

## **Communication from Public**

**Name:** Jamie T. Hall  
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**Council File No:** 21-0829-S1  
**Comments for Public Posting:** Please see the attached.

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February 28, 2022

## VIA ELECTRONIC MAIL

Hon. Nury Martinez, President  
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**Re: Reese Davidson Project, VTT-82288; ENV-2018-6667-SE; CPC-2018-7344-GPAJ-VZCJ-HD-SP-SPP-CDP-MEL-SPR-PHP; Council File Nos. 21-0829 and 21-0829-S1**

- **Brown Act Demand to Cure and Correct Unlawful Regular Committee Meeting Agenda and Meeting for February 1, 2022, Including Item No. 5;**
- **Brown Act Demand to Cure and Correct Unlawful Special City Council Meeting Agenda and Meeting for February 2, 2022, Including Item No. 30**
- **Demand To Process Proposed Amendment of Venice Coastal Zone Specific Plan Ordinance In Compliance The Brown Act And City Charter Section 558;**
- **Brown Act Demand To Cease and Desist Pattern and Practice of Placement of All Public Comment At The Outset of City Council Meetings Instead Of “Before or During Consideration of That Item”;**
- **Brown Act Demand To Cease and Desist Pattern and Practice of Limiting Public Comment at City Council Meetings to About 30 Minutes;**
- **Cease and Desist Pattern and Practice Of Conducting Less Than Three Regular Council Meetings Per Week in Violation of City Charter Section 242(a);**
- **Cease and Desist Apparent Pattern and Practice of City Employees Backdating Records in Official City Online Council File.**

Dear President Martinez, City Council Members and City Clerk:

This firm represents the Coalition for Safe Coastal Development (“Coalition”) and its supporting organizations and individuals.

The Coalition objects to the Project. Moreover, Coalition hereby adopts all project objections, comments, and all evidence/studies submitted in support of project objections, and specifically requests that the City print out or attach to the Council file each and every hyperlinked document cited in all comment letters in the administrative record for this Project. Additionally, please confirm that the City Clerk has placed an accurate and complete copy of all of our correspondence, including this letter, in each of the following City Council Files: Council File No. 21-0829 and Council File No. 21-0829-S1. We request an email confirmation that the City Clerk has placed our correspondence into these City Council files.

On December 1, 2021, the City Council adopted a Notice of Exemption from the California Environmental Quality Act (“CEQA”), denied land use appeals of a Coalition member group, Venice Vision, approved a Vesting Tentative Tract Map and a mass of amendments to fundamental zoning laws, including but not limited to the General Plan – Venice Community Plan, base zoning of the Project site, a proposed amendment to the Venice Coastal Zone Specific Plan, and an amendment of the certified Venice Land Use Plan.

On January 13, 2022, the Coalition filed a lawsuit in Los Angeles Superior Court alleging the City Council’s actions on December 1, 2021 violated CEQA, the Subdivision Map Act, the Mello Act, and constitutional procedural due process of law.

On January 25, 2022, Council Member Mike Bonin introduced a motion (**Exhibit 1.**) that was the subject of Item No. 5 of the February 1, 2022 Planning and Land Use Management Committee Meeting agenda, and Item No. 30 of the February 2, 2022 City Council Special Meeting agenda. Mr. Bonin’s motion only addressed a request to further amend the General Plan Venice Community Plan and Land Use Plan. Mr. Bonin’s motion did not address or request any action whatsoever related to a further amendment of the Venice Coastal Zone Specific Plan related to the Project.

California’s opening meeting law, the Ralph M. Brown Act (Govt. Code § 54950 et seq.), and the Los Angeles City Charter, impose mandatory requirements on the City of Los Angeles in the conduct of its City Council meetings. Government Code Section 54954.2 prohibits a legislative body from taking action on any item of business unless it was posted on a meeting agenda at least 72 hours prior to the conduct of a regular meeting. Government Code Section 54956 prohibits a legislative body from taking action on any item of business unless it was posted on a meeting agenda at least 24 hours prior to the conduct of a special meeting. Government Code Section 54954.3(a) mandates that “Every notice for a special meeting shall provide an opportunity for members of the public to directly address the legislative body concerning any item that has been described in the notice for the meeting before or during consideration of that item.” Government Code Section 54953(b)(3) mandates that whenever a legislative body uses teleconferencing for the conduct of its meetings, it shall be done “in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency.” Los Angeles City Charter Section 242(a) mandates that the City Council routinely conduct not less than three regular City Council meetings each week.

**In Council File No. 21-0829-S1, City Attorney Report No. R22-0030, Dated February 1, 2022, Contains Substantial Factual Misstatements Regarding The Background And Summary of Ordinance Provisions.**

On July 13, 2021, the City Planning Commission recommended approval of the Project including the General Plan Amendments to the Venice Community Plan and the Coastal Land Use Plan (both considered part of the general plan), and the Venice Coastal Zone Specific Plan (VCZSP)(which is zoning.) At that time in the Planning file and attached to the Letter of Determination dated July 13, 2021 there was a resolution and maps for the General Plan Amendments and a draft Ordinance for the proposed VCZSP amendment.

On December 1, 2021, the City Council approved the Project with the same resolution and VCZSP amendment ordinance in front of it as set forth in the July 13, 2021 City Planning Commission Letter of Determination. See all attachments to the City Planning Commission report to City Council that was approved in the December 1, 2021 City Council Action.

Thus, the VCZSP amendment ordinance was **already adopted at the time the City Attorney submitted City Attorney Report No. 22-0030 dated February 1, 2022 to Council File No. 21-0829-S1. (Exhibit 2.)**

City Attorney Report No. 22-0030 inaccurately summarizes the background of the VCZSP amendment ordinance. It states:

“On July 13, 2021, the City Planning Commission (CPC) held a hearing on a proposed mixed-use, 100 percent affordable housing development project (Case No. CPC-2018-7344-GPAJ-VZCJ-HD-SP-SPP-CDP-MEL-SPR-PHP) in the Specific Plan area and voted to recommend approval of the project.

On November 9, 2021, the Planning Land Use Management Committee (PLUM) waived consideration of the item. On December 1, 2021, the City Council adopted the CPC’s recommendations. **Accordingly, this Office has prepared and transmits ordinance amending the Specific Plan** [description of the amendments].” (Emphasis added.)

Thus, the City Attorney Report No. 22-0030 asserts that the VCZSP amendment ordinance had not yet been approved, and that this was the first transmittal of the proposed VCZSP amendment ordinance. This is not true. The VCZSP amendment ordinance was recommended for adoption and attached to the City Planning Commission’s file and July 13, 2021 Letter of Determination, and was approved by the City Council on December 1, 2021.

**In Council File No. 21-0829-S1, City Attorney Report No. 22-0030, Dated February 1, 2022, Also Contains Substantial Factual Misstatements Regarding The Charter Findings Required.**

Because the City Council File establishes that the proposed VCZSP amendment ordinance was in fact approved as part of the actions of the City Council on December 1, 2021, there would be no need for a new City Attorney report and further VCZSP amendment ordinance

unless there was a desire to further amend the version of the VCZSP amendment ordinance that was approved by the City Council as part of the December 1, 2021 action. A comparison of the versions of the VCZSP amendment ordinance included in the CPC's July 13, 2021 Letter of Determination, and the version of the VCZSP amendment ordinance attached to the City Attorney Report 22-0030, dated February 1, 2022, shows the two documents are different. **(Exhibit 3.)** Thus, although the City Attorney Report No. 22-0030 does not state the background correctly, the City Charter process for the City Council to later propose consideration and adoption of a further amendment of the VCZSP ordinance would require (1) introduction of a motion to initiate the further amendment of the VCZSP ordinance adopted on December 1, 2021, (2) referral to the PLUM Committee for recommendation, (3) City Council approval of the further proposed VCZSP ordinance amendment, (4) referral of the City Council initiated further VCZSP ordinance amendment back to the City Planning Commission for review and recommendation in conformity with City Charter Section 558, (5) final approval of Council's further amendment of the VCZSP ordinance.

However, the City Attorney Report No. 22-0030 fails to summarize the correct ordinance review process for a newly initiated VCZSP amendment of the ordinance adopted on December 1, 2021. The City Attorney's description describes the process as follows:

**"Charter Findings Required**

Charter Section 558(b)(3) requires the City Council to make the findings required in Subsection (b)(2) of the same section; namely, whether adoption of the proposed ordinance will be in conformity with public necessity, convenience, general welfare and good zoning practice. Similarly, Charter Section 556 requires the City Council to make findings showing that the action is in substantial conformance with the purposes, intent and provisions of the General Plan.

Charter Section 558(b)(3)(A) specifies that where the City Planning Commission has recommended approval of an ordinance, the City Council may adopt an ordinance conforming to the Commission recommendation by majority vote."

The process described in the City Attorney Report is also inconsistent with the fact that the CPC on July 13, 2021 voted to approve and attach the proposed VCZSP ordinance amendment to its Letter of Determination, and that on December 1, 2021, City Council included the approval of the VCZSP ordinance amendment in its agenda descriptions and list of actions taken in the Council file.

The City Charter process described in the City Attorney Report would apply if a proposed amendment to the VCZSP ordinance had not yet been approved by the CPC and City Council. When combined with the incomplete and inaccurate Background and Summary of Ordinance Provisions also in the City Attorney Report, the cumulative effect is to inaccurately represent to City Council and the public that the City Attorney was only now, after final Project approval at City Council on December 1, 2021, bringing forward the proposed VCZSP amendment ordinance for City Council consideration. That is simply not true as shown in multiple City Council File records. The City Attorney has no authority to submit such a materially inaccurate and misleading report to the City Council and the public, and yet it has been done. It is inserted into the official records of the City in the Council File.

**The Draft VCZSP Amendment Ordinance Attached To City Attorney Report No. 22-0030 Is Inconsistent With The Factual Narrative Submitted In the City Attorney Report.**

The Background and Charter Findings section of City Attorney Report No. 22-0030 affirmatively asserts that the July 13, 2021 review and approval by the CPC, and the December 1, 2021 review and approval by City Council, are only now being implemented by the City Attorney. But the draft VCZSP amendment ordinance attached to City Attorney Report No. 22-0030 dated February 1, 2022 is not only a further amendment of the ordinance actually adopted previously by the CPC and City Council, it also inaccurately represents that the ordinance submitted by the City Attorney was NOT reviewed by the CPC, and instead the ordinance was reviewed and approved by the City Planning Director under authority of Charter Section 559. The ordinance attached to City Attorney Report No. 22-0030 states on the signature page that:

“Pursuant to Charter Section 559, I approve this ordinance **on behalf of the City Planning Commission** and recommend that it be adopted. VINCENT P. BERTONI, AICP Director of Planning” (Emphasis added.)(**Exhibit 2.**)

This is not factually true. No review of an ordinance reviewed and approved by the CPC under City Charter Section 558 would instead be signed off by the Planning Director under City Charter Section 559, because the actions are mutually exclusive. If the CPC reviews and recommends an ordinance under its duties set out in Section 558, the Planning Director would have no jurisdiction to do the same thing “on behalf of the Commission” under Section 559. Additionally, in the case of a Section 559 approval of an ordinance that might cause significant environmental impacts, the Director would have to attach his own report demonstrating compliance with CEQA and make his own required City Charter findings. Even if the City Charter Section 559 process was applicable, which it was not, none of this was done and included in City Attorney Report No. 22-0030.

The ordinance described in City Attorney Report No. 22-0030 was reviewed by the CPC in the process set forth in City Charter Section 558, and no Section 559 process would have been legitimately applied by the Planning Director and the City Attorney. Thus, the appending of the City Charter Section 559 certification by the City Planning Director to the February 1, 2022 VCZSP amendment ordinance is inconsistent with the facts, and in violation of Section 558. That is the process under which the version of the VCZSP amendment ordinance attached to the City Planning file was considered and approved on by the CPC on July 13, 2021, and the City Council on December 1, 2021.

**Because the July 13, 2021 Version of the VCZSP Ordinance Was Duly Approved By CPC and City Council, The Never-Before-Seen Version of the VCZSP Ordinance Attached to City Attorney Report No. 22-0030 And Dated February 1, 2022 Cannot Be Inserted Into Council File No. 21-0829-S1 As If It Was The Version Previously Approved.**

The version of the VCZSP amendment ordinance attached to City Attorney Report No. 22-0030 and dated February 1, 2022 is a new proposal to amend the July 13, 2021/December 1, 2021 version of the same ordinance. The VCZSP amendment ordinance dated July 13, 2021 was already reviewed, exposed to public comment at meetings, and finally approved by City Council on December 1, 2021. If the City wants to further amend the previously-adopted version from

December 1, 2021, such an amendment may not be accomplished through a City Attorney Report and attached further amended ordinance that is merely inserted into the Council File. The proper amendment process is dictated by the City Charter. Such process has not been followed by the City Attorney and City Planning Director in signing and inserting a never-before-seen version of the ordinance into the Council File.

**The Timing of the Insertion Of City Attorney Report No. 22-0030 and An Attached Never-Before-Seen Ordinance Version Raises An Inference City Officials Are Trying To Deem The City Council Approval Of The Separate General Plan Amendments Of The Venice Community Plan and Land Use Plan on February 1, 2022 and February 2, 2022 As Including The Backdated VCZSP Amendment Ordinance.**

The February 1, 2022 proceedings before the PLUM Committee, and the February 2, 2022 proceedings before the City Council were exclusively related to the matters placed before the City Council via Mr. Bonin's January 25, 2022 motion to consider certain further General Plan Amendments to those previously approved on December 1, 2021 for the Project. Mr. Bonin's motion does not propose any new amendments to the VCZSP ordinance also adopted by City Council on December 1, 2021.

During the administrative process for consideration of the General Plan Amendments referenced in Mr. Bonin's motion, Coalition members and this office raised objections that City Council members were asked to approve further General Plan Amendments not in the file and before the City Council for consideration, depriving members of the public to know and understand the nature of the further General Plan Amendments. Coalition members watched the Council File diligently. On February 1, 2022, when PLUM Committee voted to approve the General Plan Amendments, no documents were in the file before them. On February 2, 2022, during the City Council's consideration of the General Plan Amendments, the Council File remained devoid of any proposed amended documents related to the General Plan Amendment.

At some point AFTER conduct and City Council vote on February 2, 2022, the City Attorney Report No. 22-0030 and attached further amended VCZSP ordinance appeared in the City Council file, but the Report and Ordinance were back dated physically and entered into the City Council records as dated "February 1, 2022." Initially, Coalition members rightfully thought such documents were those missing and related to the General Plan Amendment. Further investigation detailed here reveals City Attorney Report No. 22-0030 and attached ordinance is exclusively related to a separate proposed further amendment of the VCZSP ordinance that was adopted along with the General Plan Amendments on December 1, 2022. In other words, documents separate from the content of Mr. Bonin's January 25, 2022 motion (**Exhibit 1.**), never described or noticed to the public on the agendas of the February 1, 2022 PLUM Committee meeting or the February 2, 2022 special City Council meeting, have now been apparently back dated to February 1, 2022 and inserted into a proceeding for which there is no motion or meeting agenda description as a proposed item of business. (**Exhibit 2.**)

**If It Is The Contention Of The City, Including The City Attorney, That The Backdated City Attorney Report No. 22-0030 and Never-Before-Seen VCZSP Amendment Ordinance Were “Approved” As Part Of The Actions Of PLUM Committee On February 1, 2022 And City Council On February 2, 2022, The City Failed To Comply With Government Code Sections 54954.2 and 54956 To Provide Lawful Brown Act Notice Of This Action.**

At this moment, City Attorney Report No 22-0030 and its attached never-before-seen VCZSP amendment ordinance dated February 1, 2022 purport to stand as an approved action of the City Council at the February 1, 2022 PLUM Committee meeting and the February 2, 2022 City Council meeting.

At best, this is an inaccurate and materially misleading public record. Not only does it contain the factual misrepresentations outlined herein, but the Mike Bonin motion of January 25, 2022 nor the posted meeting agendas for Item 5 at the February 1, 2022 PLUM Committee meeting (**Exhibit 4**), and Item 30 at the February 2, 2022 City Council meeting (**Exhibit 5**) contain any notice to the public that the City was considering any further amendment of the approved VCZSP ordinance amendment approved by the City Council on December 1, 2021.

Accordingly, the City has failed to proceed in accordance with Government Code Sections 54954.2 and 54956. It has failed to include a description of the apparent intent of the City to further amend the VCZSP ordinance after the action adopted by City Council on December 1, 2021. Having failed to do so, the further amendment to the VCZSP ordinance dated February 1, 2022 backdated and inserted into the Council File is subject to nullification under Government Code Section 54960.1. Therefore, this is a demand that the City comply with the mandates of the Brown Act, the State’s premiere open meeting law, in connection with any new amendments to the VCZSP ordinance since the December 1, 2021 action. The apparent attempt to “approve” secret legislation by the City is an example of the precise type of governmental misconduct the Brown Act was enacted to prevent.

The allegations in this section are based upon the assumption that the City contends that the never-before-seen February 1, 2022 VCZSP amendment ordinance was “adopted” as part of other actions the City Council took at its February 1, 2002 and February 2, 2022 meetings. If the City does not contend that the February 1, 2022 VCZSP amendment ordinance has yet been validly approved, the City should clarify its position as part of a cure and correct process, process a motion similar to Mr. Bonin’s January 25, 2022 motion related to the General Plan Amendments, and refer the matter to Council Committee for consideration in compliance with requirements of state law and the City Charter.

Unfortunately, this is not the sole ground for this demand to cure and correct under penalty of nullification of the City Council’s unlawful actions. Hereinafter, we include details of additional grounds for invalidation of the City Council’s actions on February 2, 2022.



**The City's Unlawful Cancellation Of The Friday City Council Meetings Prior To And After February 2, 2022 Resulted In More Items Of Business Being Placed On The February 2, 2022 Special Meeting Agenda Than Would Otherwise Having Occurred; A Greater Number Of Items Of Agenda Items Were Improperly Crammed Into The City's Equally Unlawful 30 Minute Time Limit For All Public Comment Conducted At The Outset Of The February 2, 2022 Meeting.**

The City has a current pattern and practice, contrary to City Charter Section 242(a), of routinely conducting less than three regular City Council meetings each week. The City Clerk's website currently describes the expected practice of the City Council under the City Charter and its own resolution establishing three regular meeting days per week: "Council meets regularly on Tuesday, Wednesday **and Friday** in the John Ferraro Council Chamber, Room 340, inside City Hall at 10:00 am. All meetings are open to the public." (Emphasis added.) Section 242(a) provides: "The Council shall hold regular meetings at least three days each week." This is a mandatory duty upon the City Council and its Presiding officer imposed by a vote of the people.

In recent years, over the complaints of neighborhood council leaders and open meeting law advocates, the City Council has begun a pattern and practice of failing to conduct at least three City Council meetings per week. Instead, there has arisen a practice of the City Council President ordering the cancellation of Friday regular meetings of the City Council without the corresponding scheduling of another meeting to make up for the lost meeting each week. As a result of this practice, City Council members are only required by the Council President to appear before the public and conduct two meetings per week, on Tuesdays and Wednesdays. These types of meeting cancellations have occurred most frequently, if not exclusively, on Fridays, and rarely, if ever, on Tuesdays or Wednesdays. These frequent Friday meeting cancellations are separate from and in addition to City Council periods of recess, adopted by resolution, that are related to holiday periods and City Council member attendance at the National League of Cities conference(s).

As a result of this meeting cancellation practice, greater numbers of items of City business must be crammed by the City Clerk onto the meeting agendas of Tuesdays and Wednesdays, when in the absence of these frequent Friday meeting cancellations, the items of business would be spread over more meetings in order to "keep up" with official business coming before the City Council. And to carry out the people's intent in adopting a Charter mandate that City Council conduct public decision making not less than three times per week, the City Council has an adopted resolution calling three regular meetings per week. It is simply being ignored by the Council President with silent acquiescence by Council members.

The routine cancellation of Friday City Council meetings is not only in violation of the City Charter, it is prejudicial to the constitutional and statutory testimony and public comment rights of the public, **especially when combined with other unlawful practices of the City Council discussed herein.** This includes moving all public comment to the outset of meetings and then limiting all public comment, including general public comment, to a facially arbitrary, and thus unlawful, 30 minutes. The movement of items of business that would have otherwise been spread over multiple Friday City Council meetings onto Tuesday and Wednesday meeting agendas results in a larger number of items of business and associated interested public speakers on those items competing and losing out in the City's facially unreasonable 30-minute public speaking "lottery" now conducted at the outset of each meeting. In this way, the unlawful routine cancellation of Friday City Council meetings results in overly long City Council meeting

agendas, and through the use of the improper 30-minute time limit, refusal to even hear all of the public hearing testimony and public comment of members of the public seeking to have an impact on public decision making are entitled by law to make.

The Coalition is informed and believes, and thereon alleges that the negative impacts of the Friday City Council meeting cancellations jamming the nearby Council meeting agendas with more items of business occurred at the February 2, 2022 special City Council meeting. The records of the City Clerk establish that the City Council cancelled its City Council meeting on Friday, January 28, 2022, the week before February 2, 2022, and cancelled its City Council meeting on Friday, February 4, 2022, the same week as the February 2, 2022 meeting. The February 2, 2022 special meeting agenda had 43 items of business – an extraordinary number of items of business for which only a handful of persons were destined to speak on due to the combined impact of the City Council’s improper 30-minute limit on all public comment moved to the outset of a Los Angeles City Council meeting. (See herein for further discussion of these other unlawful practices.)

Based in part upon the foregoing unlawful and multiple Friday City Council meeting cancellations surrounding the City Council meeting on February 2, 2022, multiple Coalition supporters who were online and seeking to speak were completely denied their constitutional and statutory speaking rights. Accordingly, this is a demand that the City provide written confirmation within 30 days that it will cease and desist routine cancellation of regularly scheduled City Council meetings, or modify its weekly meeting schedule to conform to City Charter Section 242(a)’s mandate that the City Council conduct not less than three regular meetings per week. The Coalition reserves the right to commence an action to enforce City Charter requirements. If we do not hear from you, the Coalition will assume the City plans to continue to violate City Charter Section 242(a) and its own regular meeting schedule resolution.

**Basis for Demand To Cure And Correct The February 2, 2022 Special City Council Meeting Related To Deprivation Of Constitutional And Statutory Speaking Rights Of Persons Barred From Providing Public Comment On Item No 30.**

At an unknown time prior to February 2, 2022, the Los Angeles City Clerk issued on the City’s website and posted a special meeting agenda. (**Exhibit 5.**) The agenda posted was materially at odds with the City’s duties under the Brown Act when it schedules a special meeting:

1. The City Clerk inserted the following statement on the February 2, 2022 special meeting agenda: “An Opportunity for Public Comment will be Provided for All Items on the Agenda, Regardless of Whether a Public Hearing has been Previously Held”. This statement acknowledged that for a special meeting the City Council must allow public comment on all items of business. However, the meeting agenda was riddled with statements contrary to this single sentence, buried in the middle of the meeting agenda, and not set forth at the outset of the meeting agenda for the special meeting. (**Exhibit 5.**)
2. Inconsistent with the statement in Paragraph 1, the special meeting agenda contained a City Council Rules summary from a regular meeting agenda. The regular meeting City Council Rules summary purported to impose limits on members of the public wishing to speak at the meeting even though at a special

meeting under the Brown Act, all persons who wish to speak on any item shall be permitted to speak before the Council on those items. (**Exhibit 5.**)

3. The statement in Paragraph 1 was inserted on the special meeting agenda between the summary of regular meeting rules and immediately prior to an agenda heading designating all following items as “Items for which Public Hearing Have Been Held.” (**Exhibit 5.**)
4. Inconsistent with the statement in Paragraph 1, the special meeting agenda utilized the regular meeting agenda headings. These headings are consistent with and communicate the meeting will be conducted as a regular meeting where items heard at committee will not be afforded an opportunity for public comment at the City Council meeting. The agenda included this heading: “Items for which Public Hearings Have Been Held.” (**Exhibit 5.**) This statement is inconsistent with the proper conduct of a special meeting. It communicates to members of the public that the items of business listed in this section and under this heading will not be given an opportunity for public comment. The meeting agenda therefore was materially misleading as to whether or not public comment would be permitted and discouraged members of the public from even bothering to call in to try to speak on an item of business they were interested in speaking on if it was listed under the heading “Items for which Public Hearings Have Been Held.”
5. Item Nos. 8 and 30 in the section of the agenda entitled “Items for which Public Hearings Have Been Held”, contained this additional conflicting statement that no public comment will be permitted on those items if public comment was permitted at the PLUM Committee: “(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.)” (**Exhibit 5.**) For anyone who looked at the Council File for Item 30 in the time leading up to the Council meeting, the PLUM Committee Report was posted and it stated that public comment was permitted at the PLUM Committee meeting. Based upon the language contained in Item 30 and the PLUM Committee report, an interested person would believe from the conflicting statements on the meeting agenda that public comment occurred at the Committee level and would not be allowed at the full City Council meeting. This resulted in interested members of the public simply not calling in to participate in the meeting.

Members of the public are not attorneys or public meeting law academics. They should not have to navigate a morass of irrelevant and inconsistent statements on the meeting agenda that would have taken the City Clerk and City Attorney about 15 minutes to remove from the draft meeting agenda for a special meeting. The failure to remove the conflicting and inconsistent statements raises a presumption the City Clerk and City Attorney intended to confuse and discourage public participation by leaving these inconsistent statements on the agenda. Instead, they inserted one sentence, obscured and not highlighted, that public comment would be permitted on all items. The statement was immediately followed by inconsistent meeting agenda headings that said the opposite.

This is a failure to proceed in accordance with Government Code Section 54954.3(a) which mandates that “Every notice for a special meeting shall provide an opportunity for

members of the public to directly address the legislative body concerning any item that has been described in the notice for the meeting before or during consideration of the item.” Implicit in this mandatory duty is the duty to NOT include in the same special meeting agenda notice language that contradicts the mandatory duty that a special meeting agenda shall provide an opportunity for members of the public to directly address the legislative body concerning any item that has been described in the notice for the special meeting. The inclusion of multiple inconsistent statements contrary to and in defiance of the mandatory duty to assure the public that they could speak on all items on the meeting agenda is a failure to proceed in accordance with law because an unknown number of interested persons would have been misled by the false and misleading statements that could have been easily removed from the agenda before its posting.

**The City’s Combined Pattern and Practice Of Loading Excessive Business Items Upon Council Meeting Agendas Due To Routine Cancellation Of Friday Meetings, Moving All Public Comment To The Outset Of Meetings, And Arbitrarily Declaring Each Meeting Shall Have Only 30 Minutes Of Total Public Comment Prejudicially Deprived Speakers Who Sought To Speak About Item 30 At The February 2, 2022 Special City Council Meeting Of Their Constitutional And Statutory Rights To Speak And Be Heard.**

On February 2, 2022, the City Council called the special meeting to order. The meeting was conducted under Government Code Section 54953(b)(3) and state Executive Orders that mandate any teleconferenced meeting be conducted “in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body.” Then bizarrely, the special meeting was conducted by the President and City Clerk as though the meeting was a regular meeting. The City Clerk announced that Items 1 - 30 were “items for which public hearing had already been held,” and Items 31 - 39 were “items for which no hearing had been held.” These statements by the clerk, apparently following a pre-written meeting script, were inconsistent with conduct of a special meeting as it again informed interested members of the public listening that Items 1-30 had hearings at the committee level, and no further public comment need be allowed by the City Council.

After the clerk read these statements inconsistent with conduct of a special meeting, the acting President of Council asked if any member of Council wanted to call an item “special” to enable public comment. This also was inconsistent with the conduct of a special meeting because state law prohibits any such limits on public comment for items listed on a special meeting agenda. No City Council member had the authority to call an item “special” for public comment because all items on a special meeting agenda are automatically, by law, required to be open for public comment.

Next the meeting was turned over to the City Attorney to run the meeting although there is no provision in the City’s Charter allowing a non-elected person to run the City Council meeting. The City Attorney announced that because this was a special meeting, persons called upon to give public comment could speak on any item on the agenda so long as that person spoke for a total of not more 1 minute per item for a total of 3 minutes. Prior to declaring these time limits, the City Council nor City Attorney made any factual finding that there were so many persons waiting to speak that it would be impossible to accommodate all those who wished to speak as to a “particular issue.” Instead, the City Attorney arbitrarily declared that no person at the special meeting would be permitted to speak more than 1 minute per item for a maximum of 3 minutes per person. The City Clerk then called upon a limited number of persons and after just

over 30 minutes of public comment where members of the public were required to speak en masse on a variety of items on the meeting agenda, the City Attorney cut off further public comment.

The City Attorney then returned conduct of the meeting over to the acting President. The acting President then proclaimed that public comment (for the entire meeting) was closed. Thereupon, instead of taking roll call vote on each item on the special meeting agenda, the acting President called for a roll call vote on a mass of meeting agenda items, including Item 30. After this roll call vote, Councilmember Busciano asked that his vote on the group of items, as to Item No. 30, be changed from a “yes” vote to a “no” vote.

If the City Attorney relied upon the City Council Rules as some basis to restrict the public comment period to 30 minutes at the outset of the special meeting, those Council Rules are facially unreasonable under the U.S. and California Constitutions and Government Code Section 54954.3(b). Subdivision (b) does not authorize the City Council to adopt any rule purporting to limit the total amount of time for public comment in a City Council meeting or to separate public comment from the time before or during consideration of “that item” on the agenda.

Subdivision (b) only authorizes the City Council, to adopt “reasonable regulations **to ensure the intent of subdivision (a) is carried out**, including, but not limited to, regulations limiting the total amount of time allocated for public testimony **on particular issues and for each individual speaker.**” (Emphasis added.) If the Legislature intended to authorize any regulation limiting the total amount of public comment for a public meeting **on all issues** it would have said so. The language of the statute contemplates speaking regulations to deal with “particular issues” that might arise that draw requests to speak by a large number of persons. In such cases involving “particular issues,” a reasonable regulation of First Amendment speaking rights might allow the Chair of the meeting discretion to limit the total comment for a particular issue that might otherwise consume an inordinate amount of time such that a quorum could not be maintained. Such determinations must of necessity be made on a case-by-case basis, not declared without individual factual basis in a City Council Rule.

The Legislature’s use of the words “particular issues” makes clear it intended no authority for a legislative body to adopt rules limiting the total amount of public comment on all issues that would be entertained at a meeting. Any City Council Rule that purports to “find” that 30 minutes is all the time the Los Angeles City Council will hear any public comment is without legal authority. Indeed, the most fundamental and sacred job of a Los Angeles City Council Member is to listen to comment at public meetings, craft wise public policy in those meetings, and cast a vote. The Legislature’s focus on the occasional circumstance when a “particular issue” might, in the exercise of reasonable discretion, warrant a limit on the total time allocated to that “particular issue,” cannot be reasonably read to authorize a wholesale and blanket City Council Rule limiting the total time spent on listening to public comment on all issues at a public meeting. The Council is at the meeting for the very purpose of joint decision making with the public, and listening to public comment in conjunction **with each item of business** is a critical job responsibility.

Additionally, to the extent that the City Attorney relied upon any City Council rule that purports to permit the City Council to collapse all public comments on each item of a regular or special meeting agenda into a single 30-minute public comment segment at the outset of a meeting, such limit on the right of public comment violates Government Code Section

54954.3(a) as well because it fails to protect constitutionally and statutorily protected free speech. Both as to regular and special meetings, the statutory language requires the conduct of public comment on an item of business “before or during consideration of (the or that) item.” The plain language of the statute for special meetings makes clear that the legislative mandate is to conduct public comment on each particular item of business when that item is called, considered and voted upon, or just before it.

This phrase is a term of art that has been twisted beyond recognition by the City’s recently enacted rules, and critically, in violation of the intent of the Legislature **to enhance public decision making by assuring that the public’s comments are listened to and heard by decision makers when the item is taken up.** As a practical matter, the Legislature’s use of the words “before or during consideration of that item” is an acknowledgement that the usual process for legislative and quasi-judicial decision making is to take testimony or public comment as to “that item” in conjunction with consideration of “that item.” Thus, for time immemorial in California, meetings proceed in an orderly process: the item of business is called, there might or might not be a staff presentation, public comment is taken on that item just before the legislative body considers its merits, then the body debates the item, and finally a vote is taken before the body moves to the next item of business on the agenda. Until the City Council adopted recent City Council rule changes, this is precisely how the Los Angeles City Council conducted its own committee and full council meetings.

However, in crafting recently enacted City Council rules, the City of Los Angeles has abandoned following a logical and coherent meeting process that protects the statutory and constitutional rights of meeting participants. Now, the public comment portion of each item that was once conducted “before or during consideration of **that item**” is extracted from each business item on the agenda and smashed into a 30-minute period, conducted before any item of business is called for consideration, and forcing public speakers to speak as part of some kind of disjointed and out-of-order public comment “lottery” system. Accordingly, the public comments associated with Item No. 30 at the February 2, 2022 meeting were combined with unrelated comments from speakers talking about other items on the meeting agenda. Such a government-created public speaker ghetto relegates all public comment on all items on the agenda in violation of the term of art used by the Legislature that public comment is given before or during consideration of “that item”. In no way does this statutory language authorize the City to conduct public comment before ALL ITEMS on the agenda as the City does.

The City Council Rule that purports to authorize this disjointed and incoherent public comment process systematically deprives persons with statutory and constitutional rights of any opportunity to speak. Those persons lucky enough to win the daily public speaking “lottery” to speak during the unlawfully constrained 30-minute time limit, have the power of their comments diminished and diluted as City Council members appear to have turned down the sound on their at home computers, eat, or talk with persons off screen or in Council chambers (and even out of the Chambers) as the 30 minutes of public comment occurs. Thus, the City of Los Angeles and City Attorney have converted the public comment rights guaranteed under the constitution and the Brown Act into a perverse 30-minute Council member “break” to subtly and not so subtly ignore all public commenters.

The City Council Rules that create this public speaking ghetto violate the command of Section 54954.3(a) to enact only reasonable rules that enhance the effectiveness of public comment – not smash it into an unintelligible mass discussion of, for example, “Items 4, 7, 15

and 24” without any reasonable way for the observing public or Council members themselves to know what the speakers are talking about. Public comment is constitutionally and statutorily required to be taken, **as it has been for decades at Los Angeles City Council meetings**, “before or during consideration of that item,” not as part of a public comment ghetto at the front end of the meeting with an attorney cutting off people mid-sentence and harassing public speakers with threats of cutting them off if in his opinion they wander away from the subject matter of the item. The City doesn’t even have the decency of allowing a speaker to finish a concluding thought. The City’s current rules and as applied on the February 2, 2022 special City Council meeting were a mockery of the constitutional and statutory speaking rights of the members of the public who tried to participate and **were given no opportunity to speak at all**.

The entire reason the Ralph M. Brown law exists is for public participation in decision making. The combined effect of regular Friday meeting cancellations loading up meeting agendas with many more items of business on City Council meeting agendas while all public comment is shuttled to the outset of each meeting and chopped off after 30 minutes is a massive, systematic ghettoization of residents trying to impact public decision making as guaranteed by the U.S. and California constitutions and statutory law. The City Council Rule, declaring that **every meeting, regardless of the number of items of business**, shall be subject to a 30-minute limit on public comment is unauthorized by the plain language of Government Code Section 54954.3(b). Subdivision (b) of Section 54954.3 does not authorize such a blanket rule, rather it specifically directs the City Council **to carry out the intent of Section 54954.3, subdivision (a)** that “[e]very agenda for regular meetings shall provide an opportunity for members of the public to directly address the legislative body on any item of interest to the public, **before or during the legislative body’s consideration of the item**” and “[e]very notice for a special meeting shall provide an opportunity for members of the public to directly address the legislative body concerning any item that has been described in the notice for the meeting **before or during consideration of that item.**” (Emphasis added.) The City Council’s one-size-fits all public speaking rule works a substantial deprivation of constitutional and statutory speaking rights.

The Coalition is aware that in *Preven v. City of Los Angeles*, the Court of Appeal issued a writ of mandate commanding the Los Angeles City Council comply with the statutory requirement that all persons wishing to speak on any item of business at a special meeting shall be entitled to do so. It appears that the City Council’s recent action to try to impose a facially unreasonable time limit on any special meeting is in defiance of the writ issued by the courts against the City Council. The Coalition reserves the right to seek enforcement of the existing writ, including monetary sanctions and other enforcement measures for the City’s ongoing defiance of prior court orders against unlawful restriction of special meeting public comment, including that which occurred at the February 2, 2022 special City Council meeting.

The Coalition has identified numerous persons on February 2, 2022 who were waiting to be called upon when the City Attorney, and not an elected City Council member, cut off further public comment and then returned the meeting back into the hands of the acting Council President. The First Amendment rights of those persons waiting to participate in the Council’s decision making related to Item No. 30 of the meeting, rights the Legislature intended to protect in Government Code Section 54954.3(a) and (b), have been unlawfully denied. For these reasons, the conduct of the special meeting of City Council on February 2, 2022 violated Government Code Sections 54953(b)(3) and 54954.3(a) and (b).

In accordance with Government Code Section 54960.1(b) this section summarizes violations of law subject to nullification, and this letter constitutes a demand that the City Council cure and correct the violations of law detailed herein or an action may be commenced to nullify City Council actions as to Item No. 30 of the February 2, 2022 special meeting.

The City Council's cutting off of constitutionally and statutorily protected speaking rights has become a routine occurrence. Recently, in *Los Angeles Conservancy v. City of Los Angeles et al.* (No. 21STCP02696), the City was alleged to have violated constitutional speaking rights of persons wishing to participate in decision making related to the Chili Bowl and Taix Restaurant Historic Cultural Monuments. In recognition that these actions could be construed by the Court as violating law, the City recently redid these particular hearings, but made no revisions in its rules to end the unlawful practices that led to the violations in the first place.

In accordance with Government Code Sections 54960 and 54960.2, this letter is also a demand that the City cease and desist its unlawful pattern and practice of imposing an arbitrary time limit on public comment at its meetings. Also, in accordance with Government Code Sections 54960 and 54960.2, this letter is a demand that the City cease and desist its unlawful pattern and practice of moving all public comments on particular items to the outset of each meeting **before consideration of any items on the meeting agenda**. Additionally, this letter is a demand that the City Council cease and desist its recent practice of forcing general comments on items not on the meeting agenda into the 30-minute meeting time period, and that a reasonable general public comment period of at least 15 minutes be restored to a separate item of business as it was conducted for decades previous to this recent change at City Council meetings. These practices singly and together appear intended and in fact fail to carry out the Legislature's intent to protect and enforce statutory and constitutional public comment rights at meetings of the Los Angeles City Council. In accordance with Government Code Section 54960.2(b), if we do not hear from you within 30 days of receipt of this letter, an action to declare unlawful the City's pattern and practices outlined herein may be commenced.

**The City Must Cease and Desist Its Pattern and Practice Of Back Dating and Creation Of A False City Council Record, All In Violation Of City Charter Section 281's Mandate That The City Clerk Maintain An Accurate Record Of City Council Proceedings.**

In our objection letter submitted to the City Council Planning and Land Use Management Committee on February 1, 2022, we observed that the PLUM Committee was being asked to vote on a proposed legislative document that had not been released to the public or placed into the City Council File so anyone could comment on it or Council members could see it. Nonetheless, on February 1, 2022, the PLUM Committee voted to approve General Plan Amendment documents that had not made available to the public or presumably, themselves.

The City Council file on February 2, 2022, continued to have no proposed legislative document available for public and presumably City Council member review. The public comments of Robin Rudisill during the public comment ghetto period alleged above alerted City Council members that she still saw no proposed legislative document in the Council file. We are informed and believe and thereon allege that only after the City Council voted on February 2, 2022, did something appear in the Council File.

However, what was placed into the Council File was City Attorney Report No. 22-0030 and the proposed VCZSP amendment ordinance discussed above. The actually amended



General Plan Amendment documents were not publicly disclosed until release of the staff report for the February 24, 2022 City Planning Commission meeting. Thus, the City's actions are an admission that the City Council voted on February 1, 2022 and February 2, 2022 for General Plan Amendments it and the public never saw.

But perhaps even more disturbing is what appears to be the back dating of City Attorney Report No. 22-0030 and the VCZSP amendment ordinance now appearing in the Council File as released to the public on "February 1, 2022." These documents were not in the Council File and/or available to the public and City Council members when they voted on the resolution/ordinance on February 1, 2022 or February 2, 2022.

The City has no right to back date documents or take any further action that results in the creation of a false or misleading public record. In fact, Government Code Sections 6200, 6201 and 6203 impose serious criminal sanctions on an official or employee of a public agency who steals, removes, secretes, destroys, mutilates, defaces, alters or falsifies any public record.

The City Attorney Report No. 22-0030 and attachment themselves are not time clocked with the time stamp clock that exists in the City Clerk's office. Only by review of the electronic time stamps on when the documents were delivered to the City Clerk, and uploaded to the City's electronic Council File, can a determination be made when the documents were actually received by the City Clerk. And whatever those actual dates are, the Council File fails to disclose to the public when a particular document was actually submitted to the City Clerk for inclusion in the online Council File.

One thing is certain: if the City intended to claim these documents were approved by City Council actions on February 1, 2022 and February 2, 2022, no member of the public had an opportunity to review and formulate public comment on the proposed legislation or City Attorney transmittal report because it was not observable to the public until after the City Council voted on the matter on February 2, 2022. This can also be confirmed by clicking on the HTML version of the City Council agenda available in the City Clerk's online meeting record archive. If one does so, only Councilmember Bonin's motion of January 25, 2022 is displayed to the public – and presumably City Council members. Thus, the City Attorney's transmittal report and ordinance, that appear intended to be considered "approved" as part of the actions on February 1, 2022 and February 2, 2022, were not available for viewing of the public, and presumably City Councilmembers at the times they voted on these documents. Moreover, such documents could not have been lawfully "approved" since these documents were never listed in Mr. Bonin's motion or on any City Council meeting agenda as outlined above.

Accordingly, the City's processes and procedures related to the maintenance of an online City Council file resulted in this case, and has resulted in other cases in the City, in the creation of false and misleading dating of official records of the Proceedings of City Council. This is a violation of the duty imposed by the City Charter Section 281 that the City Clerk maintain an accurate record of City documents and proceedings.

Accordingly, this letter is also a cease and desist demand that the City immediately correct its procedures and systems to end any practice that permits back dating of documents not submitted to the City Clerk before the time of a meeting, and that all documents submitted to the City Clerk for inclusion in the Council File properly timestamped physically or electronically for each item uploaded and made available for public access.

If we do not receive a written confirmation that the City Clerk will bring its practices into conformity with the requirements of the City Charter and all other laws related to public record keeping, an action to end these unlawful patterns and practices may be commenced to enforce important public rights to accurate and timely access to records allegedly used in City Council decision making.

**Public Records Request Related To Maintenance Of The City Council File.**

Pursuant to the California Public Records Act, please produce all of the following:

1. For the period of time from January 1, 2021 until the time of your response, all manuals, memos, and/or written procedures related to how the City Clerk receives documents, processes them, time-stamps them (if at all), and/or posts them to the online City Council File system.
2. For the period of time from January 1, 2021 until the time of your response, all manuals, memos, and/or written procedures related to if and how documents submitted to the City Clerk for inclusion in a Council File may be uploaded to the system but not made visible to public until a time after it is uploaded to the system.
3. From November 1, 2021 until the time of your response, the all email(s) of City Attorneys Oscar Medellin, David Michaelson or their staff assistants used to transmit City Attorney Report No. 22-0030 and/or its attached proposed ordinance to the personnel of the City Clerk.
4. From November 1, 2021 until the time of your response, the file structure and all time stamps of any electronic shared drive used by personnel of the City Attorney to transmit City Attorney Report No. 22-0030 and/or its attached proposed ordinance to the personnel of the City Clerk.
5. From November 1, 2021 until the time of your response, any and all electronic log, register, or record that lists the date and time City Attorney Report No. 22-0030 and/or its attached proposed ordinance were transmitted from the personnel of the City Attorney's office to the personnel of the City Clerk's office.
6. From November 1, 2021 until the time of your response, all communications between personnel of the City Attorney's office and the personnel of the City Clerk's office related to or regarding City Attorney Report No. 22-0030 and/or its attached proposed ordinance.
7. Any and all communications to or from any personnel of the City Clerk's office related to or referring to the February 2, 2022 special meeting of the City Council.
8. Any and all scripts prepared or used by City elected officials and City staff to conduct the February 2, 2022 special meeting of the City Council.

I may be contacted at 310-982-1760 or at [jamie.hall@channellawgroup.com](mailto:jamie.hall@channellawgroup.com) if you have any questions, comments or concerns.

Sincerely,



Jamie T. Hall

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# Exhibit 1

## MOTION

The Council adopted a Resolution to amend the Venice Community Plan and Venice Land Use Plan (LUP) on December 1, 2021 (Council File No. 21-0829-S1). The General Plan Amendment redesignated Open Space and Low Medium II Residential land to Neighborhood Commercial use, as part of the approval of a Permanent Supportive Housing Project that will construct 140 residential units.

The Resolution included new policies in the Venice LUP to create a new Subarea A and policies for the development of Supportive Housing Projects. The amendment also updated the existing maps in the Venice LUP to include the new Subarea A. However, the Exhibit containing these maps did not include the complete set of Venice LUP maps; Map Exhibits 2a Venice Coastal Zone, 2b Venice Coastal Zone, and 5b Subarea North Venice and Venice Canals were not included. The Exhibit also included Map Exhibits from the Venice Coastal Zone Specific Plan that need to be removed, Exhibits 11b Height and 15 Buffer/Setback. As such, corrections are needed to ensure the Resolution refers to the correct set of Venice LUP maps.

**I THEREFORE MOVE** that the Council rescind its December 1, 2021 adoption of the Resolution to amend the Venice Community Plan and Venice Land Use Plan (Council File No. 21-0829-S1), and reconsider the matter to amend the Resolution recommended by the City Planning Commission to remove Exhibits 11b Height and 15 Buffer/Setback and include the correct set of exhibits to the Venice Land Use Plan (Exhibits 2a Venice Coastal Zone, 2b Venice Coastal Zone, 5b Subarea North Venice and Venice Canals, 10b Land Use Plan (Map) North Venice and Venice Canals, 14b Height Subarea North Venice and Venice Canals and 17a Coastal Access Map) as part of the Council File.

**I FURTHER MOVE** that pursuant to Los Angeles Charter Section 555 the Council's amendment, if adopted, be referred to the Planning Commission and the Mayor, for review and consideration.



PRESENTED BY: \_\_\_\_\_

MIKE BONIN  
Councilmember, 11th District

SECONDED BY: \_\_\_\_\_



JAN 25 2022



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# Exhibit 2



**MICHAEL N. FEUER**  
CITY ATTORNEY

REPORT NO. R 22-0030  
FEB 01 2022

**REPORT RE:**

**DRAFT ORDINANCE AMENDING THE VENICE COASTAL ZONE  
SPECIFIC PLAN TO CREATE A NEW SUBAREA A AND ESTABLISH NEW  
LAND USE AND DEVELOPMENT REGULATIONS**

The Honorable City Council  
of the City of Los Angeles  
Room 395, City Hall  
200 North Spring Street  
Los Angeles, California 90012

Council File No. 21-0829-S1

Honorable Members:

This Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality. The draft ordinance amends the Venice Coastal Zone Specific Plan (Specific Plan) to create a new Subarea A.

Background and Summary of Ordinance Provisions

On July 13, 2021, the City Planning Commission (CPC) held a hearing on a proposed mixed-use, 100 percent affordable housing development project (Case No. CPC-2018-7344-GPAJ-VZCJ-HD-SP-SPP-CDP-MEL-SPR-PHP) in the Specific Plan area and voted to recommend approval of the project.

On November 9, 2021, the Planning Land Use Management Committee (PLUM) waived consideration of the item. On December 1, 2021, the City Council adopted the CPC's recommendations. Accordingly, this Office has prepared and transmits an ordinance amending the Specific Plan to:

1. Amend Section 10 of the Specific Plan to create a new Subarea A and establish new land use and development regulations for Subarea A.
2. Amend the Existing Zoning Map from OS-1XL and RD1.5 to (T)(Q)C2-1L-O; and
3. Amend the Existing Zoning Map to remove the proposed Alberta Avenue right-of-way between North Venice Boulevard and South Venice Boulevard and replace it with (T)(Q)C2-1L-O.

#### California Environmental Quality Act (CEQA) Standard of Review

Public Resources Code Section 21080.27(b)(1) exempts from CEQA “any activity approved or carried out by the City of Los Angeles in furtherance of providing emergency shelters or supportive housing in the City of Los Angeles.” The CPC recommended that the City Council find that the project is statutorily exempt from CEQA pursuant to Public Resources Code Section 21080.27(b)(1). Based on this exemption, on December 1, 2021, the City Council determined the Project is statutorily exempt. Prior to adoption of this draft ordinance to amend the Specific Plan, staff recommends that the City Council again find that the project is statutorily exempt from CEQA pursuant to Public Resources Code Section 21080.27(b)(1).

#### Charter Findings Required

Charter Section 558(b)(3) requires the City Council to make the findings required in Subsection (b)(2) of the same section; namely, whether adoption of the proposed ordinance will be in conformity with public necessity, convenience, general welfare and good zoning practice. Similarly, Charter Section 556 requires the City Council to make findings showing that the action is in substantial conformance with the purposes, intent and provisions of the General Plan.

Charter Section 558(b)(3)(A) specifies that where the City Planning Commission has recommended approval of an ordinance, the City Council may adopt an ordinance conforming to the Commission recommendation by majority vote.

#### Council Rule 38 Referral

A copy of the draft ordinance was sent, pursuant to Council Rule 38, to the Department of Building and Safety. The department was requested to provide comments, if any, directly to the City Council or its Committee when this matter is considered.

If you have any questions regarding this matter, please contact Deputy City Attorney Oscar Medellin at (213) 978-8068. He or another member of this Office will be available when you consider this matter to answer questions you may have.

Sincerely,

MICHAEL N. FEUER, City Attorney

By 

DAVID MICHAELSON  
Chief Assistant City Attorney

DM:OM:lc  
Transmittal



ORDINANCE NO. \_\_\_\_\_

An ordinance amending the Venice Coastal Zone Specific Plan to create a new Subarea A and establish new land use and development regulations.

