

Los Angeles City Council, **Journal/Council Proceedings**  
Friday, **December 14, 2012**  
John Ferraro Council Chamber, Room 340, City Hall - 10:15 am

**--- SPECIAL COUNCIL MEETING ---**

10:15 A.M. OR AS SOON THEREAFTER  
AS COUNCIL RECESSES ITS REGULAR MEETING

**ROLL CALL - Members present: Cárdenas, Englander, Garcetti, Huizar, Koretz, Krekorian, LaBonge, Perry, Reyes, Rosendahl, Zine and President Wesson (12); Absent: Alarcón, Buscaino and Parks (3)**

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**Item for Which Public Hearing Has Been Held - Item 20**

**ITEM NO. (20) - ADOPTED**

**Adopted, Ayes (12); Absent: ALARCON, BUSCAINO, PARKS (3)**

[11-0843](#)

CD 4

ARTS, PARKS, HEALTH, AND AGING COMMITTEE REPORT relative to proposed Amendment No. 4 to Agreement No. 245 with Nederlander-Greek, Inc (NGI) in connection with the Greek Theatre Concession.

Recommendation for Council action:

AUTHORIZE the President and Secretary, Board of Recreation and Parks Commissioners, to execute the Fourth Amendment to Concession Agreement No. 245 with NGI for the operation, maintenance, and improvement of the Greek Theatre, subject to the review of the City Attorney.

Fiscal Impact Statement: The City Administrative Officer reports that 90 percent of the revenues from the concession agreement will be deposited into the Department of Recreation and Parks (RAP) Operating Fund. The remaining 10 percent will be deposited into the RAP Fund, Concession Improvement Account. There is no impact on the General Fund. The above recommendation is in compliance with the City Financial Policies in that ongoing revenues will be used to support ongoing expenditures.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JANUARY 6, 2013

(LAST DAY FOR COUNCIL ACTION - JANUARY 4, 2013)

## Items for Which Public Hearings Have Not Been Held - Items 21-31

(10 Votes Required for Consideration)

### ITEM NO. (21) - ADOPTED - ORDINANCE OVER TO JANUARY 4, 2013

Adopted - Ordinance Over, Ayes (12); Noes: ALARCON (1); Absent: BUSCAINO, PARKS (2)

#### [12-1907](#)

COMMUNICATIONS FROM THE BOARD OF WATER AND POWER COMMISSIONERS and CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to the transfer of surplus money from the Power Revenue Fund of the Los Angeles Department of Water and Power (LADWP) to the Reserve Fund of the City during Fiscal Year 2012-13.

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

1. PRESENT and ADOPT the accompanying ORDINANCE approving the transfer of surplus money from the Power Revenue Fund of the LADWP to the Reserve Fund of the City during Fiscal Year 2012-13.
2. CONCUR with the Board of Water and Power Commissioners' action of December 4, 2012, Resolution No. 013 136, approving the transfer of \$246,534,000 in surplus money from the Power Revenue Fund of the LADWP to the Reserve Fund of the City during Fiscal Year 2012-13.

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.

(Energy and Environment Committee waived consideration of the above matter)

### ITEM NO. (22) - ADOPTED

Adopted, Ayes (13); Absent: BUSCAINO, PARKS (2)

#### [10-1658-S2](#)

CD 7

COMMUNICATION FROM THE BOARD OF RECREATION AND PARK COMMISSIONERS relative to proposed lease agreement with the Discovery Science Leverage Lender, LLC (DSC, LLC) for the use, operation, and maintenance of a museum and environmental learning center at Hansen Dam Park proposed to be called the Discovery Science Center of Los Angeles (DSCLA).

Recommendations for Council action:

1. AUTHORIZE the Department of Recreation and Parks (RAP) to enter into a Lease Agreement, as attached to the December 11, 2012 Board of Recreation and Park Commissioners report (attached to the Council file), with DSC, LLC, and DSCLA for the use, operation, and maintenance of a museum and environmental learning center at Hansen Dam Park proposed to be called the Discovery Science Center of Los Angeles.

2. AUTHORIZE the RAP to enter into any agreements with DSC, LLC, and DSCLA that may be necessary for the DSCLA to obtain New Market Tax Credit financing under Internal Revenue Code Section 45 for the Center's improvements and exhibit program.

Fiscal Impact Statement: None submitted.

Community Impact Statement: None submitted.

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

## ITEM NO. (23) - ADOPTED

**Adopted, Ayes (13); Absent: BUSCAINO, PARKS (2)**

[12-1916](#)  
CDs 8, 9

COMMUNICATION FROM THE CHIEF LEGISLATIVE ANALYST (CLA) relative to a Transfer Agreement between the City and the Community Redevelopment Agency/Los Angeles, a Designated Local Authority (CRA-LA/DLA) for the Linking South LA to Downtown: Figueroa Corridor Infill Infrastructure Proposition 1C Grant.

