Los Angeles City Council, **Journal/Council Proceedings**
Wednesday, **November 30, 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: Englander, Huizar, Koretz, Krekorian, Parks, Perry, Reyes, Rosendahl, Wesson, Zine and President Garcetti (11); Absent: Alarcón, Cárdenas and LaBonge (3)

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF NOVEMBER 23, 2011

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 16

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

Item Noticed for Public Hearing - Item 1

ITEM NO. (1) - PUBLIC HEARING CLOSED - CITY ENGINEER INSTRUCTED TO PROCEED

Adopted, Ayes (12); Absent: Alarcón and LaBonge (2)

05-2637
CD 1

CONTINUED CONSIDERATION OF HEARING PROTESTS relative to vacating Magnolia Avenue from Olympic Boulevard to Approximately 130 Feet Southerly Thereof (E1400974).

(Categorical Exemption, Public Works Committee Report and Findings adopted on October 14, 2011)

(Continued from Council meeting of November 16, 2011)

Items for Which Public Hearings Have Been Held - Items 2-10

ITEM NO. (2) - CONTINUED TO DECEMBER 6, 2011

Adopted to Continue, Unanimous Vote (11); Absent: Alarcón, Cárdenas and LaBonge (3)

08-2568

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.

ITEM NO. (3) - ADOPTED

Adopted, Ayes (13); Absent: Alarcón (1)

10-0626
CD 13

AUDITS AND GOVERNMENTAL EFFICIENCY COMMITTEE REPORT relative to the review of the Los Angeles Housing Department's (LAHD) selection and award to Bonnie Brae Village Housing Project for the 2007 Permanent Supportive Housing Program that was released on April 8, 2010 by the Controller.

Recommendation for Council action:

NOTE and FILE the April 8, 2010 and June 15, 2010 Controller reports relative to a review of the LAHD's selection and award to Bonnie Brae Village Housing Project for the 2007 Permanent Supportive Housing Program.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

Adopted, Ayes (11); Absent: Alarcón, Cárdenas and LaBonge (3)
(Item Nos. 4-6)

ITEM NO. (4) - ADOPTED

10-0600-S104

BUDGET AND FINANCE COMMITTEE REPORT relative to the status of the General Fund liability accounts as of June 30, 2011.

Recommendation for Council action:

NOTE and FILE the City Attorney's report relative to the status of the General Fund liability accounts as of June 30, 2011.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

[City Council may recess to Closed Session, pursuant to Government Code Section 54956.9(a) and/or (b) to confer with its legal counsel relative to the above matter]

ITEM NO. (5) - ADOPTED

11-1821

BUDGET AND FINANCE COMMITTEE REPORT relative to the use of outside counsel for legal assistance with the issuance of housing revenue bonds.

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

1. REQUEST the City Attorney's Office to report back on the results of final contract negotiations relative to the cost and fixed payment schedule for bond issuance.

2. AUTHORIZE the City Attorney to enter into new contracts, upon conclusion of contract negotiations, with the law firms of Kutak Rock, LLP and Hawkins Delafield & Wood, LLP for a term of three-years.

3. REQUEST the City Attorney to review and report back to Council and the Mayor on its ability to conduct a competitive bidding process within three years for Housing revenue bond counsel services.

Fiscal Impact Statement: The City Administrative Officer reports that there is no additional impact to the General Fund as a result of these recommendations. The total cost of the new contracts will be paid out of project proceeds and the Municipal Housing Finance Fund for single family homeownership bond issuances. The recommendations are in compliance with the City's Financial Policies as on-going costs are funded through on-going revenue sources.

Community Impact Statement: None submitted.

ITEM NO. (6) - ADOPTED

11-1915

BUDGET AND FINANCE COMMITTEE REPORT relative to the escheatment of monies from the Unclaimed Monies Seized Incidental To Arrest Trust Fund (UMSIATF) to the General Fund.

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

1. INSTRUCT the Los Angeles Police Department (LAPD) and the City Treasurer to process the sum of $571,076.45 from the UMSIATF Fund No. 7772.

2. AUTHORIZE the Controller to TRANSFER all identified eligible monies to the General Fund, Fund No. 100/70, Revenue Source Code 4334.

3. INSTRUCT the City Clerk to continue to expedite processing of escheatment requests and INSTRUCT the LAPD to follow up on escheatments in a timely manner given that they generate General Fund revenue.

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

Community Impact Statement: None submitted.

ITEM NO. (7) - CONTINUED TO DECEMBER 2, 2011

Adopted to Continue, Unanimous Vote (11); Absent: Alarcón, Cárdenas and LaBonge (3)

11-1929

BUDGET AND FINANCE COMMITTEE REPORT relative to the proposed implementation of a 2011 free holiday parking program in shopping districts located in Council District 15.

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

1. AUTHORIZE and INSTRUCT the Los Angeles Department of Transportation (LADOT) to take the necessary steps to implement a 2011 free holiday parking program from Saturday, December 10, 2011 through Saturday, December 31, 2011 in the San Pedro parking meter zone (#518); the City's parking lots in San Pedro (Lots #641; #647; #684; and #735) and the Wilmington parking meter zone (#534).

2. INSTRUCT the Chief Legislative Analyst (CLA), as caretaker of Council District (CD) 15, to review CD 15's discretionary funds in order to reimburse the LADOT, and specifically the Special Parking Revenue Fund, for any revenue lost due to implementation of this free holiday parking program.

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

Community Impact Statement: None submitted.

(Transportation Committee waived consideration of the above matter)

ITEM NO. (8) - ADOPTED

Adopted, Ayes (11); Absent: Alarcón, Cárdenas and LaBonge (3)

11-1640

ENERGY AND ENVIRONMENT COMMITTEE REPORT relative to the second amendment to a contract with HDR Engineering, Inc. (HDR) for Phases IV and V of the Solid Waste Alternative Processing Technologies Project.

Recommendations for Council action:

1. AUTHORIZE the Board of Public Works to execute a second amendment to Contract 111500 relative to the Solid Waste Integrated Resources Plan with HDR for Phases IV and V of the Solid Waste Alternative Processing Technologies Project, substantially in form to that included in the Board report dated June 6, 2011, attached to the Council file, increasing the cost ceiling by $7.3 million (from $10.0 million to $17.3 million) to fund the scope of work.

2. INSTRUCT the Bureau of Sanitation to report to the Mayor and Council within 90 days on the progress of Phases IV and V of the project and provide an update on the entire scope and cost of the Solid Waste Alternative Processing Technologies Project.

Fiscal Impact Statement: The City Administrative Officer reports that there is no General Fund impact. The total funding for the proposed second amendment is $7.3 million. Of this amount, $2.6 million has been appropriated through prior Council actions, and the balance of $4.7 million will be requested in future budgets. Funding is provided by the Integrated Solid Waste Management Fund. The recommendations comply with City Financial Policies in that sufficient special fund revenues are budgeted and anticipated to fully fund this contract. The contract includes a clause limiting the City's financial liability to the extent of the present appropriation to fund the agreement, as well as appropriations for future needs in successive fiscal years that are to be determined.

Community Impact Statement: None submitted.

ITEM NO. (9) - ADOPTED, AS AMENDED - FORTHWITH - SEE FOLLOWING

to Adopt as Amended, Ayes (12); Absent: Alarcón, and LaBonge (2)

11-1684
CD 5

ENVIRONMENTAL IMPACT REPORT and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an appeal for property located at 915 North La Brea Avenue.

Recommendations for Council action:

1. CERTIFY that the Environmental Impact Report (EIR No. ENV-2005-6164-EIR has been completed in compliance with the California Environmental Quality Act, the State Guidelines and the City Guidelines and that the City Council has reviewed the information contained therein and considered it along with other factors related to this project; that this determination reflects the independent judgment of the City of Los Angeles; and that the documents constituting the record of proceedings in this matter are located in Council file No. 11-1684 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Environmental Impact Report.

2. ADOPT the FINDINGS of the Director of Planning as the Findings of Council.

3. RESOLVE TO DENY THE APPEAL filed by Community with A Conscience (Fred Gaines, Representative), and THEREBY SUSTAIN the decision of the Director of Planning in approving Clarification of [Q] Qualified Condition of Approval numbers 2, 3, 4, 5E, 7, 37-46 and 80, and amendment to [T] Condition of Approval number 2(B), all of which are contained in Ordinance Number 180,738, for property located at 915 North La Brea Avenue, subject to Conditions of Approval.

Applicant: La Brea Gateway, LLC
Representative: Matt Dzurec, Armbruster, Goldsmith, and Delvac LLP

DIR-2011-1043-SPR-CLQ-ACI-1A-A(1)

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

Community Impact Statement: None submitted.

ADOPTED

SUBSTITUTE MOTION (KORETZ - REYES)

Recommendations for Council action:

ADOPT the attached recommendations in lieu of any other recommendations.

1. **ADOPT the following two recommendations of the Planning and Land Use Management Committee from their November 15, 2011 hearing to (a) ADOPT the FINDINGS of the Director of Planning as the Findings of Council, and (b) RESOLVED TO DENY THE APPEAL filed by Community With A Conscience (Fred Gaines, Representative) AND THEREBY SUSTAIN the decision of the Director of Planning in approving Clarification of [Q] Qualified Conditions of Approval numbers 2, 3, 4, 5E, 7, 37-46 and 80, amendment to [T] Condition of Approval numb 2(b), all which are contained in Ordinance Number 180,738, for the property located at 915 North La Brea Avenue, subject to the Conditions of Approval (the "Director's Determination").**

2. **REFUSE TO ADOPT the recommendation of the Planning and Land Use Management Committee from their November 15, 2011 hearing to either (a) certify the Environmental Impact Report No. ENV-2005-6164-EIR or (b) adopt said Environmental Impact Report.**

3. **FIND that the previously adopted Environmental Impact Report ENV-2005-6164-EIR (the "EIR"), together with the previously adopted Addendum to the Final Environmental Impact Report, dated March 2011, complies with the California Environmental Quality Act under Public Resources Code Section 21167.2.**

4. **FIND that following the September 30, 2011 Central Area Planning Commission action in this matter, on October 4, 2011, the City prepared and filed a Notice of Determination (NOD) for the March 2011 Addendum to the EIR at the Los Angeles City Clerk's Office and that no legal challenges to the Addendum to the EIR were filed during the 30-day Statute of Limitations following the date the NOD was posed.**

5. **FIND that, in accordance with CEQA Guidelines section 15164(a) and (e), the previously adopted Addendum to the Final Environmental Impact Report, dated March 2011, adequately evaluated the changes to the Project and properly concluded that the changes would not cause any new significant environmental impacts thaw would require major revisions to the EIR. Therefore no supplemental or subsequent environmental impact report was required in connection with the Director's Determination.**

6. **FIND that under the California Public Resources Code, section 21166 and the State's Environmental Quality Act (CEQA) Guidelines section 15162, on the basis of substantial evidence contained in the whole record, that since certification of EIR No. 2005-6164-EIR, on June 17, 2008, together with the Addendum to the Final Environmental Impact Report, dated March 2011, certified by the Central Area Planning Commission (Central APC) on September 30, 2011, there have been no changes to the Project, no changes with respect to the circumstances under which the Project is being undertaken, and no new information of substantial importance concerning the Project, which cause new significant environmental effects or a substantial increase in the severity of previously identified significant effects.**

7. **RESOLVE TO DENY THE REQUEST by Community with a Conscience (Fred Gaines, Esq. Representative) that a subsequent or supplemental environmental impact report be prepared for the Project in connection with the Director's Determination.**

8. **FIND that the Director of Planning did not commit error or abuse his discretion in granting the Director's Determination.**

ITEM NO. (10) - ADOPTED - TO THE MAYOR FORTHWITH

Adopted, Ayes (11); Absent: Alarcón, Cárdenas and LaBonge (3)

11-1903

BUDGET AND FINANCE COMMITTEE REPORT and COMMUNICATION FROM CHAIR, PUBLIC SAFETY COMMITTEE relative to accepting $22,278,788 in Public Safety Interoperable Communications (PSIC) grant funds from the California Emergency Management Agency (CalFEMA) for a grant performance period of October 1, 2007 through June 30, 2012.

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

1. AUTHORIZE the Controller to:

   a. Accept on behalf of the City of Los Angeles the FY 2007 PSIC grant in the amount of $22,278,788 from CaIFEMA, with a grant performance period of October 1, 2007 through June 30, 2012.

   b. Submit to the grantor on behalf of the City requests for drawdown of funds obligated for approved grant purposes

   c. Negotiate and execute a sole source contract with Fujitsu Network Communications, Inc. (Fujitsu) to implement the Fiber Optics Core Network Expansion project, for a term of up to eight months within the grant performance period, in an amount not to exceed $5,400,000, subject to the approval of the City Attorney as to form and legality.

d. Upon receipt of sole-source approval from CaIFEMA, negotiate and execute a sole source contract with Dailey-Wells Communications, Inc. for the procurement of radio equipment to implement the Simulcast Trunk Radio System Expansion project, for a term of up to eight months within the grant performance period, in an amount not to exceed $16,878,788, subject to the approval of the City Attorney as to form and legality.

e. Receive, deposit into, and disburse from a new Homeland Security Grant Fund the grant funds from the FY 2007 PSIC grant award;

2. AUTHORIZE the Controller to:

a. Create a new interest-bearing Fund, titled "FY07 PSIC Homeland Security Grant Fund" for receipt and disbursement of grant funds and establish a receivable in this new Fund in the amount of $22,278,788 for the FY 2007 PSIC grant.

b. Expend and receive funds upon presentation of documentation and proper demand by the Mayor's Office of Homeland Security and Public Safety for approved FY 2007 PSIC grant purchases.

3. ADOPT the FY 2007 PSIC Grant Budget as detailed in Attachment 3 of the November 9, 2011 Communication from the Mayor, attached to the Committee report; and further AUTHORIZE the Mayor to create a new appropriation account within the new FY 2007 PSIC Homeland Security Grant Fund No. XXX for the FY07 PSIC grant, as detailed below:

Account	Title	Amount
46H304	Contractual Services	$5,400,000
46H932	ITA	16,878,788
	Total	$22,278,788

4. AUTHORIZE the Mayor, or designee, to prepare Controller instructions for any technical accounting adjustments, subject to the approval of the City Administrative Officer (CAO), and further AUTHORIZE the Controller to implement said instructions.

Fiscal Impact Statement: The CAO reports that acceptance of the FY 2007 PSIC grant award of $22,278,788 will provide support for two communication infrastructure projects that will enhance City and regional interoperability initiatives. The FY 2007 PSIC grant requires a $5,569,697 cash or in-kind match which will be met through previously approved eligible General Funded projects. No additional General Fund appropriation is necessary at this time. Acceptance of the grant and the recommendations within this report are in compliance with the City's Financial Policies as all associated expenses are fully reimbursed by grant funds.

Community Impact Statement: None submitted.

Items for Which Public Hearings Have Not Been Held - Items 11-20

(10 Votes Required for Consideration)

ITEM NO. (11) - ADOPTED

Adopted, Ayes (12); Absent: Alarcón, and LaBonge (2)

11-1399
CD 3

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Sherman Way and Wilbur Avenue Lighting District.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated November 17, 2011.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **FEBRUARY 1, 2012** as the hearing date for the maintenance of the Sherman Way and Wilbur Avenue Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $1,474.85 will be collected annually starting with tax year 2012-13 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: January 25, 2012)

Adopted, Ayes (12); Absent: Alarcón, and LaBonge (2)
(Item Nos. 12-15)

ITEM NO. (12) - ADOPTED

11-1400
CD 6

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Wyandotte Street and Haskell Avenue Lighting District.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated November 17, 2011.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **FEBRUARY 1, 2012** as the hearing date for the maintenance of the Wyandotte Street and Haskell Avenue Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $567.32 will be collected annually starting with tax year 2012-13 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: January 25, 2012)

ITEM NO. (13) - ADOPTED

11-1618
CD 11

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Bestor Boulevard and Monument Street Lighting District.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated November 17, 2011.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **FEBRUARY 1, 2012** as the hearing date for the maintenance of the Bestor Boulevard and Monument Street Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $445.57 will be collected annually starting with tax year 2012-13 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: January 25, 2012)

ITEM NO. (14) - ADOPTED

11-1619
CD 14

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Stanford Avenue and Eighth Street Lighting District.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated November 17, 2011.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **FEBRUARY 1, 2012** as the hearing date for the maintenance of the Stanford Avenue and Eighth Street Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $2,349.38 will be collected annually starting with tax year 2012-13 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: January 25, 2012)

ITEM NO. (15) - ADOPTED

11-1639
CD 7

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Garber Street and San Fernando Road Lighting District.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated November 17, 2011.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **FEBRUARY 1, 2012** as the hearing date for the maintenance of the Garber Street and San Fernando Road Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $6,617.87 will be collected annually starting with tax year 2012-13 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: January 25, 2012)

ITEM NO. (16) - ADOPTED

Adopted, Ayes (12); Absent: Alarcón, and LaBonge (2)

11-1642
CD 4

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Wilshire Boulevard and La Brea Avenue Lighting District.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated November 17, 2011.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **FEBRUARY 1, 2012** as the hearing date for the maintenance of the Wilshire Boulevard and La Brea Avenue Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $5,829.22 will be collected annually starting with tax year 2012-13 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: January 25, 2012)

ITEM NO. (17) - ADOPTED

Adopted, Ayes (12); Absent: Alarcón, and LaBonge (2)

11-1944
CD 15

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the 10341 South Graham Avenue Lighting District.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated November 17, 2011.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **FEBRUARY 1, 2012** as the hearing date for the maintenance of the 10341 South Graham Avenue Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $794.42 will be collected annually starting with tax year 2012-13 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: January 25, 2012)

ITEM NO. (18) - ADOPTED

Adopted, Ayes (12); Absent: Alarcón, and LaBonge (2)

10-0900-S2

COMMUNICATION FROM THE BOARD OF POLICE COMMISSIONERS relative to modifying the budget and term of the Fiscal Year (FY) 2010-11 Project Safe Neighborhoods grant award program.

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

1. AUTHORIZE the Chief of Police, or designee, to accept:

a. The additional grant funds for the FY 2010-11 Project Safe Neighborhoods Program from California Emergency Management Agency's (Cal EMA) FY 2009-10 funding source in the amount of $3,615, which increases the FY 2010-11 Project Safe Neighborhoods Program award to $45,615, with the condition that the supplemental award must be expended by December 31, 2011.

b. Cal EMA's approval of a no-cost extension for the FY 2010-11 Project Safe Neighborhoods Grant Program, extending the grant term end date from September 30, 2011 to September 30, 2012.

2. AUTHORIZE the Los Angeles Police Department (LAPD) to extend the Memorandum of Agreement with Aztecs Rising, El Centro del Pueblo, People Assisting the Homeless, Walden House, and Dream Center/Catholic Charities, for the period October 1, 2011, to September 30, 2012.

3. AUTHORIZE the Chief of Police, or designee, to execute a grant award agreement on behalf of the City and submit the necessary documents relative to the grant award, subject to the approval of the City Attorney as to form and legality.

4. AUTHORIZE the LAPD to expend the grant funds in accordance with the grant award agreement.

5. AUTHORIZE the Controller to:

a. Set up additional grant receivable in the amount of $3,615 and to increase appropriation for Account Number 70G408 in the amount of $3,615 for the disbursement of Project Safe Neighborhoods Grant funds.

b. Increase appropriations as needed from FY 2010-11 Project Safe Neighborhoods Program Grant, Fund No. 339/70 Appropriation Account No. 700408, to Fund No. 100, the account number and the amount as follows:

Account	Title	Amount
001092	Sworn Overtime	$39,411

6. AUTHORIZE the LAPD to:

a. Submit grant reimbursement requests to the grantor and deposit grant receipts in Fund No. 339/70.

b. Prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer (CAO); and, authorize the Controller to implement the instructions.

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

Community Impact Statement: None submitted.

(Public Safety Committee waived consideration of the above matter)

ITEM NO. (19) - ADOPTED

Adopted, Ayes (12); Absent: Alarcón, and LaBonge (2)

11-1981
CD 6

MOTION (CARDENAS - HUIZAR) relative to a street banner program for wreath installation to decorate the Van Nuys area for the winter holidays.

Recommendations for Council action:

1. APPROVE the wreath installation by the Van Nuys Neighborhood Council as a City of Los Angeles Non-Event Street Banner Program.

2. APPROVE the content of the installation, as attached.

ITEM NO. (20) - MAP AND BOND APPROVED - CITY ENGINEER REPORT ADOPTED

Adopted, Ayes (11); Absent: Alarcón, Cárdenas and LaBonge (3)

11-1975
CD 5

FINAL MAP OF TRACT NO. 69163 for property located at 927 South Wooster Street lying northerly of Olympic Boulevard.
(Approve Subdivision Improvement Agreement and Contract with attached security documents)
(ADOPT City Engineer Report)
(ADOPT Bond No. C-119834)
(Quimby Fee: $15,070)
Applicants: Wooster Development, LLC
Mark Danielson

Closed Sessions - Items 21-22

ITEM NO. (21) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Adopted in Open Session, Ayes (13); Absent: Alarcón (1)

11-1833

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to the case entitled Joseph Wolf v. City of Los Angeles, United States District Court Case No.: CV10-4114 MMM (Cjx). (This matter arises from an incident involving members of the Los Angeles Police Department which occurred on June 12, 2009.)

(Budget and Finance Committee considered the above matter in Closed Session on November 21, 2011)

ADOPTED

MOTION (PARKS - ENGLANDER)

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

1. **AUTHORIZE the City Attorney to expend a total of $197,000.00 in settlement of the above-entitled matter from City Attorney Fund 100, Department 59, Account No. 009770.**

2. **AUTHORIZE the City Attorney to draw a demand thereon in said amount payable to Geragos & Geragos APC and Joseph Wolf.**

3. **AUTHORIZE the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer, and AUTHORIZE the Controller to implement the instructions.**

ITEM NO. (22) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH SEE FOLLOWING

Adopted in Open Session, Ayes (13); Absent: Alarcón (1)

11-1966

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to payment of judgment in the case entitled Mario Patrick, David Bomer, Dennis Wildy, et al. v. City of Los Angeles, Los Angeles Superior Court Case No. BC 372183. (This lawsuit arises from three General Services Department employees' claims of race discrimination.)

(Budget and Finance Committee waived consideration of the above matter)

ADOPTED

MOTION (PARKS - ENGLANDER)

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

1. **AUTHORIZE the City Attorney to pay, per judgment entered on July 9, 2009, in the above entitled matter to Mario Patrick, David Bomer, and Dennis Wildy, from City Attorney Fund 100/59, Account No. 009770.**

2. **AUTHORIZE the City Attorney to draw demands on the above referenced Fund and be made payable as follows:**

   a. **Law Offices of Michael F. Baltaxe Trust Account and Mario Patrick in the amount of $607,148.00, plus accrued interest at the legal rate of 7%.**

   b. **Law Offices of Michael F. Baltaxe Trust Account and David Bomer in the amount of $290,326.00, plus accrued interest at the legal rate of 7%.**

c. Law Offices of Michael F. Baltaxe Trust Account and Dennis Wildy in the amount of $391,118.00, plus accrued interest at the legal rate of 7%.

d. Law Offices of Michael F. Baltaxe Trust Account attorneys fees $314,820.00 and costs of $27,161.56, plus accrued interest at the legal rate of 7%.

3. AUTHORIZE the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer, and AUTHORIZE the Controller to implement the instructions.

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

11-1999

MOTION (HUIZAR - PERRY) relative to initiating street vacation proceedings to vacate Mignonette Street westerly of Fremont Avenue between Temple Street and Diamond Street.

11-2000

MOTION (HUIZAR - PERRY) relative to initiating street vacation proceedings to vacate the north-south alley westerly of Central Avenue between 42nd Street and 42nd Place.

11-2001

MOTION (PERRY - ROSENDAHL) relative to installing street banners announcing the Fifth Annual International Olympic Committee Conference on Women in Sport.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

11-0004 -S3 - Southern California Gas Company (Garcetti - Wesson)

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

11-0003-S3 - Harriet Itkoff (Garcetti)

Richard Dixon (Zine - All Councilmembers)

Robert C. Pierpoint (LaBonge)

Cárdenas, Englander, Huizar, Koretz, Krekorian, LaBonge, Parks, Perry, Reyes, Rosendahl, Wesson, Zine and President Garcetti (13); Absent: Alarcón (1)

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk PRESIDENT OF THE CITY COUNCIL