**THE PEOPLE OF THE CITY OF LOS ANGELES  
DO ORDAIN AS FOLLOWS:**

Section 1. Section 2 of the Venice Coastal Zone Specific Plan is amended in its entirety to read as follows:

**ESTABLISHMENT OF THE VENICE COASTAL ZONE SPECIFIC PLAN.**

- A. The City Council establishes this Venice Coastal Specific Plan applicable to that area of the City of Los Angeles shown on the Specific Plan Area map, Exhibit 1a and 1b. The Specific Plan area is divided into nine subareas, as shown by Exhibits 2 through 5.

**Ballona Lagoon West Bank Subarea**, generally bounded by Driftwood Street on the north, Via Marina on the south, Ballona Lagoon on the east, and Strongs Drive, Canal Court and Pacific Avenue on the west, as shown on Exhibit 2.

**Ballona Lagoon (Grand Canal) East Bank Subarea**, generally bounded by Washington Boulevard on the north, the northern terminus of the Ballona Lagoon on the south, Via Dolce on the east, and Grand Canal on the west, as shown on Exhibit 2.

**Silver Strand Subarea**, generally bounded by the eastern extension of Driftwood Street on the north, Via Marina on the south, the Los Angeles County boundary on the east, and Ballona Lagoon on the west, as shown on Exhibit 2.

**Marina Peninsula Subarea**, generally bounded by Thirtieth Place and the Washington Boulevard Pier on the north, Via Marina on the south, Strongs Drive, Canal Court and Pacific Avenue on the west, and the Pacific Ocean on the west, as shown on Exhibit 2.

**Venice Canals Subarea**, adjacent to Grand, Sherman, Howland, Linnie, Carroll and Eastern Canals, located south of Virginia Court, north of Washington Boulevard and Sherman Canal Court, east of Strongs Drive and west of Patricia Court and Grand Canal Court as shown on Exhibit 3b.

**North Venice Subarea**, generally bounded by the Los Angeles City boundary line on the north, Thirtieth Place, Virginia Court and North Venice Boulevard on the south, Hampton Drive, Electric Avenue, Ocean Avenue, Patricia Court, and Strongs Drive on the east and Ocean Front Walk on the west, as shown on Exhibits 3a and 3b.

**Oakwood-Milwood-Southeast Venice Subarea**, generally bounded by the Los Angeles City boundary line on the north, Washington Boulevard on the south, Lincoln Boulevard on the east, and Hampton Drive, Electric Avenue, Patricia Court and Strongs Drive on the west, as shown on Exhibits 4a and 4b.

**Oxford Triangle Subarea**, generally bounded by Washington Boulevard on the north, the Los Angeles City boundary on the southwest, and Lincoln Boulevard on the east, as shown on Exhibit 5.

**Subarea A:** generally bounded by Dell Avenue, North Venice Boulevard, South Venice Boulevard and Pacific Avenue, as shown on Exhibit 3b.

Sec. 2. Section 5 of the Venice Coastal Zone Specific Plan is amended in its entirety to read as follows:

**DEFINITIONS.** The following words, whenever used in this Specific Plan, shall be construed as defined in this section. Words and phrases not defined here shall be construed as defined in LAMC Section 12.03 or 12.20.2.1, if defined there:

- A. Architectural Features.** Features include, but are not limited to, sculpture, bas relief, mosaic, mural, vents, porch, balcony, chimney, window and doorway.
- B. Blank Wall.** A Street Wall or vehicle entry facing the street and having no architectural detailing, windows, doors or similar features.
- C. Building Frontage.** The maximum length of a line or lines formed by connecting the points representing projections of the exterior building walls onto a public street or onto a courtyard that is directly accessible by pedestrians from a public street, whichever distance is greater.
- D. Beach Impact Zone.** All lots located in the Marina Peninsula, Ballona Lagoon West Bank, Venice Canals and North Venice

subareas described in Section 1, Exhibits 2, 3a and b, of this Specific Plan.

- E. **Change in Intensity of Use.** A change in intensity of use includes but is not limited to any addition, expansion or change in use on a site that involves: (a) a change in the total number of dwelling units; or (b) a change in the amount of Service Floor to a commercial or industrial use; or (c) a change in the number of trips as calculated in the Trip Table, Appendix C; or (d) a change in the number of provided or required parking spaces as calculated in Section 12 D and E of this Specific Plan.
- F. **Change of Use.** A change from (1) an existing residential use to a commercial or industrial use; or (2) an existing commercial use to a residential or industrial use; or (3) an existing industrial use to a residential or commercial use.
- G. **Encroachment.** Any structure or building or portion of a structure or building that projects into a right-of-way or required setback.
- H. **Environmentally Sensitive Habitat Area.** Any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.
- I. **Feasible.** Capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.
- J. **Fill.** Earth or any other substance or material, including pilings placed for the purposes of erecting a structure on it.
- K. **Flat Roof.** Any roof form which has a slope of 2 vertical inches or fewer to 12 horizontal inches.
- L. **Grand Canal Lot.** Any lot shown on Exhibit 2 of this Specific Plan that is immediately adjacent to Grand Canal.
- M. **Ground Floor.** The lowest story within a building, which is accessible to the street, the floor level of which is within 3 feet above or below curb level, which has frontage on or is primarily

facing any pedestrian - oriented street, and which is at least 20 feet in depth or the total depth of the building, whichever is less.

- N. **Lagoon Buffer Strip.** The strip of land immediately adjacent to the Ballona Lagoon that separates the developable portion of a lot from the waters of Ballona Lagoon as approved in Coastal Commission Permit No. A-266-77 and Appeal No. A-266-77.
- O. **Lagoon Lot.** Any lot that is immediately adjacent to the Ballona Lagoon as shown on Exhibit 2 of this Specific Plan.
- P. **Local Coastal Program.** A program that includes land use plans, zoning ordinances, zoning district maps, and within sensitive coastal resource areas, other implementing actions, which when taken together meet the requirements and provisions of the California Coastal Act.
- Q. **Local Public Agency.** A local public agency identified on a list maintained by the Department of City Planning that funds Supportive Services, keeps a prequalified list of service providers, or both.
- R. **Lot Consolidation.** Lot consolidation occurs when: (1) one or more structures are built over a lot line that divided two existing lots; or (2) a lot line is abandoned, a lot line is adjusted, lots are merged, or other action is taken by the City, for the purpose of allowing a structure to be built extending over what were previously two or more separate lots.
- S. **Permeable.** A material that permits water penetration to a soil depth of 18 inches or more, including non-porous surface material poured or laid in sections not exceeding one square foot in area and collectively comprising less than two-thirds of the total surface area of loosely laid material such as crushed stone or gravel.
- T. **Premise.** A building or portion of a building used as a location for a single business or non-commercial use.
- U. **Qualified Permanent Supportive Housing Project.** The construction of, addition to, or remodeling of a building or buildings offering Supportive Housing; and where all of the total combined Dwelling Units or Guest Rooms, exclusive of any manager's units, are affordable. For the purposes of this subdivision, affordable

means that rents or housing costs to the occupying residents do not exceed 30 percent of the maximum gross income of Extremely Low, Very Low or Low Income households, as those income ranges are defined by the United States Department of Housing and Urban Development (HUD) or any successor agency, as verified by the Housing Department. A minimum of 50 percent of the total combined Dwelling Units or Guest Rooms is occupied by the Target Population.

- V. **Replacement Affordable Unit.** Any affordable housing unit to be provided as replacement for an existing unit on a Venice Coastal Development Project site. Affordable housing units are dwelling units or guest rooms for which rental or mortgage payments do not exceed the limits stated in Section 65915 of the California Government Code. Dwelling units or guest rooms designated for lower income households, as defined in Section 50079.5 of the California Health and Safety Code, shall have rents not exceeding 30 percent of 60 percent of the area median income as set forth on a rent schedule prepared by the City's Housing Department or any successor agency. In order for a Venice Coastal Development Project to qualify as a project containing affordable housing units, the owner shall record a document with the Los Angeles County Recorder guaranteeing that these affordability criteria will be observed for at least 30 years from the issuance of the Certificate of Occupancy.
- W. **Roof Access Structure.** An enclosed stairway or elevator housing that provides access to a roof, but contains no storage, habitable or living area.
- X. **Service Floor.** All areas where the customer can be served, except the restroom, including the indoor and outdoor dining area, bar, waiting room and tavern.
- Y. **Store Frontage.** The horizontal length of a Premise abutting the exterior public access level walkway that serves the Premise.
- Z. **Street Wall.** An exterior wall of a building that faces a street.
- aa. **Supportive Housing.** Housing with no limit on length of stay for persons with low incomes who have one or more disabilities and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the



foster care system, individuals exiting from institutional settings, veterans, and homeless people. The housing is linked to onsite or offsite Supportive Services, and any Floor Area used for Supportive Services shall be considered accessory to the residential use.

- bb. Supportive Services.** Services that are provided on a voluntary basis to residents of Supportive Housing and Transitional Housing, including, but not limited to, a combination of subsidized, permanent housing, intensive case management, medical and mental health care, substance abuse treatment, employment services, benefits advocacy, and other services or service referrals necessary to obtain and maintain housing.
- cc. Target Population.** Persons with qualifying lower incomes who (i) have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, and are homeless as defined by any Los Angeles City, Los Angeles County, State of California, or Federal guidelines; or (ii) are chronically homeless, as defined by any Los Angeles City, Los Angeles County, State of California, or Federal guidelines.
- dd. Trip.** A single or one direction vehicle movement with either origin or destination (exiting or entering) inside the Venice Coastal Development Project site.
- ee. Varied Roofline.** Any roof that has a slope in excess of 2 inches to 12 inches, including but not limited to a sloped or curved roofline.
- ff. Venice Coastal Development Project.** Any of the following actions taken on any lot located in whole or in part within the area identified in Exhibit 1a and b of this Specific Plan. On land, in or under water, the placement or erection of any solid material or structure; the discharge or disposal of any dredged material or of any gaseous, liquid, solid or thermal waste; the grading, removing, dredging, mining or extraction of any materials; any change in the density or intensity of use of land, including, but not limited to, subdivisions pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of the land by a public agency for public recreational use; any change in the intensity of use of water or of access to the water; construction, reconstruction, demolition or alteration of the size of any structure,

including any facility of any private, public or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations, which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511 of the Public Resources Code). On-site and off-site parking areas that serve a Venice Coastal Development Project shall be considered a part of the project.

- gg. Venice Coastal Zone.** The area within the Venice Community Plan area west of Lincoln Boulevard, including those lots fronting on the west side of Lincoln Boulevard and shown on the Specific Plan Area map, Exhibit 1a and b.
- hh. Walk Street.** A public street in the Venice Coastal Zone that has been improved for public pedestrian use over part of its width and is landscaped (publicly or privately) over the remainder, but which has not been improved for public vehicular access, as identified in Appendix A of this Specific Plan and as shown on Exhibits 16a and b.

Sec. 3. The first paragraph of Section 9 of the Venice Coastal Zone Specific Plan is amended to read as follows:

**GENERAL LAND USE AND DEVELOPMENT REGULATIONS.** In addition to the regulations contained in Chapter 1 of the LAMC and as shown on Exhibits 6-15, the following regulations shall apply. These provisions shall not apply to Qualified Permanent Supportive Housing Projects in Subarea A:

Sec. 4. The first paragraph of Section 10 of the Venice Coastal Zone Specific Plan is amended as follows:

**LAND USE AND DEVELOPMENT REGULATIONS FOR SUBAREAS.** In addition to the applicable regulations in Section 9, the following regulations shall apply within each of the specified subareas in Subsections A-I below.

Sec. 5. A new Subsection I is added to Section 10 of the Venice Coastal Zone Specific Plan to read as follows:

**I. SUBAREA A.**

1. **Use.** The use and area regulations of the C2 zone shall apply to all lots in Subarea A, except that residential uses are permitted provided the project meets the definition of Qualified Permanent Supportive Housing Project and complies with the following requirements:
  - a. **Supportive Services.** Applicants shall provide documentation describing the Supportive Services that will be provided onsite and offsite. Prior to any approval of a Qualified Permanent Supportive Housing Project, the applicant shall submit information demonstrating that Supportive Services will be provided to residents of the project. The applicant shall indicate the name of the entity or entities that will provide the Supportive Services, the Local Public Agency funding source(s) for those services, and proposed staffing levels. If a preliminary funding commitment is needed, the applicant shall also submit a signed letter of intent from the Local Public Agency verifying that it is providing a preliminary funding commitment for the Supportive Services. If no funding commitment is needed, the applicant shall demonstrate that the entity or entities that will provide the Supportive Services are service providers prequalified by a Local Public Agency.
  - b. **Affordable Housing Covenant.** Projects shall record a covenant acceptable to the Housing Department that reserves and maintains the total combined number of Dwelling Units and Guest Rooms designated as restricted affordable for at least 55 years from the issuance of the Certificate of Occupancy.
  - c. **Housing Replacement.** Projects shall meet any applicable dwelling unit replacement requirements of California Government Code Section 65915(c)(3), or as thereafter amended, as verified by the Housing Department, and all applicable covenant and monitoring fees in Section 19.14 of this Code shall be paid by the applicant prior to the issuance of any building permit.



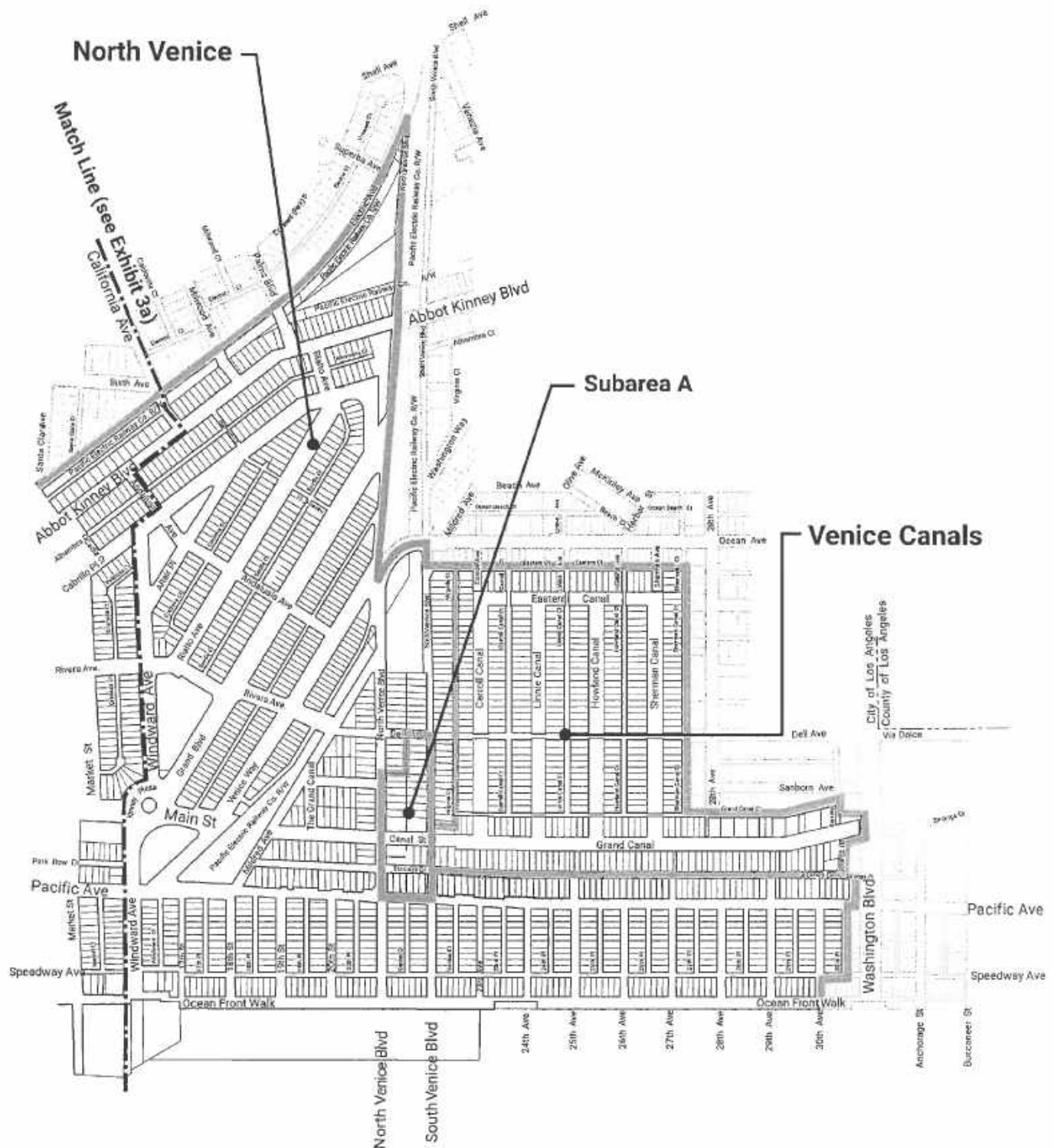
2. **Density.** No project shall exceed the density permitted in the R3 zone.
3. **Height.**
  - a. All projects shall be limited to a maximum height of 35 feet.
  - b. One (1) campanile structure may exceed the maximum height of 35 feet. A maximum height of 67 feet is permitted, measured to the top of the Roof Access Structure.
4. **Canal Setback.**
  - a. An average setback of 15 feet, but not less than 10 feet shall be maintained in the front yard adjacent to the property line which faces the canal.
  - b. An open, Permeable yard with an area of at least 15 times the lot width and a minimum area of 450 square feet shall be maintained between the property line that faces the canal and the front of any structure. No Fill nor building extensions, including stairs and balconies, shall be placed in or over the required Permeable front yard area except fences up to 42 inches in height or Permeable decks at grade level not more than 18 inches high.
5. **Access.**
  - a. Driveways and vehicular access to Venice Coastal Development Projects shall be provided from North Venice and South Venice Boulevards, unless the Department of Transportation determines that it is not Feasible. New and existing curb cuts shall be minimized in order to protect and maximize public on-street parking opportunities.

Sec. 6. Map Exhibit 3b of the Venice Coastal Zone Specific Plan is replaced in its entirety with a new Exhibit 3b, attached hereto.

Sec. 7. Map Exhibit 7b of the Venice Coastal Zone Specific Plan is replaced in its entirety with a new Exhibit 7b, attached hereto.

Sec. 8. Map Exhibit 11b of the Venice Coastal Zone Specific Plan is replaced in its entirety with a new Exhibit 11b, attached hereto.

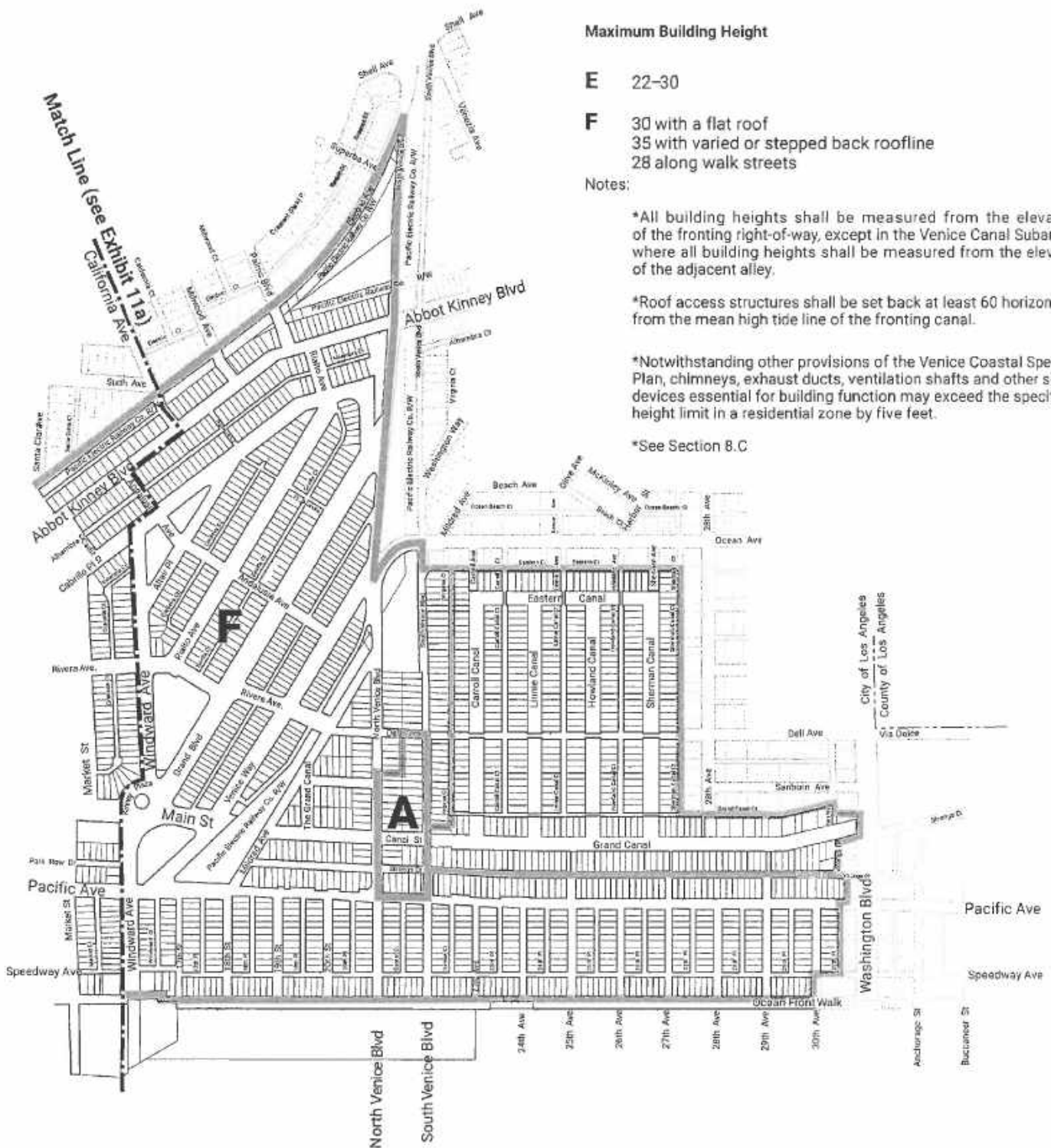
Sec. 9. Map Exhibit 15 of the Venice Coastal Zone Specific Plan is replaced in its entirety with a new Exhibit 15, attached hereto.



**Exhibit 3b**  
**Subarea: North Venice • Venice Canals**










Sec. 10. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By   
OSCAR MEDELLIN  
Deputy City Attorney

Date 2/1/22

File No. 21-0829-S1

Pursuant to Charter Section 559, I  
**approve** this ordinance on behalf  
of the City Planning Commission and  
recommend that it be adopted.

  
VINCENT P. BERTONI, AICP  
Director of Planning

Date February 1, 2022

[M:\Real Prop\_Env\_Land Use\Land Use\Oscar Medellin\Ordinances\Venice Specific Plan\CF 21-0829-S1 - Venice SPA Ordinance.docx]

The Clerk of the City of Los Angeles  
hereby certifies that the foregoing  
ordinance was passed by the Council  
of the City of Los Angeles.

CITY CLERK

MAYOR

Ordinance Passed \_\_\_\_\_

Approved \_\_\_\_\_

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# Exhibit 3



**ORDINANCE NO. \_\_\_\_\_**

An ordinance amending Ordinance No. 175,693, Venice Coastal Zone Specific Plan to create a new Subarea A

**THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:**

Section 1. Section 2 of Ordinance No. 175,693 is amended to read as follows:

Establishment of the Venice Coastal Zone Specific Plan

- A. The City Council establishes this Venice Coastal Specific Plan applicable to that area of the City of Los Angeles shown on the Specific Plan Area map, Exhibit 1a and 1b. The Specific Plan area is divided into ~~eight~~ nine subareas, as shown by Exhibits 2 through 5.

**Ballona Lagoon West Bank Subarea**, generally bounded by Driftwood Street on the north, Via Marina on the south, Ballona Lagoon on the east, and Strongs Drive, Canal Court and Pacific Avenue on the west, as shown on Exhibit 2.

**Ballona Lagoon (Grand Canal) East Bank Subarea**, generally bounded by Washington Boulevard on the north, the northern terminus of the Ballona Lagoon on the south, Via Dolce on the east, and Grand Canal on the west, as shown on Exhibit 2.

**Silver Strand Subarea**, generally bounded by the eastern extension of Driftwood Street on the north, Via Marina on the south, the Los Angeles County boundary on the east, and Ballona Lagoon on the west, as shown on Exhibit 2.

**Marina Peninsula Subarea**, generally bounded by Thirtieth Place and the Washington Boulevard Pier on the north, Via Marina on the south, Strongs Drive, Canal Court and Pacific Avenue on the west, and the Pacific Ocean on the west, as shown on Exhibit 2.

**Venice Canals Subarea**, adjacent to Grand, Sherman, Howland, Linnie, Carroll and Eastern Canals, located south of Virginia Court, north of Washington Boulevard and Sherman Canal Court, east of Strongs Drive and west of Patricia Court and Grand Canal Court as shown on Exhibit 3b.