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

1. AUTHORIZE the approval and execution of the Assignment Agreements (attached to the CLA Report dated December 11, 2012 contained in Council File No. 12-1916) between the City of Los Angeles and the CRA-LA/DLA.
2. AUTHORIZE the General Manager, Los Angeles Department of Transportation (LADOT), or designee, to
  - a. Execute the Assignment Agreements relative to the California Department of Housing and Community Development Proposition 1C grant for the "Linking South LA to Downtown: Figueroa Corridor Infill Infrastructure Grant Project" (Project) in the amount of \$30,000,000 and the 2009 Metro Call for Projects Menlo Avenue/MLK Vermont Expo Station Pedestrian Improvements Project in the amount of \$1,687,350.
  - b. Implement the projects on behalf of the City to negotiate, execute, and submit the grant to the grantor all necessary documents relative to the grant award, subject to the approval of the City Attorney as to form and legality.
  - c. Submit grant reimbursement requests to the grantor and deposit grant receipts in the Transportation Grant Fund No. 655, "Linking South LA to Downtown: Figueroa Corridor Infill Infrastructure Grant Project," account, to be designated by the LADOT.
3. AUTHORIZE the Controller to establish a grant receivable in the Transportation Grant Fund No. 655 in the amount of \$30,000,000 and establish an appropriation account, account number to be determined, within Fund No. 655, Department of Transportation (Department No. 94) for the receipt and disbursement of grant funds and further AUTHORIZE the LADOT to spend up to the grant amount of \$30,000,000 in accordance with the grant award agreement.

4. AUTHORIZE the LADOT to receive in the Transportation Grant Fund No. 655 in the amount of \$1,687,350 and establish an appropriation account, account number to be determined, within Fund No. 655, Department of Transportation (Department No. 94) for the receipt and disbursement of grant funds for the Menlo Ave/MLK/Vermont Expo Station Pedestrian Improvements and further AUTHORIZE the LADOT to spend up to the grant amount of \$1,687,350 in accordance with the grant award agreement.
5. AUTHORIZE the LADOT to prepare Controller's instructions for any technical adjustments, subject to the approval of the City Administrative Officer, and AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: The CLA reports that there is no immediate fiscal impact caused by the approval of the recommendation to authorize the LADOT to execute the Assignment Agreements with the CRA-LA/DLA.

Community Impact Statement: None submitted.

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

#### **ITEM NO. (24) - ADOPTED**

**Adopted, Ayes (12); Absent: ALARCON, BUSCAINO, PARKS (3)**

[10-1616-S2](#)

CD 5

CONSIDERATION OF MOTION (KORETZ - LABONGE) relative to retroactive approval of the executed Neighborhood Council Lease Agreement between the City of Los Angeles (on behalf of the Mid City West Community Council) and the National Council of Jewish Women.

Recommendation for Council action:

APPROVE, retroactively, the executed Neighborhood Council Lease Agreement between the City of Los Angeles, through the Department of Neighborhood Empowerment (on behalf of the Mid City West Community Council), and National Council of Jewish Women, under the terms and conditions outlined in the Neighborhood Council Agreement dated November 19, 2012 (contained in Council File No. 10-1616-S2).

Community Impact Statement: None submitted.

(Education and Neighborhoods Committee waived consideration of the above matter)

**ITEM NO. (25) - ADOPTED**

**Adopted, Ayes (12); Absent: ALARCON, BUSCAINO, PARKS (3)**

[12-1915](#)

CD 1

CONSIDERATION OF MOTION (REYES - HUIZAR) relative to the development of a 53 unit 100 percent affordable housing project located at 1907 West Sixth Street.

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

1. TRANSFER/APPROPRIATE \$361,416.80 in the AB1290 Fund No. 53P, Account No. 281201 (CD 1 Redevelopment Projects - Services) to Housing Fund No. 49N LAHD Small Grants & Awards, to be utilized as a loan to American Communities, LLC associated with the development of a 53 unit 100 percent affordable housing project at 1907 West Sixth Street in Council District One.
2. DIRECT the Los Angeles Housing Department (LAHD) to prepare the necessary document(s) with, and/or payment(s) to American Communities, LLC, or any other agency or organization, as appropriate, in the above amount, as detailed above in Recommendation No. 1, for the above purpose, subject to the approval of the City Attorney as to form, if needed; and AUTHORIZE Councilmember of the First District to execute any such documents on behalf of the City.
3. AUTHORIZE the LAHD to make any technical corrections or clarification as necessary to the above instructions in order to effectuate the intent of this Motion.

Community Impact Statement: None submitted.

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

**ITEM NO. (26) - CONTINUED TO JANUARY 29, 2013**

**Adopted to Continue, Unanimous Vote (12); Absent: ALARCON, BUSCAINO, PARKS (3)**

[12-1902](#)

CD 9

CONSIDERATION OF MOTION (LABONGE for PERRY - ALARCON) relative to the transfer of jurisdiction from the Department of General Services (GSD) of the street triangle at the corner of Gage Avenue and Avalon Boulevard to the Department of Recreation and Parks (RAP) to allow the RAP to expand green space in the area.

Recommendations for Council action:

1. INSTRUCT the GSD to effectuate a non-financial transfer of jurisdiction of the street triangle at the corner of Gage Avenue and Avalon Boulevard, per the legal description attached to the Motion and Council file, to the RAP.

