



AGENDA

LOS ANGELES CITY COUNCIL

FRIDAY, SEPTEMBER 12, 2008
10:00 A.M.

JOHN FERRARO COUNCIL CHAMBER
ROOM 340, CITY HALL
200 NORTH SPRING STREET, LOS ANGELES, CA 90012

INTERNET: www.lacity.org; click on Council file number for background documents

President

ERIC GARCETTI, Thirteenth District

ED P. REYES, First District

DENNIS P. ZINE, Third District

President Pro Tempore

TOM LABONGE, Fourth District

WENDY GREUEL, Second District

JACK WEISS, Fifth District

TONY CARDENAS, Sixth District

Assistant President Pro Tempore

RICHARD ALARCON, Seventh District

JAN PERRY, Ninth District

BERNARD C. PARKS, Eighth District

HERB J. WESSON, JR., Tenth District

BILL ROSENDAHL, Eleventh District

GREIG SMITH, Twelfth District

JOSE HUIZAR, Fourteenth District

JANICE HAHN, Fifteenth District

CITY COUNCIL MEETINGS ARE BROADCAST LIVE ON CABLE TELEVISION CHANNEL 35 AND ON THE INTERNET AT: LACITY.ORG/CDVIDEO.HTM. LIVE COUNCIL MEETINGS CAN ALSO BE HEARD AT: (213) 621-CITY (METRO), (818) 904-9450 (VALLEY), (310) 471-CITY (WESTSIDE) AND (310) 547-CITY (SAN PEDRO AREA)

ASSISTIVE LISTENING DEVICES ARE AVAILABLE AT THE MEETING; UPON 72 HOUR ADVANCE NOTICE, OTHER ACCOMMODATIONS, SUCH AS SIGN LANGUAGE INTERPRETATION, AND TRANSLATION SERVICES WILL BE PROVIDED, CONTACT THE CITY CLERK'S OFFICE AT (213) 978-1059. TDD AVAILABLE AT (213) 978-1055.

SE OFRECE UN SERVICIO DE TRADUCCIÓN AL ESPAÑOL EN TODAS LAS REUNIONES DEL CONSEJO MUNICIPAL

BASIC CITY COUNCIL MEETING RULES

AGENDAS - The City Council meets Tuesday, Wednesday and Friday at 10:00 A.M. The agendas for City Council meetings contain a brief general description of those items to be considered at the meetings. Council Agendas are available in the Office of the City Clerk, Council and Public Services Division, Room 395, City Hall, 200 North Spring Street, Los Angeles, CA 90012, and on the City's World Wide Web Home Page site on the Internet at www.lacity.org; click on "Council Calendar."

Ten (10) members of the Council constitute a quorum for the transaction of business. The Council may consider an item not listed on the Council Agenda only if it is determined by a two-thirds (10) vote that the need for action arose after the posting of an Agenda. Some items on the Agenda may be approved without any discussion, however any item may be called "special" by a Councilmember. If an item is called "special" it will be "held" until the remainder of the items on the Council agenda has been acted on by the Council. An item may also be called "special" if a member of the public has requested to speak on the item and a public hearing has not previously been held on the matter.

The City Clerk will announce the items to be considered by the Council, however items will be grouped. For example, all items for which required public hearings have not previously been held are listed in one section on the printed Agenda. The Council President will ask if any Councilmember or member of the public wishes to speak on one or more of these items. If anyone wishes to speak on an item, it will be called "special." The remaining items in this section will be voted on by Council with one roll call vote.

PUBLIC INPUT AT CITY COUNCIL MEETINGS - An opportunity for the public to address the Council on agenda items for which public hearings have not been provided will be provided before or during consideration of the item. Members of the public who wish to speak on any item are requested to complete a speaker card for each item they wish to address, and present the completed card(s) to the Sergeant-At-Arms. Speaker cards are available at the back of the Council Chamber.

The Council will also provide an opportunity for the public to speak on public interest items for a cumulative total of up to fifteen (15) minutes. Testimony shall be limited in content to matters which are within the subject matter jurisdiction of the Council. The City Council may not take any action on matters discussed during the public testimony period.

COUNCIL DISCUSSION AND TIME LIMITS - Councilmembers requesting to address the Council will be recognized by the Council President in the order requested. For any item, the Chairperson of the Committee, or the maker of the original motion, or the member calling a matter "special" shall have up to six (6) minutes to discuss the item. All other Councilmembers may speak up to three (3) minutes each on the matter. After all members desiring to speak on a question have had an opportunity to be heard once, the time for each Member desiring to speak again shall be limited to a maximum of three (3) minutes.

A motion calling the "previous question" may be introduced by any member during a Council debate. If adopted, this motion will terminate debate on a matter and the Chair will instruct the Clerk to call the roll on the matter.

VOTING AND DISPOSITION OF ITEMS - Most items require a majority vote of the entire membership of the Council (8 members). Items which have not been discussed in a Council Committee and have been placed directly on the Council Agenda will require 10 votes to consider. Once considered, these items will normally require eight (8) affirmative votes to be adopted. Ordinances require a unanimous vote (at least 12 members must be present) in order to be adopted on first consideration. If an ordinance does not receive the necessary unanimous vote, it is laid over one calendar week. The votes required for approval on second consideration vary and depend upon the type of ordinance, but a typical ordinance requires eight (8) affirmative votes upon second consideration.

When debate on an item is completed, the Chair will instruct the Clerk to "call the roll." Every member present must vote for or against each item; abstentions are not permitted. The Clerk will announce the votes on each item. Any member of Council may move to "reconsider" any vote on any item on the agenda, except to adjourn, suspend the Rules, or where an intervening event has deprived the Council of jurisdiction, providing that said member originally voted on the prevailing side of the item. The motion to "reconsider" shall only be in order once during the meeting, and once during the next regular meeting. The member requesting reconsideration shall identify for all members present the Agenda number, Council file number and subject matter previously voted upon. A motion to reconsider is not debatable and shall require an affirmative vote of eight members of the Council.

When the Council has failed by sufficient votes to approve or reject an item, and has not lost jurisdiction over the matter, or has not caused it to be continued beyond the next regular meeting, the issue is again placed on the next agenda for the following meeting for the purpose of allowing the Council to again vote on the matter.

The City Council rules provide that all items adopted by the Council will not be presented to the Mayor, or other designated officer by the City Clerk until the adjournment of the regular Council meeting following the date of the Council action. A motion to send an item "forthwith" if adopted by ten (10) votes, suspends these rules and requires the City Clerk to forward the matter to the Mayor, or other officer, without delay.

RULE 16 MOTIONS - Council Rule No. 16 allows a member to send an item directly to the Council without it having to go to a Council Committee first, by giving the City Clerk a motion (seconded by an additional member) during a Council session to be placed on the next regular available Council Agenda.

Los Angeles City Council Agenda
Friday, September 12, 2008
John Ferraro Council Chamber, Room 340, City Hall - 10 am

Roll Call

**Approval of the Record of Proceedings of the Council Meeting of
September 9, 2008**

Commendatory Resolutions, Introductions and Presentations

Public Testimony on Non-agenda Items Within Jurisdiction of Council

Items Noticed for Public Hearing - Items 1-6

ITEM NO. (1) - Motion Required

[08-1440](#)
CD 2

HEARING PROTESTS against the proposed improvement and maintenance of the Jimenez Street and Christy Avenue Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Jimenez Street and Christy Avenue Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on July 9, 2008 - Continue hearing and present Ordinance on OCTOBER 3, 2008 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (2) - Motion Required

[08-1449](#)
CD 4

HEARING PROTESTS against the proposed improvement and maintenance of the Waring and Wilcox Avenues Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Waring and Wilcox Avenues Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on July 9, 2008 - Continue hearing and present Ordinance on OCTOBER 3, 2008 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (3) - Motion Required

[08-1451](#)

CD 4

HEARING PROTESTS against the proposed improvement and maintenance of the Hollywood Boulevard and Van Ness Avenue Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Hollywood Boulevard and Van Ness Avenue Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on July 9, 2008 - Continue hearing and present Ordinance on OCTOBER 3, 2008 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (4) - Motion Required

[08-1465](#)

CD 14

HEARING PROTESTS against the proposed improvement and maintenance of the Avenue 56 and Eaton Street Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Avenue 56 and Eaton Street Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on July 9, 2008 - Continue hearing and present Ordinance on OCTOBER 3, 2008 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (5) - Motion Required

[08-1527](#)

CD 12

HEARING PROTESTS against the proposed improvement and maintenance of the Stare Street and Shoshone Avenue Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Stare Street and Shoshone Avenue Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on July 9, 2008 - Continue hearing and present Ordinance on OCTOBER 3, 2008 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (6) - Motion Required

[08-1528](#)

CD 13

HEARING PROTESTS against the proposed improvement and maintenance of the Perlita Avenue and Verdant Street Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Perlita Avenue and Verdant Street Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on July 9, 2008 - Continue hearing and present Ordinance on OCTOBER 3, 2008 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

Items for Which Public Hearings Have Been Held - Items 7-15

ITEM NO. (7)

[07-0284](#)

CD 4

ORDINANCE OF INTENTION SECOND CONSIDERATION setting the date of **NOVEMBER 4, 2008** as the hearing date for the maintenance of the Bloomfield Street and Cahuenga Boulevard (Reballot) Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

(Communication from the Bureau of Street Lighting adopted on September 5, 2008)

ITEM NO. (8)

[08-1309](#)

CD 5

ORDINANCE OF INTENTION SECOND CONSIDERATION setting the date of **NOVEMBER 4, 2008** as the hearing date for the maintenance of the Weddington Street and Bellingham Avenue Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

(Communication from the Bureau of Street Lighting adopted on September 5, 2008)

ITEM NO. (9)

[08-1310](#)

CD 4

ORDINANCE OF INTENTION SECOND CONSIDERATION setting the date of **NOVEMBER 4, 2008** as the hearing date for the maintenance of the Las Palmas and Franklin Avenues Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

(Communication from the Bureau of Street Lighting adopted on September 5, 2008)

ITEM NO. (10)

[08-1311](#)

CD 12

ORDINANCE OF INTENTION SECOND CONSIDERATION setting the date of **NOVEMBER 4, 2008** as the hearing date for the maintenance of San Fernando Mission Boulevard and Gothic Avenue Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

(Communication from the Bureau of Street Lighting adopted on September 5, 2008)

ITEM NO. (11)

[08-2062](#)

CD 11

ORDINANCE OF INTENTION SECOND CONSIDERATION setting the date of **NOVEMBER 4, 2008** as the hearing date for the maintenance of Almar Plaza and Almar Avenue Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

(Communication from the Bureau of Street Lighting adopted on September 5, 2008)

ITEM NO. (12) - Motion Required

[08-0135](#)

CD 7

COMMUNICATION FROM THE COMMUNITY DEVELOPMENT DEPARTMENT and RESOLUTION relative to the issuance of \$2 million in Tax-Exempt Industrial Development Bonds by the Industrial Development Authority for the benefit of Drapes 4 Show, Inc/KH Enterprises, LLC, in order to acquire and rehabilitate the property located at 12811 Foothill Boulevard.

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

(For background reports and materials related to this matter, contact the Legislative Assistant for the Housing, Community and Economic Development Committee at 213-978-1080.)

ITEM NO. (13) - Motion Required

[08-2222](#)

CD 14

MOTION (HUIZAR - CARDENAS) relative to the transfer of \$350,000 from the Community Redevelopment Agency to the Board of Public Works for the Adelante Eastside Clean and Safe Program in Fiscal Year 2008-09.

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

(For background reports and materials related to this matter, contact the Legislative Assistant for the Housing, Community and Economic Development Committee at 213-978-1080.)

ITEM NO. (14) - Motion Required

[08-2256](#)

CD 9

COMMUNICATION FROM THE COMMUNITY REDEVELOPMENT AGENCY relative to awarding various consulting contracts for project feasibility, financial analysis, marketing, design review, and technical assistance work in the Council District Nine Corridors South of the Santa Monica Freeway Recovery Redevelopment Project Area.

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

(For background reports and materials related to this matter, contact the Legislative Assistant for the Housing, Community and Economic Development Committee at 213-978-1080.)

ITEM NO. (15) - Motion Required

[08-1509-S1](#)
CD 13

COMMUNICATION FROM THE CITY PLANNING DEPARTMENT relative to appeals filed by 1) Robert Blue, and 2) Doug Haines and La Mirada Avenue Neighborhood Association of Hollywood (Robert Silverstein, Representative) from the entire decision of the City Planning Commission in approving Vesting Tentative Tract Map No. 68501, as modified, approving a modification of Bureau of Engineering Conditions and other tract map conditions, adopting the Deputy Advisory Agency's California Environmental Quality Act findings, as modified, and adopting the Subdivision Map Act findings to permit a one-lot subdivision, for a mixed-use development including a maximum 305 residential condominium units, 28 commercial condominium units (20 office units, six retail units, and two for sign purposes), and one condominium unit for park purposes. The project will provide 523 on-site parking spaces (413 residential spaces, 80 office spaces, 27 commercial spaces, and three spaces dedicated for ride share vehicles) on a 1.64 net acre site with limited dedications and mergers for the property located at 5929-45 Sunset Boulevard and 1512-40 North Gordon Street.

TIME LIMIT FILE - SEPTEMBER 12, 2008

(LAST DAY FOR COUNCIL ACTION - SEPTEMBER 12, 2008)

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

(For background reports and materials related to this matter, contact the Legislative Assistant for the Planning and Land Use Management Committee at 213-978-1074.)

Items for Which Public Hearings Have Not Been Held - Items 16-18

(10 Votes Required for Consideration)

ITEM NO. (16) - Motion Required

[08-2246](#)

COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER (CAO) relative to proposed amendments to contracts with Milofsky and Michali Architects (Contract No. C-98327) and Tetra Design (Contract No. C-98325) for architectural design consulting services for the Proposition DD Library General Obligation Bond Program.

Recommendations for Council action:

1. INSTRUCT the President of the Board of Public Works to have the City Attorney review the following proposed contract amendments as to form and legality:
 - a. Amendment No. 1 to Contract No. C-98327 with Milofsky and Michali Architects.
 - b. Amendment No. 1 to Contract No. C-98325 with Tetra Design.

2. AUTHORIZE the President of the Board of Public Works to execute Amendment No. 1 to Contract No. C-98327 with Milofsky and Michali Architects and Amendment No. 1 to Contract No. C-98325 with Tetra Design to extend the terms by 36 months to June 2, 2010 and increasing the overall "on-call" contract ceiling authority from \$10,766,000 to \$11,500,000.

Fiscal Impact Statement: The CAO reports that there will be no impact on the City General Fund as a result of the execution of Amendment No. 1 to the contracts between the City and Milofsky and Michali Architects and Tetra Design for the Library Bond Program. The funding for this project is available from Community Development Block Grant and Community Redevelopment Agency funds, Proposition DD bond funds and the pending sale of the old Exposition Park Library. The funding for this amendment is consistent with the City's Financial Policies, in that the use of one-time revenue will pay for one-time costs.

Community Impact Statement: None submitted.

(Public Works Committee waived consideration of the above matter)

ITEM NO. (17)

[08-2335](#)

et al. MOTIONS relative to "Special Events" to be held in the various Council Districts.

Recommendations for Council action:

DECLARE the following community events as "Special Events"; APPROVE any temporary street closures as requested; and, INSTRUCT the involved City departments to perform such services as detailed the Council motions attached to the various listed Council files, including the waiver of fees, costs and requirements and other related issues, as specified:

[08-2335](#)

CD 10

- a. MOTION (WESSON - PARKS) relative to declaring the Summer Night Lights City-Wide Celebration on August 30, 2008 a Special Event (fees and costs absorbed by the City = none submitted).

[08-2330](#)

CD 8

- b. MOTION (PARKS - LABONGE) relative to declaring the Fourth Annual Back to School Giveaway and Health Fair on September 13, 2008 a Special Event (fees and costs absorbed by the City = \$2,597).

[08-2331](#)

CD 8

- c. MOTION (PARKS - LABONGE) relative to declaring the Unveil Sickle Cell Rally on September 6, 2008 a Special Event (fees and costs absorbed by the City = \$1,146).

[08-2349](#)

CD 11

- d. MOTION (ROSENDAHL - SMITH) relative to declaring the Playa Del Rey Triathlon on October 5, 2008 a Special Event (fees and costs absorbed by the City = \$10,930).

[08-2350](#)

CD 15

- e. MOTION (HAHN - LABONGE) relative to declaring the 17th Annual Festival of Philippine Arts and Culture on September 6-7, 2008 a Special Event (fees and costs absorbed by the City = \$5,260).

[08-2352](#)

CD 6

- f. MOTION (PARKS for CARDENAS - HAHN) relative to declaring the California Coastal Cleanup Day on September 20, 2008 a Special Event (fees and costs absorbed by the City = \$1,050).

ITEM NO. (18)

[08-2351](#)

CD 15

MOTION (HAHN - LABONGE) relative to funding for alley improvements in Council District 15.

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

1. TRANSFER \$16,600 in the Pipeline Franchise Revenue portion of the Council District 15 Real Property Trust Fund No. 697 to the Engineering Special Services Fund No. 682/50, Revenue Source 4610, for improvement to three alleys in San Pedro.
2. AUTHORIZE the City Clerk to make any technical corrections or clarifications to the above instructions in order to effectuate the intent of this Motion.

Items Called Special

Motions for Posting and Referral

Councilmembers' Requests for Excuse from Attendance at Council Meetings

Adjourning Motions

Council Adjournment

EXHAUSTION OF ADMINISTRATIVE REMEDIES - If you challenge a City action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Clerk at or prior to, the public hearing. Any written correspondence delivered to the City Clerk before the City Council's final action on a matter will become a part of the administrative record.

CODE OF CIVIL PROCEDURE SECTION 1094.5 - If a Council action is subject to judicial challenge pursuant to Code of Civil Procedure Section 1094.5, be advised that the time to file a lawsuit challenging a final action by the City Council is limited by Code of Civil Procedure Section 1094.6 which provides that the lawsuit must be filed no later than the 90th day following the date on which the Council's action becomes final.

Materials related to an item on this Agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office at 200 North Spring Street, City Hall, Room 395, during normal business hours.