**North Venice Subarea**, generally bounded by the Los Angeles City boundary line on the north, Thirtieth Place, Virginia Court and North Venice Boulevard on the south, Hampton Drive, Electric Avenue, Ocean Avenue, Patricia Court, and Strongs Drive on the east and Ocean Front Walk on the west, as shown on Exhibits 3a and 3b.

**Oakwood-Milwood-Southeast Venice Subarea**, generally bounded by the Los Angeles City boundary line on the north, Washington Boulevard on the south, Lincoln Boulevard on the east, and Hampton Drive, Electric Avenue, Patricia Court and Strongs Drive on the west, as shown on Exhibits 4a and 4b.

**Oxford Triangle Subarea**, generally bounded by Washington Boulevard on the north, the Los Angeles City boundary on the southwest, and Lincoln Boulevard on the east, as shown on Exhibit 5.

**Subarea A: generally bounded by Dell Avenue, North Venice Boulevard, South Venice Boulevard and Pacific Avenue, as shown on Exhibit 3b.**

Section 2. Section 5 of Ordinance No. 175,693 is amended to read as follows:

DEFINITIONS. The following words, whenever used in this Specific Plan, shall be construed as defined in this section. Words and phrases not defined here shall be construed as defined in LAMC Section 12.03 or 12.20.2.1, if defined there:

- a. **Architectural Features.** Features including, but not limited to, sculpture, bas relief, mosaic, mural, vents, porch, balcony, chimney, window and doorway.
- b. **Blank Wall.** A Street Wall or vehicle entry facing the street and having no architectural detailing, windows, doors or similar features.
- c. **Building Frontage.** The maximum length of a line or lines formed by connecting the points representing projections of the exterior building walls onto a public street or onto a courtyard that is directly accessible by pedestrians from a public street, whichever distance is greater.
- d. **Beach Impact Zone.** All lots located in the Marina Peninsula, Ballona Lagoon West Bank, Venice Canals and North Venice subareas described in Section 1, Exhibits 2, 3a and b, of this Specific Plan.
- e. **Change in Intensity of Use.** A change in intensity of use includes but is not limited to any addition, expansion or change in use on a site that involves: (a) a change in the total number of dwelling units; or (b) a change in the amount of Service Floor to a commercial or industrial use; or (c) a change in the number of trips as calculated in the Trip Table, Appendix C; or (d) a change in the number of provided or required parking spaces as calculated in Section 12 D and E of this Specific Plan.
- f. **Change of Use.** A change from (1) an existing residential use to a commercial or industrial use; or (2) an existing commercial use to a residential or industrial use; or (3) an existing industrial use to a residential or commercial use.
- g. **Encroachment.** Any structure or building or portion of a structure or building that projects into a right-of-way or required setback.
- h. **Environmentally Sensitive Habitat Area.** Any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.

- i. **Feasible.** Capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.
- j. **Fill.** Earth or any other substance or material, including pilings placed for the purposes of erecting a structure on it.
- k. **Flat Roof.** Any roof form which has a slope of 2 vertical inches or fewer to 12 horizontal inches.
- l. **Grand Canal Lot.** Any lot shown on Exhibit 2 of this Specific Plan that is immediately adjacent to Grand Canal.
- m. **Ground Floor.** The lowest story within a building, which is accessible to the street, the floor level of which is within three feet above or below curb level, which has frontage on or is primarily facing any pedestrian-oriented street, and which is at least 20 feet in depth or the total depth of the building, whichever is less.
- n. **Lagoon Buffer Strip.** The strip of land immediately adjacent to the Ballona Lagoon that separates the developable portion of a lot from the waters of Ballona Lagoon as approved in Coastal Commission Permit No. A-266-77 and Appeal No. A-266-77.
- o. **Lagoon Lot.** Any lot that is immediately adjacent to the Ballona Lagoon as shown on Exhibit 2 of this Specific Plan.
- p. **Local Coastal Program.** A program that includes land use plans, zoning ordinances, zoning district maps, and within sensitive coastal resource areas, other implementing actions, which when taken together meet the requirements and provisions of the California Coastal Act.
- q. **Lot Consolidation.** Lot consolidation occurs when: (1) one or more structures are built over a lot line that divided two existing lots; or (2) a lot line is abandoned, a lot line is adjusted, lots are merged, or other action is taken by the City, for the purpose of allowing a structure to be built extending over what were previously two or more separate lots.
- r. **Permeable.** A material that permits water penetration to a soil depth of 18 inches or more, including non-porous surface material poured or laid in sections not exceeding one square foot in area and collectively comprising less than two-thirds of the total surface area of loosely laid material such as crushed stone or gravel.
- s. **Premise.** A building or portion of a building used as a location for a single business or non-commercial use.
- t. **Replacement Affordable Unit.** Any affordable housing unit to be provided as replacement for an existing unit on a Venice Coastal Development Project site. Affordable housing units are dwelling units or guest rooms for which rental or mortgage payments do not exceed the limits stated in Section 65915 of the California Government Code. Dwelling units or guest rooms designated for lower income households, as defined in Section 50079.5 of the California Health and Safety Code, shall have rents not exceeding 30 percent of 60 percent of the area median income as set forth

on a rent schedule prepared by the City's Housing Department or any successor agency. In order for a Venice Coastal Development Project to qualify as a project containing affordable housing units, the owner shall record a document with the Los Angeles County Recorder guaranteeing that these affordability criteria will be observed for at least 30 years from the issuance of the Certificate of Occupancy.

- u. **Roof Access Structure.** An enclosed stairway or elevator housing that provides access to a roof, but contains no storage, habitable or living area.
- v. **Qualified Permanent Supportive Housing Project.** The construction of, addition to, or remodeling of a building or buildings offering Supportive Housing; and where all of the total combined Dwelling Units or Guest Rooms, exclusive of any manager's units, are affordable. For the purposes of this subdivision, affordable means that rents or housing costs to the occupying residents do not exceed 30 percent of the maximum gross income of Extremely Low, Very Low or Low Income households, as those income ranges are defined by the United States Department of Housing and Urban Development (HUD) or any successor agency, as verified by the Housing & Community Investment Department (HCIDLA). A minimum of 50 percent of the total combined Dwelling Units or Guest Rooms is occupied by the Target Population.
- w. **Service Floor.** All areas where the customer can be served, except the restroom, including the indoor and outdoor dining area, bar, waiting room and tavern.
- x. **Store Frontage.** The horizontal length of a Premise abutting the exterior public access level walkway that serves the Premise.
- y. **Street Wall.** An exterior wall of a building that faces a street.
- z. **Supportive Housing.** Housing with no limit on length of stay for persons with low incomes who have one or more disabilities and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people. The housing is linked to onsite or offsite Supportive Services, and any Floor Area used for Supportive Services shall be considered accessory to the residential use.
- aa. **Supportive Services.** Services that are provided on a voluntary basis to residents of Supportive Housing and Transitional Housing, including, but not limited to, a combination of subsidized, permanent housing, intensive case management, medical and mental health care, substance abuse treatment, employment services, benefits advocacy, and other services or service referrals necessary to obtain and maintain housing.
- bb. **Target Population.** Persons with qualifying lower incomes who (i) have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, and are homeless as defined by any Los Angeles City, Los Angeles County, State of California, or Federal guidelines; or (ii) are chronically homeless, as defined by any Los Angeles City, Los Angeles County, State of California, or Federal guidelines.
- cc. **Trip.** A single or one direction vehicle movement with either origin or destination (exiting or entering) inside the Venice Coastal Development Project site.

**dd. Varied Roofline.** Any roof that has a slope in excess of 2 inches to 12 inches, including but not limited to a sloped or curved roofline.

**ee. Venice Coastal Development Project.** Any of the following actions taken on any lot located in whole or in part within the area identified in Exhibit 1a and b of this Specific Plan. On land, in or under water, the placement or erection of any solid material or structure; the discharge or disposal of any dredged material or of any gaseous, liquid, solid or thermal waste; the grading, removing, dredging, mining or extraction of any materials; any change in the density or intensity of use of land, including, but not limited to, subdivisions pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of the land by a public agency for public recreational use; any change in the intensity of use of water or of access to the water; construction, reconstruction, demolition or alteration of the size of any structure, including any facility of any private, public or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations, which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511 of the Public Resources Code). On-site and off-site parking areas that serve a Venice Coastal Development Project shall be considered a part of the project.

**ff. Venice Coastal Zone.** The area within the Venice Community Plan area west of Lincoln Boulevard, including those lots fronting on the west side of Lincoln Boulevard and shown on the Specific Plan Area map, Exhibit 1a and b.

**gg. Walk Street.** A public street in the Venice Coastal Zone that has been improved for public pedestrian use over part of its width and is landscaped (publicly or privately) over the remainder, but which has not been improved for public vehicular access, as identified in Appendix A of this Specific Plan and as shown on Exhibits 16 a and b.

Section 3. Section 9 of Ordinance No. 175,693 is amended to read as follows:

**GENERAL LAND USE AND DEVELOPMENT REGULATIONS.** In addition to the regulations contained in Chapter 1 of the LAMC and as shown on Exhibits 6-15, the following regulations shall apply. These provisions shall not apply to Qualified Permanent Supportive Housing Projects in Subarea A.

Section 4. A new Section 10.I is added to Ordinance No. 175,693 to read as follows:

**I. SUBAREA A**

a. **Use.** The use and area regulations of the C2 zone shall apply to all lots in Subarea A, except that residential uses are permitted provided the project meets the definition of Qualified Permanent Supportive Housing Project and comply with the following requirements:

i. **Supportive Services.** Applicants shall provide documentation

describing the Supportive Services that will be provided onsite and offsite. Prior to any approval of a Qualified Permanent Supportive Housing Project, the applicant shall submit information demonstrating that Supportive Services will be provided to residents of the project. The applicant shall indicate the name of the entity or entities that will provide the Supportive Services, the Local Public Agency funding source(s) for those services, and proposed staffing levels. If a preliminary funding commitment is needed, the applicant shall also submit a signed letter of intent from the Local Public Agency verifying that it is providing a preliminary funding commitment for the Supportive Services. If no funding commitment is needed, the applicant shall demonstrate that the entity or entities that will provide the Supportive Services are service providers prequalified by a Local Public Agency.

- ii. Affordable Housing Covenant. Projects shall record a covenant acceptable to HCIDLA that reserves and maintains the total combined number of Dwelling Units and Guest Rooms designated as restricted affordable for at least 55 years from the issuance of the Certificate of Occupancy.
- iii. Housing Replacement. Projects shall meet any applicable dwelling unit replacement requirements of California Government Code Section 65915(c)(3), or as thereafter amended, as verified by HCIDLA, and all applicable covenant and monitoring fees in Section 19.14 of this Code shall be paid by the applicant prior to the issuance of any building permit.

b. **Density.** No project shall exceed the density permitted in the R3 zone.

c. **Height.**

- i. All projects shall be limited to a maximum height of 35 feet.
- ii. One (1) campanile structure may exceed the maximum height of 35 feet. A maximum height of 67 feet is permitted, measured to the top of the Roof Access Structure.

d. **Canal Setback**

- i. An average setback of 15 feet, but not less than ten feet shall be maintained in the front yard adjacent to the property line which faces the canal.
- ii. An open, Permeable yard with an area of at least 15 times the lot width and a minimum area of 450 square feet shall be maintained between the property line that faces the canal and the front of any structure. No Fill nor building extensions, including stairs and balconies, shall be placed in or over the required Permeable front yard area except fences up to 42

inches in height or Permeable decks at grade level not more than 18 inches high.

e. **Access.**

- i. Driveways and vehicular access to Venice Coastal Development Projects shall be provided from North Venice and South Venice Boulevards, unless the Department of Transportation determines that it is not Feasible. New and existing curb cuts shall be minimized in order to protect and maximize public on-street parking opportunities.

Section 5. Maps of Ordinance 175,693 is amended as follows:



## Exhibit 2a Venice Coastal Zone

Note: Map does not show area of Palms • Del Rey portion of coastal zone that is located inland of Lincoln Boulevard.





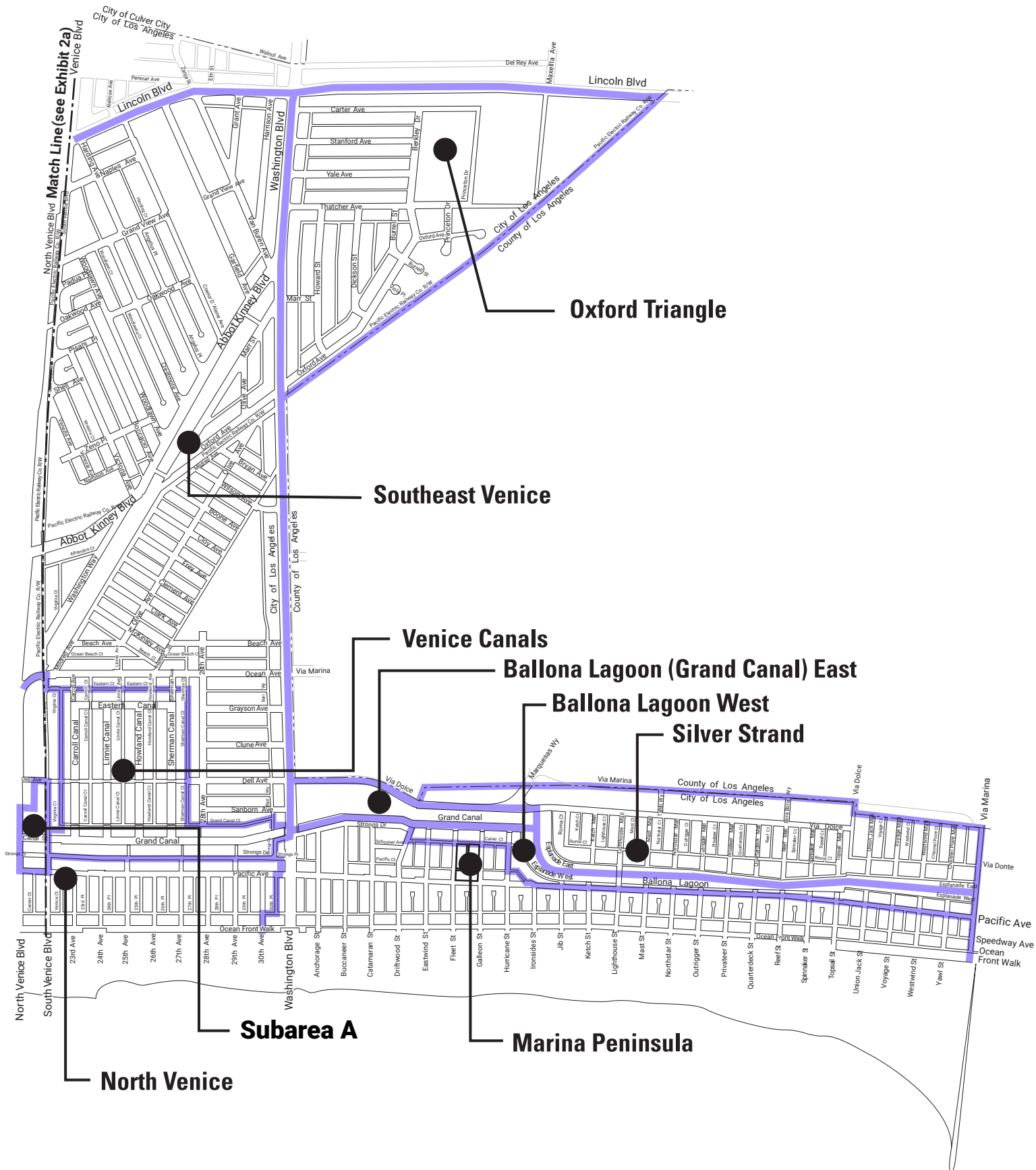
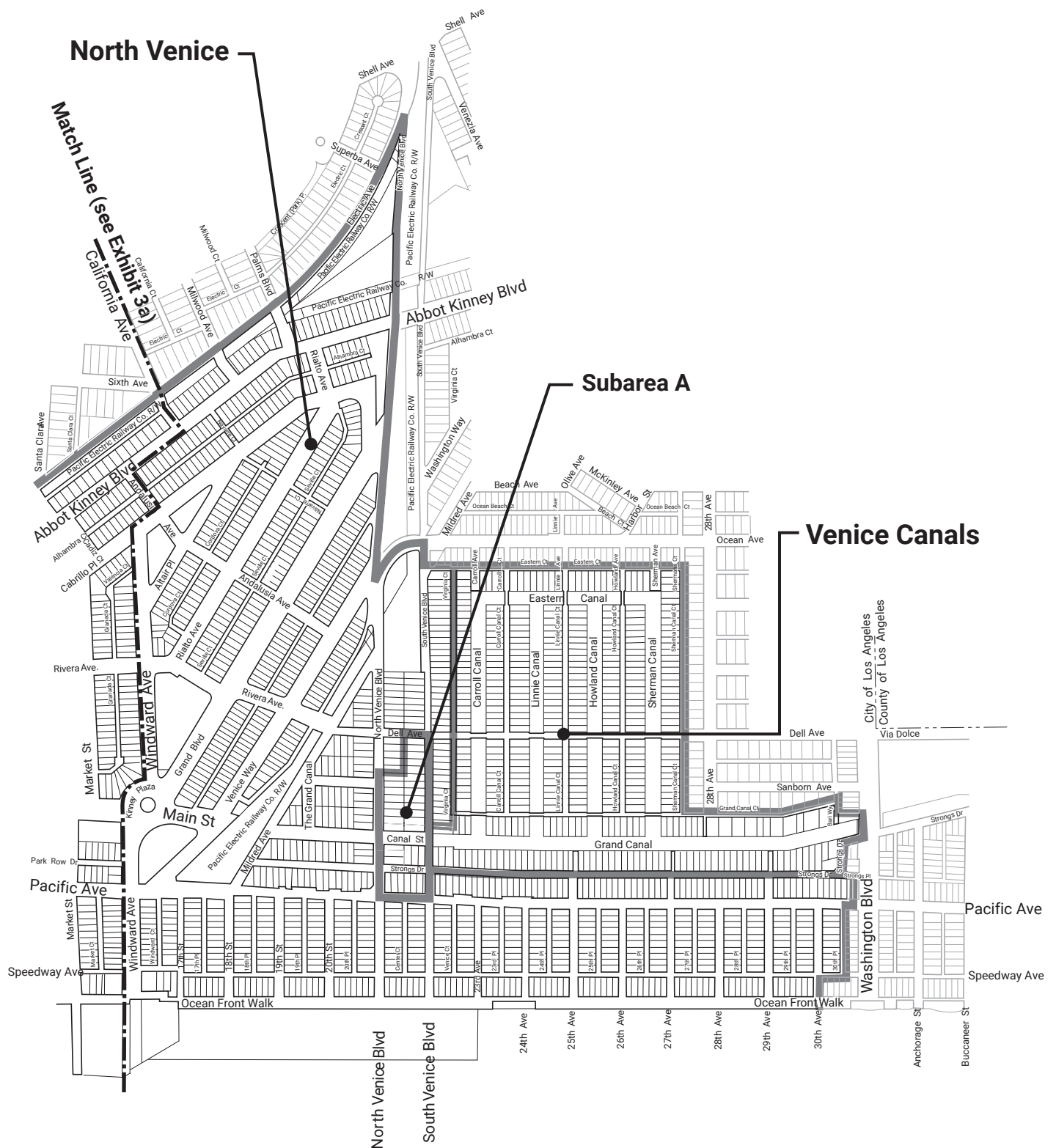
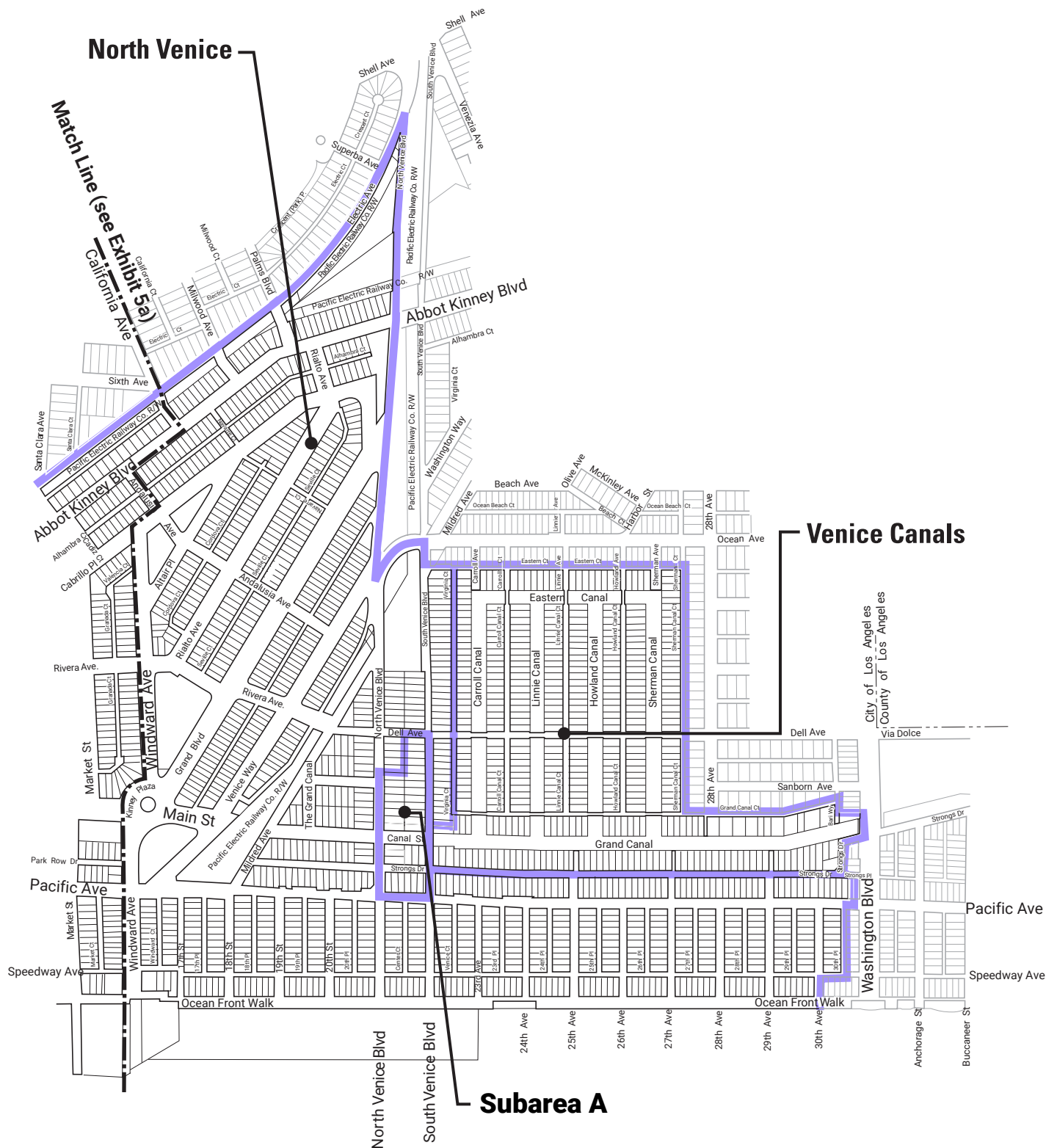


Exhibit 2b  
Venice Coastal Zone



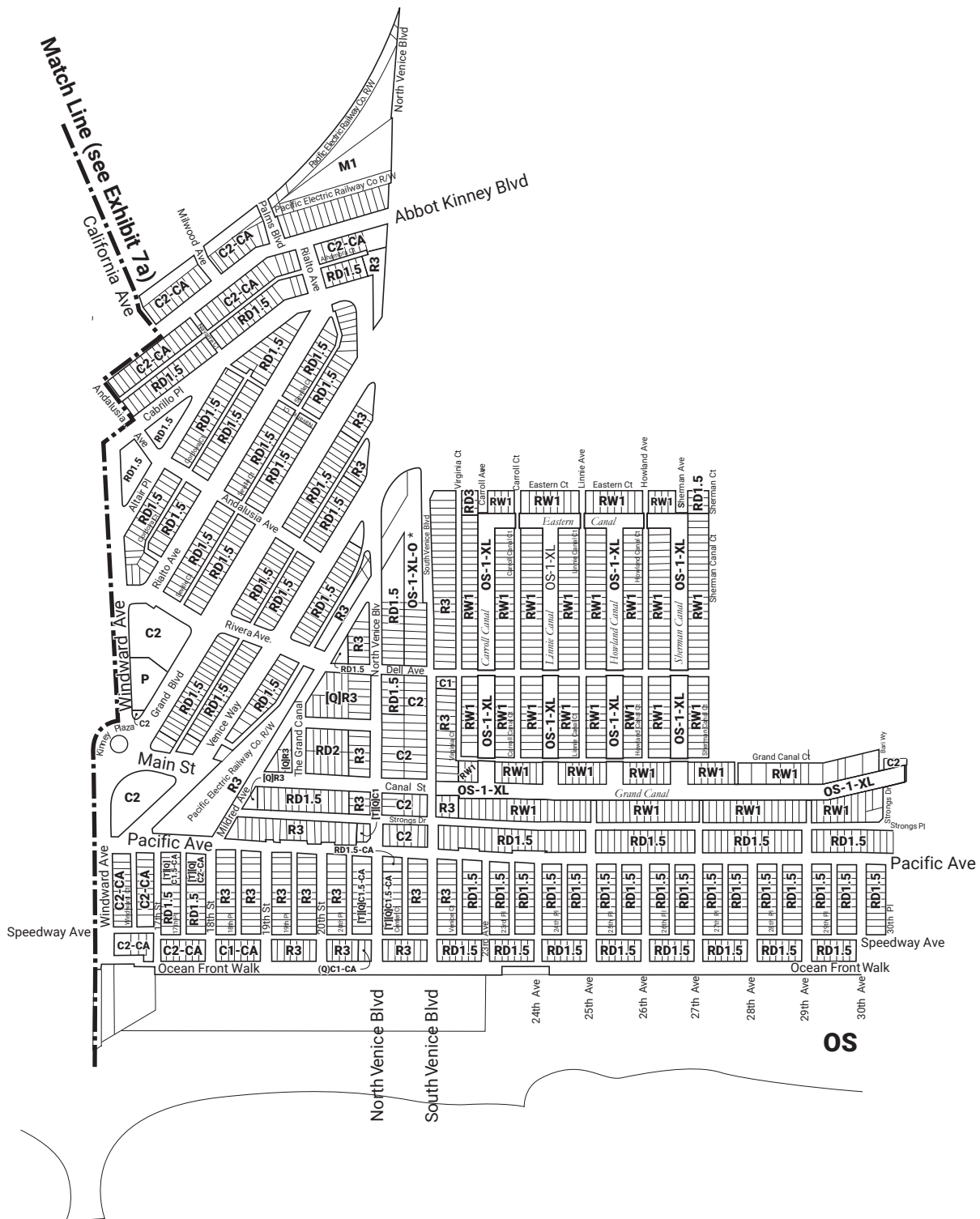
**Exhibit 3b**  
**Subarea: North Venice • Venice Canals**





**Exhibit 5b**  
**Subarea: North Venice • Venice Canals**





**Exhibit 7b**  
**Existing Zoning**  
**Subarea: North Venice • Venice Canals**

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# Exhibit 4

## **PLANNING AND LAND USE MANAGEMENT COMMITTEE**

**Tuesday, February 1, 2022**

**JOHN FERRARO COUNCIL CHAMBER, ROOM 340, CITY HALL - 2:00 PM  
200 NORTH SPRING STREET, LOS ANGELES, CA 90012**

**MEMBERS: COUNCILMEMBER MARQUEECE HARRIS-DAWSON, CHAIR  
COUNCILMEMBER GILBERT A. CEDILLO  
COUNCILMEMBER BOB BLUMENFIELD  
COUNCILMEMBER JOHN S. LEE  
COUNCILMEMBER MONICA RODRIGUEZ**

**Armando Bencomo - Legislative Assistant - (213) 978-1080  
(Questions can be submitted to [clerk.plumcommittee@lacity.org](mailto:clerk.plumcommittee@lacity.org))**

Pursuant to Assembly Bill 361, and due to concerns over COVID-19, this Los Angeles City Council committee meeting will take all public comment by teleconference.

The audio for this meeting is broadcast live on the internet at <https://clerk.lacity.org/calendar>. The live audio can also be heard at: (213) 621-CITY (Metro), (818) 904-9450 (Valley), (310) 471-CITY (Westside) and (310) 547-CITY (San Pedro Area). If the live audio is unavailable via one of these channels, members of the public should try one of these other channels.)

Members of the public who would like to offer public comment on the items listed on the agenda should call 1 669 254 5252 and use Meeting ID No. 161 644 6631 and then press #. Press # again when prompted for participant ID. Once admitted into the meeting, press \*9 to request to speak.

Requests for reasonable modification or accommodation from individuals with disabilities, consistent with the Americans with Disabilities Act can be made by contacting the City Clerk's Office at (213) 978-1133. For Telecommunication Relay Services for the hearing impaired, please see the information located at the end of this agenda.

**Submit written comment at [LACouncilComment.com](https://LACouncilComment.com)**

**Click [here](#) for agenda packets**

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Note: For information regarding the Committee and its operations, please contact the Committee Legislative Assistant at the phone number and/or email address listed above. The Legislative Assistant may answer questions and provide materials and notice of matters scheduled before the City Council. Sign Language Interpreters, Communication Access Real-Time Transcription (CART), Assistive Listening Devices, or other auxiliary aids and/or services may be provided upon request. To ensure availability, you are advised to make your request at least 72 hours prior to the meeting/event you wish to attend. Due to difficulties in securing Sign Language Interpreters, five or more business days notice is strongly recommended. For additional information, please contact the Legislative Assistant listed above.

Notice to Paid Representatives: If you are compensated to monitor, attend, or speak at this meeting, City law may require you to register as a lobbyist and report your activity. See Los Angeles Municipal Code 48.01 et seq. More information is available at [ethics.lacity.org/lobbying](http://ethics.lacity.org/lobbying). For assistance, please contact the Ethics Commission at (213) 978-1960 or [ethics.commission@lacity.org](mailto:ethics.commission@lacity.org).

## **MULTIPLE AGENDA ITEM COMMENT**

### **GENERAL PUBLIC COMMENT**

#### **ITEM(S)**

(1) **21-0383-S1  
CD 13**

#### **REQUEST TO CONTINUE TO APRIL 5, 2022**

Statutory Exemption from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code (PRC) Section 21155.1; report from the Los Angeles City Planning Commission (LACPC), and an Appeal filed by Susan Winsberg, on behalf of Franklin Corridor Communities, from the determination in part of the LACPC in approving a Conditional Use, pursuant to Section 12.24 U.26 of the Los Angeles Municipal Code (LAMC), for a total of 115-percent Density Bonus for a Housing Development Project in which the density increase is greater than the maximum permitted in LAMC Section 12.22 A.25, allowing a total of 200 dwelling units in lieu of 93 base density as otherwise permitted in the [Q]R5-2 and R4-2 Zones; approving a Specific Plan Project Permit Compliance Review with Conditions, pursuant to LAMC Section 11.5.7 C, for the demolition of existing improvements and trees for the construction, use, and maintenance of a 17-story, 200-unit residential building within Subarea C of the Vermont/Western Transit Oriented District Station Neighborhood Area Plan (SNAP) Specific Plan; and, approving a Site Plan Review, pursuant to LAMC Section 16.05, for a development project which creates, or results in an increase of 50 or more dwelling units; for the demolition of an existing two-story commercial structure, a three-story 14-unit apartment building, associated surface parking, a vacant lot, and removal of 27 non-protected on-site and off-site trees; and the construction of a 200-unit apartment building with 40 units restricted to Very Low-Income Households, on an approximately 37,135 square-foot (0.85 acre) site within Subarea C of the Vermont/Western SNAP Specific Plan; the proposed project includes a 17-story, 200-foot residential tower, with two subterranean parking levels, and a total of 222,234 square feet of floor area resulting in a floor area ratio of 6.0:1; the project will provide 265 vehicular parking spaces located in a five-level parking garage, 100 long-term and 13 short-term bicycle parking spaces, 22,897 square feet of usable open



space, and 75 on-site and 16 street trees; and, the project will require the export of approximately 59,000 cubic yards of soil; for the properties located at 5600-5606 West Hollywood Boulevard, 1655-1679 North St. Andrews Place, and 5607 West Carlton Way, subject to Modified Conditions of Approval. **[On June 29, 2021, the City Council considered and approved the Sustainable Communities Project Exemption (SCPE), Case No. ENV-2020-4297-SCPE, for the proposed project through Council file No. 21-0383, with the determination that based on the whole of the administrative record, the proposed project is statutorily exempt from CEQA as a Sustainable Communities Project pursuant to PRC Section 21155.1.]**

Applicant: Sean Beddoe, BWC/St. Andrews, LP

Representative: Matt Dzurec, Armbruster Goldsmith and Delvac LLP

Case No. CPC-2020-4296-CU-DB-SPP-SPR-VHCA-PHP-1A

Environmental No. ENV-2020-4297-SCPE

Fiscal Impact Statement: Yes

Community Impact Statement: None submitted

(2) **15-0103-S4**

Motion (Raman – Price – Bonin – Martinez) relative to instructing the Department of City Planning to report to the Council within 90 days following the adoption of the 2021-2029 Housing Element with a detailed work plan and timeline for a comprehensive review and update to the Health and Wellness Element, and/or the General Plan Framework Element, and/or the creation of a standalone Environmental Justice Element, to guide the City's climate, land use, and housing policies alongside the citywide rezoning program; this work plan should include funding, staff, and resources required to carry out this critical task; and, the report should include an evaluation of Chapter 8 Implementation Programs of the Plan for a Healthy Los Angeles, also known as the Health and Wellness Element, that identifies the barriers, challenges, and opportunities for successful implementation; identify impacted and disadvantaged communities using CalEnviroScreen and other demographic data highlighting housing insecurity and climate displacement risk, proximity to freeways and noxious land uses, formerly redlined areas and current high opportunity and high poverty areas, and



other important population characteristics that capture environmental racism; develop a strategy for thorough public outreach and community engagement, especially to marginalized, historically underserved, and disadvantaged communities; establish and convene an Environmental Justice Working Group composed of resident leaders and community organizations representing impacted communities, subject area experts, and City staff from relevant City departments to co-develop targeted environmental justice priorities, policy recommendations, and solutions-oriented implementation actions; detail a process to conduct a climate change vulnerability assessment in order to guide priorities in climate adaptation, emergency and safety preparedness, risk management, and community resilience; and, include a plan for regular maintenance and updates to the City's General Plan to ensure that it exceeds state standards, exemplifies best practices in environmental justice planning, and maintains active stakeholder involvement.

Community Impact Statement: None submitted

(3) **14-1635-S10**

Motion (Raman – Blumenfield – Bonin – Koretz – de León) relative to instructing the Department of City Planning (DCP), with the assistance of the Los Angeles Department of Building and Safety (LADBS), Los Angeles Housing Department, Los Angeles Police Department, City Attorney's Office, Office of Finance, and any other City departments, as needed, to report to the Council within 90 days with an analysis that considers the recommendations for how the City can address, among other issues that may emerge in the report-back process, non-compliant hosts renting out properties listed as a primary residence in which they do not live, the conversion of critical affordable housing stock such as rent-stabilized units and covenanted affordable housing units into short-term rentals, the conversion of multifamily residential structures to short-term rentals, short-term rentals engaging in a commercial uses/activities, and properties being rented for longer periods of time than is permitted; enforcement mechanisms that could be implemented in the City of Los Angeles, such as escalating citations and fines, license revocations, and criminal penalties; the home sharing regulatory and enforcement models of other cities, including but not limited to, Austin, New Orleans, and San Francisco, nationally, and Lisbon, Portugal, Toronto, Canada, and Berlin, Germany, internationally; strategies for ensuring that all home-sharing platforms operating within the City of Los Angeles enter into platform agreements

requiring the sharing of data with the City; strategies for implementing and/or improving real-time data collection, trend monitoring, address identification, compliance monitoring, monthly status reports, and the processing of violations by City departments and complaints by residents; and the hiring of additional staff or the creation of a dedicated unit, office, or department that would consolidate the various aspects of home sharing compliance and enforcement in one multidisciplinary team; and, instructing the DCP, working with the LADBS, Information Technology Agency, and any other relevant City departments, to report to the Council within 90 days with a plan for the creation of a centralized, digital database or platform that is updated on a continual basis to better coordinate data tracking of non-compliant properties for monitoring and enforcement purposes; and, to ensure, within 90 days, that the public would be able to view on an existing or new publicly accessible online database or platform, whether any property in the City has a Home-Sharing License, a Home-Sharing License Renewal, or an Extended Home-Sharing License. **(Also referred to Housing Committee)**

Community Impact Statement: Yes

For:

Westside Neighborhood Council  
Hollywood Hills West Neighborhood Council  
Los Feliz Neighborhood Council  
Mar Vista Community Council  
East Hollywood Neighborhood Council  
Arroyo Seco Neighborhood Council  
Bel Air-Beverly Crest Neighborhood Council  
Atwater Village Neighborhood Council  
Wilshire Center Koreatown Neighborhood Council  
Hermon Neighborhood Council  
Echo Park Neighborhood Council  
Studio City Neighborhood Council

(4) **21-1481**  
**CD 9**

Mitigated Negative Declaration (MND), No. ENV-2019-6290-MND, Mitigation Measures, Mitigation Monitoring Program prepared for the MND, and related California Environmental Quality Act findings; reports from the Los Angeles City Planning Commission (LACPC) and Mayor, Resolution for a General Plan Amendment to the South Los Angeles Community

Plan to change the land use designation of the site from the existing Low Medium II Residential to the proposed Community Commercial designation, pursuant to Sections 555, 556, and 558 of the City Charter and Section 11.5.6 of the Los Angeles Municipal Code (LAMC); and, draft Ordinance effectuating a Zone Change and Height District Change to the zoning and height district from the existing RD1.5-1-O to (T)[Q]C2-1D-O, pursuant to LAMC Section 12.32 F; for the demolition of an existing surface parking lot with 247 parking spaces for AAA employees, and the development of a new 201,345 square-foot, four and a half-story parking structure with up to 750 parking spaces (including 15 ADA accessible spaces), and up to 70 long-term and short-term bicycle parking spaces to serve AAA employees; the parking structure will be approximately 48 feet; the project includes a total of 18,206 square feet of open space, including 13,473 square feet of landscaped area; for the property located at 640-700 West 27th Street, subject to Conditions of Approval.

Applicant: Raju T. Varma, ACSC Management Services, Inc.

Representative: Alfred Fraijo Jr. Sheppard Mullin Richter and Hampton LLP

Case No. CPC-2019-6289-GPA-ZC-HD

Environmental No. ENV-2019-6290-MND

Fiscal Impact Statement: Yes

Community Impact Statement: None submitted

(5) **21-0829-S1**  
**CD 11**

Motion (Bonin – Raman) relative to requesting the Council to rescind its action, dated December 1, 2021, adopting the Resolution to amend the Venice Community Plan and Venice Land Use Plan through Council File No. 21-0829-S1, and reconsider the matter to amend the Resolution recommended by the Los Angeles City Planning Commission (LACPC) to remove Exhibits 11b – Height and 15 – Buffer/Setback, and include the correct set of Exhibits to the Venice Land Use Plan [Exhibits 2a – Venice Coastal Zone, 2b – Venice Coastal Zone, 5b – Subarea North Venice and Venice Canals, 10b – Land Use Plan (Map) North Venice and Venice Canals, 14b – Height Subarea North Venice and Venice Canals, and 17a – Coastal Access Map] as part of the Council file; and, pursuant to City Charter Section 555, refer the Council's amendment to the LACPC and the

Mayor for review and consideration, if adopted; for the properties located at 2102-2120 South Pacific Avenue, 116-302 East North Venice Boulevard, 2106-2116 South Canal Street, and 319 East South Venice Boulevard.

Applicants: Sarah Letts, Hollywood Community Housing Corporation and Rebecca Dennison, Venice Community Housing Corporation

Representative: Christopher Murray, Rosenheim and Associates, Inc.

Case No. CPC-2018-7344-GPAJ-VZCJ-HD-SP-SPP-CDP-MEL-SPR-PHP-1A

Environmental No. ENV-2018-6667-SE

Related Case: VTT-82288-2A

Community Impact Statement: None submitted

(6) **21-1200-S59**

**TIME LIMIT: 2/10/22; LAST DAY FOR COUNCIL ACTION: 2/9/22**

Communication from the Mayor relative to the appointment of Mr. Steve Kang to the Central Los Angeles Area Planning Commission for the term ending June 30, 2022, to fill the vacancy created by the resignation of Ms. Jennifer Chung.

Financial Disclosure Statement: Filed

Background Check: Completed

Community Impact Statement: None submitted

(7) **21-1083**

Motion (Harris-Dawson – Price) relative to amending the initial Motion (Harris-Dawson – Price – de León – Ridley-Thomas – Raman), introduced on September 29, 2021, attached to Council file (CF) 21-1083, requesting the City Attorney to prepare and present an Ordinance with an Urgency Clause, and with instructions to the Department of Cannabis Regulation (DCR) relative to the implementation of cannabis licensing changes to increase speed and equity in the process, to include the draft proposal and instructions included in the Motion (Harris-Dawson – Price) that

were referenced in the initial Motion but inadvertently omitted; report from the DCR, dated January 27, 2022, relative to the DCR's Interim Budget Request and proposed Ordinance Amendments; report from the DCR, dated October 29, 2021, relative to proposed Ordinance amendments to Los Angeles Municipal Code Section 104.00, et. seq., concerning cannabis licensing processes; report from the DCR, dated November 16, 2021, relative to the DCR's response to the PLUM Committee's recommendations, dated November 2, 2021; and, report from the Cannabis Regulation Commission (CRC), dated December 6, 2021, relative to the CRC's position on policy recommendations in CF 21-1083. **(Also referred to Budget and Finance Committee, Immigrant Affairs, Civil Rights, and Equity Committee; Information, Technology, and General Services Committee; and, Personnel, Audits, and Animal Welfare Committee)**

Fiscal Impact Statement: No

Community Impact Statement: Yes

Against, Unless Amended: Studio City Neighborhood Council

(8) **21-1356**  
**CD 8**

Categorical Exemption from the California Environmental Quality Act (CEQA) pursuant to Article 19, Section 15308, Class 8, and Article 19, Section 15331, Class 31 of the State CEQA Guidelines, and report from the Cultural Heritage Commission relative to the inclusion of the Eddie "Rochester" Anderson House, located at 1924-1932 Rochester Circle, in the list of Historic-Cultural Monuments.

Applicant: Teresa Grimes, Teresa Grimes Historic Preservation

Owners: Eva Moore Anderson, et al., Moore Vision Asset Management, and Rosa Maria Santos

Case No. CHC-2021-4678-HCM

Environmental No. ENV-2021-4679-CE

Fiscal Impact Statement: No

Community Impact Statement: None submitted

(9) **21-1350**  
**CD 8**

Categorical Exemption from the California Environmental Quality Act (CEQA) pursuant to Article 19, Section 15308, Class 8, and Article 19, Section 15331, Class 31 of the State CEQA Guidelines, and report from the Cultural Heritage Commission relative to the inclusion of the Paul Revere Williams House, located at 1271 West 35th Street, in the list of Historic-Cultural Monuments.

Applicant: Adrian Scott Fine, Los Angeles Conservancy

Owners: Luther J. and Dorothy Bass

Case No. CHC-2021-6684-HCM

Environmental No. ENV-2021-6685-CE

Fiscal Impact Statement: No

Community Impact Statement: None submitted

(10) **21-1314**  
**CD 3**

Statutory Exemption from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code (PRC) Section 21155.4, Mitigation Monitoring Program, and related CEQA findings; report from the South Valley Area Planning Commission (SVAPC), and an Appeal filed by Mitchell M. Tsai, of Mitchell M. Tsai, Attorney at Law PC, on behalf of the Southwest Regional Council of Carpenters, from the determination of the SVAPC in approving a Statutory Exemption as the environmental clearance for a project involving the demolition of a 40,965 square-foot one-story office building on a 93,839 square-foot lot after dedications, and the construction of a two-phase, two-building project totaling 422,262 square feet; Phase 1 includes the construction of a new 230,029 square-foot, mixed-use, seven-story building that measures 85 feet and six inches in height; the building is comprised of 210,988 square feet of Residential Floor Area, a maximum of 194 dwelling units, and includes 2,512 square feet divided among four Work-Live Units; Phase 1 also includes 19,041 square feet of Non- Residential Floor Area comprised of a maximum of eight hotel units, 1,764 square feet divided among four Work-Live Offices, 3,545 square-foot lobby and leasing office, a 1,743 square-foot cafe, a 1,744 square-foot commercial retail space, a 4,237 square-foot fitness

center, and a 275 square-foot dog spa; Phase 1 provides three levels of parking, one of which is subterranean, and will provide 288 residential parking spaces and 30 non-residential parking spaces, totaling a maximum of 317 parking spaces; and, Phase 1 also includes a sign program; Phase 2 includes a 22- story, 192,233 square-foot, and 327-foot in height office building (Commercial Tower Building) with a lobby on the ground floor; the Phase 2 building also includes four levels of parking, two of which are subterranean, totaling a maximum of 234 vehicle parking spaces; for the property located at 21300-21320 Califa Street.

Applicant: Sharon Shawn Evenheim, De Soto WH, LLC c/o California Home Builders

Case No. DIR-2018-2713-SPP-2A

Environmental Nos. ENV-2008-3471-EIR; SCH No. 1990011055

Fiscal Impact Statement: Yes

Community Impact Statement: None submitted

(11) **21-1271**  
**CD 4**

Categorical Exemption from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15301, Class 1, and related CEQA findings; report from the East Los Angeles Area Planning Commission (ELAAPC), and an Appeal filed by David Wheatley from the determination of the CLAAPC in approving a Categorical Exemption as the environmental clearance for a Conditional Use to allow the sale and dispensing of beer for on-site and off-site consumption in conjunction with a proposed 920 square-foot coffee shop with 4 seats, having hours of operation from 7:00 a.m. to 10:00 p.m., Sunday through Wednesday, and from 7:00 a.m. to 12:00 a.m., Thursday through Saturday; for the property located at 2894 West Rowena Avenue (2894-2896 West Rowena Avenue).

Applicant: Makisupa LA, LLC

Representative: Manny Diaz and Eddie Navarrette, FE Design and Consulting

Case No. ZA-2021-1634-CUB-1A

Environmental No. ENV-2021-1635-CE-1A

Fiscal Impact Statement: Yes

Community Impact Statement: None submitted

(12) **21-1289**  
**CD 4**

**TIME LIMIT AND LAST DAY FOR COUNCIL ACTION: 2/4/22**

Categorical Exemption from the California Environmental Quality Act (CEQA) pursuant to Article 19, Section 15332, Class 32, of the CEQA Guidelines, and related CEQA findings; report from the Central Los Angeles Area Planning Commission (CLAAPC), and an Appeal filed by David Wheatley from the determination of the CLAAPC in approving a Categorical Exemption, denying the Appeal and sustaining the Deputy Advisory Agency's determination, dated July 28, 2021; and, approving with conditions, pursuant to Sections 17.06 and 17.15 of the Los Angeles Municipal Code (LAMC), a Vesting Tentative Tract Map No. 82658-SL located at 2820 North Avenel Street, for a small lot subdivision of one 8,295.2 square-foot site into five small lots, pursuant to LAMC Section 12.22 C.27, as shown on the map stamp-dated July 27, 2021, in the Hollywood Community Plan, and one accessory dwelling unit; each small lot will be developed with a small lot home with a maximum building height of 30 feet, and will provide two parking spaces per dwelling unit, for a total of ten parking spaces; the site is currently developed with one single-family dwelling and one duplex, seven non-protected on-site trees, and no existing protected trees; all existing structures and trees are proposed to be removed to clear the lot; the project involves the export of up to 500 cubic yards of earth; for the property located at 2820 North Avenel Street (2820 North Avenel Street and 2820 1/2 North Avenel Street), subject to Conditions of Approval.

Applicant: Dan Arthofer and Erin Arthofer, LA PALOMA HOMES, Inc.

Representative: Tracy A. Stone

Case No. VTT-82658-SL-2A

Environmental No. ENV-2019-4140-CE

Fiscal Impact Statement: Yes

Community Impact Statement: None submitted



(13) **21-0627**  
**CD 4**

CONTINUED FROM 11/02/21

Categorical Exemption from the California Environmental Quality Act (CEQA) pursuant to Article 19, Section 15332 (Class 32) of the CEQA Guidelines, and related CEQA findings; report from Department of City Planning, and an Appeal filed by Susan Guralnik, Franklin Corridor Communities (Representative: John Girodo, Franklin Corridor Communities), from the Director of Planning's determination in approving a Categorical Exemption as the environmental clearance for a proposed qualifying Tier 3 Transit Oriented Communities project involving the construction, use, and maintenance of a residential building with a total of 28 units, including three units reserved for Extremely Low Income households for a period of 55 years, and a total floor area of approximately 26,428 square feet for an approximate Floor Area Ratio of 4.5:1; the proposed unit mix consists of 8 loft units, 4 one-bedroom units, and 16 two-bedroom units; the building is proposed to be 65 feet, 9 inches in height, built to six stories plus a roof deck (the measurement of building height may exclude roof structures and equipment as defined by Section 12.21.1 of the Los Angeles Municipal Code), providing a total of 3,304 square feet of open space comprised of 1,300 square feet of private open space and 2,004 square feet of common open space, including the roof deck; the proposed project will have one level of at-grade parking and one level of subterranean parking containing 17 automobile parking spaces and 31 bicycle stalls; for the properties located at 6555-6561 West Franklin Avenue.

Applicant: Erwin One, LLC

Representative: Heather Lee, Ketter and Associates

Case No. DIR-2020-7352-TOC-HCA

Environmental No. ENV-2020-7353-EAF-1A

Fiscal Impact Statement: No

Community Impact Statement: None submitted

If you challenge this Committee's action(s) 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.

Materials relative to items on this agenda can be obtained from the Office of the City Clerk's Council File Management System, at [lacouncilfile.com](http://lacouncilfile.com) by entering the Council File number listed immediately following the item number (e.g., 00-0000).