2. REQUEST the Board of Recreation and Park Commissioners to consider, approve, and accept the transfer of jurisdiction of the street triangle described above and dedicate it as park property in perpetuity.

Community Impact Statement: None submitted.

(Information Technology and General Services Committee waived consideration of the above matter)

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

**Adopted, Ayes (12); Absent: ALARCON, BUSCAINO, PARKS (3)**

### 11-1525-S1

CONSIDERATION OF MOTION (ENGLANDER - KREKORIAN) relative to fund transfers associated with annual smart phone service for the Board of Public Works, Office of Community Beautification graffiti abatement contractors to capture photographs of graffiti vandalism downloaded into the Tracking Automated and Graffiti Reporting System maintained by the Los Angeles Police Department.

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

1. TRANSFER \$40,000 from Graffiti Technology and Recovery Trust Fund, Fund 51E, Account 14H001 to Board of Public Works, Office of Community Beautification, Fund 100/74, Account 3040.
2. AUTHORIZE the City Administrative Officer to make technical corrections as necessary to implement the intent of the above.

Fiscal Impact Statement Submitted: Not applicable.

Community Impact Statement: None submitted.

(Public Safety Committee waived consideration of the above matter)

## **ITEM NO. (28) - MOTION ADOPTED - REFERRED TO ENERGY AND ENVIRONMENT COMMITTEE, SEE AS AMENDED - SEE FOLLOWING**

**Adopted, Ayes (9); Noes: GARCETTI, KORETZ, REYES, ROSENDAHL (4); Absent: BUSCAINO, PARKS (2)**

### 13-0002

CONSIDERATION OF RESOLUTION (KORETZ - ROSENDAHL) relative to the City's position regarding the Nuclear Regulatory Commission making no decision about restarting San Onofre Unit until Edison has completed various actions to guarantee public safety.

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

ADOPT the accompanying RESOLUTION to include in the City's 2011-12 Federal Legislative Program SUPPORT for action by the Nuclear Regulatory Commission to make no decision about restarting San Onofre Unit until Edison has completed a thorough, public, transparent license amendment with an adjudicatory hearing on whether it is safe to restart either reactor and a determination of what repairs, replacements, or other actions by Edison are necessary to guarantee both short- and long-term public safety.

Community Impact Statement: None submitted.

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

## **ADOPTED**

### **AMENDING MOTION (HUIZAR - LABONGE)**

**Recommendations for Council action, SUBJECT TO THE CONCURRENCE OF THE MAYOR:**

- 1. REFER Resolution (Koretz - Rosendahl) relative to the City's position regarding the Nuclear Regulatory Commission making no decision about restarting San Onofre unit to the Energy and Environment Committee.**
- 2. REQUEST the Nuclear Regulatory Commission to not make a decision about a licensing process or about starting either San Onofre unit until the City of Los Angeles has had the opportunity to weigh in on the process.**

## **ITEM NO. (29) - ADOPTED**

**Adopted, Ayes (12); Absent: ALARCON, BUSCAINO, PARKS (3)**

[12-0005-S643](#)

CD 11

RESOLUTION relative to removing the property from the Rent Escrow Account Program.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION removing the following property from the Rent Escrow Account Program (REAP), inasmuch as the owner(s) have corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department (LAHD), Code Enforcement Unit, habitability citations, pursuant to Ordinance 173810, and ADOPT the Findings contained in the LAHD's report of December 11, 2012.

Property at 11713 West Avon Way (Case No. 386144).  
Assessor I.D. No. 4233-025-010

**ITEM NO. (30) - ADOPTED**

**Adopted, Ayes (12); Absent: ALARCON, BUSCAINO, PARKS (3)**

[12-1913](#)

RESOLUTION (ROSENDAHL - REYES) relative to the Applicant's financial contribution of \$1,100,000 for the purposes of leveraging other resources which will ensure the construction of the required low income set-aside units proposed at 11734 and 11738 Courtleigh Road.

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

DETERMINE that the financial contribution of \$1,100,000 to PATH Ventures by RAD Venice/Dogtown Station, the developer of the project located at 700 Main Street and 815 South Hampton Drive is considered as a public contribution for the purposes of leveraging other resources which will ensure the construction of the required low income set-aside units proposed at 11734 and 11738 Courtleigh Road pursuant to the requirements of the West Los Angeles Area Planning Commission Determination (ZA 2002-2721-CDP-YV-ZAD-SPP-MEL-M1-1A).

**ITEM NO. (31) - MAP APPROVED AND CITY ENGINEER REPORT ADOPTED**

**Adopted, Ayes (12); Absent: ALARCON, BUSCAINO, PARKS (3)**

[12-1910](#)

CD 3

FINAL MAP OF PARCEL MAP L.A. NO. 2007-1242 for property located at 20952 Gault Street lying westerly of De Soto Avenue.

(ADOPT City Engineer Report)

(Quimby Fee: \$4,018.00)

Applicants: Claremont Investments, Inc.  
De Leon Engineering

**Whereupon the Special Council meeting did adjourn.**

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL