positions is recommended from the Workforce Investment Act and CDBG-ARRA grants. These positions may become the obligation of future year CDBG funds, subject to Mayor and Council approval. The recommendations in the CAO report are in compliance with City Financial Policies in that the full cost of the proposed expenditures is available from grant funds.

**Community Impact Statement:** None submitted.

ADOPTED

**AMENDING MOTION (ZINE - WESSON)**

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

1. AUTHORIZE the General Manager, Community Development Department (CDD), or designee, to:

   a. Reprogram $300,000 from unexpended CDBG-ARRA funds allocated for the Los Angeles City Works Academy Project for partial salary costs for four positions currently employed by CDD to perform human relations functions.

   b. Prepare and submit a substantial change amendment to the CDBG-ARRA plan...
reflecting these changes to the U.S. Housing and Urban Development Department.

2. AUTHORIZE by Resolution one Senior Project Coordinator, Class Code, 1538 and three Human Relation Advocates, Class Code 9207, subject to review and approval by the Personnel Department as to Civil Service classification, allocation and exemption, as appropriate.

3. DELETE one vacant Senior Management Analyst I, that is currently filled by one Senior Project Coordinator in lieu, effective upon allocation of the authorities in Recommendation No. 2.

4. AUTHORIZE the Controller to:

   a. Transfer appropriations within the Workforce Investment Act - American Reinvestment Act (ARRA) Trust Fund No. 51G as follows:

      | Account | Title               | Amount     |
      |---------|---------------------|------------|
      | From:   |                     |            |
      | F279    | WIA Rapid Response  | $339,489   |
      | To:     |                     |            |
      | G122    | CDD                 | 224,931    |
      | G299    | Related Costs       | 114,558    |
      | Total:  |                     | $339,489   |

   b. Increase appropriations within Fund No. 100/22, CDD as follows:

      | Account | Title                | Amount   |
      |---------|----------------------|----------|
      | 1010    | Salaries, General    | $203,081 |
      | 6010    | Office and Administrative | 3,784   |
      | 6030    | Leasing              | 18,066   |
      | Total:  |                      | $224,931 |

   c. Transfer appropriations within the Community Development Block Grant - ARRA Fund No. 51N as follows:

      | Account | Title                | Amount   |
      |---------|----------------------|----------|
      | From:   |                      |          |
      | F204    | LA City Works Academy| $300,000 |
      | To:     |                      |          |
      | G122    | CDD                  | 198,767  |
      | G299    | Related Costs        | 101,233  |
      | Total:  |                      | $300,000 |
d. Increase appropriations within Fund No. 100/22, CDD as follows:

<table>
<thead>
<tr>
<th>Account</th>
<th>Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1010</td>
<td>Salaries, General</td>
<td>$179,459</td>
</tr>
<tr>
<td>6010</td>
<td>Office and Administrative</td>
<td>3,344</td>
</tr>
<tr>
<td>6030</td>
<td>Leasing</td>
<td>15,964</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>$198,767</td>
</tr>
</tbody>
</table>

5. AUTHORIZE the General Manager, CDD, or designee to prepare Controller instructions and make any necessary technical adjustments consistent with Mayor and Council actions on this matter, subject to approval of the City Administrative Officer, and AUTHORIZE the Controller to implement these instructions.

Roll Call #3 - Adopted, Ayes (12); Absent: Alarcón, Cárdenas and Reyes (3)
(Item Nos. 21-24)

ITEM NO. (21) - ADOPTED

10-1299

COMMUNICATION FROM CHAIR, PERSONNEL COMMITTEE relative to a third and final year civil service exemption extension for one grant-funded Assistant Chief Grants Administrator position in the Community Development Department (CDD).

Recommendation for Council action:

RESOLVE that one Assistant Chief Grants Administrator position in the CDD, Planning Research and Evaluation, be EXEMPTED from the Civil Service provisions of the City Charter for a period of one year, pursuant to Charter Section 1001(d)(4). This position is grant-funded, and the Board of Civil Service Commissioners approved the extension of the exemption request from CDD on June 10, 2010.

Fiscal Impact Statement: None submitted by the CDD. 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. (22) - ADOPTED

10-1301

COMMUNICATION FROM CHAIR, PERSONNEL COMMITTEE relative to a third and final year civil service exemption extension for one grant-funded Senior Project Coordinator position in the Community Development Department (CDD).

Recommendation for Council action:
RESOLVE that one Senior Project Coordinator position in the CDD, Capacity Build L.A., be EXEMPTED from the Civil Service provisions of the City Charter for a period of one year, pursuant to Charter Section 1001(d)(4). This position is grant-funded, and the Board of Civil Service Commissioners approved the extension of the exemption request from CDD on June 10, 2010.

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

Community Impact Statement: None submitted.

ITEM NO. (23) - ADOPTED

10-1396

COMMUNICATION FROM CHAIR, PERSONNEL COMMITTEE relative to the approval of Fiscal Year (FY) 2010-11 Unfreeze Resolution submitted in accordance with the Los Angeles Administrative Code (LAAC) Section 4.132.

Recommendation for Council action:

ADOPT the accompanying FY 2010-11 Unfreeze RESOLUTION, which identifies all positions that are required to remain vacant pursuant to the 2010-11 Adopted Budget as well as possible classification and pay grade issues that need to be evaluated after the positions become vacant.

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. (24) - ADOPTED

10-1700

COMMUNICATION FROM CHAIR, PERSONNEL COMMITTEE and RESOLUTION relative to the 2010-11 Personnel Authority Resolution (PAR).

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

1. ADOPT the accompanying RESOLUTION granting personnel authority in accordance with Attachments A, B, and C, which consist of the following:

   a. Attachment A provides authority effective July 1, 2010, unless otherwise noted therein, for positions approved by the Council in the 2010-11 Adopted Budget requiring temporary resolution authority.

   b. Attachment B provides temporary authority for the positions included in the 2010-11 Adopted Budget and the 2010-11 Proposed Detail of Positions and Salaries, pending the effective date of the Departmental Personnel Ordinance.
c. Attachment C provides authority effective July 1, 2010, for positions that were approved by resolution during the 2009-10 fiscal year, which are funded off budget and continue to be needed during 2010-11. In instances where departments/bureaus are requesting continuation of resolution authority beyond current authorized periods of time, the City Administrative Officer (CAO) concurs with such requests contained herein.

2. APPROVE the amendments contained in the August 26, 2010 report from the CAO, attached to the Council file, relative to Attachment C of the PAR, with one additional technical correction made in Committee. The Authority date should be from 7/1/2010 to 6/30/2011.

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

Community Impact Statement: None submitted.

ITEM NO. (25) - ADOPTED

Roll Call #20 - Adopted, Ayes (11); Absent: Cárdenas, Perry, Reyes and Wesson (4)

10-2312 COMMUNICATION FROM CHAIR, PERSONNEL COMMITTEE relative to the exemption of one Historic Site Curator position for the Harbor Department from the Civil Service provisions of the City Charter.

Recommendation for Council action:

APPROVE the exemption of one Historic Site Curator position for the Harbor Department from the Civil Service provisions of the City Charter, pursuant to Charter Section 1001(b) (1).

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - OCTOBER 1, 2010
(LAST DAY FOR COUNCIL ACTION - OCTOBER 1, 2010)

Roll Call #3 - Adopted, Ayes (12); Absent: Alarcón, Cárdenas and Reyes (3)
(Item Nos. 26-27)

ITEM NO. (26) - ADOPTED

10-2442 COMMUNICATION FROM THE BOARD OF PUBLIC WORKS relative to the authority for Bureau of Street Services to apply for grant funding from the California Environmental Protection Agency, Environmental Enforcement and Training Program.
Recommendations for Council action:

1. AUTHORIZE the Bureau of Street Services, Investigation and Enforcement Division to apply for grant funding from the California Environmental Protection Agency, Environmental Enforcement and Training Grant Program pursuant to California Penal Code Section 14300 to fund environmental enforcement training related to illegal dumping for Street Services Investigators.

2. INSTRUCT the Bureau of Street Services, Investigation and Enforcement to report back to the Board of Public Works, the Mayor and City Council for the purpose of accepting any funds awarded.

Fiscal Impact Statement: The Board of Public Works reports that approval of this request will allow the Bureau of Street Services to apply for grant funding from the California Environmental Protection Agency to fund environmental enforcement training related to illegal dumping for Street Services Investigators. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

(Public Works Committee waived consideration of the above matter)

ITEM NO. (27) - ADOPTED - TO THE MAYOR FORTHWITH

COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER relative to authority to modify Community Services Block Grant (CSBG) Funds American Recovery and Reinvestment Act (ARRA) Implementation Plan

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

1. AUTHORIZE the General Manager, Community Development Department (CDD), or designee, to modify the City’s CSBG-ARRA Implementation Plan to expend an additional $178,700 for subsidized employment to fully expend $12,700,000 in CSBG ARRA funds by September 20, 2010.

2. AUTHORIZE the General Manager, CDD, or designee, to execute a second amendment to Contract No. C-116553 with El Centro del Pueblo to add $50,000 in CSBG ARRA funds for a total amount of $310,000 for additional services, subject to the review and approval of the City Attorney, as to form and legality and the Department of Public Works, Bureau of Contract Administration for compliance with the City’s contracting requirements.

3. AUTHORIZE the Controller to:

   a. Establish new accounts and transfer appropriations within the CSBG ARRA Fund 51H as follows:
b. Transfer appropriations within CSBG-ARRA Fund No. 51H as follows: (To transfer unexpended balance from Fiscal Year 2009-2010 to 2010-2011)

<table>
<thead>
<tr>
<th>Account</th>
<th>Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>F182</td>
<td>PW-Sanitation</td>
<td>$369,592</td>
</tr>
</tbody>
</table>


To:

<table>
<thead>
<tr>
<th>Account</th>
<th>Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>G182</td>
<td>PW-Sanitation</td>
<td>$336,329</td>
</tr>
<tr>
<td>G299</td>
<td>PW-related Costs</td>
<td>$ 33,263</td>
</tr>
</tbody>
</table>

Total $369,592

c. Increase appropriations within Account 1070, As Needed Salaries for $453,446 within Fund 100/82 - Department of Public Works, Bureau of Sanitation, (includes $336,329 carry over from 2009-10 and $117,117 in new funding).

d. Establish a new account and transfer appropriations within CSBG-ARRA Fund No. 51H as follows: (To transfer unexpended balance for Department of Recreation and Parks Subsidized Employment Program from Fiscal Year 2009-10 to 2010-11)

<table>
<thead>
<tr>
<th>Account</th>
<th>Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>F302</td>
<td>Subsidized Employment Program-ARRA</td>
<td>$1,288,444</td>
</tr>
</tbody>
</table>

To:

<table>
<thead>
<tr>
<th>Account</th>
<th>Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>G302</td>
<td>Subsidized Employment Program-ARRA</td>
<td>$1,288,444</td>
</tr>
</tbody>
</table>

e. Increase appropriation in the following accounts within Recreation and Parks, Fund 302 as follows:

<table>
<thead>
<tr>
<th>Account</th>
<th>Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1070</td>
<td>Salaries - As Needed</td>
<td>$1,252,835</td>
</tr>
<tr>
<td>6010</td>
<td>Office and Administrative</td>
<td>$ 24,552</td>
</tr>
<tr>
<td>6020</td>
<td>Operating Supplies</td>
<td>$ 11,057</td>
</tr>
</tbody>
</table>

Total $1,288,444
4. AUTHORIZE the General Manager, CDD, or designee, to prepare Controller instructions and/or make any technical adjustments that 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: The CAO reports that the recommendations in the CAO report will provide $44,846 to the General Fund for related costs reimbursement for part-time employees in the Department of Public Works, Bureau of Sanitation. The recommendations also authorize the CDD to modify the CSBG ARRA Implementation Plan to expend a total of $178,700 in program savings for Subsidized Employment and Work Experience Programs. The recommendations comply with City Financial Policies in that full cost for the proposed services is available from federal and state grant sources, namely CSBG ARRA.

Community Impact Statement: None submitted.

(Ad Hoc on Economic Recovery and Reinvestment Committee waived consideration of the above matter)

ITEM NO. (28) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #21 - to Adopt as Amended, Ayes (11); Absent: Cárdenas, Perry, Reyes and Wesson (4)

10-2424
CD 14

CONSIDERATION OF MOTION (HUIZAR - REYES) relative to a request to waive the five-foot wide street dedication requirement along First Street imposed by City Planning Case No. ZA 2008-2211 (ZV/ZAA), on a property located at 101-7 North Boyle Avenue.

Recommendation for Council action:

INSTRUCT the Bureau of Engineering, with the assistance and cooperation of the Planning Department, to waive the five-foot wide street dedication requirement along First Street imposed by City Planning Case No. ZA 2008-2211 (ZV/ZAA), relative to a property located at 101-7 North Boyle Avenue.

Community Impact Statement: None submitted.

(Public Works Committee waived consideration of the above matter)

ADOPTED

AMENDING MOTION (HUIZAR - KRELORIAN)

Recommendations for Council action:

MOVE that the Bureau of Engineering with the assistance and cooperation of the Planning Department, be requested to waive the five-foot wide street dedication requirement along First Street imposed by City Planning Case No. ZA 2008-2211 (ZV/ZAA), relative to a property
located at 101-7 North Boyle Avenue.

DIRECT the Planning Department and the Bureau of Engineering to waive the five-foot wide dedication requirement and seven-foot street widening along First Street imposed by City Planning Case No. ZA 2008-2211 (ZV/ZA), relative to a property located at 101-07 North Boyle Avenue.

Roll Call #3 - Adopted, Ayes (12); Absent: Alarcón, Cárdenas and Reyes (3)
(Item Nos. 29-32)

ITEM NO. (29) - ADOPTED

08-0144-S6
CD 9

MOTION (PERRY - ZINE) relative to funding for services in connection with the Council District Nine Farmers’ Market, held weekly on the south lawn of City Hall on Thursdays.

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

APPROPRIATE $2,700 from the Unappropriated Balance Fund No. 100/58 to the General Services Fund No. 100/40, Account No. 1090 (Overtime Account) for services in connection with the Council District Nine Farmers’ Market, held on the South lawn of City Hall weekly on Thursday from July 23, 2009 to July 15, 2010 - Said funds to be reimbursed to the General Fund by the Little Tokyo/Arts District Farmers’ Market.

ITEM NO. (30) - ADOPTED

10-2431

MOTION (PERRY - ZINE) relative to authorizing the Department of General Services (GSD) use of the City Hall Tom Bradley Room on November 12, 2010.

Recommendation for Council action:

AUTHORIZE the GSD use of the City Hall Tom Bradley Room on November 12, 2010, during regular business hours, to hold a meeting.

ITEM NO. (31) - ADOPTED

10-2431-S1

MOTION (PERRY - ZINE) relative to authorizing the Department of General Services (GSD) use of the City Hall Tom Bradley Room on December 16, 2010.

Recommendation for Council action:

AUTHORIZE the GSD use of the City Hall Tom Bradley Room on December 16, 2010, during regular business hours, to hold a meeting.
ITEM NO. (32) - ADOPTED - FORTHWITH

10-2455
MOTION (PARKS - PERRY) relative to authorizing the City Attorney to execute a waiver of conflict of interest for the firm Colantuono & Levine, PC.

Recommendation for Council action:

AUTHORIZE the City Attorney, or designee, to execute a request from the firm Colantuono & Levine, PC, a waiver of conflict of interest, as presented in the referenced letter dated June 24, 2010, on behalf of the City.

ITEM NO. (33) - ADOPTED - FORTHWITH

Roll Call #22 - Adopted, Ayes (11); Absent: Cárdenas, Perry, Reyes and Wesson (4)

10-2477
MOTION (PARKS - PERRY) relative to authorizing the City Attorney to execute a waiver of conflict of interest from the firm Best Best & Krieger (hereinafter referred to as BBK).

Recommendation for Council action:

AUTHORIZE the City Attorney, or designee, to execute a request from the firm BBK, a waiver of conflict of interest, as presented in the referenced correspondence, on behalf of the City.

Item for Which Public Hearing Has Been Held - Item 34

ITEM NO. (34) - ADOPTED

Roll Call #4 - Adopted, Ayes (12); Absent: Alarcón, Cárdenas and Reyes (3)

10-1428
CD 9
CATEGORICAL EXEMPTION and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to mitigating the adverse impacts on the community caused by the operation of the Sand Piper Motel located at 4112 South Central Avenue.

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

1. FIND that this action is categorically exempt from California Environmental Quality Act of pursuant to Article VII, Section 1, Class 21(2) of the City's Environmental Guidelines.

2. ADOPT the FINDINGS of the Zoning Administrator as the Findings of the Council.
3. RESOLVE TO DENY APPEAL filed by Ashish Patel from part of the Zoning Administrator’s determination related to the cost of a security guard and the cost of room rentals; and THEREBY IMPOSE conditions on the operation of the Sand Piper Motel located at 4112 South Central Avenue, inasmuch as the business was found to be a nuisance and requires modification of its operation to mitigate adverse impacts on persons and property.

Applicant: City of Los Angeles (Office of Zoning Administration) DIR 2009-4038(RV)

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - SEPTEMBER 29, 2010

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

Items for Which Public Hearings Have Not Been Held - Items 35-37
(10 Votes Required for Consideration)

ITEM NO. (35) - ADOPTED - FORTHWITH

Roll Call #23 - Adopted, Ayes (11); Absent: Cárdenas, Perry, Reyes and Wesson (4)

09-2240

CONSIDERATION OF MOTION (CARDENAS - GARCETTI) relative to a contract with Bowe Bell & Howe for Vote-By-Mail automation equipment.