### **Telecommunication Relay Services**

Telephone communication is one of the most important forms of communication in society today. Due to advancements in technology, telephone devices have evolved with new services and capabilities. Individuals who are deaf and hard of hearing, and individuals with a speech disability are following these trends and are rapidly migrating to more advanced telecommunications methods, both for peer-to-peer and third-party telecommunications relay service (TRS) communications.

Telecommunications Relay Service is a telephone service that allows persons with hearing or speech disabilities to place and receive telephone calls. TRS is available in all 50 states, the District of Columbia, Puerto Rico and the U.S. territories for local and/or long distance calls. TRS providers - generally telephone companies - are compensated for the costs of providing TRS from either a state or a federal fund. There is no cost to the TRS user.

What forms of TRS are available? There are several forms of TRS, depending on the particular needs of the user and the equipment available: TRS includes: Text to Voice TIY-Based TRS; Speech-to-Speech Relay Service; Shared Non-English Language Relay Service; Captioned Telephone Relay Service; Internet Protocol Relay Service; and Video Relay Service. Please visit this site for detail descriptions, <https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs>.

Don't hang up! Some people hang up on TRS calls because they think the CA is a telemarketer. If you hear, "Hello. This is the relay service . . ." when you pick up the phone, please don't hang up! You are about to talk, through a TRS provider, to a person who is deaf, hard-of-hearing, or has a speech disability.

For more information about FCC programs to promote access to telecommunications services for people with disabilities, visit the FCC's Disability Rights Office website.

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# Exhibit 5



# AGENDA

## LOS ANGELES CITY COUNCIL

CALLED BY THE COUNCIL  
PRESIDENT

SPECIAL COUNCIL MEETING  
**Wednesday, February 2, 2022**

**11:30 AM**

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

Submit written comment at  
[LACouncilComment.com](https://LACouncilComment.com)

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President  
NURY MARTINEZ, Sixth District

President Pro Tempore  
MITCH O'FARRELL, Thirteenth District

Assistant President Pro Tempore  
VACANT

GILBERT A. CEDILLO, First District  
PAUL KREKORIAN, Second District  
BOB BLUMENFIELD, Third District  
NITHYA RAMAN, Fourth District  
PAUL KORETZ, Fifth District  
MONICA RODRIGUEZ, Seventh District  
MARQUEECE HARRIS-DAWSON, Eighth District  
CURREN D. PRICE, JR., Ninth District  
VACANT, Tenth District  
MIKE BONIN, Eleventh District  
JOHN S. LEE, Twelfth District  
KEVIN DE LEÓN, Fourteenth District  
JOE BUSCAINO, Fifteenth District

PUBLIC COMMENT

Pursuant to Assembly Bill 361, and due to concerns over Covid-19, the City Council will take all public comment by teleconference.

CITY COUNCIL MEETINGS ARE BROADCAST LIVE ON CABLE TELEVISION CHANNEL 35 AND ON THE INTERNET AT: [HTTPS://CLERK.LACITY.ORG/CALENDAR](https://clerk.lacity.org/calendar). 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)

Members of the public who wish to offer public comment to the Council should call 1 669 254 5252 and use Meeting ID No. 160 535 8466 and then press #. Press # again when prompted for participant ID. Once admitted into the meeting, press \*9 to request to speak.

Requests for reasonable modification or accommodation from individuals with disabilities, consistent with the Americans with Disabilities Act can be made by contacting the City Clerk's Office at (213) 978-1133. For Telecommunication Relay Services for the hearing impaired, please see the information located on page 2 of this agenda.

### **Telecommunication Relay Services**

Telephone communication is one of the most important forms of communication in society today. Due to advancements in technology, telephone devices have evolved with new services and capabilities. Individuals who are deaf and hard of hearing, and individuals with a speech disability are following these trends and are rapidly migrating to more advanced telecommunications methods, both for peer-to-peer and third-party telecommunications relay service (TRS) communications.

Telecommunications Relay Service is a telephone service that allows persons with hearing or speech disabilities to place and receive telephone calls. TRS is available in all 50 states, the District of Columbia, Puerto Rico and the U.S. territories for local and/or long distance calls. TRS providers - generally telephone companies - are compensated for the costs of providing TRS from either a state or a federal fund. There is no cost to the TRS user.

What forms of TRS are available? There are several forms of TRS, depending on the particular needs of the user and the equipment available: TRS includes: Text to Voice TTY-Based TRS; Speech-to-Speech Relay Service; Shared Non-English Language Relay Service; Captioned Telephone Relay Service; Internet Protocol Relay Service; and Video Relay Service. Please visit this site for detail descriptions, <https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs>.

Don't hang up! Some people hang up on TRS calls because they think the CA is a telemarketer. If you hear, "Hello. This is the relay service .. ." when you pick up the phone, please don't hang up! You are about to talk, through a TRS provider, to a person who is deaf, hard-of-hearing, or has a speech disability.

For more information about FCC programs to promote access to telecommunications services for people with disabilities, visit the FCC's Disability Rights Office website.

**SE OFRECE UN SERVICIO DE TRADUCCION AL ESPANOL 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 website at [lacity.org](http://lacity.org); or [lacouncilcalendar.com](http://lacouncilcalendar.com).

Ten (10) members of the Council constitute a quorum for the transaction of business. The Council may consider an item not listed on the 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 have 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 was not previously held.

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 held will be provided at the time the item is considered or during the Multiple Agenda Item Comment period. Members of the public who wish to speak on items shall be allowed to speak for up to one minute per item up to a total of three minutes per meeting. The Council has determined that a cumulative total of 20 minutes is a reasonable minimum amount of time for the Multiple Agenda Item segment of each regular meeting.

The Council will also provide an opportunity for the public to speak on public interest items. Each speaker shall be limited to one minute of general public comment each regular meeting for a cumulative total of ten (10) minutes. The Council shall not discuss or take action relative to any general public comment.

If you wish to provide documents to the full Council for consideration on an item, please present the Sergeant-At-Arms with 35 copies. Otherwise, your materials will simply be added to the official record.

**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 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.

**NOTICE TO PAID REPRESENTATIVES** - If you are compensated to monitor, attend, or speak at this meeting, City law may require you to register as a lobbyist and report your activity. See Los Angeles Municipal Code 48.01 et seq. More information is available at [ethics.lacity.org/lobbying](https://ethics.lacity.org/lobbying). For assistance, please contact the Ethics Commission at (213) 978-1960 or [ethics.commission@lacity.org](mailto:ethics.commission@lacity.org).

**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 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 (8) 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 item is continued to the next regular 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.

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**RULE 16 MOTIONS** - Council Rule No. 16, in part, 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.



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**Los Angeles City Council Special Agenda**

**Wednesday, February 2, 2022**

**JOHN FERRARO COUNCIL CHAMBER ROOM 340, CITY HALL 200 NORTH SPRING STREET,  
LOS ANGELES, CA 90012 - 11:30 AM**

**Special Agenda**

**Roll Call**

**An Opportunity for Public Comment will be Provided for All Items on the Agenda,  
Regardless of Whether a Public Hearing has been Previously Held**

**Items for which Public Hearings Have Been Held**

**(1) 21-1425**

TRANSPORTATION COMMITTEE REPORT relative to Transportation Grant Fund report for Fiscal Year (FY) 2021-22.

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

1. AUTHORIZE the Controller to establish new appropriations in the amount of \$74,922,900 within the Transportation Grant (TG) Fund No. 655 for the projects and amounts listed in Attachment 1 of the December 1, 2021 City Administrative Officer (CAO) report, attached to the Council File.
2. AUTHORIZE a total increase of \$8,098,711 in appropriations within the TG Fund No. 655 for three existing projects with the amounts listed in Attachment 2 of the December 1, 2021 CAO report, attached to the Council File.
3. AUTHORIZE the Los Angeles Department of Transportation (LADOT) to:
  - a. Receive grant funds to reimburse the TG Fund No. 655 for expenditures made directly from the TG Fund.
  - b. Reimburse the General Fund on an annual basis for its costs associated with Fringe Benefits, Central Services, and Department Administration using proceeds that the Department has collected from granters.

- c. Reimburse the Proposition C Anti-Gridlock Transit Fund No. 540 on an annual basis for its cost associated with the City staff salaries, overtime, compensated time off, and any other expenditures directly incurred by the Proposition C Anti-Gridlock Transit Fund No. 540 and associated with grant projects.
  - d. Increase appropriations within the TG Fund No. 655 by up to 25 percent of any project budget listed in the Attachments 1 and 2 of the December 1, 2021 CAO report, attached to the Council File or any other project accounts, not to exceed \$100,000, provided that the proposed increase is reimbursable through a grant award and subject to the review and approval of the CAO.
  - e. Make any technical adjustments as necessary and consistent with Mayor and City Council actions on administrative and technical matters, subject to the approval of the CAO; and, request the Controller to implement these instructions.
4. DIRECT the LADOT to decrease and/or close out project appropriations for completed projects that have been accepted by the Board of Public Works, projects where the City Council has made a determination to cancel the project, and/or projects wherein the grant funding has lapsed or has been deobligated.

Fiscal Impact Statement: The CAO reports that there is no General Fund impact. The Transportation Grant Fund is a revolving account established to receive grant reimbursements for transportation grant-funded programs.

A total of \$83.3 million in new grants was awarded to the City, of which \$74.9 million requires the establishment of new appropriations in the Transportation Grant Fund. In addition, the LADOT is requesting to increase existing appropriations by \$8.1 million for current projects that remain within their Council authorized project budgets.

Financial Policies Statement: The CAO reports that the recommendations contained in the December 1, 2021 CAO report, attached to the Council File, are in compliance with the City's Financial Policies in that onetime revenues (grants) are used for one-time expenditures.

Community Impact Statement: None submitted.

(2) **17-0791**  
**CD 3**

CATEGORICAL EXEMPTION, TRANSPORTATION COMMITTEE REPORT, and RESOLUTION relative to the expansion of the boundaries for Preferential Parking District (PPD) No. 226.

Recommendations for Council action:

1. FIND that:

- a. The residents in the Woodland Hills area of Council District Three need immediate relief from the lack of residential parking on their blocks as a result of the thriving businesses along Ventura Boulevard.
- b. The expansion of PPD No. 226, pursuant to Los Angeles Municipal Code (LAMC) Section 80.58.d, is exempt from the California Environmental Quality Act (CEQA) as a Class 1 Categorical Exemption, under Article 111.1.a.3 of the 2002 Los Angeles City CEQA Guidelines.

2. ADOPT the accompanying RESOLUTION to expand PPD No. 226 boundaries, pursuant to the City Council's February 17, 2016 *Rules and Procedures for Preferential Parking Districts*, which currently includes the residential area generally bounded by both sides of the following blocks (unless otherwise noted):

- a. Costanso Street between Canoga Avenue and Serrania Avenue
- b. West side of Serrania Avenue between Costanso Street and De La Guerra Street
- c. De La Guerra Street between Serrania Avenue and Catalan Avenue
- d. Catalan Avenue between Martinez Street and Costanso Street
- e. Avenue San Luis between Serrania Avenue and Canoga Avenue
- f. Paralta Avenue between Avenue San Luis and alley south of Ventura Boulevard
- g. Marmol Drive between Avenue San Luis and Escobedo Drive
- h. Alhama Drive between Costanso Street and Celes Street
- i. Comercio Avenue between Celes Street and Avenue San Luis

- j. Martinez Street between Alhama Drive and Canoga Avenue
- k. De La Guerra Street between Alhama Drive and Canoga Avenue  
Canoga Avenue between Costanso Street and Martinez Street
- l. Comercio Way between Costanso Street and Avenue San Luis
- m. Comercio Lane between Costanso Street and Avenue San Luis
- n. Expansion to include the residential area generally bounded by both sides of the following additional blocks (unless otherwise noted):
  - i. Comercio Avenue between Celes Street and Canoga Avenue
  - ii. Velicata Street between Canoga Avenue and Campo Road
  - iii. Canoga Avenue between Martinez Street and Velicata Street
  - iv. Celes Street between Canoga Avenue and Comercio Avenue
  - v. Celes Street between Campo Road and Canoga Avenue
  - vi. Lopez Street between Canoga Avenue and Comercio Avenue
  - vii. Campo Road between Medina Road and Velicata Street
  - viii. Avenue San Luis between Canoga Avenue and Campo Road
  - ix. Medina Road between Tendilla Avenue and Baza Avenue (south intersection- 6 segments)
  - x. Darro Road between Medina Road (north intersection) and Medina Road (south intersection)
  - xi. De Roja Avenue between Ventura Boulevard and Medina Road • Baza Avenue between Ventura Boulevard and Medina Road (south intersection- 4 segments)
  - xii. Costanso Street between Tendilla Avenue and Baza Avenue
  - xiii. Tendilla Avenue between Calatrana Drive and dead end south of Elvira Road

- xiv. Elvira Road between Calatrana Drive and Baza Avenue
- xv. Calatrana Drive between Ventura Boulevard and end of 5200 block of Calatrana Drive
- xvi. Don Pio Drive between Ventura Boulevard and Galvez Street
- xvii. South side of Costanso Street between Topanga Canyon Boulevard and Don Pio Drive
- xviii. Avenue San Luis between Topanga Canyon Boulevard and Don Pio Drive
- xix. De La Guerra Street between Topanga Canyon Boulevard and Don Pio Drive
- xx. Galvez Street between Topanga Canyon Boulevard and Don Pio Drive
- xxi. East side of Topanga Canyon Boulevard between Constanso Street and Galvez Street

- 3. AUTHORIZE the following parking restrictions for use on the residential portions of all streets in PPD No. 226:
  - a. 2 HOUR PARKING 8 AM TO 6 PM MONDAY TO FRIDAY; VEHICLES WITH DISTRICT NO. 226 PERMITS EXEMPT
  - b. 2 HOUR PARKING 8 AM TO 6 PM; VEHICLES WITH DISTRICT NO. 226 PERMITS EXEMPT
  - c. NO PARKING 6 PM TO 8 AM, 2 HOUR PARKING 8 AM TO 6 PM; VEHICLES WITH DISTRICT NO. 226 PERMITS EXEMPT
  - d. NO PARKING 8 AM TO 6 PM; VEHICLES WITH DISTRICT NO. 226 PERMITS EXEMPT
  - e. NO PARKING 6 PM TO 8 AM; VEHICLES WITH DISTRICT NO. 226 PERMITS EXEMPT
- 4. INSTRUCT the Los Angeles Department of Transportation (LADOT) to initiate the necessary procedures for the preparation and sale of parking permits to residents within PPD No. 226, as specified in LAMC Section 80.58.

5. DIRECT the LADOT to:

- a. Post or remove the authorized parking restrictions on the residential portions of the street segments enumerated above in Recommendation No. 3, except for areas where parking is currently prohibited in the interest of traffic flow or public safety.
- b. Post or remove the authorized parking restrictions upon receipt and validation of petitions containing signatures from at least 75 percent of the dwelling units, covering more than 50 percent of the developed frontage on a street segment requesting installation or removal of the parking restrictions set forth above in Recommendation No. 4, without further action of the City Council.

Fiscal Impact Statement: The Board of Transportation Commissioners reports that revenue from the sale of permits will cover the cost of implementing, administering, and enforcing PPD No. 226. Additionally, violations of the posted parking restrictions may result in citation fines deposited into the General Fund.

Community Impact Statement: None submitted.

(3) **21-1323**  
**CD 11**

CATEGORICAL EXEMPTION, TRANSPORTATION COMMITTEE REPORT, and RESOLUTION relative to the establishment of Permanent Parking District (PPD) No. 313.

Recommendations for Council action:

1. FIND that:

- a. Non-residents attempting to avoid the PPD restriction on the adjacent Culver City blocks adversely affect parking on the residential block from which the residents deserve immediate relief.
- b. The establishment of PPD No. 313, pursuant to Los Angeles Municipal Code (LAMC) Section 80.58.d, is exempt from the California Environmental Quality Act (CEQA) as a Class 1

Categorical Exemption, under Article II1.1.a.3 of the 2002 Los Angeles City CEQA Guidelines.

2. ADOPT the accompanying RESOLUTION establishing the boundaries of PPD No. 313, pursuant to the City Council's November 6, 2018, "Rules and Procedures for Preferential Parking Districts," to include Herbert Street between Grand View Avenue and Inglewood Boulevard.
3. AUTHORIZE the following parking restrictions for use on the residential portions of all streets in PPD No. 313:
  - a. NO PARKING 6 PM TO 8 AM, 2 HOUR PARKING 8 AM TO 6 PM; VEHICLES WITH DISTRICT NO. 313 PERMITS EXEMPT
  - b. NO PARKING 8 AM TO 6 PM; VEHICLES WITH DISTRICT NO. 313 PERMITS EXEMPT
  - c. 2 HOUR PARKING 8 AM TO 6 PM; VEHICLES WITH DISTRICT NO. 313 PERMITS EXEMPT
  - d. NO PARKING 6 PM TO 8 AM; VEHICLES WITH DISTRICT NO. 313 PERMITS EXEMPT
4. INSTRUCT the LADOT to initiate the necessary procedures for the preparation and sale of parking permits to residents within PPD No. 313, as specified in LAMC Section 80.58.
5. DIRECT LADOT to:
  - a. Post or remove the authorized parking restrictions on the residential portions of the street segment enumerated above in Recommendation No. 3, except for areas where parking is currently prohibited in the interest of traffic flow or public safety.
  - b. Post or remove the authorized parking restrictions upon receipt and validation of petitions containing signatures from at least 75 percent of the dwelling units, covering more than 50 percent of the developed frontage on a street segment requesting installation or removal of the parking restrictions set forth above in Recommendation No. 4, without further action of the City Council.

Fiscal Impact Statement: The Board of Transportation Commissioners reports that Revenue from the sale of permits will cover the cost of implementing, administering, and enforcing PPD No. 313 Violations of the

posted parking restrictions may result in citation fines deposited into the General Fund.

Community Impact Statement: None submitted.

(4) **18-0662-S1**

TRANSPORTATION COMMITTEE REPORT relative to proposed agreement with Electrify America in connection with the LADOT's Electric Bus Fleet Project.

Recommendations for Council action, pursuant to Motion (De Leon - O'Farrell):

1. DIRECT the Los Angeles Department of Transportation (LADOT) to prepare an agreement with Electrify America to advance the LADOT's Electric Bus Fleet Project, and return to Council for authorization to execute.
2. DIRECT the LADOT, Department of General Services, and the City Administrative Officer (CAO) and Los Angeles Department of Water and Power (LADWP) to report on the feasibility of purchasing the Caltrans property identified in the Motion for LADOT bus and LADWP substation purposes.

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

Community Impact Statement: None submitted.

(5) **21-1430  
CD 8**

TRANSPORTATION COMMITTEE REPORT relative to expanding the existing Vermont-Manchester Parking Meter Zone to allow the installation of parking meters along the west side of Vermont Avenue between West 77th Street and West 79th Street.

Recommendation for Council action, pursuant to Motion (Harris-Dawson – Bonin):



DIRECT the Los Angeles Department of Transportation to report within 30 days on the feasibility and steps necessary to expand the existing Vermont-Manchester Parking Meter Zone to allow the installation of parking meters along the west side of Vermont Avenue between West 77th Street and West 79th Street.

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.

(6) **22-0043**

TRANSPORTATION COMMITTEE REPORT relative to consolidating City-owned parking facilities in Van Nuys.

Recommendation for Council action, pursuant to Motion (Martinez – Ramen – Krekorian):

INSTRUCT the Los Angeles Department of Transportation (LADOT), with the assistance of the Department of City Planning, to report in regard to:

- a. How many city owned parking spaces are needed in Van Nuys.
- b. A plan for consolidating and centralizing LADOT parking facilities in Van Nuys.
- c. A plan and process for converting the remaining lots into affordable housing, open space, retail, community space, and other community serving uses.
- d. Enhancing pedestrian and cycling amenities to ensure that people can safely access local businesses and services
- e. .A public engagement process for soliciting input from local stakeholders.

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.

(7) **21-0724**  
**CD 10**

CATEGORICAL EXEMPTION and PLANNING AND LAND USE MANAGEMENT (PLUM) COMMITTEE REPORT relative to the inclusion of the Crenshaw Women's Center, located at 1025-1029 South Crenshaw Boulevard, in the list of Historic-Cultural Monuments.

Recommendations for Council action:

1. DETERMINE that the proposed designation is categorically exempt from the California Environmental Quality Act (CEQA), pursuant to Article 19, Section 15308, Class 8 and Article 19, Section 15331, Class 31 of the State CEQA Guidelines.
2. DETERMINE that the subject property conforms with the definition of a Monument pursuant to Section 22.171.7 of the Los Angeles Administrative Code.
3. ADOPT the FINDINGS of the PLUM Committee, included in the communication from the Council District 10 Office, dated January 18, 2022, attached to the Council file; as the Findings of Council.
4. APPROVE the inclusion of the site as a site-of designation, not including the building, of the Crenshaw Women's Center, located at 1025-1029 South Crenshaw Boulevard, in the list of Historic-Cultural Monuments.

Applicants: Kate Eggert and Krisy Gosney, Gosney Eggert Historic Preservation Consultants

Owners: 1009 Crenshaw LP and Urban Commons Crenshaw Blvd, LLC

Case No. CHC-2021-1448-HCM

Environmental No. ENV-2021-1449-CE

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

Community Impact Statement: None submitted

(8) **21-1289**  
**CD 4**

CONSIDERATION OF and ACTIONS RELATED TO A CATEGORICAL EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO ARTICLE 19, SECTION 15332, CLASS 32, OF THE CEQA GUIDELINES, and RELATED CEQA FINDINGS; COMMUNICATIONS FROM THE CENTRAL LOS ANGELES AREA PLANNING COMMISSION (CLAAPC) AND DEPARTMENT OF CITY PLANNING, and APPEAL filed by David Wheatley from the determination of the CLAAPC in approving a Categorical Exemption, denying the Appeal and sustaining the Deputy Advisory Agency's determination, dated July 28, 2021; and, approving with conditions, pursuant to Sections 17.06 and 17.15 of the Los Angeles Municipal Code (LAMC), a Vesting Tentative Tract Map No. 82658-SL located at 2820 North Avenel Street, for a small lot subdivision of one 8,295.2 square-foot site into five small lots, pursuant to LAMC Section 12.22 C.27, as shown on the map stamp-dated July 27, 2021, in the Hollywood Community Plan, and one accessory dwelling unit; each small lot will be developed with a small lot home with a maximum building height of 30 feet, and will provide two parking spaces per dwelling unit, for a total of ten parking spaces; the site is currently developed with one single-family dwelling and one duplex, seven non-protected on-site trees, and no existing protected trees; all existing structures and trees are proposed to be removed to clear the lot; the project involves the export of up to 500 cubic yards of earth; for the property located at 2820 North Avenel Street (2820 North Avenel Street and 2820 1/2 North Avenel Street), subject to Conditions of Approval.

Applicant: Dan Arthofer and Erin Arthofer, LA PALOMA HOMES, Inc.

Representative: Tracy A. Stone

Case No. VTT-82658-SL-2A

Environmental No. ENV-2019-4140-CE

**(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.)**

**(Click on the above hyperlink or go to <http://www.lacouncilfile.com> for background documents.)**

Fiscal Impact Statement: The CLAAPC reports that there is no General Fund impact as administrative costs are recovered through fees.

Community Impact Statement: None submitted

**TIME LIMIT FILE - FEBRUARY 4, 2022**

**(LAST DAY FOR COUNCIL ACTION - FEBRUARY 4, 2022)**

(9) **22-0016**

BUDGET AND FINANCE COMMITTEE REPORT relative to the SB 165 annual report for Fiscal Year 2020-21 Community Facilities District No. 11 (Ponte Vista) Special Tax Bond, Series 2021.

Recommendation for Council action:

NOTE and FILE the City Administrative Officer (CAO) report dated January 4, 2022, attached to the Council file.

Fiscal Impact Statement: Not applicable

Community Impact Statement: None submitted

(10) **12-1018-S2**

BUDGET AND FINANCE COMMITTEE REPORT relative to the SB 165 annual report for Fiscal Year 2020-21 Community Facilities District No. 8 (Legends at Cascades) Special Tax Bond, Series 2010.

Recommendation for Council action:

NOTE and FILE the City Administrative Officer (CAO) report dated January 4, 2022, attached to the Council file.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted

(11) **22-0039  
CD 11**

BUDGET AND FINANCE COMMITTEE REPORT relative to the transfer of funds from the Capital Improvement Expenditure Program (CTIEP) Fund to

the Potrero Canyon Trust Fund for the Potrero Canyon Park Landscaping Project.

Recommendations for Council action, pursuant to Motion (Bonin – Harris-Dawson), SUBJECT TO THE APPROVAL OF THE MAYOR:

1. TRANSFER \$1,219,285.09 from the CTIEP Fund No. 100/54, Account No. 00G998, to the Potrero Canyon Trust Fund No. 100/50, Account No. 50RMAB, for the 50/50F/50RMAB for Potrero Canyon Park, Landscaping Project.
2. AUTHORIZE the City Administrative Officer (CAO) to make any corrections, clarifications or revisions to the above fund transfer instructions, including any new instructions, in order to effectuate the intent of this Motion, and including any corrections and changes to fund or account numbers; said corrections, clarifications, and changes may be made orally, electronically or by any other means.

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

Community Impact Statement: None submitted

(12) **22-0027**

BUDGET AND FINANCE COMMITTEE REPORT relative to the payment of an outstanding invoice to LA City Cab, LLC, for services rendered during the pandemic, and instructions to City departments to create policies covering misdirected or misappropriated payments.

Recommendations for Council action, pursuant to Motion (Krekorian – Price):

1. REQUEST that the Controller immediately reissue a check for the already approved outstanding invoice to LA City Cab, LLC for services that it delivered to seniors during the pandemic.
2. INSTRUCT the Office of Finance and REQUEST the Controller, in consultation with the City Attorney, to develop and adopt city policies covering misdirected or misappropriated payments to ensure that the City makes timely payments to vendors while still preserving all of its

rights and working to recover lost funds, and to report on those policies to the Council within 60 days.

3. INSTRUCT the Office of Finance and REQUEST the Controller to report to the Council within 60 days on steps that those offices can take to reduce the risk of such misdirected or misappropriated payments, and to reduce delays in payment to vendors, including but not limited to increased use of electronic funds transfers instead of paper checks.

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

(13) **22-1200-S2**

TRADE, TRAVEL, AND TOURISM COMMITTEE REPORT relative to the appointment of Ms. Belinda Vega to the Board of Airport Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Belinda Vega to the Board of Airport Commissioners for the term ending June 30, 2023, is APPROVED and CONFIRMED. Ms. Vega resides in Council District 4. (Current Composition: F=2; M=4)

Financial Disclosure Statement: Pending.

Background Check: Pending.

Community Impact Statement: None submitted

**TIME LIMIT FILE - FEBRUARY 28, 2022**

**(LAST DAY FOR COUNCIL ACTION - FEBRUARY 25, 2022)**

(14) **21-0640-S1**

CATEGORICAL EXEMPTION and TRADE, TRAVEL, AND TOURISM COMMITTEE REPORT relative to authorizing the Los Angeles World Airports (LAWA) to execute a Sixth Amendment with Swinerton Builders,

to provide construction services for the domestic baggage claim work at the Los Angeles International Airport (LAX).

Recommendations for Council action:

1. ADOPT the determination by the Board of Airport Commissioners (Board) that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Article III, Class 1 (1) of the Los Angeles City CEQA Guidelines.
2. APPROVE the Sixth Amendment to Contract DA-5305 with Swinerton Builders, to increase the contract authority by \$1,264,699, for new total not to exceed \$296,984,443, covering construction services for the domestic baggage claim work at LAX.
3. CONCUR with the Board's action on December 16, 2021, by Resolution 27396, authorizing the Chief Executive Officer, or designee, of LAWA to execute said Sixth Amendment to Contract DA-5305 with Swinerton Builders.

Fiscal Impact Statement: The Board reports that there is no impact to the General Fund.

Community Impact Statement: None submitted

**TIME LIMIT FILE - MARCH 14, 2022**

**(LAST DAY FOR COUNCIL ACTION - MARCH 11, 2022)**

(15) **22-0054**

ADMINISTRATIVE EXEMPTION and TRADE, TRAVEL, AND TOURISM COMMITTEE REPORT relative to authorizing the Los Angeles World Airports (LAWA) to execute a contract with HNTB Corporation, to provide professional engineering design and construction administration services for Airfield Improvement projects at the Los Angeles International Airport (LAX).

Recommendations for Council action:

1. ADOPT the determination by the Board of Airport Commissioners (Board) that this action is exempt from the California Environmental

Quality Act (CEQA) pursuant to Article II, Section 2(f) of the Los Angeles City CEQA Guidelines.

2. ADOPT the determination by said Board that no further environmental documentation is required for the Runway 6L-24R Exits, Taxiway D and E Easterly Extension, Taxiway C Easterly Extension, and Taxiway D Westerly Extension between Taxiway AA and Taxiway E17 Improvements, which were fully evaluated in the Final Environmental Impact Report for the LAX Airfield and Terminal Modernization Project that was certified by the Board on October 7, 2021, in compliance with CEQA.
3. ADOPT the determination by said Board that the Runway 6R-24L Rehabilitation and Runway 6L-24R Rehabilitation Projects are exempt from CEQA pursuant to Article III, Section 1.a.3 of the Los Angeles City CEQA Guidelines and Section 15301 of the State CEQA Guidelines.
4. APPROVE award of a seven year Contract to HNTB Corporation, covering professional engineering design and construction administration services for airfield improvement projects at LAX, for cost not to exceed \$34,700,000.
5. CONCUR with the Board's action on December 16, 2021, by Resolution 27408, authorizing the Chief Executive Officer, or designee, of LAWA to execute said Contract.

Fiscal Impact Statement: The Board reports that there is no fiscal impact to the General Fund.

Community Impact Statement: None submitted

**TIME LIMIT FILE - MARCH 14, 2022**

**(LAST DAY FOR COUNCIL ACTION - MARCH 11, 2022)**

(16) **22-0055**

ADMINISTRATIVE EXEMPTION and TRADE, TRAVEL, AND TOURISM COMMITTEE REPORT relative to authorizing the Los Angeles World Airports (LAWA) to execute a contract with La Petite Academy, Inc., to provide childcare center operation and management services at the Los Angeles International Airport (LAX).



Recommendations for Council action:

1. ADOPT the determination by the Board of Airport Commissioners (Board) that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Article II, Section 2(f) of the Los Angeles City CEQA Guidelines.
2. APPROVE the award of a three year Contract to La Petite Academy, Inc., a wholly owned subsidiary of Learning Care Group (MI) Inc., with two one-year extension options, covering childcare center operation and management at LAX.
3. CONCUR with the Board's action on December 16, 2021, by Resolution 27407, authorizing the Chief Executive Officer, or designee, of LAWA to execute said Contract with La Petite Academy, Inc., a wholly owned subsidiary of Learning Care Group (MI) Inc.

Fiscal Impact Statement: The Board reports that there is no impact to the General Fund.

Community Impact Statement: None submitted

**TIME LIMIT FILE - MARCH 14, 2022**

**(LAST DAY FOR COUNCIL ACTION - MARCH 11, 2022)**

(17) **22-0047**

ADMINISTRATIVE EXEMPTION and TRADE, TRAVEL, AND TOURISM COMMITTEE REPORT relative to authorizing the Los Angeles World Airports (LAWA) to execute the First Amendment with The Bay Foundation, for habitat maintenance and restoration services related to the Coastal Dunes Improvement Project at the Los Angeles International Airport (LAX).

Recommendations for Council action:

1. ADOPT the determination by the Board of Airport Commissioners (Board) that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Article II, Class 2(f) of the Los Angeles City CEQA Guidelines.
2. APPROVE the First Amendment to Contract DA-5339 with The Bay Foundation, to extend the term through June 30, 2023, covering

habitat maintenance and restoration services related to the Coastal Dunes Improvement Project at LAX.

3. CONCUR with the Board's action on November 4, 2021, by Resolution 27369, authorizing the Chief Executive Officer, or designee, of LAWA to execute the First Amendment to Contract DA-5339 with The Bay Foundation.

Fiscal Impact Statement: The Board reports that there is no impact to the General Fund.

Community Impact Statement: None submitted

**TIME LIMIT FILE - MARCH 14, 2022**

**(LAST DAY FOR COUNCIL ACTION - MARCH 11, 2022)**

(18) **21-0842**

ECONOMIC DEVELOPMENT AND JOBS COMMITTEE REPORT relative to enforcement of prevailing wage laws.

Recommendations for Council action, as initiated by Motion (Blumenfield – Price):

1. INSTRUCT the Bureau of Contract Administration (BCA), in consultation with the City Attorney as necessary, to aggressively pursue and impose the maximum possible penalties for violations of the prevailing wage laws.
2. INSTRUCT the BCA to:
  - a. Report to the Public Works Committee within 30 days regarding its investigations, including the contracts where violations have been established, any other active or recent City contracts with the contractor involved, restitution ordered and/or obtained under each contract, financial penalties sought or imposed under each contract, and the availability of any other remedies to address these violations, and to deter City contractors from engaging in such conduct.
  - b. Report to the Public Works Committee on its efforts to implement approaches such as Strategic Enforcement that can enhance the

effectiveness of mitigating wage theft for Minimum, Living, and Prevailing wage requirements.

3. DIRECT the BCA to pilot a Strategic Enforcement approach for Prevailing Wage and report back on the effectiveness of that approach.

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.

(19) **20-0313-S1**

PERSONNEL, AUDITS, and ANIMAL WELFARE COMMITTEE REPORT relative to authorization of position authorities for the Human Resources and Payroll (HRP) Project.

Recommendations for Council action, pursuant to Motion (Koretz – Krekorian), SUBJECT TO THE APPROVAL OF THE MAYOR:

1. APPROVE the following ten resolution authorities, subject to allocation by the Personnel Department and pay grade determination by the City Administrative Officer (CAO), to staff the Personnel Department's HRP efforts with the cost of these positions to be funded by the Personnel Department's existing budgeted salary resources.

No.	Class Code	Class Title
1	1714-1	Personnel Director 1
1	9167-1	Senior Personnel Analyst II
1	9167-2	Senior Personnel Analyst I
5	1731	Personnel Analyst
1	1455-3	Systems Programmer III
1	1431-3	Programmer/Analyst III

2. INSTRUCT the Personnel Department to expedite the allocation; and, the CAO to expedite the pay grade determinations of the positions requested for the Personnel Department.

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.

(20) **21-0869**

PUBLIC SAFETY COMMITTEE REPORT relative to creating a community-building campaign and toolkit that will make it easier for residents to form new Neighborhood Watch programs; making improvements to LAPDOnline.org, and related matters.

Recommendations for Council action, as initiated by Motion (Buscaino - Rodriguez):

1. DIRECT the Los Angeles Police Department (LAPD), with the assistance of the Information Technology Agency (ITA), and City Administrative Officer (CAO), to report with recommendations on creating a community-building campaign and toolkit that will make it easier for residents to form new Neighborhood Watch programs and Business Watch programs and allow existing Neighborhood Watch and Business Watch associations better access to resources that will allow them to improve community public safety.
2. DIRECT the LAPD, ITA, and CAO, to report back on making improvements to LAPDOnline.org that would incorporate the following:
  - a. User Interface & User Experience optimization
  - b. The ability to search by address for LAPD Division, recent crime statistics, reporting district, basic car area, Community Police Advisory Board meetings and Senior Lead Officer
  - c. Information and resources about how to start a Neighborhood Watch program
  - d. Information about how to report a crime in progress

- e. Information about how to provide tips on a past crime
- 3. DIRECT the LAPD to report with recommendations on ways to enhance communication and collaboration with residents, businesses and other stakeholders through the use of public safety neighborhood smartphone apps, such as Next Door, Citizen and Nixie.
- 4. DIRECT the LAPD to report on the status of existing Neighborhood Watch and Business Watch programs.

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

Community Impact Statement: Yes

For:

Sunland-Tujunga Neighborhood Council  
Studio City Neighborhood Council  
Downtown Los Angeles Neighborhood Council  
Sunland-Tujunga Neighborhood Council  
Westside Neighborhood Council

(21) **21-1498**

PUBLIC SAFETY COMMITTEE REPORT relative to approving a Request for Proposals (RFP) for the Medium and Heavy-Duty Towing and Storage Services Official Police Garage contract.

Recommendations for Council action:

- 1. APPROVE in concept the accompanying RFP attached to the Board of Police Commissioners (BPC) report dated December 14, 2021, attached to the Council file, for Medium- and Heavy-Duty Towing & Storage Services Official Police Garage (OPG) contract, subject to minor revisions and formatting by staff.
- 2. AUTHORIZE the BPC to release the above referenced RFP, subject to minor revisions and formatting by staff.

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

Community Impact Statement: None submitted

(22) **21-1474**

PUBLIC SAFETY COMMITTEE REPORT relative to a donation of a refrigerator and freezer from the Los Angeles Fire Department Foundation through its Adopt-A-Fire-Station program.

Recommendation for Council action:

ACCEPT the donation of a refrigerator and freezer, valued at \$5,030 from the Los Angeles Fire Department Foundation through its Adopt-A-Fire-Station program; and, THANK the donor for this generous donation.

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

Community Impact Statement: None submitted

(23) **21-1475**

PUBLIC SAFETY COMMITTEE REPORT relative to a donation of office furniture from the Los Angeles Fire Department Foundation through its Adopt-A-Fire-Station program.

Recommendation for Council action:

ACCEPT the donation of office furniture, valued at \$14,200 from the Los Angeles Fire Department Foundation through its Adopt-A-Fire-Station program; and, THANK the donor for this generous donation.

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

Community Impact Statement: None submitted

(24) **21-1489**

PUBLIC SAFETY COMMITTEE REPORT relative to a donation of a 2021 Toyota Sienna van from the Los Angeles Fire Department Foundation.

Recommendation for Council action:

ACCEPT the donation of a 2021 Toyota Sienna van, valued at \$39,960.01 from the Los Angeles Fire Department Foundation; and, THANK the donor for this generous donation.

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

Community Impact Statement: None submitted

(25) **21-1469**

PUBLIC WORKS and PERSONNEL, AUDITS, AND ANIMAL WELFARE COMMITTEES' REPORT relative to various improvements or changes to the City's sidewalk programs.

Recommendations for Council action, as initiated by Motion (Blumenfield - Bonin - Raman - Rodriguez):

1. INSTRUCT the Bureau of Engineering (BOE), with the assistance of the Bureau of Street Services (BSS), the Los Angeles Department of Transportation (LADOT), the Department on Disability, and other relevant departments, to report within 60 days with recommendations for improvements or changes to the City's sidewalk programs, including:
  - a. Prioritizing mitigation of significant access barriers over reconstruction of sidewalks and driveways in reasonable condition.

- b. Options for reprioritizing sidewalk repair funded above and beyond the City's Willits commitment to better align with the City's safety, mobility, and accessibility priorities.
  - c. Reconsideration of the City's "fix and release" policy.
  - d. Opportunities to coordinate with other street improvement programs, including the Complete Streets Program, the Safe Routes to School Program, the Active Transportation Program, the Pavement Preservation Program, and stormwater programs.
  - e. Governance changes to help ensure that the City's expenditures on sidewalks are coordinated and fully reflect the City's priorities.
2. INSTRUCT the BOE, BSS and LADOT to report within 30 days with a recommended scope and budget for a citywide sidewalk inventory and assessment as well as an assessment of the thoroughfares that includes:
    - a. The potential for coordination with other City asset management efforts, including the BSS asset management program and the LADOT Code the Curb initiative.
    - b. The potential use of data from delivery robots and other innovative technologies.
    - c. Identification of locations with missing sidewalks where construction of sidewalks would provide important mobility and safety benefits.
  3. INSTRUCT the BOE and BSS to report within 30 days with recommendations regarding the resources, including budget, position authorities and equipment, needed to make interim repairs, including asphalt patching, grinding and cutting, to address tripping hazards and minor mobility barriers until more permanent repairs can be made.
  4. INSTRUCT the City Administrative Officer (CAO) to report within 60 days regarding the availability of funding from the federal infrastructure bill or other sources that could be applied to the City's sidewalk programs.
  5. REQUEST the Mayor's Office to include funding and staffing in the Fiscal Year 2022-23 Mayor's budget based upon the pending report



from the departments on a scope and budget for a sidewalk inventory and assessment and an interim sidewalk repair program.

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

Community Impact Statement: Yes.

For: Westside Neighborhood Council

(26) **21-1367**

PERSONNEL, AUDITS, AND ANIMAL WELFARE and PUBLIC WORKS COMMITTEES' REPORT relative to the Repairing Los Angeles's Broken Sidewalk Strategy.

Recommendation for Council action:

NOTE and FILE the November 17, 2021 Controller report, inasmuch as this report is for information only and no Council action is required.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: Yes

For: Westside Neighborhood Council

(27) **19-0987**  
**CD 11**

INFORMATION, TECHNOLOGY, AND GENERAL SERVICES COMMITTEE REPORT relative to consideration of the of the City staff and consultant support budget for the proposed West Los Angeles Civic Center Redevelopment Project.

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

1. APPROVE the West Los Angeles Civic Center Project City Staff and Consultant Budget of \$1,050,000 as detailed in Table 1 of the Municipal

Facilities Committee (MFC) report dated January 4, 2022, attached to the Council file.

2. AUTHORIZE the Bureau of Engineering (BOE), on behalf of the City, to accept up to \$1,050,000 from West LA Commons, LLC (Developer) for the reimbursement of predevelopment activities on this project for City staff and consultant expenses.
3. AUTHORIZE the BOE to deposit up to \$1,050,000 received from the Developer, into a new account in the Engineering Special Services Fund No. 682/50, entitled "West LA Civic Center Redevelopment Project," and upon review and approval of proper expenditure documentation, disburse said reimbursement funds to the appropriate City Departments and Bureaus.
4. REQUIRE the funded City Departments and Bureaus use the master project, project code, work order, and necessary cost accounting fields to track expenditures under West LA Civic Center Redevelopment Project.
5. APPROVE the Year 1 Fiscal Year (FY) 2021-22 City Staff and Consultant Support Budget and receipt of \$519,650 and appropriate authority as detailed below and in Table 2 of said MFC report:
  - a. Appropriate up to \$182,500 for City staff costs supporting predevelopment activities related to the redevelopment of the West Los Angeles Civic Center to the Department of General Services (GSD), Department of Recreation and Parks (RAP), Los Angeles Police Department (LAPD), Los Angeles Public Library (LAPL), and the BOE and Bureau of Sanitation (BOS) into the following department funds, accounts, and amounts as detailed below:

<u>Account</u>	<u>Fund/Dept</u>	<u>Description</u>	<u>Dept/Program</u>	<u>Amount</u>
001010	100/78	Salaries, General	BOE Permit Case Management; Design Oversight; Space Planning	\$102,000
001010	100/40	Salaries, General	GSD Real Estate and Parking Management	31,000

001070	100/40	Salaries, As Needed	GSD Parking Management	5,500
001010	100/70	Civilian Salaries	LAPD Facilities Management	19,000
001010	300/44	Salaries, General	LAPL Facilities Management	6,000
001010	100/802	Salaries, General	LASAN Brownfields Program	10,000
001010	302/88	Salaries, General	RAP Real Estate	<u>9,000</u>

Total: \$182,500

- b. Allocate up to \$337,150 for consultant services for Project Management, Financial Feasibility, Phase II Review, Space Planning, and other consultant services as necessary, for FY 2021-22 as outlined below:

<u>Account</u>	<u>Fund/Dept</u>	<u>Description</u>	<u>Dept/Program</u>	<u>Amount</u>
TBD	682/50	West LA Civic Center Project	BOE Space Planning	\$187,500
003040	100/82	Contractual Services	BOS Brownfields Program	6,000
003040	100/10	Contractual Services	CAO Asset Management (WLACC Consultants for Project Management, Entitlements, and Financial Feasibility)	<u>143,650</u>

Total: \$337,150

6. AUTHORIZE the City Project Management Team to further negotiate with West LA Commons and within the agreed upon budget, ensure all necessary departments, including Los Angeles Housing Department, have the appropriate authority and funding to support the predevelopment work on the project.
7. AUTHORIZE the City Administrative Officer (CAO), or designee, to make any corrections or clarifications to this report as necessary to implement the intent of these actions; and, AUTHORIZE the Controller to implement these instructions.

Fiscal Impact Statement: The MFC reports that approval of the above recommendations will recognize a total three-year budget for City staffing and consultant support of \$1,050,000 and approve Year 1 of the City Staff and Consultant Budget of \$594,650, of which \$75,000 is already recognized and included in the Department of City Planning 2021-22 budget. The new receipts to the FY 2021-22 Adopted Budget of \$519,650 will cover staff and consultants costs and will not have an impact on the General Fund. Any potential additional fiscal impact from the future completion of the redevelopment are unknown at this time.

Financial Policies Statement: The CAO reports that the actions recommended in said MFC report comply with the City's Financial Policies in that approval of said MFC report will result in the recovery of certain funds to offset City staff support costs dedicated to the redevelopment of the West LA Civic Center Project.

Community Impact Statement: None submitted

(28) **22-0080**

BUDGET AND FINANCE COMMITTEE REPORT relative to a request for authority to award a sole-source contract to Everytable, PBC, to extend the Senior Meal Program.

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

1. APPROVE the proposed project plan for the Extension of the Senior Meal Program to use a single vendor to provide senior meals as a response to the surge in cases due to the Omicron variant.

2. AUTHORIZE the Interim General Manager, Los Angeles Department of Aging (LADOA), or designee, to allocate funding as outlined in Table 1. of the LADOA report dated January 19, 2022, attached to the Council file.
3. AUTHORIZE the Interim General Manager, LADOA, or designee, to execute a sole-sourced contract in the amount of \$9,854,100 with Everytable, PBC, through June 30, 2022, to provide meals for the Extension of the Senior Meal Program, subject to the review of the City Attorney for form and legality.
4. AUTHORIZE the Controller to:
  - a. TRANSFER and APPROPRIATE \$10,000,000 from 2021-22 Unappropriated Balance Fund No. 100/58, Account No. 580372, Senior Meals Program to LADOA:
    - i. \$29,008 to Fund No. 100/02, Account No. 001010, Salaries General
    - ii. \$89,248 to Fund No. 100/02, Account No. 001070, Salaries as needed
    - iii. \$17,644 to Fund No. 100/02, Account No. 001090, Salaries overtime
    - iv. \$9,854,100 to Fund No. 100/02, Account No. 003040, Contractual services
    - v. \$10,000 to Fund No. 100/02, Account No. 006010, Office & Admin Exp
  - b. Disburse funds to the contractor upon submission of proper demand from the Interim General Manager, LADOA, or designee.
5. AUTHORIZE the Interim General Manager, LADOA, or designee, to prepare Controller's instruction for any technical adjustments, that are consistent with Mayor and Council actions, subject to the approval of the City Administrative Office, and AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: LADOA reports that there is no additional impact to the General Fund for direct program costs in FY 2021-22. There is

additional impact of \$60,737 of indirect costs for the 120-day Contract and As-Needed staff during FY 2021-22.

Community Impact Statement: None submitted

**(Arts, Parks, Health, Education, and Neighborhoods Committee  
waived consideration of the above matter)**

(29) **21-1053  
CD 14**

SUSTAINABLE COMMUNITIES ENVIRONMENTAL ASSESSMENT (SCEA), MITIGATION MEASURES, MITIGATION MONITORING PROGRAM (MMP), and RELATED ENVIRONMENTAL FINDINGS; and PLANNING AND LAND USE MANAGEMENT (PLUM) COMMITTEE REPORT relative to the future development of the proposed Main Street Tower Project (Project), for the properties located at 1123-1161 South Main Street and 111 West 12th Street.

Recommendations for Council action:

1. FIND, pursuant to Public Resources Code (PRC), Section 21155.2, after consideration of the whole of the administrative record, including the SB 375 SCEA, ENV-2018-7379-SCEA, and all comments received, after imposition of all mitigation measures, that:
  - a. There is no substantial evidence that the Project will have a significant effect on the environment.
  - b. The City Council held a hearing on January 18, 2022 for adoption of the SCEA pursuant to PRC Section 21155.2(b).
  - c. The Project is a transit priority project pursuant to PRC Section 21155, and the Project has incorporated all feasible mitigation measures, performance standards, or criteria set forth in prior Environmental Impact Report(s) (EIR), including the 2020-2045 Regional Transportation Plan (RTP)/Sustainable Communities Strategy (SCS) Program EIR, SCH No. 2019011061, and Addendum, prepared by the Southern California Association of Governments (SCAG).
  - d. All potentially significant effects required to be identified in the initial study have been identified and analyzed in the SCEA.
  - e. With respect to each significant effect on the environment required to be identified in the initial study for the SCEA, changes

or alterations have been required in or incorporated into the Project that avoid or mitigate the significant effects to a level of insignificance or those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

- f. The SCEA reflects the independent judgment and analysis of the City.
  - g. The mitigation measures have been made enforceable conditions on the Project.
2. FIND that the Project complies with the requirements of the California Environmental Quality Act for using the SCEA as authorized pursuant to PRC Section 21155.2(b).
3. ADOPT, pursuant to PRC Section 21155.2, the corrected SCEA, dated January 26, 2022, and the MMP prepared for the SCEA, for future consideration of the Project, identified as Planning Case Nos. ZA-2018-7378-ZV-TDR-SPR and VTT-82463, that would result in the demolition of four existing commercial/retail buildings (a total of approximately 28,110 square feet of floor area) and surface parking lot, and the new construction, use, and maintenance of a 30-story (340 feet above grade) mixed-use building with 363 residential dwelling units and 12,500 square feet of ground floor commercial/retail uses; the proposed project would include a four-story above grade parking podium with ground floor retail/commercial uses and an amenity deck and a 26-story residential tower above the amenity deck; and would provide a total of 373 vehicle parking spaces and 195 bicycle parking spaces in accordance with the Los Angeles Municipal Code (LAMC) requirements; primary vehicular access for residential and commercial uses would be provided from Main Street and from the adjacent alley; the proposed project would also provide approximately 39,601 square feet of open space pursuant to the LAMC requirements, would include 343,447 square feet of total floor area resulting in a Floor Area Ratio of 7.03:1; would remove nine existing non-protected street trees in the right-of-way surrounding the project site, eight trees along Main Street and one tree along 12th Street; and, would require approximately 5,434 cubic yards of soil to be exported and 5,434 cubic yards of soil to be imported to/from the project site; for the properties located at 1123-1161 South Main Street and 111 West 12th Street, as amended by the PLUM Committee on January 18, 2022 to incorporate the following technical corrections:

- a. Correct the reference to the 2040-2045 RTP/SCS EIR contained in the Report from Department of City Planning (DCP), dated September 24, 2021, attached to the Council file, to accurately state: 2020-2045 RTP/SCS Program EIR, SCH No. 2019011061, and Addendum.
- b. Modify the language for the regulatory compliance measure, RCM-BIO-2, of the SCEA to specify the criteria for a qualified biologist, as follows: For the purposes of carrying out the Project's biological regulatory compliance measures, a "qualified biologist" must at minimum meet the Los Angeles County Department of Regional Planning's minimum qualifications for a Tier 2 biological consultant; and, will at the time the biologist performs Project activities be listed as a Certified Biological Consultant by the Los Angeles County Department of Regional Planning.

Applicant: Frontier Holdings West, LLC

Representative: Irvine and Associates, Inc.

Case Nos. ZA-2018-7378-ZV-TDR-SPR and VTT-82463

Environmental No. ENV-2018-7379-SCEA

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

Community Impact Statement: None submitted

(30) **21-0829-S1**  
**CD 11**

CONSIDERATION OF MOTION (BONIN – RAMAN) relative to rescinding the Council's action, dated December 1, 2021, adopting the Resolution to amend the Venice Community Plan and Venice Land Use Plan, reconsidering the matter to amend the Resolution to include the correct set of Exhibits to the Venice Land Use Plan, and to refer the Council's amendment to the Los Angeles City Planning Commission (LACPC) and the Mayor for review and consideration, if adopted.

Recommendations for Council action, pursuant to Motion (Bonin – Raman):



1. RESCIND the Council's action, dated December 1, 2021, adopting the Resolution to amend the Venice Community Plan and Venice Land Use Plan through Council File No. 21-0829-S1, and reconsider the matter to amend the Resolution recommended by the LACPC to remove Exhibits 11b – Height and 15 – Buffer/Setback, and include the correct set of Exhibits to the Venice Land Use Plan [Exhibits 2a - Venice Coastal Zone, 2b – Venice Coastal Zone, 5b – Subarea North Venice and Venice Canals, 10b – Land Use Plan (Map) North Venice and Venice Canals, 14b – Height Subarea North Venice and Venice Canals, and 17a – Coastal Access Map] as part of the Council file; for the properties located at 2102-2120 South Pacific Avenue, 116-302 East North Venice Boulevard, 2106-2116 South Canal Street, and 319 East South Venice Boulevard.
2. REFER the Council's amendment to the LACPC and the Mayor for review and consideration, pursuant to Los Angeles City Charter Section 555, if adopted.

Applicants: Sarah Letts, Hollywood Community Housing Corporation and Rebecca Dennison, Venice Community Housing Corporation  
Representative: Christopher Murray, Rosenheim and Associates, Inc.

Case No. CPC-2018-7344-GPAJ-VZCJ-HD-SP-SPP-CDP-MEL-SPR-PHP-1A

Environmental No. ENV-2018-6667-SE

Related Case: VTT-82288-2A

**(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.)**

**(Click on the above hyperlink or go to <http://www.lacouncilfile.com> for background documents.)**

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

**Items for which Public Hearings Have Not Been Held - (10 Votes Required for Consideration)**

(31) **21-1477**

PERSONNEL, AUDITS, AND ANIMAL WELFARE COMMITTEE REPORT relative to the exemption of nine grant-funded positions for the Community Investment for Families Department (CIFD) from the Civil Service pursuant to Charter Section 1001(d).

Recommendation for Council action:

CONCUR and APPROVE the November 10, 2021 Board of Civil Service Commissioners action to exempt the following positions for the CIFD from the Civil Service pursuant to Charter Section 1001(d)(4):

<b>Position ID</b>	<b>Class Code</b>	<b>Title</b>	<b>Division</b>
CAPC006	9182	Chief Management Analyst	Program Operations
CXMP001	1577	Assistant Chief Grants Administrator	Program Operations
CXMP005	1538	Senior Project Coordinator	Program Operations
CXMP008	1537	Project Coordinator	Program Operations
CXMP009	1542	Project Assistant	Program Operations
CXMP004	1542	Project Assistant	Program Operations
CXMP006	1546	Senior Project Assistant	Program Operations
CXMP002	1550	Program Aide	Program Operations
CXMP003	1550	Program Aide	Program Operations

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

Community Impact Statement: None submitted.

(32) **21-1391**

PERSONNEL, AUDITS, AND ANIMAL WELFARE COMMITTEE REPORT relative to the exemption of three grant-funded positions for Economic and Workforce Development Department (EWDD) from the Civil Service pursuant to Charter Section 1001(d).

Recommendation for Council action:

CONCUR and APPROVE the September 23, 2021 Board of Civil Service Commissioners action to exempt the following positions for the EWDD from the Civil Service pursuant to Charter Section 1001(d)(4):

<b>Position ID</b>	<b>Class Code</b>	<b>Title</b>	<b>Division</b>	<b>Council file No.</b>
1268	1546	Senior Project Assistant (Watts)	Workforce Development	19-0876
1272	1546	Senior Project Assistant (Garland)	Workforce Development	17-0028
1279	1546	Senior Project Assistant Heights)	Workforce Development (Boyle	19-0876

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

Community Impact Statement: None submitted.

(33) **20-0313-S2**

PERSONNEL, AUDITS, AND ANIMAL WELFARE COMMITTEE REPORT relative to the status of the Human Resources and Payroll (HRP) Project.

Recommendation for Council action:

RECEIVE and FILE the January 12, 2022 Information Technology Agency (ITA) report, inasmuch as this report is for information only and no Council action is required.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

(34) **21-1200-S57**

COMMUNICATIONS FROM THE MAYOR relative to the appointment and withdrawal from consideration of Mr. Gerard Garcia to the Affordable Housing Commission.

A. Communication from the Mayor dated December 20, 2021.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. Gerard Garcia to the Affordable Housing Commission for the term ending June 30, 2024 is APPROVED and CONFIRMED. Mr. Garcia will fill the vacancy created by Oswaldo Lopez, who has resigned, Mr. Garcia resides in Council District 1. (Current Composition: M=3; F=2).

Financial Disclosure Statement: Pending.

Background Check: Pending.

B. Communication from the Mayor dated January 3, 2022.

Recommendation for Council action:

RECEIVE and FILE this matter inasmuch as the appointee withdrew from further consideration.

Fiscal Impact Statement: Not applicable

Community Impact Statement: None submitted

**TIME LIMIT FILE - FEBRUARY 7, 2022**

**(LAST DAY FOR COUNCIL ACTION - FEBRUARY 4, 2022)**

**(Housing Committee waived consideration of the matter)**

(35) 21-1064

COMMUNICATIONS FROM THE CITY ADMINISTRATIVE OFFICER (CAO) AND MAYOR relative to the 2021-22 Juvenile Justice Crime Prevention Act (JJCPA) grant award from the County of Los Angeles Probation Department (CLAPD).

A. COMMUNICATION FROM THE CAO

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

1. AUTHORIZE the Mayor, or designee, to:
  - a. Retroactively accept the 2021-22 JJCPA Grant in the amount of \$1,000,000 from the CLAPD to support the Juvenile Re-Entry Partnership Program for provision of re-entry services to youth exiting County probation camps and returning to communities within the City, effective for a performance period of July 1, 2021 through June 30, 2022.
  - b. Submit any other necessary agreements and documents relative to the implementation of this program, subject to the review and approval of the City Attorney as to form and legality.
2. AUTHORIZE the Mayor, or designee, to retroactively negotiate and execute contracts with five community-based organizations, in accordance with the following chart, to provide juvenile re-entry services to youth exiting County Probation and returning to communities within the City in conformance with the pro forma contract attached to the CAO report dated November 24, 2021, attached to the Council file, for a performance period of one year, effective from July 1, 2021 through June 30, 2022, with the option to renew for two additional one-year terms, subject to the availability of funds, compliance with City contracting requirements, and the review and approval of the City Attorney as to form and legality:

<u>RE-ENTRY PROVIDER</u>	<u>LAPD DIVISION</u>	<u>AMOUNT</u>
Soledad Enrichment Action, Inc.	South	\$309,000
Watts Labor Community Action Committee	South	155,000
El Centro Del Pueblo	Central	118,000
Homeboy Industries	Central	118,000
New Directions for Youth	Valley	<u>235,000</u>
		Total: \$935,000

3. AUTHORIZE the Mayor, or designee, to retroactively negotiate and execute a sole source contract, subject to City Attorney approval of sole source procurement, with the California State Los Angeles University (CSULA) Auxiliary Services to provide data collection, analysis and reports, database management, and progress evaluation in conformance with the pro forma contract attached to said CAO report, in an amount not to exceed \$65,000, for a performance period of one year effective from July 1, 2021 through June 30, 2022, with the option to renew for two additional one-year terms, subject to the availability of funds, compliance with City contracting requirements, and review and approval of the City Attorney as to form and legality.
4. AUTHORIZE the Controller to establish a new interest bearing fund entitled "2021-22 Juvenile Justice Crime Prevention Act (2021-22 JJCPA) Grant Fund" No. XXX/46, recognize a receivable in the amount of \$1,000,000, disburse the grant funds upon presentation of documentation or proper demand from the Mayor's Office, and create a new appropriation account "46V304 Contractual Services" within the new Fund No. XXX/46.
5. AUTHORIZE a Reserve Fund loan in the amount of \$250,000 to support youth diversion services related activities under the 2021-22 JJCPA Grant, which is to be repaid by the Mayor's Office upon receipt of reimbursement from Probation on the JJCPA Grant award; and, AUTHORIZE the Controller to transfer \$250,000 from the Reserve Fund to the Unappropriated Balance Fund No.100/58 and appropriate therefrom to the 2021-22 JJCPA Grant Fund No. XXX/46, Account No. 46V304, Contractual Services.
6. AUTHORIZE the Mayor, or designee, to prepare Controller instructions for any necessary technical adjustments consistent with the Mayor and Council actions on the matter, subject to the approval of the CAO; and, AUTHORIZE the Controller to implement the instructions.

**B. COMMUNICATION FROM THE MAYOR**

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

1. AUTHORIZE the Mayor, or designee, to retroactively accept the Juvenile Re-Entry Program award in the amount of up to \$1,000,000, for the agreement period of July 1, 2021 through June 30, 2022, and any other necessary agreements and documents relative to the grant award.
2. AUTHORIZE the Mayor, or designee, to negotiate and execute contracts with the following five community-based organizations:

Soledad Enrichment Action Inc., Watts Labor Community Action Committee, El Centro Del Pueblo, Homeboy Industries and New Directions for Youth to provide juvenile re-entry services to youth exiting County Probation and returning to communities within the City, for an initial three month period within the grant performance period of July 1, 2021 through June 30, 2022, with the option to renew for two additional one-year terms, in an amount not to exceed \$935,000, subject to the availability of funds, compliance with City contracting requirements and the approval of the City Attorney as to form.

3. AUTHORIZE the Mayor, or designee, to negotiate and execute a sole source contract with CSULA to obtain data collection, analysis and reports, database management and progress evaluation, for the period of for a term of 12 months within the performance period of the grant, in a total amount not to exceed \$65,000, subject to approval of the City Attorney as to form and legality and compliance with City contracting requirements.

4. AUTHORIZE the Controller to establish a new fund entitled 2021-22 JJCPA Grant Fund No. XXX/46; recognize a receivable for funding in the amount of \$1,000,000; expend funds upon presentation and proper demand from the Mayor, or designee, and establish appropriation accounts as follows:

<u>ACCOUNT</u>	<u>TITLE</u>	<u>AMOUNT</u>
46V304	Contratual Svcs	\$1,000,000

5. AUTHORIZE a Reserve Fund Loan in the amount of \$300,000 to support program-related activities under the 2021-22 JJCPA Grant Program; and, AUTHORIZE the Controller to transfer said amount from the Reserve Fund to the Unappropriated Balance Fund No. 100/58 and transfer therefrom to the 2021-22 JJCPA Grant Fund No. XXX/46, Account No. 46V304 Contractual Services to be reimbursed upon receipt of grant funds from the Probation
6. AUTHORIZE the Mayor, or designee, to prepare Controller instructions and/or make technical adjustments that may be required to implement the actions approved by the Mayor and Council on this matter, subject to the approval of the CAO; and, AUTHORIZE the Controller to implement these instructions.

Fiscal Impact Statement: The CAO reports that the proposed Reserve Fund loan of \$250,000, as stated in said CAO report, will be used to address a cash flow

issue for service providers and is anticipated to be repaid upon final reimbursement of the JJCPA Re-Entry Program grant funds. This loan is fully reimbursable by the grant and will be repaid during 2022-23 (following the close of the grant performance period).

Financial Policies Statement: The CAO reports that the recommendations as stated in said CAO report comply with the City Financial Policies.

Debt Impact Statement: The CAO reports that there is no debt impact as stated in said CAO report. These bonds or notes are a conduit issuance debt and not a debt of the City.

Community Impact Statement: None submitted

**(Public Safety Committee waived consideration of the above matter)**

(36) **21-1320**

COMMUNICATIONS FROM THE CITY ADMINISTRATIVE OFFICER (CAO), AND MAYOR, AND RESOLUTION relative to the Fiscal Year 2021 Urban Areas Security Initiative (FY21 UASI) grant application.

A. COMMUNICATION FROM THE CAO

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

1. AUTHORIZE the Mayor's Office of Public Safety to submit the FY21 UASI grant application to the California Governor's Office of Emergency Services (Cal OES) on behalf of the City and the Los Angeles/Long Beach (LA/LB) Urban Area, for the estimated \$55,420,000 allocation.
2. ADOPT the accompanying Governing Body RESOLUTION attached to the CAO report dated January 24, 2022, to designate the City entities that will apply for and manage Federal financial assistance provided by the Department of Homeland Security (DHS) and sub-granted through the State of California.
3. INSTRUCT the CAO to report back with the necessary actions to approve and accept the FY21 UASI award once applications are evaluated, and funding is allocated by the DHS, subject to Council and Mayor approval.



**B. COMMUNICATION FROM THE MAYOR**

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

1. AUTHORIZE the Mayor's Office of Public Safety to submit the FY21 UASI grant application to the Cal OES on behalf of the City and the LA/LB Urban Area, for the estimated \$55,420,000 allocation. Final amount will be made available within the acceptance transmittal.
2. ADOPT the accompanying Governing Body RESOLUTION attached to the Mayor report dated November 5, 2021, to designate the City entities that will apply for and manage Federal financial assistance provided by the DHS and sub-granted through the State of California
3. INSTRUCT the CAO to report back with the necessary actions to approve and accept the FY21 UASI award once applications are evaluated and funding is allocated by the DHS, subject to Council and Mayor approval.

Fiscal Impact Statement: The CAO reports that approval of the recommendations as stated in said CAO report will have no additional impact to the General Fund. No matching funds are required of this grant.

Financial Policies Statement: The CAO reports that the recommendations as stated in said CAO report comply with the City Financial Policies.

Debt Impact Statement: The CAO reports that there is no debt impact as stated in said CAO report. These bonds or notes are a conduit issuance debt and not a debt of the City.

Community Impact Statement: None submitted

**(Public Safety Committee waived consideration of the above matter)**

(37) **21-1372-S1**

COMMUNICATION FROM THE DEPARTMENT OF AGING (Aging) relative to the additional Financial Alignment Grant funds for Fiscal Year 2021-22, and contract amendment with the Center for Health Care Rights (CHCR) for the Health Insurance Counseling and Advocacy Program.

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

1. APPROVE the Financial Alignment budget FA-2122-25 as detailed in Attachment 1 of the December 9, 2021 Aging report, attached to the Council File.
2. AUTHORIZE the Interim General Manager, Aging, or designee, to:
  - a. Accept \$45,393 in additional Financial Alignment grant funds under FA-2122-25.
  - b. Execute California Department of Aging Standard Agreement FA-2122-25 as detailed in Attachment 2 of the December 9, 2021 Aging report, attached to the Council File, subject to the approval of the City Attorney as to form legality.
  - c. Execute a contract amendment detailed in Attachment 3 of the December 9, 2021 Aging report, attached to the Council File, to CHCR's Fiscal Year 2021-22 agreement adding Financial Alignment grant funding per Table 1 of the December 9, 2021 Aging report, attached to the Council File, subject to the approval of the City Attorney as to form and legality.
  - d. Prepare Controller instructions for any technical adjustments, subject to the approval of the City Administrative Officer; and authorize, the Controller to implement the instruction.
3. AUTHORIZE the Controller to:
  - a. Disburse funds to CHCR upon submission of proper demand from the Interim General Manager, Aging, or designee.
  - b. Establish new accounts and appropriate \$45,393 for the Financial Alignment Program within the Health Insurance Counseling and Advocacy Program Fund Number 47Y for the period covering from November 2021 to October 2022 as follows:

<u>Account No.</u>	<u>Account Title</u>	<u>Amount</u>
02V102	Aging	\$4,539
02VD03	Financial Alignment	\$40,854
	Total	\$45,393
  - c. Increase appropriations within Fund No. 100/02, and transfer funds on an as-needed basis as follows.

<u>Fund/Dept</u>	<u>Account No.</u>	<u>Account Title</u>	<u>Amount</u>
From: 47Y/02	02V102	Aging	\$4,539
To: 100/02	001010	Salaries- General	\$4,539

Fiscal Impact Statement: Aging reports that there is no impact to the General Fund.

Community Impact Statement: None submitted

**(Arts, Parks, Health, Education, and Neighborhoods Committee  
waived consideration of the above matter)**

(38) **22-0086**

COMMUNICATION FROM THE DEPARTMENT OF AGING (Aging) relative to the Medicare Improvement for Patients and Providers Act (MIPPA) grant funds, execution of the Standard Agreement MI-2022-25, and the amendment to the contract with Center for Health Care Rights.

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

1. APPROVE the MIPPA grant budget MI-2122-25 as detailed in Attachment 1 of the November 4, 2021 Aging report, attached to the Council File.
2. AUTHORIZE the General Manager, Aging, or designee, to:
  - a. Accept \$45,393 in additional Financial Alignment grant funds under FA-2122-25.
  - b. Execute California Department of Aging Standard Agreement MI-2122-25 (Attachment 2, of the November 4, 2021 Aging report, attached to the Council File), subject to the approval of the City Attorney as to form legality.
  - c. Execute a contract amendment detailed in Attachment 3 of the November 4, 2021 Aging report, attached to the Council File, to CHCR's Fiscal Year 2021-22 agreement adding MIPPA grant funding per Table 1 of the November 4, 2021 Aging report,

attached to the Council File, subject to the approval of the City Attorney as to form and legality.

- d. Prepare Controller instructions for any technical adjustments, subject to the approval of the City Administrative Officer; and, authorize the Controller to implement the instruction.

3. AUTHORIZE the Controller to:

- a. Disburse funds to CHCR upon submission of proper demand from the Interim General Manager, Aging, or designee.
- b. Establish new accounts and appropriate \$176,726 for the MIPPA Program within the Health Insurance Counseling and Advocacy Program Fund Number 47Y for the period covering from September 1, 2021 to August 31, 2022 as follows:

<u>Account No.</u>	<u>Account Title</u>	<u>Amount</u>
02V102	Aging	\$17,673
02VD13	MIPPA	\$159,053
Total		\$176,726

- c. Increase appropriations within Fund No. 100/02, and transfer funds on an as-needed basis as follows.

<u>Fund/Dept</u>	<u>Account No.</u>	<u>Account Title</u>	<u>Amount</u>
From: 47Y/02	02V102	Aging	\$17,376
To: 100/02	001010	Salaries-General	\$17,673

Fiscal Impact Statement: Aging reports that there is no impact to the General Fund.

Community Impact Statement: None submitted

**(Arts, Parks, Health, Education, and Neighborhoods Committee waived consideration of the above matter)**

(39) **22-0081**

COMMUNICATION FROM THE DEPARTMENT OF AGING (Aging) relative to the additional grant funding from the California Department of

Aging under Area Plan Fiscal Year 2021-22, and the Senior and Family Caregiver Fiscal Year 2021-22 contracts for additional Older American Act baseline funding and One-Time-Only grant funding.

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

1. APPROVE the Area Plan Budget AP-122-25, Amendment 1, as detailed in Attachment 1 of the December 8, 2021 Aging report, attached to the Council File.
2. AUTHORIZE the Interim General Manager, Aging, or designee, to:
  - a. Accept \$1,806,632 in additional California Department of Aging grant funds under Area Plan AP-2122-25, Amendment 1.
  - b. Execute Standard Agreement AP-2122-25, Amendment 1, as detailed in Attachment 2 of the December 8, 2021 Aging report, attached to the Council file, subject to the approval of the City Attorney as to form legality.
  - c. Allocate funding as outlined in Table 4, and Attachment 3, of the December 8, 2021 Aging report, attached to the Council file.
  - d. Execute Fiscal Year 2021-22 contract amendments, Attachment 4, Pro Forma, as outlined in Table 4, Attachment 3, of the December 8, 2021 Aging report, attached to the Council file, with Older Americans Act service providers, subject to the approval of the City Attorney as to form and legality.
  - e. Prepare Controller instructions for any technical adjustments that are consistent with Mayor and council actions, subject to the approval of the City Administrative Officer; and, authorize the Controller to implement the instructions.
3. AUTHORIZE the Controller to:
  - a. Disburse funds to the contractors upon submission of proper demand from the Interim General Manager, Aging, or designee.
  - b. Increase the appropriation within the Ombudsman Initiative Program Fund No. 46V as follows:

<u>Account No.</u>	<u>Account Title</u>	<u>Amount</u>
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02VC03	State Health Facilities Citation Penalties Act	\$126,102
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Total: \$126,102

- c. Increase the appropriation within the Area Plan for the Aging Title III Fund No. 395 as follow:

<u>Account No.</u>	<u>Account Title</u>	<u>Amount</u>
02V102	Aging	\$4,539
02VA01	Social Services III B	\$603
02VA02	Congregate Meals III C1	\$12,858
02VA04	Home Delivered Meals III C2	\$1,505,800
02VA07	NSIP Congregate Meals C1	\$37,482
02VA08	NSIP Home Delivered Meals C2	\$23,787

Total: \$1,680,530

- d. Increase appropriations within Fund No. 100/02, and transfer funds on an as-needed basis as follows:

<u>Fund No.</u>	<u>Account No.</u>	<u>Account Title</u>	<u>Amount</u>
From: 395	02V102	Aging	\$100,000
To: 100	001010	Salaries-General	\$100,000

Fiscal Impact Statement: Aging reports that the request complies with the City's financial policy, and the proposed actions will reimburse the agency that over-served and overspent using program savings and have no additional impact on the City General Funds.

Community Impact Statement: None submitted

**(Arts, Parks, Health, Education, and Neighborhoods Committee waived consideration of the above matter)**

## Closed Session

(40) 17-0026

The City Council may recess to Closed Session, pursuant to Government Code Section 54956.9(d)(1), to confer with its legal counsel relative to the second modification of the settlement entitled Christian Rodriguez, et al. v. City of Los Angeles, et al., United States District Court Case No. CV11-01135 DMG (JEMx). (This matter arises from a class action lawsuit agreeing to fund job training and education programs for persons who were formerly subject to gang injunctions.)

**(Budget and Finance Committee considered the above matter in Closed Session on January 24, 2022)**

(41) 22-0069

The City Council may recess to Closed Session, pursuant to Government Code Section 54956.9(d)(1), to confer with its legal counsel relative to the case entitled John Conte v. City of Los Angeles, Los Angeles Superior Court Case No. 20STCV34097. (This matter arises from a trip and fall on an uneven sidewalk located adjacent to 830 Shenandoah Street on November 9, 2019.)

**(Budget and Finance Committee considered the above matter in Closed Session on January 24, 2022)**

(42) 22-0075

The City Council may recess to Closed Session, pursuant to Government Code Section 54956.9(d)(1), to confer with its legal counsel relative to the case entitled Kathryn Lopez v. City of Los Angeles, et al., Los Angeles Superior Court Case No. 19STCV23139. (This matter arises from a fall that occurred at or near 2330 Silver Lake Boulevard in Los Angeles, California 90039.)

**(Budget and Finance Committee considered the above matter in Closed Session on January 24, 2022)**

(43) **22-0073**

The City Council may recess to Closed Session, pursuant to Government Code Section 54956.9(d)(1), to confer with its legal counsel relative to the case entitled Ivan Andrey Navarro-Rodriguez v. Guzman Colin, et al., Los Angeles Superior Court Case No. 19STCV09046. (This matter arises from a traffic collision that occurred on August 2, 2018, at the intersection of San Pedro Street and Vernon Avenue in Los Angeles.)

**(Budget and Finance Committee considered the above matter in Closed Session on January 24, 2022)**

## **Items Called Special**

**Motions have been Referred and will be Posted on the City Clerk's Website shortly after the Council Meeting**

## **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 relative to items on this agenda can be obtained from the Office of the City Clerk's Council File Management System, at [lacouncilfile.com](http://lacouncilfile.com) by entering the Council File number listed immediately following the item number (e.g., 00-0000).