Los Angeles City Council, Journal/Council Proceedings
Tuesday, October 5, 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: Cárdenas, Hahn, Krekorian, LaBonge, Parks, Perry, Reyes, Rosendahl, Zine and President Garcetti (10); Absent: Alarcón, Huizar, Koretz, Smith and Wesson (5)

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF SEPTEMBER 29, 2010

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 25

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

Item Noticed for Public Hearing - Item 1

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

Roll Call #9 - Adopted, Ayes (14); Absent: Smith (1)

PUBLIC SAFETY COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to establishing an animal transfer permit fee for animals under the age of six months.

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

PRESENT and ADOPT the accompanying ORDINANCE amending Article 3, Chapter 5 of Los Angeles Municipal Code Section 53.15.2 (e), to establish a permit fee in the amount of $120 for the transfer of animals under the age of six months.

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 2-20

Roll Call #7 - Adopted, Ayes (12); Absent: Huizar, Koretz and Smith (3)
(Item Nos. 2-3)

ITEM NO. (2) - ADOPTED

09-2218

ENERGY AND ENVIRONMENT COMMITTEE REPORT and ORDINANCE FIRST
CONSIDERATION relative to the sale of 0.43 acres of City-owned property located at 156 Short
Street in the town of Bishop in Inyo County to Randy W. and Becky Marie Scott.

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

1. CONCUR with the Board of Water and Power Commissioners’ action of July 22, 2010,
Resolution No. 011-005, authorizing the Los Angeles Department of Water and Power (LADWP)
to sell 0.43 acres of City-owned property located at 156 Short Street in the town of Bishop in Inyo
County to Randy W. and Becky Marie Scott as detailed in the Board of Water and Power
Commissioner’s July 27, 2010 report and attached to the Council file.

2. PRESENT and ADOPT the accompanying ORDINANCE approving the sale of surplus
City-owned real property located in the town of Bishop in Inyo County to Randy W. and Becky
Marie Scott.

Fiscal Impact Statement: The City Administrative Officer reports that approval of Resolution No.
011-005 will result in revenue for the Water Revenue Fund estimated at $135,000. 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. (3) - ADOPTED - TO THE MAYOR FORTHWITH

10-0236

JOBS AND BUSINESS DEVELOPMENT COMMITTEE REPORT and ORDINANCE FIRST
CONSIDERATION relative to the formation of a Landscaping, Security, Programming and
Maintenance Property Business Improvement District (BID) to be known as the South Los Angeles
Industrial Tract BID.

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

1. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION to establish the South
Los Angeles Industrial Tract BID.

2. FIND that:
a. The petitions submitted on behalf of the proponents of the proposed South Los Angeles Industrial Tract BID are signed by property owners who will pay more than 30 percent of the assessments proposed to be levied.

b. All parcels that will have a special benefit conferred upon them and upon which an assessment would be imposed are those as identified in the Management District Plan.

3. ADOPT the Preliminary Report of the City Clerk, the Management District Plan, and the Engineer’s Report, attached to the Council file.

4. FIND that in accordance with Article XIIID of the California Constitution, and based on the facts and conclusion contained in the attached Engineer’s Report that:
   a. The assessment levied on each parcel within the proposed District is proportionate to the special benefit derived from the improvements and activities that are to be provided.
   b. There are no general benefits to be separated from the special benefits conferred on each parcel within the proposed District.
   c. No assessment imposed on any parcel exceeds the reasonable cost of the proportional special benefit conferred on that parcel.

5. DIRECT the City Clerk to comply, with the notice, protest, and hearing procedures prescribed in the Proposition 218 Omnibus Implementation Act (California Government Code, Section 53750 et seq.).

6. REQUEST the City Attorney, with the assistance of the City Clerk, to prepare an enabling Ordinance establishing the South Los Angeles Industrial Tract BID for City Council consideration at the conclusion of the required public hearing.

7. AUTHORIZE the City Clerk, upon establishment of the District, to prepare, execute and administer a contract between the City of Los Angeles and a nonprofit corporation for the administration of the District's programs.

8. APPOINT the Advisory Board as attached to the City Clerk’s report, attached to the file.

Fiscal Impact Statement: The City Clerk reports that there is no impact to the General Fund. City Clerk administrative expenses will be charged to the proposed District and will be recovered from assessments collected.

Community Impact Statement: None submitted.
ITEM NO. (4) - ADOPTED - TO THE MAYOR FORTHWITH

10-0600-S35

ORDINANCE SECOND CONSIDERATION 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.

(Communication from the Public Safety Committee adopted on September 28, 2010)

ITEM NO. (5) - ADOPTED

10-2330

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to the ground lease agreement between the Department of Recreation and Parks and the Los Angeles Neighborhood Land Trust for Fox and Laurel Canyon Park at 14353 West Fox Street.

Recommendation for Council action:

AUTHORIZE the President and Secretary of the Board of Recreation and Park Commissioners to execute, the proposed 15-year ground lease agreement between the City and the Los Angeles Neighborhood Land Trust relative to a property commonly known as Fox and Laurel Pocket Park, subject to the approval of the City Attorney as to form and legality.

Fiscal Impact Statement: The City will lease a 0.37-acre property commonly known as Fox and Laurel Pocket Park to the Los Angeles Neighborhood Land Trust (LANLT). The consideration for the lease will be the provision by LANLT of maintenance, operation and community services at the park. There is no additional impact on the General Fund. Therefore, the City Financial Policies are not applicable.

Community Impact Statement: None submitted.

ITEM NO. (6) - ADOPTED

10-2268

BUDGET AND FINANCE COMMITTEE REPORT relative to authorization to amend and increase funding for legal services contracts with three Attorney Conflicts Panel law firms.

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

1. AUTHORIZE the City Administrative Officer (CAO) to execute amendments and encumber funds totaling $220,000 within the Attorney Conflicts Panel Fund No. 46T/10, for the following Attorney Conflicts Panel firms, subject to the review and approval by the City Attorney:

a. $100,000 for Amendment No. 2 to Contract No. 115475 for the firm The Zappia Law Firm for the case entitled Robert Chavez v. City of Los Angeles;
b. $95,000 for Amendment No. 3 to Contract No. 115191 for the firm Renne Sloan Holtzman Sakai, LLP, for the case entitled Carol Jo Gavin v. City of Los Angeles;

c. $25,000 for Amendment No. 7 to Contract No. 108921 for the firm Lewis, Brisbois, Bisgaard & Smith, LLP, for the case entitled Harold Hall v. City of Los Angeles.

2. AUTHORIZE the CAO to make any technical adjustments needed to implement the intent of the Mayor and Council action, and AUTHORIZE the Controller to implement those instructions.

Fiscal Impact Statement: The CAO reports that the recommendations contained in this report will have no additional impact on the General Fund. The proposed amendments are in compliance with City Financial Policies in that budgeted funds will be used to support this program. Funding in the amount of $220,000 is provided in the Adopted Budget for 2010-11 for the Attorney Conflicts Panel under Fund 46T.

Community Impact Statement: None submitted.

ITEM NO. (7) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #10 - To Adopt as Amended, Ayes (14); Absent: Smith (1)

10-2411
10-2411-S1

COMMUNICATIONS FROM BOARD OF WATER AND POWER COMMISSIONERS and LOS ANGELES DEPARTMENT OF WATER AND POWER and RESOLUTION NO. 011-075 relative to proposed Water Revenue Adjustment Factor effective January 1, 2011 through December 31, 2011.

(On September 14, 2010, Council asserted jurisdiction over the Boards action on September 7, 2010, Item No. 16 on the Agenda)

(Energy and Environment 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.)

TIME LIMIT FILE - OCTOBER 5, 2010

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

ADOPTED, AS AMENDED

ENERGY AND ENVIRONMENT COMMITTEE REPORT relative to proposed Water Revenue Adjustment Factor (WRAF) for First and Second Tier rates.

Recommendation for Council action:

DISAPPROVE the Board of Water and Power Commissioners’ action of September 7, 2010, Resolution No. 011-075, authorizing the Los Angeles Department of Water and Power to implement the WRAF for all applicable First and Second Tier rates set forth in the Water
Rates Ordinance, effective January 1, 2011 through December 31, 2011 as detailed in the Board of Water and Power Commissioner's September 14, 2010 report and attached to the Council file.

**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.

(On September 14, 2010, Council asserted jurisdiction over this matter pursuant to Charter Section 245.)

**ADOPTED**

**AMENDING MOTION (PERRY - CARDENAS)**

Recommendations for Council action:

ADOPT the following Recommendations in addition to the Recommendation contained in the report:

1. REQUEST the Board of Water and Power Commissioners (Board) Department of Water and Power (DWP) to reconcile the potential impact of a WRAF increase on the City’s water conservation efforts and whether ongoing adjustments create a disincentive for consumers to save.

2. REQUEST the Board/DWP to identify prior years that the Water System's annual financial revenue targets were exceeded and identify how these surplus funds were expended.

3. REQUEST the Board/DWP to address any financial revenue target discrepancies between Shortage-Year Rates and the Water Revenue Adjustment Factor through a restructured water rate scheme/proposal.

4. REQUEST the Board/DWP to report back to the City Council on these matters within 15 days.

**ITEM NO. (8) - CONTINUED TO OCTOBER 6, 2010**

Roll Call #2 - Adopted to Continue, Unanimous Vote (14); Absent: Smith (1)

**09-2841**

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to recommendations for the 2010 Round Three Affordable Housing Trust Fund (AHTF) Notice of Funding Availability (NOFA) and report back regarding AHTF policies and activities.

Recommendations for Council action:

1. AUTHORIZE the General Manager, Los Angeles Housing Department (LAHD), or designee, to:
a. Issue the 2010 Round Three NOFA for the AHTF with the recommended changes as described in the LAHD report dated September 16, 2010.

b. Seek proposals for the purchase of the following City-owned properties for the development of affordable multi-family housing:
   1) 2516 Eastlake Avenue and 3211-13 1/2 Altura Walk
   2) 819 West Fourth Street
   3) 851 West 81st Street
   4) 252 South Rampart Boulevard

c. Allocate $35 million in Neighborhood Stabilization Program Two funds for loans to eligible multi-family projects under the terms of the 2010 Round Three NOFA.

d. Prepare any necessary technical adjustment(s), consistent with Mayor and Council actions on this matter, subject to the approval of the City Administrative Officer (CAO).

2. DIRECT the Chief Legislative Analyst and the CAO to report back.

Fiscal Impact Statement: The LAHD reports that for 2010 Round Three, a total of $56.9 million is available in Community Development Block Grant, Los Angeles Department of Water and Power, US Department of Housing and Urban Development Home Investment Partnerships Program, Housing Opportunities for Person with AIDS, Energy Efficiency and Conservation Block Grant, Local Housing Trust Fund Program (LHTFP), McKinney Bond proceeds and Neighborhood Stabilization Program Two funds. $2,650,000 in General Funds were originally allocated in 2007 for the LHTFP. There are no additional impacts to the General Fund.

Community Impact Statement: None submitted.

ITEM NO. (9) - CONTINUED TO OCTOBER 19, 2010

Roll Call #3 - Adopted to Continue, Unanimous Vote (14); Absent: Smith (1)

10-0979

CONTINUED CONSIDERATION OF INFORMATION TECHNOLOGY AND GOVERNMENT AFFAIRS COMMITTEE REPORT relative to recommendations for supporting the efforts of the CLEAN Carwash Campaign.

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

1. INSTRUCT the Department of General Services (GSD) to work with the City Attorney to develop an Ordinance that would require vendors providing car wash services to sign a CLEAN Carwash Agreement in order to do business with the City.
2. INSTRUCT the GSD, Supply Services Division, to establish procedures to monitor City Departments' usage of blanket purchase orders for off-site carwash suppliers to ensure compliance with a City requirement that all vendors providing carwash services sign a CLEAN Carwash Agreement.

3. INSTRUCT City departments that require off-site carwash services to request blanket purchase order authorities in the City's Supply Management System for their desired vendors. As part of the request, the departments must submit the signed CLEAN Carwash Agreements or the blanket authority requests will not be granted and the vendor will not be added to the City's Supply Management System.

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

Community Impact Statement: None submitted.
(Continued from Council meeting of September 29, 2010)

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

Roll Call #1 - To Adopt as Amended, Ayes (11); Absent: Huizar, Koretz, Smith and Wesson (4)

10-0994

JOBS AND BUSINESS DEVELOPMENT COMMITTEE REPORT relative to the creation of a business tax credit for employers who hire disabled and indigent workers.

Recommendation for Council action, pursuant to Motion (Parks - Krekorian):

REQUEST the Business Tax Advisory Committee to evaluate a similar program developed by the City of San Francisco for tax incentives to businesses that hire the disabled and the indigent, as further detailed in Motion (Parks - Krekorian) and report with recommendations to institute a business tax credit or other business tax inducement for businesses that hire disabled persons and indigent persons.

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.

ADOPTED

AMENDING MOTION (PARKS - ALARCON)

Recommendation for Council action:

INSTRUCT the City Administrative Officer, Chief Legislative Analyst, City Attorney, Office of Finance and the Business Tax Advisory Committee work together to create a citywide employment incentive program not limited to empowerment zones to hire local, disabled and indigent employees.
ITEM NO. (11) - ADOPTED

Roll Call #11 - Adopted, Ayes (14); Absent: Smith (1)

10-2274

JOBS AND BUSINESS DEVELOPMENT COMMITTEE REPORT relative to the competitiveness of the restaurant industry with the food trucks, and to the growth in the number of restaurants and the increase in sales of new and existing restaurants.

Recommendations for Council action, pursuant to Motion (Alarcón - Garcetti):

1. INSTRUCT the Chief Legislative Analyst (CLA), with assistance of Office of Finance and the City Administrative Officer (CAO), and in collaboration with the California Restaurant Association, Neighborhood Councils, and business community, to report back to the Jobs & Business Development Committee in 30 days with a proposal to make the restaurant industry more competitive with the food trucks, and to grow the number of restaurants and increase sales of new and existing restaurants. The report should include: decreasing the business tax rate for restaurants; creating a "Dine LA" campaign; allowing restaurants to open up side-walk cafes; and the number of jobs that would be created by implementing each of the recommendations.

2. REQUEST the City Attorney and the Bureau of Street Services to work with the departments and entities mentioned above in the preparation of the requested report.

3. INSTRUCT the CLA for a tentative report with the intention of referring the said report to the Business Tax Advisory Committee.

4. INSTRUCT the CLA to include in the report clarification on what "brick & mortar" includes and to distinguish between sit-down restaurants and fast-food restaurants.

5. INSTRUCT the CLA to include in the report an economic impact together with the incentives provided by the Community Redevelopment Agency.

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

Community Impact Statement: None submitted.

Roll Call #1 - Adopted, Ayes (11); Absent: Huizar, Koretz, Smith and Wesson (4) (Item Nos. 12-19)

ITEM NO. (12) - ADOPTED

10-2397

JOBS AND BUSINESS DEVELOPMENT COMMITTEE REPORT relative to amending Section 21.05 and Section 21.16 of the Los Angeles Municipal Code (LAMC) to clarify the periods for which businesses can be liable for business taxes.

Recommendation for Council action:
REQUEST City Attorney to prepare an ordinance amending Section 21.05 and Section 21.16 of the LAMC to clarify the periods for which businesses can be liable for business taxes with the amendment of changing the language of the previous draft ordinance to reflect the word "filed" instead of "due" under Section 2, subsection (a) (1) (B).

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. (13) - ADOPTED

07-0449
07-3872

PERSONNEL COMMITTEE REPORT relative to employee development and training programs provided in the City during Fiscal Year (FY) 2007-08 and the feasibility of providing on-line training courses for City employees.

Recommendations for Council action:

1. NOTE and FILE the Personnel Department report dated December 23, 2008 relative to employee development and training programs provided in the City during FY 2007-08, inasmuch as the report is submitted for information only and no Council action is necessary.

2. AUTHORIZE the General Manager, Personnel Department, to release a Request for Proposal to solicit bids from vendors to design, develop and implement an Online Training Academy Program, subject to City Attorney review for form and legality.

3. AUTHORIZE the General Manager, Personnel Department, subject to budgeted funds, to negotiate and execute a contract with a vendor to provide online training services, subject to the approval of the City Attorney review for form and legality.

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.

(Job and Business Development Committee waived consideration of the above matter)

ITEM NO. (14) - ADOPTED

10-0533
CD 9

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the inclusion of St. Phillip the Evangelist Church located at 2716 South Stanford Avenue in the list of Historic-Cultural Monuments.

Recommendations for Council action:
1. ADOPT the FINDINGS of the Cultural Heritage Commission (CHC) as the Findings of the Council.

2. APPROVE the recommendation of the CHC relative to the inclusion of St. Phillip the Evangelist Church located at 2716 South Stanford Avenue in the list of Historic-Cultural Monuments.

Applicant: City of Los Angeles
Owner: The Rector Wardens and Vestrymen of Church of St. Phillip the Evangelist

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - OCTOBER 13, 2010
(LAST DAY FOR COUNCIL ACTION - OCTOBER 13, 2010)

ITEM NO. (15) - ADOPTED

10-2320
CD 9

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the inclusion of St. Phillip the Evangelist Church - Parish Hall located at 2800 South Stanford Avenue in the list of Historic-Cultural Monuments.

Recommendations for Council action:

1. ADOPT the FINDINGS of the Cultural Heritage Commission (CHC) as the Findings of the Council.

2. APPROVE the recommendation of the CHC relative to the inclusion of St. Phillip the Evangelist Church - Parish Hall located at 2800 South Stanford Avenue in the list of Historic-Cultural Monuments.

Applicant: City of Los Angeles
Owner: The Rector Wardens and Vestrymen of Church of St. Phillip the Evangelist

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - NOVEMBER 17, 2010
(LAST DAY FOR COUNCIL ACTION - NOVEMBER 17, 2010)
ITEM NO. (16) - ADOPTED

10-1398
CD 14

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the inclusion of the Coons House located at 2071 West Escarpa Drive in the list of Historic-Cultural Monuments.

Recommendations for Council action:

1. ADOPT the FINDINGS of the Cultural Heritage Commission (CHC) as the Findings of the Council.

2. APPROVE the recommendation of the CHC relative to the inclusion of the Coons House located at 2071 West Escarpa Drive in the list of Historic-Cultural Monuments.

Applicant/Owner: Martine T. Bednarski

CHC 2010-1200-HCM

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - OCTOBER 13, 2010

(LAST DAY FOR COUNCIL ACTION - OCTOBER 13, 2010)

ITEM NO. (17) - ADOPTED

07-2878-S5

PUBLIC SAFETY COMMITTEE REPORT relative to reducing the backlog of untested DNA evidence kits and related matters.

Recommendation for Council action:

RECEIVE and FILE Motion (Garcetti - Koretz) instructing the Los Angeles Police Department to report relative to reconciling the DNA database inventory, FBI requirement that out-sourced kits be tested again in-house, and creating a notification procedure for alerting rape victims of changes in status of their cases.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (18) - ADOPTED

10-2276

TRANSPORTATION COMMITTEE REPORT relative to shutting down or re-routing traffic to accommodate the presence of the President or high-ranking dignitaries.
Recommendations for Council action, as initiated by Motion (Rosendahl - Koretz - Garcetti):

1. RECEIVE and FILE Motion (Rosendahl - Koretz - Garcetti) relative to directing the Los Angeles Police Department (LAPD) and the Los Angeles Department of Transportation (LADOT) to report to the Transportation Committee relative to shutting down or re-routing traffic to accommodate the presence of the President or high-ranking dignitaries, and related matters.

2. INSTRUCT the LADOT, the LAPD and Los Angeles Fire Department, to contact the White House to identify a liaison for the City of Los Angeles for the purpose of taking into consideration the City's traffic concerns when planning visit itineraries for the President.

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. (19) - ADOPTED

10-2426

TRANSPORTATION COMMITTEE REPORT relative to preparing the City's applications for Cycle 4 of the Highway Safety Improvement Program (HSIP), including the source and estimated amount of local match funds that may be needed.

Recommendation for Council action, as initiated by Motion (Rosendahl - Parks):

NOTE and FILE the Los Angeles Department of Transportation schedule of tentative, un-funded HSIP projects as presented at the Transportation Committee meeting held September 22, 2010 (attached to the Council file).

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (20) - ADOPTED, AS AMENDED - FORTHWITH - SEE FOLLOWING

Roll Call #12 - To Adopt as Amended, Ayes (14); Absent: Smith (1)

10-0197

RULES AND ELECTIONS COMMITTEE REPORT relative to a proposed Charter amendment to establish certain requirements for the City's Reserve Fund.

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

REQUEST the City Attorney to prepare and present a ballot title and Resolution to place a Charter amendment before the voters in March 2011 which contains provisions as detailed in the Chief Legislative Analyst (CLA) and City Administrative Officer (CAO) report dated June 8, 2010, attached to the Council file, to establish certain requirements for the City's Reserve Fund.
Fiscal Impact Statement: The CLA/CAO report that placing the matter before the voters in March 2011 would have a minimal impact on the General Fund.

Community Impact Statement: None submitted.

(Budget and Finance Committee report to be submitted in Council. If public comment is not held in Committee, an opportunity for public comment will be provided)

ADOPTED, AS AMENDED

BUDGET AND FINANCE COMMITTEE REPORT relative to a proposed Charter amendment to establish certain requirements for the City’s Reserve Fund.

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

REQUEST the City Attorney to prepare and present a ballot title and Resolution to place a Charter amendment before the voters in March 2011 which contains provisions as detailed in the joint Chief Legislative Analyst (CLA) and City Administrative Officer (CAO) report dated June 8, 2010, attached to the Council file, to establish certain requirements for the City’s Reserve Fund.

Fiscal Impact Statement: The CLA and CAO report that placing the matter before the voters in March 2011 would have a minimal impact on the General Fund.

Community Impact Statement: None submitted.

ADOPTED

AMENDING MOTION (PERRY - PARKS)

Recommendation for Council action:

REQUEST the City Attorney to include in the ballot title and Resolution for the proposed Charter Amendment a Charter requirement to establish a Budget Stabilization Fund in the City Treasury, with the detailed requirements for funding and expenditures to be established by Ordinance.

Items for Which Public Hearings Have Not Been Held - Items 21-34

(10 Votes Required for Consideration)

Roll Call #5 - Adopted, Ayes (12); Absent: Huizar, Koretz and Smith (3)
(Item Nos. 21a-21p)

ITEM NO. (21) - ADOPTED

10-0005-S728 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 28, 2010:

10-0005-S728  
CD 9  
a. Property at 324 West 52nd Street aka 322 1/2 West 52nd Street (Case No. 222069).  
   Assessor I.D. No. 5110-028-006  
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 26, 2009)

10-0005-S729  
CD 9  
b. Property at 109 East 51st Street aka 111 East 51st Street (Case No. 183783).  
   Assessor I.D. No. 5109-004-045  
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 14, 2008)

10-0005-S730  
CD 9  
c. Property at 109 East 51st Street aka 111 East 51st Street (Case No. 239765).  
   Assessor I.D. No. 5109-004-045  
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 13, 2009)

10-0005-S731  
CD 5  
d. Property at 3432 South Mentone Avenue (Case No. 260737).  
   Assessor I.D. No. 4314-017-018  
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 17, 2010)

10-0005-S732  
CD 1  
e. Property at 1233 South Kenmore Avenue aka 1235 1/2 South Kenmore Avenue (Case No. 230557).  
   Assessor I.D. No. 5078-033-007  
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 13, 2009)

10-0005-S733  
CD 9  
f. Property at 320 East 35th Street aka 324 East 35th Street (Case No. 12835).  
   Assessor I.D. No. 5120-014-009  
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on September 13, 2007)
10-0005-S734
CD 9
g. Property at 320 East 35th Street aka 324 East 35th Street (Case No. 205250).
Assessor I.D. No. 5120-014-009

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

10-0005-S735
CD 8
h. Property at 6807 South Brynhurst Avenue aka 6805 1/2 South Brynhurst Avenue (Case No. 3199).
Assessor I.D. No. 4006-021-020

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 8, 2006)

10-0005-S736
CD 8
i. Property at 6807 South Brynhurst Avenue aka 6805 1/2 South Brynhurst Avenue (Case No. 252172).
Assessor I.D. No. 4006-021-020

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on January 7, 2010)

10-0005-S737
CD 1
j. Property at 1053 South Bonnie Brae Street (Case No. 271164).
Assessor I.D. No. 5136-011-020

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on April 1, 2010)

10-0005-S738
CD 10
k. Property at 1071 South Curson Avenue (Case No. 8993).
Assessor I.D. No. 5085-002-029

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 2, 2006)

10-0005-S739
CD 15
l. Property at 1612 West 208th Street (Case No. 185655).
Assessor I.D. No. 7351-010-010

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

10-0005-S740
CD 8
m. Property at 1836 West Jefferson Boulevard aka 1838 West Jefferson Boulevard (Case No. 215168).
Assessor I.D. No. 5041-005-007
(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 15, 2010)

10-0005-S741
CD 14
n. Property at 4739 East Hillsdale Drive aka 4737 East Hillsdale Drive (Case No. 259463).
Assessor I.D. No. 5213-007-035

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 25, 2010)

10-0005-S742
CD 15
o. Property at 604 West Ninth Street aka 618 West Ninth Street (Case No. 262848).
Assessor I.D. No. 7454-005-034

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 11, 2010)

10-0005-S743
CD 14
p. Property at 3717 North Monterey Road (Case No. 263162).
Assessor I.D. No. 5302-028-019

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on December 22, 2009)

ITEM NO. (22) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #13 - To Adopt as Amended, Ayes (14); Absent: Smith (1)

10-1146

COMMUNICATION FROM CHAIR, PUBLIC SAFETY COMMITTEE relative to the governance structure of the Emergency Operations Organization (EOO) and Emergency Operations Board (EOB), and training Councilmembers to fulfill the role of Acting Mayor during a sustained emergency event.

Recommendation for Council action, as initiated by Motion (Smith - Parks - Rosendahl):

NOTE and FILE the Emergency Management Department report to the Public Safety Committee dated September 9, 2010 (attached to the Council file), relative to the governance structure of the EOO and EOB, and training Councilmembers to fulfill the role of Acting Mayor during a sustained emergency event.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.
ADOPTED

AMENDING MOTION (PARKS - GARCETTI)

Recommendation for Council action:

RECEIVE and FILE Council file Nos. 05-2444 and 09-2557.

ITEM NO. (23) - ADOPTED

Roll Call #14 - Adopted, Ayes (14); Absent: Smith (1)

COMMUNICATION FROM CHAIR, PUBLIC SAFETY COMMITTEE relative to the use of homeland security grants for multi-language emergency readiness outreach material.

Recommendation for Council action:

NOTE and FILE the Emergency Management Department report to the Public Safety Committee dated August 9, 2010 (attached to the Council file) relative to the use of homeland security grants for multi-language emergency readiness outreach material.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (24) - ADOPTED

Roll Call #5 - Adopted, Ayes (12); Absent: Huizar, Koretz and Smith (3)

COMMUNICATION FROM CHAIR, PUBLIC SAFETY COMMITTEE relative to the feasibility of conducting Community Emergency Response Team (CERT) training for the deaf and hard-of-hearing community.

Recommendation for Council action:

RECEIVE and FILE Motion (Cárdenas - LaBonge - Smith) relative to the feasibility of conducting CERT training for the deaf and hard-of-hearing community.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.
ITEM NO. (25) - ADOPTED

10-2302

COMMUNICATION FROM CHAIR AND MEMBER, PUBLIC SAFETY COMMITTEE relative to the Los Angeles Police Department's (LAPD) plan to promote Academy training services.

Recommendation for Council action:

NOTE and FILE the Board of Police Commissioners report to Council dated August 20, 2010 (attached to the Council file), relative to the LAPD's plan to promote Academy training services.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (26) - ADOPTED

Roll Call #15 - Adopted, Ayes (14); Absent: Smith (1)

03-1183
CD 1

MITIGATED NEGATIVE DECLARATION and COMMUNICATION FROM CHAIR, PUBLIC WORKS COMMITTEE relative to vacating Bunker Hill Avenue and Boston Street (VAC E1400860).

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 No. ENV 2003-7521-MND-REC filed with the County Clerk on January 27, 2005 pursuant to the City's Environmental Guidelines complies with the California Environmental Quality Act of 1970 for this vacation.

2. FIND 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 D of the April 21, 2010 City Engineer report and attached to the Council file:

   Boston Street and a portion of the northwesterly side of Bunker Hill Avenue lying southeasterly of Figueroa Street and southwesterly of Cesar E. Chavez Avenue.

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 street easements as detailed in the April 21, 2010 City Engineer report and attached to the Council file.

4. ADOPT the FINDINGS of the City Engineer dated April 21, 2010, as amended, as the Findings of the Council.

5. ADOPT the accompanying City Engineer report dated April 21, 2010, as amended, to approve the vacation.
6. INSTRUCT the City Clerk to set a public hearing date for **NOVEMBER 3, 2010**.

**Fiscal Impact Statement:** The City Engineer reports that to date, an estimated $10,700 in charges have been expended in the investigation and processing of this vacation proceeding. Since Section 7.46 of the Los Angeles Administrative Code 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.

**Roll Call #5 - Ayes (12); Absent: Huizar, Koretz and Smith (3)
(Item Nos. 27-28)**

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

**09-0743**

**COMMUNICATION FROM CHAIR, PUBLIC WORKS COMMITTEE** relative to the vacation of a walkway easterly of the Hollywood Freeway and southerly of the Hollywood Boulevard adjacent to Lot I, Grider and Hamilton's Grant Place tract (VAC - E1401144).

Recommendation for Council action, pursuant to Motion (Garcetti - LaBonge):

AMEND the council action of December 9, 2009 relative to the vacation of a walkway easterly of the Hollywood Freeway and southerly of the Hollywood Boulevard adjacent to Lot I, Grider and Hamilton's Grant Place tract (VAC - E1401144), to waive conditions Nos. 6a, 6b, 7a, 7b and 8 as detailed in the September 23, 2009 City Engineer report and attached to the Council file.

**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. (28) - ADOPTED**

**09-0856**

**COMMUNICATION FROM CHAIR, PUBLIC WORKS COMMITTEE** relative to the vacation of Vantage Avenue from Archwood Street to the alley southerly of Vanowen Street. (VAC E1401145).

Recommendations for Council action:

1. **FIND** that the City has imposed all the mitigation measures that are within the control of the City, as described in the Final Environmental Impact Report (SCLH No. 2008021101) that are associated with the impacts of the vacation and that the other mitigation measures that are not within the authority of the City, have been, or should have be imposed as set forth in the findings of the Board of Education of the City, dated October 14, 2008 as attached to the Council file.
2. FIND 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 A of the February 17, 2010 City Engineer report and attached to the Council file:

Vantage Avenue from Archwood Street to the alley southerly of Vanowen Street.

3. FIND that there is a public benefit to this vacation and that upon vacation of the street, the City is relieved of its ongoing obligation to maintain the street and that the City is relieved of any potential liability that might result from continued ownership of the involved street easement as detailed in the February 17, 2010 City Engineer report and attached to the Council file.

4. ADOPT the FINDINGS of the City Engineer February 17, 2010, as amended, as the Findings of the Council.

5. ADOPT the accompanying City Engineer report dated February 17, 2010, as amended, to approve the vacation.

6. INSTRUCT the City Clerk to set a public hearing date for NOVEMBER 3, 2010.

Fiscal Impact Statement: The City Engineer reports that to date, an estimated $14,193.70 in charges have been expended in the investigation and processing of this vacation proceeding. Since Section 7.46 of the Los Angeles Administrative Code 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.

ITEM NO. (29) - CONTINUED TO OCTOBER 19, 2010

Roll Call #4 - Adopted to Continue, Unanimous Vote (12); Absent: Huizar, Koretz and Smith (3)

10-1392
CD 4

CATEGORICAL EXEMPTION and COMMUNICATION FROM CHAIR, PUBLIC WORKS COMMITTEE relative to the temporarily closure of Ledgewood Drive at the intersection of Mulholland Highway for public safety reasons.

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

1. INSTRUCT the City Engineer and the Los Angeles Department of Transportation to report to the Public Works Committee with recommendations and the process necessary to temporarily close Ledgewood Drive at the intersection of Mulholland Highway for public safety.

2. INSTRUCT the City Engineer and/or his staff to solicit input from the local Hollywoodland Homeowners Association on its position of the proposed gate.
3. INSTRUCT the City Engineer to close the street entrance to Mulholland Highway at Ledgewood Drive pursuant to Section 21101.4 of the State Vehicle Code for a period of 18 months, subject to the following:

   a. That the gates to be installed to effectuate the closure of the area be done under a permit issued by the City Engineer in room 4601-1 approved by the Fire Department.

   b. That the gates will be installed by the residents at no cost to the City.

   c. That the keys to the installed gates be provided to all adjoining property owners and affected City department and public utility companies.

   d. That routine clean up of the closed area be provided by the adjoining property owners and/or residents.

   e. That the petitioners agree to remove the gates/fences at the termination of the allowed closure period.

   f. That the gate for walking access to dirt Mulholland be accessible to walkers/hikers/runners to Griffith Park and Mt. Lee Road from dawn until dusk - similar to other Recreation and Park operational hours.

   g. FIND that this action is similar to a minor vacation and is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article VII, Class 5(3) of the City's Environmental Guidelines.

   **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. (30) - ADOPTED**

**Roll Call #16 - Adopted, Ayes (14); Absent: Smith (1)**

10-2257  
CD 5

**COMMUNICATION FROM CHAIR, PUBLIC WORKS COMMITTEE** relative to waiving any dedication or improvement requirements relative to the construction of a carwash at 307 North La Brea Avenue, and to expedite the final processing for the new carwash construction.

**Recommendation for Council action, pursuant to Motion (Koretz - Reyes):**

INSTRUCT the Bureau of Engineering and the Planning Department to waive any dedication or improvement requirements in excess of 2 feet along La Brea Avenue necessary to achieve the 100 foot street width relative to the construction of a carwash at 307 North La Brea Avenue, as set forth in ZA-2009-1280-CU and as further described in the text of the Motion, and to expedite the final processing for the new carwash construction.
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. (31) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #17 - To Adopt as Amended, Ayes (14); Absent: Smith (1)

CONSIDERATION OF MOTION (PERRY - ZINE) relative to a request to waive the street dedication requirements on 67th and San Pedro Streets and to adopt specific standards that may differ from the standard street dimensions of the Bureau of Engineering.

Recommendations for Council action:

1. DIRECT the Bureau of Engineering to waive the street dedication requirements on 67th and San Pedro Streets.

2. REQUEST the City Attorney to prepare and present an ordinance to allow the City Council to adopt specific standards that may differ from the standard street dimensions of the Bureau of Engineering.

Community Impact Statement: None submitted.

(Public Works Committee waived consideration of the above matter)

ADOPTED

AMENDING MOTION (PERRY - PARKS)

Recommendations for Council action:

1. DIRECT the Department of City Planning, in coordination with the Bureau of Engineering, to modify conditions 4d1 and 4e1 (by removing “A concrete curb, a concrete gutter, and”) and deleting conditions 4d2 and 4e2 of City Planning Case AA-2005-4489-PMLA at 251 East 67th Street.

2. INSTRUCT and AUTHORIZE the City Engineer to negotiate and execute the necessary amendment(s) to the Subdivision Improvement Agreement and Contract for City Planning Case AA-2005-4489-PMLA between the City and Enterprise Home Ownership Partners, Inc. to incorporate changes required by deletion of the above mentioned Bureau of Engineering Standard Conditions.
Roll Call #5 - Adopted, Ayes (12); Absent: Huizar, Koretz and Smith (3)  
(Item Nos. 32-33)

ITEM NO. (32) - ADOPTED

09-2378-S1  
CD 15  
CONSIDERATION OF MOTION (HAHN - ALARCON) relative to amending a previous Council action regarding final map of Tract No. 64506 located at 11722 South Avalon Boulevard, lying easterly of Avalon Boulevard and northerly of 118th Street.

Recommendation for Council action:

AMEND the Council action of September 29, 2009 approving the final map of Tract No. 64506 located at 11722 South Avalon Boulevard, lying easterly of Avalon Boulevard and northerly of 118th Street as follows:

a. DELETE Bureau of Engineering (BOE) Standard Conditions S-3(i)A and S-3(i)B requiring improvements to Avalon Boulevard and 118th Street.

b. INSTRUCT and AUTHORIZE the City Engineer to negotiate and execute the necessary amendment(s) to the Subdivision Improvement Agreement and Contract for Tract No. 64506 between the City and Enterprise Home Ownership Partners, Inc., dated May 8, 2007, to incorporate changes required by deletion of the BOE Standard Conditions S-3(i)A and S-3(i)B.

Community Impact Statement: None submitted.

(Public Works Committee waived consideration of the above matter)

ITEM NO. (33) - ADOPTED

10-2282-S1  
CD 14  
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.

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

1. TRANSFER $26,747 in the Central Los Angeles Recycling and Transfer Station Community Amenities Trust Fund No. 47S/14, to the Street Services Fund No. 100/86, Account No. 3040 (Contractual Services), for services in connection with the repair of the irrigation systems of various street median islands in Council District 14.

2. AUTHORIZE the Bureau of Street Services to make any technical corrections, adjustments or clarifications to the above instructions in order to effectuate the intent of this Motion.
ITEM NO. (34) - ADOPTED - FORTHWITH

Roll Call #8 - Adopted, Ayes (14); Absent: Smith (1)

10-2487
RESOLUTION (ALARCON - WESSON) relative to declaring the weeks of October 4-15, 2010 as Binational Health Weeks in the City of Los Angeles.

Recommendation for Council action:
RESOLVE to DECLARE the weeks of October 4-15, 2010 as Binational Health Weeks in the City of Los Angeles.

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

10-0011-S20
MOTION (CARDENAS - KREKORIAN) relative to reaffirming and re-adopting Council actions of June 15, 2010 and February 25, 2010, allocating funds to Northeast Graffiti Busters.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon her request, and without objections, Councilmember Perry was excused to leave at 11:50 a.m. from Council session of Wednesday, October 6, 2010 due to City Business.

Upon his request, and without objections, Council President Garcetti was excused to leave at 12:00 p.m. from Council session of Tuesday, October 19, 2010 due to City Business.

Upon his request, and without objections, Councilmember Koretz was excused from Council session of Friday, December 17, 2010 due to City Business.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

10-0004-S3 - Rizalino Liban
LaBonge - All Councilmembers

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

10-0003-S3 - Jonathan K. Persoff
(Rosendhal)
Stephen J. Cannell
(LaBonge - All Councilmembers)
George Blanda
(LaBonge - All Councilmembers)
Art Gilmore
(LaBonge - Garcetti - Krekorian - All Councilmembers)
Jose Martinez (Reyes - All Councilmembers)
Samuel Martinez (Reyes - All Councilmembers)

Alarcón, Hahn, Huizar, Koretz, Krekorian, LaBonge, Parks, Perry, Reyes, Rosendahl, Zine and President Garcetti (12); Absent: Cárdenas, Smith and Wesson (3)

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk P resident OF THE CITY COUNCIL