Recommendation for Council action:

APPROVE the contract with Bowe Bell & Howe for Vote-By-Mail automation equipment, substantially in the form of the draft contract on file with the City Clerk’s Office, subject to the approval of the City Attorney as to form and legality.

Community Impact Statement: None submitted.

(Rules and Elections Committee waived consideration of the above matter)

ITEM NO. (36) - ADOPTED

Roll Call #24 - Adopted, Ayes (11); Absent: Cárdenas, Perry, Reyes and Wesson (4)

10-0002-S53

CONTINUED CONSIDERATION OF RESOLUTION (HAHN - LABONGE) relative to the City's position supporting legislation that would provide benefits to individuals who served in the U.S. Merchant Marines during World War II.
Recommendation for Council action, SUBJECT TO THE CONCURRENCE OF THE MAYOR:

ADOPT the accompanying RESOLUTION to include in the City’s 2009-10 Federal Legislative Program SUPPORT of HR 23 (Filner), the Belated Thank You to the Merchant Mariners of World War II Act of 2009, which would provide benefits to individuals who served in the U.S. Merchant Marines during World War II and who were unjustly excluded from eligibility for benefits under the G.I. Bill of Rights.

Community Impact Statement: None submitted.

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

(Continued from Council meeting of September 24, 2010)

ITEM NO. (37) - MAPS APPROVED - CITY ENGINEER REPORTS ADOPTED

Roll Call #5 - Adopted, Ayes (12); Absent: Alarcón, Cárdenas and Reyes (3)
(Item Nos. 37a-37c)

FORTHWITH

10-2472
CD 14

a. FINAL MAP OF TRACT NO. 71077 for property located at 1135 South Boyle Avenue, lying westerly of Boyle Avenue and northerly of Opal Street.
Applicants: Dynamic Builders, Inc.
Gilbert Engineering Company

FORTHWITH

10-2479
CD 14

b. FINAL MAP OF TRACT NO. 71078 for property located at 1105-25 South Boyle Avenue, lying westerly of Boyle Avenue and northerly of Pomona Freeway.
Applicants: Dynamic Builders, Inc.
Gilbert Engineering Company

10-2480
CD 14
c. FINAL MAP OF TRACT NO. 62472 for property located at 220 West Fifth Street, lying easterly of Broadway.
(Bond No. C-117714)
(Quimby Fee: $97,635.12)
Applicants: Mideb Nominees, Inc.
Land Design Consultants
MOTION ADOPTED UPON FINDINGS BY COUNCIL THAT THE NEED TO TAKE ACTION AROSE SUBSEQUENT TO THE POSTING OF THE COUNCIL AGENDA FOR TUESDAY, SEPTEMBER 28, 2010, PURSUANT TO GOVERNMENT CODE SECTION 54954.2(b)(2) AND COUNCIL RULE 23

NOTE AND FILE

Roll Call #14 - Motion (LaBonge - Perry) Findings on Need to Act - Adopted, Ayes (13); Absent: Cárdenas and Reyes (2)

Roll Call #15 - Motion (LaBonge - Perry) Adopted to Note and File, Unanimous Vote (13); Absent: Cárdenas and Reyes (2)

10-2484
MOTION (LABONGE - PERRY) relative to the Department of Water and Power reporting to the City Council immediately on the impact of the heat on the Department’s infrastructure and the delivery of vital services to the City’s residents.

Recommendation for Council action:

INSTRUCT the Department of Water and Power to immediately report to the City Council as to the impact of the extreme heat conditions on the Department’s infrastructure and the delivery of vital services to the City’s residents.

MOTION PRESENTED PURSUANT TO RULE NO. 16 - TO BE PLACED ON THE NEXT AVAILABLE AGENDA

10-2282-S1
MOTION (HUIZAR - KORETZ) relative to funding for services in connection with the repair of the irrigation systems of various median islands in Council District 14.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

10-0004-S2 - Devon Turner Rosendahl - All Councilmembers

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

10-0003-S2 - Leonardo Jonathon Russo (Hahn)
George A. Morrison (Parks - All Councilmembers)
Robert M. Wilkinson (Smith)
Elena Falcon (Zine)
Ayes, Alarcón, Hahn, Huizar, Koretz, Krekorian, LaBonge, Parks, Rosendahl, Smith, Zine and President Garcetti (11); Absent: Cárdenas, Perry, Reyes and Wesson (4)

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL