

Los Angeles City Council, **Journal/Council Proceedings**
Tuesday, **December 6, 2011**
John Ferraro Council Chamber, Room 340, City Hall - 10 am

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

ROLL CALL - Members present: Alarcón, Cárdenas, Koretz, Krekorian, LaBonge, Parks, Perry, Rosendahl, Wesson and Zine (10); Absent: Englander, Huizar, Reyes and President Garcetti (4)

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
NOVEMBER 30, 2011

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - NONE

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

Items Noticed for Public Hearing - Items 1-2

ITEM NO. (1) - CONTINUED TO DECEMBER 13, 2011

Adopted to Continue, Unanimous Vote (11); Absent: Englander, Reyes and President Garcetti (3)

[11-0419](#)
CD 11

CONTINUED CONSIDERATION OF HEARING PROTESTS and AMENDING MOTION (ROSENDAHL - PARKS) relative to Department of Building and Safety report and confirmation of lien against property located at 1056 East Palms Boulevard, APN 4242-011-038. (Lien: \$2,789.53)

A. HEARING PROTESTS

Recommendations for Council action:

1. HEAR PROTESTS relative to non-compliance of code violation and proposed lien to recover the costs of inspection invoices, recorded against property located at 1056 East Palms Boulevard, plus appropriate fees and fines, as authorized by the Los Angeles Municipal Code Sections 91.103, 98.0411(a) and Sections 7.35.3 and 7.35.5 of the Los Angeles Administrative Code, as described in the Building and Safety report, attached to the Council file; and, CONFIRM said lien.

2. INSTRUCT the Department of Building and Safety to deposit to, Fund 48R/08, Balance Sheet Account 2200, any payment received against this lien in the amount of \$2,789.53 on the above referenced property.

B. AMENDING MOTION (ROSENDAHL - PARKS)

Recommendations for Council action:

1. AMEND to waive the remaining interest charges of \$461.53.
2. REDUCE the amount of the lien to \$2,328.00.
3. AUTHORIZE the Los Angeles Department of Building and Safety to make technical corrections or clarifications as may be necessary to implement the intent of this Motion.

(Continued from Council meeting of September 7, 2011)

ITEM NO. (2) - CONTINUED TO DECEMBER 14, 2011

Adopted to Continue, Unanimous Vote (11); Absent: Englander, Reyes and President Garcetti (3)

[11-1039](#)

CD 7

CONTINUED CONSIDERATION OF HEARING PROTESTS relative to Department of Building and Safety report and confirmation of lien against property located at 15508 West Vincennes Street, APN 2656-017-004. (Lien: \$2,290.53)

Recommendations for Council action:

1. HEAR PROTESTS relative to a proposed lien recorded against property located at 15508 West Vincennes Street, to recover the costs of annual inspection invoices, plus appropriate fees and fines, as authorized by the Los Angeles Municipal Code Sections 91.103, 98.0411(a), and Sections 7.35.3 and 7.35.5 of the Los Angeles Administrative Code, as described in the Building and Safety report, attached to the Council file; and, CONFIRM said lien.
2. INSTRUCT the Department of Building and Safety to deposit to Department 08, Fund 48R, Balance Sheet Account 2200, any payment received against this lien in the amount of \$2,290.53 on the above referenced property.

(Continued from Council meeting of November 15, 2011)

Items for Which Public Hearings Have Been Held - Items 3-14

ITEM NO. (3) - CONTINUED TO MARCH 6, 2012

Adopted to Continue, Unanimous Vote (11); Absent: Englander, Reyes and President Garcetti (3)

[11-0549](#)

CD 10

CONTINUED CONSIDERATION OF JOBS AND BUSINESS DEVELOPMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to disestablishing of the Jefferson Park Merchant-Based Business Improvement District.

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

1. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION to disestablish the Jefferson Park Business Improvement District.
2. DIRECT the City Clerk to schedule, prepare, publish, and mail the public hearing notice, as required by the provisions of Section 36500 et seq. of the California Streets and Highways Code.
3. INSTRUCT the City Clerk, subject to approval by the City Attorney as to form and legality, to prepare an enabling Ordinance disestablishing the Jefferson Park Business Improvement District.
4. DIRECT the City Clerk to take the necessary actions to refund to the original business owners located in the Jefferson Park Business Improvement District, previously collected and unexpended assessment revenue and accrued interest, less administrative costs.
5. REQUEST the Controller to refund to the original business owners located in the Jefferson Park Business Improvement District, previously collected and unexpended assessment revenue and accrued interest, less administrative costs.
6. AUTHORIZE the Controller to transfer any remaining accrued interest to the Business Improvement District Trust Fund 659.

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

Community Impact Statement: None submitted.

(Continued from Council meeting of September 6, 2011)

**Adopted to Continue, Unanimous Vote (11); Absent: Englander, Reyes and President Garcetti (3)
(Item Nos. 4-5)**

ITEM NO. (4) - CONTINUED TO DECEMBER 13, 2011

[08-2568](#)

CONTINUED CONSIDERATION OF AUDITS AND GOVERNMENTAL EFFICIENCY COMMITTEE REPORT relative to an audit of the Harbor Department's contracting practices released on September 23, 2008.

Recommendation for Council action:

NOTE and FILE the September 23, 2008, December 17, 2008, and July 6, 2010 Controller reports and the January 22, 2009 Harbor Department report relative to an audit of the Harbor Department's contracting practices.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

(Continued from Council meeting of November 30, 2011)

ITEM NO. (5) - CONTINUED TO DECEMBER 13, 2011

[11-1866](#)

AUDITS AND GOVERNMENTAL EFFICIENCY COMMITTEE REPORT relative to procurement policies and procedures of the Harbor Department.

Recommendations for Council action, as initiated by Motion (Zine - Koretz):

1. REQUEST the Harbor Department to report back to the Audits and Governmental Efficiency Committee on the economic impact the International Association of Ports and Harbors World Ports Conference, as detailed in the Motion and attached to the Council file, had on the local economy with said report to provide detail in regard to how much investment in dollars was a direct relation to the conference in South Korea as well as how many jobs, if any, were created.
2. REQUEST the Board of Harbor Commissioners (Board) to look at their current policy on approving marketing/public relations expenditures over \$150,000 regardless of its allocation in the Harbor Department's current budget; and further REQUEST the Board to outline a competitive bidding process for these types of expenses.

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

Community Impact Statement: None submitted.

ITEM NO. (6) - ADOPTED ENERGY AND ENVIRONMENT COMMITTEE REPORT - FORTHWITH

Adopted, Ayes (12); Absent: Englander and Reyes (2)

[11-1006](#)

ENERGY AND ENVIRONMENT COMMITTEE AND AD HOC COMMITTEE ON WASTE REDUCTION AND RECYCLING REPORTS relative to the issuance of a five-year notice to permitted private waste haulers notifying them of the City's intent to make modifications to the private waste hauling system in the City of Los Angeles with respect to commercial facilities and directing the Bureau of Sanitation (BOS) to work with the business community to expand commercial recycling to at least 50 percent of the City by the year 2010.

ADOPTED

A. ENERGY AND ENVIRONMENT COMMITTEE REPORT

Recommendations for Council action:

AUTHORIZE the BOS to issue the amended five-year notice letter attached to this Committee report, which clarifies the definition of "exclusive" under the Public Resources Code and reflects that the decision to move to a franchise mode has not yet been made by the City, to permitted private waste haulers notifying them of the City's intent to make modifications to the private waste hauling system in the City of Los Angeles with respect to commercial facilities.

Fiscal Impact Statement: The Board of Public Works reports that there will be no financial impact based on this action, as it only constitutes a notification.

Community Impact Statement: None submitted.

RECEIVED AND FILED

B. AD HOC COMMITTEE ON WASTE REDUCTION AND RECYCLING REPORT

Recommendation for Council action:

AUTHORIZE the BOS to issue a Five-year notice to permitted private waste haulers notifying them of the City's intent to make modifications to the private waste hauling system in the City of Los Angeles.

Fiscal Impact Statement: The Board of Public Works reports that there will be no financial impact based on this action, as it only constitutes a notification.

Community Impact Statement: None submitted.

ITEM NO. (7) - ADOPTED - SEE FOLLOWING

Adopted, Ayes (12); Absent: Englander and Reyes (2)

[11-0600-S146](#)

COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER relative to the Second Financial Status Report for Fiscal Year 2011-12.

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

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

ADOPTED

COMMUNICATION FROM CHAIR AND MEMBER, BUDGET AND FINANCE COMMITTEE relative to the Second Financial Status Report (FSR) for Fiscal Year (FY) 2011-12.

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

- 1. APPROVE the recommendations of the City Administrative Officer (CAO) contained in the Second FSR for FY 2011-12, dated December 2, 2011, attached to the Council file.**
- 2. INSTRUCT the CAO and Los Angeles Department of Transportation to report back with an evaluation and assessment of last FY's budget decision to approve the use of part time traffic officers.**
- 3. TRANSFER \$40,000 from the Los Angeles Convention Center (LACC) Salaries General Account (Fund 100/48, Account No. 001010) to the Salaries Hiring Hall Account (Fund 100/48, Account No. 001100).**
- 4. CREATE a LACC Hiring Hall - Benefits Account (Account No. 001120) and TRANSFER an appropriation of \$30,000 from the Salaries General Account (Fund 100/48, Account No. 001010) to the Hiring Hall - Benefits Account (Fund 100/48, Account No. 001120).**
- 5. INSTRUCT the CAO to report back on the status of an audit of all revenue sources as requested during the Council's Revenue Day.**
- 6. INSTRUCT the CAO to report back on the feasibility of using the Special Parking Revenue Fund as a funding source for the parking lot sweeping program being transferred from the Bureau of Street Services back to the Department of General Services (GSD).**
- 7. INSTRUCT the CAO and GSD to continue efforts towards implementing a program to reduce the City's fleet inventory.**
- 8. DELETE the CAO's recommendation numbers 15, 17, 21, 26 and 33 relative to the Department of Neighborhood Empowerment.**

9. **INSTRUCT** the CAO to report back on the source of funds and whether Payment in Lieu of Taxes funds from the Housing Authority of the County of Los Angeles are available for recommendation numbers 39 and 40 relative to the Department of Recreation and Parks.
10. **INSTRUCT** the CAO, Personnel Department and City Attorney to report back to the Personnel and Budget and Finance Committees on the City's legal standing and options relative to sworn health care plan liens that represent costs incurred by sworn personnel treated under their health care plan that eventually become industrial injuries.

Fiscal Impact Statement: The CAO reports that in the First FSR, a deficit of \$13.3 million was projected for departments. Based on expenditures through October, the Citywide budget deficit is estimated to be \$72.0 million, consisting of shortfalls for department accounts, non-departmental accounts, and pension benefit contributions. No adjustment to budgeted revenue is recommended at this time. Proposed solutions, including directing departments to absorb \$20.8 million in retiree payouts, would reduce the Citywide deficit to \$21.4 million. Transfers, appropriations and other adjustments totaling approximately \$16.8 million are recommended in Sections 1 and 2 of the CAO report.

Community Impact Statement: None submitted.

Adopted to Continue, Unanimous Vote (12); Absent: Englander, Reyes and President Garcetti (2)
(Item Nos. 8-12)

ITEM NO. (8) - CONTINUED TO DECEMBER 7, 2011

[09-1914-S11](#)

JOBS AND BUSINESS DEVELOPMENT COMMITTEE REPORT relative to eliminating gross receipts tax for car dealerships that sell new cars in the City.

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

1. REQUEST the City Attorney to prepare and present an ordinance to eliminate the gross receipts tax for car dealership that sell new cars in the City.
2. INSTRUCT the Chief Administrative Officer (CAO) and the Office of Finance to report back on the fiscal impact of eliminating the gross receipt tax for car dealerships that sell new cars in the City.

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. (9) - CONTINUED TO DECEMBER 7, 2011

[11-1952](#)

JOBS AND BUSINESS DEVELOPMENT COMMITTEE REPORT relative to the Los Angeles Department of Transportation's (LADOT) review of its parking enforcement operations in Film Zones.

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

INSTRUCT the LADOT to:

- a. Make efforts to ensure that properly permitted production vehicles are not ticketed.
- b. Review its parking ticket operations with regard to entertainment productions, including procedures for verifying which vehicles are associated with a production, time used to resolve ticket disputes, and training for parking enforcement operators.
- c. Report in 30 days on the status of the program and actions to improve practices and reduce conflicts related to the parking of production vehicles.

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. (10) - CONTINUED TO DECEMBER 7, 2011

[11-1953](#)

JOBS AND BUSINESS DEVELOPMENT COMMITTEE REPORT relative to the status of the Citywide Film Task Force and opportunities related to filming at various locations in order to encourage filming in Los Angeles.

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

INSTRUCT the City Administrative Officer (CAO) and Chief Legislative Analyst (CLA) to report on the status of the Citywide Film Task Force and opportunities to invite the County of Los Angeles and other agencies to participate on the Task Force to address issues related to filming at local beaches, craft services, and more, in order to encourage filming in Los Angeles.

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

Community Impact Statement: None submitted.

ITEM NO. (11) - CONTINUED TO DECEMBER 7, 2011

[11-1954](#)

JOB AND BUSINESS DEVELOPMENT COMMITTEE REPORT relative to film permitting services, options to enhance services and producing informational material related to facts about disruptions to permitted film productions for distribution.

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

1. INSTRUCT the Los Angeles Police Department to evaluate staffing requirements related to film permitting services and field responses to film-related issues and recommend options that may help to enhance services.
2. REQUEST FilmLA to produce a flyer or other information materials that productions could distribute related to the facts about disruptions to permitted film productions.

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. (12) - CONTINUED TO DECEMBER 7, 2011

[11-1955](#)

JOB AND BUSINESS DEVELOPMENT COMMITTEE REPORT relative to a pricing structure for film power nodes that have been installed at the Old Zoo, the Los Angeles Department of Water and Power's (LADWP) John Ferraro Building, and City Hall, with emphasis in providing simple, efficient approach that provides power in reasonable, affordable rates.

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

INSTRUCT the LADWP, General Services Department, and City Administrative Officer (CAO) to recommend within 30 days a pricing structure for the film power nodes that have been installed at the Old Zoo in Griffith Park, the LADWP's John Ferraro Building, and City Hall, with an emphasis on providing a simple, efficient approach that provides power at reasonable, affordable rates.

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. (13) - ADOPTED - TO THE MAYOR FORTHWITH

Adopted, Ayes (11); Absent: Englander, Reyes and President Garcetti (3)

[10-1954](#)

PUBLIC SAFETY AND BUDGET AND FINANCE COMMITTEES REPORT and RESOLUTION relative to the 2010 Regional Catastrophic Planning Program grant award.

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

1. AUTHORIZE the Mayor, or designee, to:
 - a. Accept on behalf of the City of Los Angeles and the Los Angeles - Long Beach - Riverside Urban Area, the Fiscal Year 2010 Regional Catastrophic Preparedness Grant Program in the amount of \$3,570,000 for the period August 1, 2010, through April 30, 2013.
 - b. Adopt the accompanying RESOLUTION (Attachment 3 of the Mayor's report to Council dated August 4, 2011, attached to the Council file), to designate the City entities that will apply for, accept, and manage the 2010 Regional Catastrophic Planning Program grant award provided by the Department of Homeland Security and sub-granted through the State of California, California Emergency Management Agency (CalEMA).
 - c. Execute sub-recipient agreements, subject to the approval of the City Attorney as to form and legality, for the distribution of the 2010 Regional Catastrophic Planning Program grant award funds, for a term of up to 32 months within the applicable grant performance period, with the Los Angeles - Long Beach - Riverside Urban Area Partner Jurisdictions, including the American Red Cross, the City of Ontario, the City of Riverside, the City of San Bernardino, the County of Los Angeles, the County of Riverside, the County of San Bernardino, and the County of Ventura, consistent with the grant budget and in accordance with the pro forma Agreement (Attachment 10 of the Mayor's Transmittal report to Council dated August 4, 2011).
 - d. With the assistance of the General Manager, Emergency Management Department, and the Housing Department, negotiate and execute on behalf of the City, the following contracts, for a term of up to 24 months within the applicable grant performance period, subject to the approval of the City Attorney as to form and legality, and subject to review by the City Administrative Officer (CAO) for consistency with the grant budget and compliance with all City contracting policies and requirements:

<u>Managing Department</u>	<u>Project Description</u>	<u>Maximum Cost</u>
LAHD	Regional Disaster Housing Planning	\$ 150,000
EMD	Regional Recovery Planning Guide	<u>350,000</u>
	Contractual Services Total:	\$ 500,000

2. ADOPT the 2010 Regional Catastrophic Planning Program grant award Budget (Attachment 4 of the Mayor's report to Council dated August 4, 2011); and, AUTHORIZE the Mayor to create new appropriation accounts within the new 2010 Regional Catastrophic Planning Program Grant Fund for the grant award, as detailed in Recommendation No. 4 of the CAO's report to the Mayor and Council dated September 27, 2011 (attached to the Public Safety and Budget and Finance Committees report).

3. APPROVE CAO Recommendation Nos. 2, 3, and 5 - 12 (as presented in the CAO's report to the Mayor and Council dated September 27, 2011) authorizing and requesting that the Controller transact various appropriation and transfers relative to the receipt and expenditure of grant funds and related actions.
4. AUTHORIZE the Mayor, or designee, to prepare Controller instructions for any technical adjustments consistent with this action, subject to the approval of the CAO; and, AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: The CAO reports that this action will provide allocations to various City departments and Los Angeles - Long Beach - Riverside Urban Area Partner Jurisdictions totaling \$3,570,000 from the 2010 Regional Catastrophic Preparedness Grant Program award, with a required \$1,190,000 cash or in-kind match. The City's grant allocation totals \$1,947,001, and requires a \$620,527 match which is a direct impact to the General Fund. It should be noted that the impact to the General Fund may be reduced by \$97,589 with the use of Code Enforcement revenue funds to meet grant match requirements. These actions are in compliance with City financial policies as all grant reimbursable expenditures are budgeted for cost recovery and the City is therefore limiting its subsidy of the grant program to unrecoverable costs and costs associated with a grantor required match.

Community Impact Statement: None submitted.

(Personnel Committee waived consideration of the above matter)

ITEM NO. (14) - CONTINUED TO DECEMBER 13, 2011

Adopted to Continue, Unanimous Vote (12); Absent: Englander, Reyes and President Garcetti (3)

[09-1714-S2](#)

CONTINUED CONSIDERATION OF MOTION (ZINE - PARKS) relative to a status report to Council in Closed Session on the efforts by Computer Science Services and Google, Inc. towards meeting all Los Angeles Police Department (LAPD) security requirements.

Recommendation for Council action:

INSTRUCT the Information Technology Agency, Chief Administrative Officer, Chief Legislative Analyst, LAPD and REQUEST the City Attorney to provide a status report to Council on the efforts by Computer Science Services, and Google, Inc. toward meeting all LAPD Security requirements.

[Council may recess to closed session in order to confer with legal counsel, pursuant to Government Code Section 54956.9(c), regarding the initiation of litigation, and/or Government Code Section 54956.9(b)(3)(B), regarding a significant exposure to litigation in relation to the City's contract with Computer Science Services Corporation and its subcontractor, Google, Inc., for an E-Mail and Collaboration Solution.]

(Public Hearing closed on November 2, 2011)

(Continued from Council meeting of November 22, 2011)

Items for Which Public Hearings Have Not Been Held - Items 15-32

(10 Votes Required for Consideration)

ITEM NO. (15) - ADOPTED

Adopted, Ayes (11); Absent: Englander, Reyes and President Garcetti (3)
(Item Nos. 15a-15e)

[11-0005-S739](#)

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 November 28, 2011:

[11-0005-S739](#)

CD 8

- a. Property at 623 West 109th Street (Case No. 305042).
Assessor I.D. No. 6061-021-020

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on September 16, 2010)

[11-0005-S740](#)

CD 9

- b. Property at 715 East 76th Place (Case No. 269867).
Assessor I.D. No. 6023-018-027

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 18, 2010)

[11-0005-S741](#)

CD 10

- c. Property at 2217 South Ninth Avenue (Case No. 305630).
Assessor I.D. No. 5060-015-025

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on September 9, 2010)

[11-0005-S742](#)

CD 10

- d. Property at 2217 South Ninth Avenue (Case No. 306827).
Assessor I.D. No. 5060-015-025

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on October 14, 2010)

- e. Property at 1417 North Figueroa Place (Case No. 265884).
Assessor I.D. No. 7412-009-010

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on December 8, 2010)

ITEM NO. (16) - ADOPTED

Adopted, Ayes (11); Absent: Englander, Perry and Reyes (3)

[11-1890](#)

COMMUNICATION FROM CHAIR, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE relative to termination of prior agreements with former ownership entities, environmental action and authorization to execute an Ownership Participation Agreement (OPA) with Vineland Avenue Senior Housing, L.P. for development of an 82-Unit affordable residential project for seniors located at 4900 North Vineland Avenue in the North Hollywood Redevelopment Project Area.

Recommendations for Council action:

1. ACKNOWLEDGE and UNDERSTAND that the California Supreme Court (Court) in the case entitled California Redevelopment Association v. Matosantos, stayed certain portions of Assembly Bill (AB) x1-26 and AB x1-27, but allowed other provisions to be implemented, such as the prohibition on new contracts and amendments to existing contracts. Specifically, the Community Redevelopment Agency of Los Angeles (CRA/LA) may not, with the exception of existing enforceable obligations, take any action to incur new debt, transfer any assets or undertake any new obligations, unless and until the CRA/LA is legally authorized to act as determined by the Court. In light of these circumstances, the City Council may approve certain specified actions as described in this report on the condition that the CRA/LA will not execute agreements or take any actions thereto until the Court has decided the case on the merits or otherwise restored the contracting authority of redevelopment agencies. The Court ruling on the legal challenge to the legislation is anticipated by January 15, 2012.
2. RECOGNIZE that actions of the Council as detailed in Recommendations Nos. 3-7 listed below are subject to the conditions of the Court's stay and the provisions of AB x1-26 that are not subject to the stay, pending resolution of the litigation at the Court.
3. ACKNOWLEDGE and APPROVE the CRA/LA's execution of an OPA with the Vineland Avenue Senior Housing, Limited Partnership as part of the implementation of the Response to Housing Opportunities under the Cooperation Agreement for Payment of Costs Associated with Certain CRA/LA-Funded Capital Improvements, Public Improvements and Affordable Housing projects, dated as of March 10, 2011 between the CRA/LA and the City of Los Angeles (Council file No. 11-0086).
4. APPROVE the termination of the existing OPA and Agreement Containing Covenants Affecting Real Site (Covenant) that were executed with Vineland Investors, Limited Liability Company (Council file No. 06-2079).

5. APPROVE the termination of the existing First Amendment to the OPA and First Amendment to the Covenant that were executed with Vineland Habitat, Limited Liability Company (Council file No. 06-2079).
6. APPROVE the residential uses proposed in the OPA with the Project Developer, Vineland Avenue Senior Housing, Limited Partnership, in a commercial area in accordance with Section 604 of the Amended North Hollywood Redevelopment Plan.
7. AUTHORIZE the Chief Executive Officer, CRA/LA, or designee, to execute an OPA and ancillary letter agreement providing additional indemnity to the CRA/LA with the Vineland Avenue Senior Housing, Limited Partnership for the Vineland Senior Housing Project located at 4900 North Vineland Avenue, in the North Hollywood Redevelopment Project Area, which will include 81 residential rental units to be restricted to very low income senior households and one managers unit.

Fiscal Impact Statement: The City Administrative Officer reports that there is no impact to the General Fund. Approval of the recommendations will allow the CRA/LA to execute an Owner Participation Agreement with the Vineland Avenue Senior Housing, Limited Partnership for the Vineland Senior Housing Project in the North Hollywood Redevelopment Project Area. The CRA/LA is not providing any funding assistance. The City's Financial Policies are not applicable to the CRA/LA; the CRA/LA is bound only by the disclosure provisions of the City's Debt Management Policies. The recommendations are in compliance with the CRA/LA's Financial Policies in that the recommended actions are consistent with the Budget and Work Program for the North Hollywood Redevelopment Project Area.

Community Impact Statement: None submitted.

ITEM NO. (17) - ADOPTED, AS AMENDED - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Adopted as Amended, Ayes (11); Absent: Englander, Perry and Reyes (3)

[11-0002-S123](#)

COMMUNICATION FROM CHAIR, INTERGOVERNMENTAL RELATIONS COMMITTEE relative to the City's position on Legislative actions ensuring corporations are not entitled to the protections or "rights" of human beings.

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

RESOLVE to include in the City's 2011-12 Federal and State Legislative Programs, SUPPORT for a Constitutional Amendment and other legislative actions ensuring that only human beings, not corporations, are endowed with constitutional rights and that money is not speech, and therefore the expenditure of corporate money to influence the electoral process is no longer a form of constitutionally protected speech.

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

Community Impact Statement: None submitted.

ADOPTED

AMENDING MOTION (GARCETTI - ROSENDAHL - KREKORIAN - ALARCON)

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

RESOLVE to hereby include in the City's 2011-12 Federal and State Legislative Programs SUPPORT for Legislative actions ensuring corporations are not entitled to the entirety of protections or "rights" of human beings, specifically so that the expenditure of corporate money to influence the electoral process is no longer a form of constitutionally protected speech, including a constitutional amendment based on the attached language.

Proposed Constitutional Amendment

Section 1 [A corporation is not a person and can be regulated]

The rights protected by the Constitution of the United States are the right of natural persons only.

Artificial entities, such as corporations, limited liability companies, and other entities, established by the laws of any State, the United States, or any foreign state shall have no rights under this Constitution and are subject to regulation by the People, through Federal, State, or local law.

The privileges of artificial entities shall be determined by the People, through Federal, State, or local law, and shall not be construed to be inherent or inalienable.

Section 2 [Money is not speech and can be regulated]

Federal, State and local government shall regulate, limit, or prohibit contributions and expenditures, including a candidate's own contributions and expenditures, for the purpose of influencing in any way the election of any candidate for public office or any ballot measure.

Federal, State and local government shall require that any permissible contributions and expenditures be publicly disclosed.

The judiciary shall not construe the spending of money to influence elections to be speech under the First Amendment.

Section 3

Nothing contained in this amendment shall be construed to abridge the freedom of the press.

**Adopted, Ayes (11); Absent: Englander, Reyes and President Garcetti (3)
(Item Nos. 18-27)**

ITEM NO. (18) - ADOPTED

[09-2422](#)

COMMUNICATION FROM CHAIR, PUBLIC SAFETY COMMITTEE relative to the status of the Council District Eight Public Benefits Trust Fund No. 49F.

Recommendation for Council action:

NOTE and FILE City Clerk reports to the Mayor and Council dated October 13, 2011 (attached to the Council file), relative to the status of the Council District Eight Public Benefits Trust Fund No. 49F for the Fiscal Years ending June 30, 2010, and June 30, 2011.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (19) - ADOPTED

[11-1757](#)

COMMUNICATION FROM CHAIR, PUBLIC SAFETY COMMITTEE relative to the status of the Council District 13 Public Assistance Trust Fund No. 904.

Recommendation for Council action:

NOTE and FILE City Clerk reports to the Mayor and Council dated October 13, 2011 (attached to the Council file), relative to the status of the Council District 13 Public Assistance Trust Fund No. 904 for the Fiscal Years ending June 30, 2010, and June 30, 2011.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (20) - ADOPTED

[11-1758](#)

COMMUNICATION FROM CHAIR, PUBLIC SAFETY COMMITTEE relative to the status of the Council District One Public Benefits Trust Fund No. 889.

Recommendation for Council action:

NOTE and FILE City Clerk reports to the Mayor and Council dated October 13, 2011 (attached to the Council file), relative to the status of the Council District One Public Benefits Trust Fund No. 889 for the Fiscal Years ending June 30, 2010, and June 30, 2011.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (21) - ADOPTED

[11-1759](#)

COMMUNICATION FROM CHAIR, PUBLIC SAFETY COMMITTEE relative to the status of the Council District 15 Los Angeles Police Department (LAPD) Harbor Division Police Assistance Trust Fund No. 888.

Recommendation for Council action:

NOTE and FILE City Clerk reports to the Mayor and Council dated October 13, 2011 (attached to the Council file), relative to the status of the Council District 15 LAPD Harbor Division Police Assistance Trust Fund No. 888 for the Fiscal Years ending June 30, 2010, and June 30, 2011.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (22) - ADOPTED

[11-1760](#)

COMMUNICATION FROM CHAIR, PUBLIC SAFETY COMMITTEE relative to the status of the Council District Four Public Safety Trust Fund No. 884.

Recommendation for Council action:

NOTE and FILE City Clerk reports to the Mayor and Council dated October 13, 2011 (attached to the Council file), relative to the status of the Council District Four Public Safety Trust Fund No. 884 for the Fiscal Years ending June 30, 2010, and June 30, 2011.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (23) - ADOPTED

[11-1761](#)

COMMUNICATION FROM CHAIR, PUBLIC SAFETY COMMITTEE relative to the status of the Council District 12 Los Angeles Police Department (LAPD) Devonshire and Foothill Divisions Police Assistance Trust Fund No. 883.

Recommendation for Council action:

NOTE and FILE City Clerk reports to the Mayor and Council dated October 13, 2011 (attached to the Council file), relative to the status of the Council District 12 LAPD Devonshire and Foothill Divisions Police Assistance Trust Fund No. 883 for the Fiscal Years ending June 30, 2010, and June 30, 2011.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (24) - ADOPTED

[11-1762](#)

COMMUNICATION FROM CHAIR, PUBLIC SAFETY COMMITTEE relative to the status of the Threat Preparedness Trust Fund No. 46M.

Recommendations for Council action:

1. NOTE and FILE City Clerk report to the Mayor and Council dated October 13, 2011 (attached to the Council file), relative to the status of the Threat Preparedness Trust Fund No. 46M for the Fiscal Year ending June 30, 2010.
2. REQUEST that the City Attorney prepare an ordinance to repeal Threat Preparedness Trust Fund No. 46M.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (25) - ADOPTED

[11-1764](#)

COMMUNICATION FROM CHAIR, PUBLIC SAFETY COMMITTEE relative to the status of the Council District Nine Public Benefits Trust Fund No. 48X.

Recommendation for Council action:

NOTE and FILE City Clerk reports to the Mayor and Council dated October 13, 2011 (attached to the Council file), relative to the status of the Council District Nine Public Benefits Trust Fund No. 48X for the Fiscal Years ending June 30, 2010, and June 30, 2011.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (26) - ADOPTED

[11-1784](#)

COMMUNICATION FROM CHAIR, PUBLIC SAFETY COMMITTEE relative to the status of the Council Districts 15 and 8 Los Angeles Police Department (LAPD) Southeast Division Police Assistance Trust Fund No. 891.

Recommendations for Council action:

1. NOTE and FILE City Clerk report to the Mayor and Council dated October 13, 2011 (attached to the Council file), relative to the status of the Council Districts 15 and 8 LAPD Southeast Division Police Assistance Trust Fund No. 891 for the Fiscal Year ending June 30, 2010.
2. REQUEST that the City Attorney prepare an ordinance to repeal Council Districts 15 and 8 LAPD Southeast Division Police Assistance Trust Fund No. 891.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (27) - ADOPTED

[11-1785](#)

COMMUNICATION FROM CHAIR, PUBLIC SAFETY COMMITTEE relative to the status of the Community Crisis Relief Trust Fund No. 905.

Recommendations for Council action:

1. NOTE and FILE City Clerk report to the Mayor and Council dated October 13, 2011 (attached to the Council file), relative to the status of the Community Crisis Relief Trust Fund No. 905 for the Fiscal Year ending June 30, 2010.
2. REQUEST that the City Attorney prepare an ordinance to repeal Community Crisis Relief Trust Fund No. 905.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

ITEM NO. (28) - ADOPTED

Adopted, Ayes (12); Absent: Englander and Reyes (2)

[10-1706-S1](#)

CONSIDERATION OF MOTION (GARCETTI - WESSON) relative to amending Article 14.1 of the Los Angeles Municipal Code (LAMC) to extend the sunset date of the Foreclosure Eviction Ordinance from December 31, 2011 to December 31, 2012.

Recommendation for Council action:

REQUEST the City Attorney, with the assistance of the Los Angeles Housing Department, to prepare and present an Ordinance amending Article 14.1 of the LAMC to extend the sunset date of the Foreclosure Eviction Ordinance (No. 181496) from December 31, 2011 to December 31, 2012.

Community Impact Statement: None submitted.

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

ITEM NO. (29) - ADOPTED

Adopted, Ayes (11); Absent: Englander, Perry and Reyes (3)

[11-1994](#)

MOTION (KREKORIAN - HUIZAR) relative to the Department of Cultural Affairs and the Department of Aging presenting their needs assessments study about senior artists to the City Council.

Recommendation for Council action:

REQUEST the Department of Cultural Affairs and the Department of Aging to present their needs assessment study about senior artists to the City Council.

ITEM NO. (30) - ADOPTED - FORTHWITH

Adopted, Ayes (11); Absent: Englander, Reyes and President Garcetti (3)

[11-1995](#)

CD 2

MOTION (KREKORIAN - REYES) relative to the creation of the Laurel Canyon Corridor Sign District.

Recommendation for Council action:

TAKE the following actions relative to the creation of the Laurel Canyon Corridor Sign District:

- a. Direct the Planning Department to initiate proceedings, prepare the necessary maps and reports to establish the Laurel Canyon Corridor Supplemental Use District, as specified in Section 13.11 'SN' - Sign District and Section 12.32 S (Supplemental Use Districts) of the Los Angeles Municipal Code.
- b. Direct the Planning Department to establish a public benefit package for the District which would require projects utilizing the district to provide benefits within the Supplemental Use District and the immediately adjacent area including but not limited to redevelopment and improvements to the subject properties, traffic and aesthetic improvements that meet and exceed the World Wide Rush v. City of Los Angeles rulings, park and other infrastructure improvements, as well as blight reduction.

- c. Require that the geographical parameters of the proposed district be further adjusted through the community review process specified above.

ITEM NO. (31) - ADOPTED - TO THE MAYOR FORTHWITH

Adopted, Ayes (11); Absent: Englander, Perry and Reyes (3)

11-0010-S49

MOTION (KORETZ - ENGLANDER) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Edmundo Lorenzo on September 25, 2011.

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

1. PROVIDE an offer of reward in the amount of \$50,000 for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Edmundo Lorenzo on September 25, 2011.
2. FIND that the subject reward complies with the provisions of Chapter 12, Article 1, Division 19, of the Los Angeles Administrative Code.
3. DIRECT the City Clerk to publish the required notices and/or advertisements to effectuate this reward.

ITEM NO. (32) - MAPS AND BONDS APPROVED - CITY ENGINEER REPORTS ADOPTED

**Adopted, Ayes (11); Absent: Englander, Reyes and President Garcetti (3)
(Item Nos. 32a-32g)**

11-1979

et al. FINAL MAPS in the various Council Districts.

Recommendation for Council action:

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

11-1979

CD 15

- a. FINAL MAP OF TRACT NO. 65884 for property located at 360 and 366 West Eighth Street lying easterly of Mesa Street.
(Quimby Fee: \$76,842)
Applicants: Haleh Turkaman
Tala Associates

[11-1992](#)

CD 11

- b. FINAL MAP OF TRACT NO. 53947 for property located at 1303 Wellesley Avenue lying southeasterly of Texas Avenue.
(Bond No. C-119836)
(Quimby Fee: \$75,350)
Applicants: Wellesley Devco, LLC
Bryan Gentry

[11-2013](#)

CD 4

- c. FINAL MAP OF TRACT NO. 71132 for property located at 10921-10927 West Whipple Street lying easterly of Vineland Avenue.
(Quimby Fee: \$87,606)
Applicants: Whipple Universal II, LLC
Reynaldo E De Leon

[11-2016](#)

CD 4

- d. FINAL MAP OF TRACT NO. 64146 for property located at 6142 West Franklin Avenue lying southerly of Franklin Avenue and westerly of Gower Street.
(Quimby Fee: \$511,000)
Applicants: DA Hollywood Tower JV, LLC
James H. Kawamura

[11-1978](#)

CD 7

- e. PARCEL MAP L.A. NO. 2008-4967 for property located at 8342 Kester Avenue lying along the easterly side of Kester Avenue and northerly of Roscoe Boulevard.
(Bond No. C-119835)
(Quimby Fee: \$12,528)
Applicants: Chaveewan Sangmanee
Robert K. Kameoka

[11-2014](#)

CD 5

- f. PARCEL MAP L.A. NO. 2006-7392 for property located at 4761 North Haskell Avenue lying southerly of Milbank Street.
(Bond No. C-119838)
(Quimby Fee: \$4,172)
Applicants: Saeed Banaie
Tala Associates

[11-2015](#)

CD 11

- g. PARCEL MAP L.A. NO. 2011-0933 for property located at 15301 and 15317 West Bestor Boulevard lying along the northerly side of Bestor Boulevard and westerly of North Monument Street.
(Bond No. C-119837)
(Quimby Fee: \$8,344)
Applicants: Bestor Boulevard, LLC
Steve Nazemi

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

[11-2017](#)

MOTION (HUIZAR - KREKORIAN) relative to establishing a task force to work collaboratively to further important commercial development, public improvement, public art, and planning-related projects that are key to the development of the Boyle Heights Arts District.

[11-2019](#)

MOTION (ZINE - CARDENAS) relative to requesting the Housing Authority of the City of Los Angeles to report to City Council on the recent reports on the misuse of taxpayer funds.

[11-2020](#)

MOTION (ROSENDAHL - ZINE) relative to directing the Los Angeles Department of Transportation to post No Parking Anytime Signs on the west side of Westwood Boulevard from Charnock Road to Venice Boulevard.

[11-0010-S50](#)

MOTION (PARKS - PERRY) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Lovell May III on January 28, 2010.

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

[11-0002-S141](#)

RESOLUTION (ROSENDAHL - WESSON) relative to the City's position for any legislation and administrative action which would oppose the Nigerian Anti-Gay Marriage Bill.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Motion (Rosendahl - LaBonge) unanimously adopted to excuse Councilmember Perry to leave at 1:00 p.m. from Council Session of Friday, December 16, 2011 due to City Business.

Alarcón, Cárdenas, Huizar, Koretz, Krekorian, LaBonge, Parks, Rosendahl, Wesson, Zine and President Garcetti (11); Absent: Englander, Perry and Reyes (3)

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL