

Los Angeles City Council, Journal/Council Proceedings
Friday, June 18, 2004
John Ferraro Council Chamber, Room 340, City Hall - 10 am

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

ROLL CALL - Members present: Garcetti, Greuel, Hahn, LaBonge, Miscikowski, Perry, Reyes, Smith, Weiss, Zine and President Padilla (11); Absent: Cardenas, Ludlow, Parks and Villaraigosa (4).

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
JUNE 15, 2004

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 20

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

ROLL CALL NUMBER (#) - INDICATES THE ORDER IN WHICH THE ITEMS WERE ACTED
UPON DURING THE COUNCIL MEETING

Items Noticed for Public Hearing - Items 1-6

**Roll Call #4 - Motion (Miscikowski - LaBonge) Adopted, Ordinance Over One Week, Ayes (11);
Absent: Cardenas, Ludlow, Parks and Villaraigosa (4)
(Item Nos. 1-3)**

**ITEM NO. (1) - PUBLIC HEARING CLOSED - NO PROTESTS - ORDINANCE OVER ONE WEEK
TO JUNE 25, 2004**

04-0121 - CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST
CD 4 CONSIDERATION relative to the improvement and maintenance of MOORPARK STREET
AND CAHUENGA BOULEVARD LIGHTING DISTRICT.

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

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting system, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Sections 50078.6 and 54954.6 (Proposition 218).

(Public Hearing held May 28, 2004)

ITEM NO. (2) - PUBLIC HEARING CLOSED - NO PROTESTS - ORDINANCE OVER ONE WEEK TO JUNE 25, 2004

04-0319 - CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CD 12 CONSIDERATION relative to the improvement and maintenance of WHITE OAK AVENUE AND RAYEN STREET LIGHTING DISTRICT.

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

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting system, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Sections 50078.6 and 54954.6 (Proposition 218).

(Public Hearing held May 28, 2004)

ITEM NO. (3) - PUBLIC HEARING CLOSED - NO PROTESTS - ORDINANCE OVER ONE WEEK TO JUNE 25, 2004

04-0087 - CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CD 7 CONSIDERATION relative to the improvement and maintenance of ART STREET AND SAN FERNANDO ROAD (REBALLOT) LIGHTING DISTRICT.

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

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting system, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Sections 50078.6 and 54954.6 (Proposition 218).

(Public Hearing held May 28, 2004)

ITEM NO. (4) - CONTINUED TO JUNE 22, 2004

**Roll Call #3 - Motion (Reyes - Smith) Adopted to Continue, Unanimous Vote (11);
Absent: Cardenas, Ludlow, Parks and Villaraigosa (4)**

04-0088 - CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CD 1 CONSIDERATION relative to the improvement and maintenance of GRAND AVENUE AND CESAR E. CHAVEZ AVENUE LIGHTING DISTRICT.

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

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting system, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Sections 50078.6 and 54954.6 (Proposition 218).

(Public Hearing held May 28, 2004)

**Roll Call #4 - Motion (Miscikowski - LaBonge) Adopted, Ordinance Over One Week, Ayes (11);
Absent: Cardenas, Ludlow, Parks and Villaraigosa (4)
(Item Nos. 5-6)**

**ITEM NO. (5) - PUBLIC HEARING CLOSED - NO PROTEST - ORDINANCE OVER ONE WEEK
TO JUNE 25, 2004**

04-0066 - CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST
CD 6 CONSIDERATION relative to the improvement and maintenance of REMICK AVENUE AND
KAMLOOPS STREET LIGHTING DISTRICT.

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

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting system, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Sections 50078.6 and 54954.6 (Proposition 218).

(Public Hearing held May 28, 2004)

ITEM NO. (6) - ADOPTED - ORDINANCE OVER ONE WEEK TO JUNE 25, 2004

03-0523 - GENERAL EXEMPTION, COMMUNICATION FROM CITY ATTORNEY and ORDINANCE
CD 11 FIRST CONSIDERATION relative to authorizing acquisition of real property for the
"NORTH OUTFALL SEWER - EAST CENTRAL INTERCEPTOR SEWER" PROJECT.

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

1. FIND this project is in substantial conformance with the General Plan pursuant to Section 556 of the City Charter.
2. PRESENT and ADOPT the accompanying ORDINANCE finding that the public interest and necessity require the "North Outfall Sewer - East Central Interceptor Sewer Project" and the acquisition of property therefore (Work Order No. E2001434) for public "Sewer" purposes under authority of California Government Code Section 37350.5.

3. AUTHORIZE the City Attorney to make a deposit of probable just compensation and obtain an order for possession prior to trial.

[EIR was certified, Statement of Findings and Overriding Considerations, Mitigation Monitoring and Reporting Programs for this project was adopted by Council on November 10, 1998.]

(Public Works Committee waived consideration of the above matter)

Items for Which Public Hearings Have Been Held - Items 7-16

ITEM NO. (7) - ADOPTED FORTHWITH

Roll Call #9 - Motion (Reyes - Zine) Adopted, Ayes (10); Absent: Cardenas, Ludlow, Parks, Villaraigosa and Weiss (5)

04-0948 - PUBLIC SAFETY COMMITTEE REPORT relative to appointment of Ms. Veronica Gutierrez to the Los Angeles Board of Fire Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Veronica Gutierrez to the Los Angeles Board of Fire Commissioners for the term ending June 30, 2004, is APPROVED AND CONFIRMED. Ms. Gutierrez resides in Council District One. (Current Commission Gender Composition; F=1; M=3; V=1).

TIME LIMIT FILE - JUNE 28, 2004

(LAST DAY FOR COUNCIL ACTION - JUNE 25, 2004)

ITEM NO. (8) - CONTINUED TO JUNE 22, 2004

Roll Call #6 - Motion (Miscikowski - Reyes) Adopted to Continue, Unanimous Vote (11); Absent: Cardenas, Ludlow, Parks and Villaraigosa (4)

03-1788 - RULES AND ELECTIONS COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to current City policies for issuing badges to civilian commissioners and board members.

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

PRESENT and ADOPT the accompanying ORDINANCE amending Los Angeles Municipal Code Section 52.32 to limit issuance of badges to members of boards or commissioners of public safety-related and proprietary departments.

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

ITEM NO. (9) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS, AS AMENDED - SEE FOLLOWING

Roll Call #12 - Motion (Garcetti - Greuel) to Adopt as Amended, Ayes (10); Absent: Cardenas, Ludlow, Parks, Villaraigosa and Weiss (5)

03-0209 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and S9, S10, RESOLUTIONS relative to issuing tax-exempt multi-family housing revenue bonds in a S11 & S12 total amount of \$40.8 million for six affordable housing projects.

04-0219 Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR: S1 & S2

1. ADOPT the accompanying RESOLUTIONS relative to the issuance of tax-exempt, multi-family housing revenue bonds, in an aggregate amount not to exceed \$40.8 million, for the six affordable housing projects in their respective amounts, as follows:

<u>Project</u>	<u>Address</u>	<u>Units</u>	<u>Bond Request</u>
Ingram Preservation	scattered sites	140	\$ 8,211,370
Pico Gramercy	3201 West Pico Boulevard	71	8,500,000
Pico New Hampshire	1308 New Hampshire Avenue	30	4,000,000
Barbizon Hotel	1927 West Sixth Street	51	7,000,000
Saenara Apartments	3223 West Sixth Street	139	4,300,000
Witmer Manor	1501 Miramar/201 Witmer	<u>238</u>	<u>8,834,003</u>
Total		669	\$40,845,373

2. APPROVE the related bond documents for the above projects, subject to the approval of the City Attorney as to form and legality.
3. AUTHORIZE the General Manager, Los Angeles Housing Department, or designee, to negotiate and execute the financing documents for the bonds, subject to the approval of the City Attorney as to form and legality.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. Approval of the recommendations above would authorize the issuance of tax-exempt, multi-family housing revenue bonds in an aggregate amount not to exceed \$40.8 million for six projects. The City incurs no liability for the repayment of the bonds.

ADOPTED

AMENDING MOTION (GARCETTI - GREUEL)

Recommendations for Council action:

1. FIND that the Ingram Preservation scattered-site project, Recommendation No. 1 of the Housing, Community and Economic Development Committee (HCED) Report, is categorically exempt under Art. 19, Section 15301, Category (d) of the California Environmental Quality Act (CEQA) guidelines.

2. DETERMINE that the Ingram Preservation scattered-site project, Recommendation No. 1 of the HCED Report, will comply with all U. S. Department of Housing and Urban Development (HUD) regulations as implemented by HUD for National Environmental Police Act (NEPA) purposes.
3. REMOVE Pico New Hampshire from Recommendation No. 1 of the HCED Report.
4. REQUEST the Clerk to schedule for Council consideration the Pico New Hampshire project immediately upon notification and/or filing by the Los Angeles Housing Department (LAHD) of appropriate environmental clearances relative to this project, the following:
 - a. Adopt the Resolution included as attachment to the LAHD, Transmittal dated May 14, 2004, (Pico New Hampshire - Council file No. 03-0209-S11) relative to the issuance of tax-exempt, multifamily housing revenue bonds in an amount not to exceed \$4 million.
 - b. Approve the related bond documents for Pico New Hampshire, subject to the approval of the City Attorney as for form and legality.
 - c. Authorize the General Manager, LAHD, or designee, to negotiate and execute the financing documents for the bonds, subject to the approval of the City Attorney as to form and legality.
 - d. Approve CEQA/NEPA implementing language as filed with the City Clerk.

Roll Call #5 - Motion (Garcetti - LaBonge) Adopted, Ayes (11); Absent: Cardenas, Ludlow, Parks and Villaraigosa (4)
(Item Nos. 10-11)

ITEM NO. (10) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATION

02-0914 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the Workforce Investment Board (WIB) Ad Hoc Committee on Training and Support Services and policy recommendations for the City of Los Angeles workforce development system.

Recommendation for Council action:

RECEIVE and FILE Community Development Department report to Council dated April 1, 2004 (attached to the Council file) relative to the WIB Ad Hoc Committee on Training and Support Services and policy recommendations for the City of Los Angeles workforce development system.

Fiscal Impact Statement: Not applicable.

**ITEM NO. (11) - MOTION ADOPTED TO APPROVE COMMITTEE REPORTS
RECOMMENDATIONS - TO THE MAYOR FORTHWITH - SEE FOLLOWING**

03-1188 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT
S2 relative to approving the City of Los Angeles Workforce Investment Board (WIB) Year Five Annual Plan for the period July 1, 2004 through June 30, 2005 to provide employment services to businesses and job seekers.

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

1. APPROVE the recommendations of the City Administrative Officer (CAO) in the report to the Mayor and Council dated June 9, 2004, attached to the committee report as amended to modify:
 - a. CAO Recommendation No. 2 to add the WIB as a member of the Ad Hoc Committee.
 - b. CAO Recommendation No. 13 to add authorizations for the General Manager, Community Development Department (CDD), or designee, to:
 - 1) Accept \$625,000 from the Office of the Disability Employment Project (ODEP) grant and to enter into a contract with Goodwill Industries of Southern California to provide service delivery as specified by the ODEP grant, subject to the approval of the City Attorney as to form and legality.
 - 2) Expend \$200,000 in Brownfields Grant funds for the period October 1, 2003 through September 30, 2004, and to negotiate a contract with the Los Angeles Conservation Corps to provide a 300-hour job-training program for hazardous waste handling, subject to the approval of the City Attorney as to form and legality.
 - 3) Expend \$110,700 in Rewarding Youth Achievement Award funds to implement the Rewarding Youth Achievement program targeting high school students at Roosevelt and Jordan High Schools.
2. AUTHORIZE the General Manager, CDD, or designee, to:
 - a. Accept an additional \$787,472 in CalWORKS Youth Jobs funds from the County of Los Angeles, Department of Community and Senior Services for Program Year 2004-05, and add any unexpended Program Year 2004-05 funds through contract amendment(s) and any other available grants.
 - b. Use funds not to exceed five percent of the total grant for project related activities, including, but not limited to staffing, monitoring, and report generation.

- c. Enter into contracts with the Los Angeles Unified School District (\$1,400,000), Catholic Charities of Los Angeles, Inc. (AYE) (\$620,000), El Proyecto del Barrio (\$150,000), and the Housing Authority of the City of Los Angeles (\$200,000) for summer youth employment services, subject to the approval of the City Attorney as to form and legality.
3. REQUEST that the WIB implement the policy proposals of the Executive Director, WIB as contained in the June 9, 2004 report to the Housing, Community, and Economic Development Committee, attached to the committee report as amended to modify Recommendation No. 2a to include the Chair of the Housing, Community, and Economic Development Committee as a member of the Ad Hoc Task Force.
4. REQUEST that the Executive Director, WIB, report back to the Housing, Community and Economic Development Committee in 60 days with recommendations for reducing the City's administrative costs for workforce development programs.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. The recommendations attached to the committee report and amendments above involve the allocation of \$76 million from various federal and State grants, including Workforce Investment Act (WIA) Title I, Youth Opportunity Movement, Rewarding Youth Achievement, Brownfields, CalWorks Incentive funds, and Schiff-Cardenas grant funds. The recommendations also include the allocation of previously approved General Funds included in the Fiscal Year 2004-05 Adopted Budget for the implementation of Youth Summer/Vacation Jobs for 2004-05.

The CAO further reports that the approval of the recommendations attached to the committee report and amendments above allocates grant funds to the Community Development Department's Workforce Development administrative and program budgets, adopts service strategies and amends and institutes new WIA policies governing the City's administration of the WIA programs, establishes WIA program priorities, and sets performance goals for program contractors. This action also provides various annual employment, contracting, and procurement authorities.

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

ADOPTED

PERSONNEL COMMITTEE REPORT relative to approving the City of Los Angeles Workforce Investment Board (WIB) Year Five Annual Plan for the period July 1, 2004 through June 30, 2005, to provide employment services to businesses and job seekers.

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

CONCUR with the recommendations in the Housing, Community and Economic Development Committee's report, dated June 11, 2004, attached to the Council file, relative to the WIB Year Five Annual Plan.

Fiscal Impact Statement: The City Administrative Officer (CAO) reports that this action will not impact the General Fund. The recommendations attached to the Housing, Community, and Economic Development (HCED) Committee report and amendments shown in the HCED Committee report involve the allocation of \$76 million from various federal and State grants, including Workforce Investment Act (WIA) Title I, Youth Opportunity Movement, Rewarding Youth Achievement, Brownfields, CalWorks Incentive funds, and Schiff-Cardenas grant funds. The recommendations also include the allocation of previously approved General Funds included in the Fiscal Year 2004-05 Adopted Budget for the implementation of Youth Summer/Vacation Jobs for 2004-05.

The CAO further reports that the approval of the recommendations attached to the HCED Committee report and amendments shown in the HCED Committee report allocates grant funds to the Community Development Department's Workforce Development administrative and program budgets, adopts service strategies and amends and institutes new WIA policies governing the City's administration of the WIA programs, establishes WIA program priorities, and sets performance goals for program contractors. This action also provides various annual employment, contracting, and procurement authorities.

ITEM NO. (12) - ADOPTED FORTHWITH - SEE FOLLOWING

Roll Call #13 - Motion (Zine - Garcetti) Adopted, Ayes (10); Absent: Cardenas, Ludlow, Parks, Villaraigosa and Weiss (5)

04-1111 - COMMUNICATION FROM THE CHIEF EXECUTIVE OFFICER, COMMUNITY
CD 3 REDEVELOPMENT AGENCY relative to approving the Reseda Theater project at 18445-57 Sherman Way in the Reseda - Canoga Park Earthquake Recovery Project Area, including the acquisition, rehabilitation, and re-occupancy of the Theater, and the related reprogramming of \$575,600 of Agency funds.

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

ADOPTED

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to approving the Reseda Theater project at 18445-57 Sherman Way, including the acquisition, rehabilitation, and re-occupancy of the theater, and the related reprogramming of \$800,600 of Agency funds.

Recommendations for Council action:

- 1. APPROVE the Reseda Theater Project at 18445-57 Sherman Way, including the acquisition, rehabilitation, and re-occupancy of the theater.**

2. **AMEND the Fiscal 2003-04 Community Redevelopment Agency (Agency) Budget by transferring \$250,600 from Work Objective RP6990 (response to Development Opportunities) and \$550,000 from Work Objective RP2950 (Business Attraction) into Work Objective RP2060 (Reseda Theater) for the purpose of implementing the Reseda Theater Project.**

Fiscal Impact Statement: The Chief Legislative Analyst (CLA) reports that this action will not impact the General Fund. The source of funds is bond proceeds from the Canoga Park Earthquake Redevelopment Project Area.

**Roll Call #5 - Motion (Garcetti - LaBonge) Adopted, Ayes (11); Absent: Cardenas, Ludlow, Parks and Villaraigosa (4)
(Item Nos. 13-16)**

ITEM NO. (13) - ADOPTED - TO THE MAYOR FORTHWITH

04-0591 - PUBLIC SAFETY COMMITTEE REPORT relative to U.S. Department of Homeland Security Urban Areas Security Initiative Operation Archangel grant award.

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

1. **AUTHORIZE the Mayor, or designee, to accept on behalf of the City, the grant award of \$3 million from the U.S. Department of Homeland Security (DHS), Office of Domestic Preparedness, for the Urban Areas Security Initiative (UASI) Operation Archangel project, for the period January 1, 2004 through December 31, 2005.**
2. **AUTHORIZE the Mayor, or designee, to execute the grant agreement for the Operation Archangel grant.**
3. **APPROVE the revised Operation Archangel grant budget, attached to the Council file and described in the City Administrative Officer (CAO) report dated June 9, 2004.**
4. **AUTHORIZE the Mayor's Criminal Justice Planning Office (MCJPO) to submit requests to the grantor for reimbursement or draw down of grant fund, deposit the grant receipts into the Homeland Security Assistance Fund No. 47N and expend those grant funds for the purposes specified in the Operation Archangel grant budget.**
5. **EXEMPT from any equipment freeze, those items included in the Furniture and Equipments lists for the Operation Archangel grant.**

6. ESTABLISH a receivable in the amount of \$3 million and CREATE appropriation and revenue accounts within the Homeland Security Assistance Fund for the UASI Operation Archangel Project grant (DHS Award No. 2004-EU-T3-K008), as specified by the MCJPO, consistent with the grant project budget and subject to the approval of the CAO.
7. INSTRUCT the City Clerk to calendar for a City Council meeting, on or as soon as possible after JULY 1, 2004, the following, SUBJECT TO THE APPROVAL OF THE MAYOR:

RESOLVE that Employment Authority for the following positions, in the Los Angeles Police Department (LAPD) for the Operation Archangel Homeland Security grant project, for the period July 1, 2004 through June 30, 2005, subject to allocation of the positions by the Civil Service Commission and paygrade determination by the CAO, is APPROVED, and EXEMPT from the hiring freeze:

<u>No.</u>	<u>Code</u>	<u>Title</u>
1	9171-1	Senior Management Analyst I
2	1702-1	Emergency Preparedness Coordinator I
2	9184-1	Management Analyst I
1	1368	Senior Clerk Typist

8. INSTRUCT the City Clerk to calendar for a City Council meeting, on or as soon as possible after JULY 1, 2004, the following, SUBJECT TO THE APPROVAL OF THE MAYOR:

RESOLVE that Employment Authority for one position of Mayoral Aide V, Code 0145, in the MCJPO for the Operation Archangel Homeland Security grant project, for the period July 1, 2004 through June 30, 2005, is APPROVED, and EXEMPT from the hiring freeze.

9. INSTRUCT the MCJPO to transfer from the Homeland Security Assistance Fund No. 47N to the General Fund, the Homeland Security grant reimbursements for the Operation Archangel Project staff salaries and fringe benefits, at least quarterly but preferably on a monthly basis.
10. AUTHORIZE the Controller, upon notification from the MCJPO, to create General Fund Revenue Source Codes or Sub-codes for Operation Archangel Grant Salary Reimbursements and Operation Archangel Grant Fringe Benefit Reimbursements.
11. AUTHORIZE the Director of the MCJPO to negotiate and execute a sole source professional services agreement with the H3 Group, not to exceed \$337,160 for a 24-month contract term effective upon execution of the contract, subject to the review and approval of the City Attorney, as to form and legality.

12. FIND that the proposed contract with H3 Group, pursuant to Charter Section 371(e) (2), is exempt from competitive bidding because it is for the performance of professional, scientific, expert, technical or other special services of a temporary and occasional character for which competitive bidding is not practical or advantageous.
13. AUTHORIZE the Director of MCJPO, to prepare Controller's instructions for any necessary technical adjustments, subject to the approval of the CAO, and AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: The CAO reports that the UASI Operation Archangel Project grant for the U.S. Department of Homeland Security does not require matching funds. However, the goals of the project cannot be achieved without the involvement of staff from the LAPD. The LAPD has assigned 30 existing staff to work on this project. There is no direct impact on the General Fund as these staff salaries are included in the budget base for the LAPD. The grant will pay the direct and fringe benefit costs of any new positions added for the grant project.

(Personnel Committee waived consideration of the above matter)

ITEM NO. (14) - ADOPTED

04-0788 - PUBLIC SAFETY COMMITTEE REPORT relative to Los Angeles Fire Department Automatic/Mutual Aid Agreement with the City of Long Beach.

Recommendation for Council action:

AUTHORIZE the Mayor and the Fire Chief to execute the proposed Automatic/Mutual Aid Agreement between the City of Los Angeles and the City of Long Beach Fire Departments.

Fiscal Impact Statement: The City Administrative Officer reports that approval of the Automatic/Mutual Aid Agreement is not expected to result in any significant additional costs to the City.

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

ITEM NO. (15) - NO ACTION TAKEN - OVER ONE WEEK TO JUNE 25, 2004 - PURSUANT TO RULE 77 OF THE LOS ANGELES CITY COUNCIL RULES

03-1865 - RULES AND ELECTIONS COMMITTEE REPORT relative to changes to the Rules of the Los Angeles City Council.

Recommendations for Council action:

1. APPROVE the amendments to the City Council Rules, as detailed in Attachment A-1 (attached to the Council file).

2. INSTRUCT the City Clerk relative to “Placeholders” as follows:

When items are placed on a Council Agenda with the statement that a Committee report will be submitted at the Council meeting, the statement on the Agenda should include a City Clerk contact name and number for members of the public wishing to inquire about background reports and related materials on the matter.

3. INSTRUCT all Boards of Commissioners relative to Charter Section 245 (Prop 5) as follows:

All Boards of Commissioners are hereby instructed to provide legal notice to all affected parties that Commission actions are not final until the expiration of the next five meeting days of the City Council during which the Council has convened in regular session and that if Council asserts jurisdiction during this five meeting day period the Council has 21 calendar days thereafter in which to act on the matter.

4. INSTRUCT the City Clerk to republish the City Council Rules and Procedures to incorporate the amendments contained in Attachment A-1.

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

(Pursuant to Rule 77 of the Los Angeles City Council Rules, an affirmative vote of two thirds is necessary to amend these Rules and the proposed amendments shall be presented to the Council and then held over one week before adoption.)

ITEM NO. (16) - ADOPTED

04-0841 - ARTS, PARKS, HEALTH AND AGING and BUDGET AND FINANCE COMMITTEES' REPORT relative to a proposed contract with The Library Corporation (TLC) for support of the Integrated Library Automation System.

Recommendation for Council action:

AUTHORIZE the President, Board of Library Commissioners, or designee, to execute the accompanying contract (attached to the City Administrative Officer (CAO) report dated April 21, 2004) with the Library Corporation for a three-year term effective upon execution, with an option to extend the contract for seven additional one-year terms, subject to the review of the City Attorney as to form and legality, provided that:

- a. A provision be added to the proposed contract indicating that the City's obligation to make payments under the contract shall be limited to the current appropriation(s) for that purpose.
- b. The latest standard contract provisions from October 2003 be incorporated.

Fiscal Impact Statement: The CAO reports that funding for the first year of the proposed contract is available in the Library Department's 2003-04 Budget. Funding in future years is subject to the appropriation of funds in the budget by the Mayor and Council.

TIME LIMIT FILE - JUNE 25, 2004

(LAST DAY FOR COUNCIL ACTION - JUNE 25, 2004)

Items for Which Public Hearings Have Not Been Held - Items 17-19

(10 Votes Required for Consideration)

ITEM NO. (17) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS Roll Call #7 - Motion (LaBonge - Perry) Adopted, Ayes (11); Absent: Cardenas, Ludlow, Parks and Villaraigosa (4)

04-1090 - CATEGORICAL EXEMPTION and COMMUNICATION FROM THE BUREAU OF STREET
CD 7 LIGHTING relative to approving the majority petition for La Mesa Street (near El Dorado
Avenue) Improvement No. A'11-SZC11400.

Recommendations for Council action:

1. FIND this project is categorically exempt from the CEQA of 1970 pursuant to Article VII, Section I, Class 3(11) of the City's Environmental Guidelines.
2. APPROVE granting Mr. Mike Hernandez Majority 1911-Improvement Act Assessment Petition for sewer improvements on La Mesa Street between El Dorado Avenue and the alley southwest of San Fernando Road.
3. INSTRUCT the Board of Public Works and the Director, Bureau of Street Lighting to proceed with this project.

Fiscal Impact Statement: The Bureau of Street Lighting reports that the estimated total cost of the project is \$202,900 of which \$185,900, including incidental expenses, is to be assessed. Additional public funds in the estimated amount of \$17,100 will be requested to defray the estimated cost of 64 lineal feet of off-site sewer and related work, contingencies and overhead.

ITEM NO. (18) - CONTINUED TO JUNE 22, 2004

**Roll Call #1 - Motion (Greuel - Smith) Adopted to Continue, Unanimous Vote (11);
Absent: Cardenas, Ludlow, Parks and Villaraigosa (4)**

03-0204 - CONSIDERATION OF RESOLUTION (CARDENAS - PADILLA) relative to extending the term of service of the Business Tax Advisory Committee (BTAC).

Recommendation for Council action:

ADOPT the accompanying RESOLUTION to extend the term of service of the BTAC by six months, to December 31, 2004.

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

ITEM NO. (19) - MAP APPROVED - CITY ENGINEER REPORT ADOPTED

Roll Call #7 - Motion (LaBonge - Perry) Adopted, Ayes (11); Absent: Cardenas, Ludlow, Parks and Villaraigosa (4)

04-1135 - FINAL MAP OF TRACT NO. 52822 for property at 844-52 North Hudson Avenue, CD 4 south of Willoughby Avenue.
(Approve Subdivision Improvement Agreement and Contract with attached security documents)
(ADOPT City Engineer Report)
(ADOPT Bond No. C-106552)
(Quimby Fee: \$36,400)
Applicants: Hudson Mirage Apartment, LLC
Tala Association

Items For Which Public Hearings Have Been Held - Items 20-21

ITEM NO. (20) - CONTINUED TO JUNE 22, 2004

Roll Call #8 - Motion (Garcetti - Greuel) Adopted to Continue, Unanimous Vote (11); Absent: Cardenas, Ludlow, Parks and Villaraigosa (4)

04-0529 - CONTINUED CONSIDERATION OF STATUTORY EXEMPTION, CATEGORICAL EXEMPTION, NEGATIVE/MITIGATED NEGATIVE DECLARATION and ORDINANCE FIRST CONSIDERATION relative to the proposed 2004-05 Proposition K Assessment.

Recommendations for Council action, as recommended by the L.A. for Kids Steering Committee (Steering Committee), SUBJECT TO THE APPROVAL OF THE MAYOR:

- a. With respect to the projects in List 1 of Attachment 7 of the Steering Committee report dated April 29, 2004:
 - 1) FIND THAT each of these projects are STATUTORILY OR CATEGORICALLY exempt from the California Environmental Quality Act under particular State and City CEQA Guidelines listed on the attached list, for the reasons set forth on that list.
 - 2) INSTRUCT the Department of Recreation and Parks (DRP) and City Engineer to prepare a Notice of Exemption reflecting Council's actions under recommendation a. 1) above and file such notice with the City and County Clerks within five working days of the City Council's action.

- b. With respect to the projects in List 2 of Attachment 7 of the Steering Committee report dated April 29, 2004:
- 1) FIND THAT these projects are exempt from the California Environmental Quality Act (CEQA) under State CEQA Guidelines section 15262 and Article III, section 2,d of the City CEQA Guidelines because the City Council's action is not subject to CEQA. The City Council's action is not an approval of a project which may cause a physical change in the environment, but instead is in the nature of a feasibility and planning study for a project which is not being approved at this time.
 - 2) INSTRUCT the DRP and City Engineer to prepare a Notice of Exemption reflecting Council's action under recommendation b. 1) above, and file such notice with the City and County Clerks within five working days of the City Council's action.
- c. With respect to the following projects in List 3 of Attachment 7 of the Steering Committee report dated April 29, 2004:
- 1) FIND that the City Council's action is exempt from CEQA under Article III, section 2,i, because the underlying project has already been evaluated and processed in accordance with the City CEQA Guidelines.
 - 2) INSTRUCT the DRP and City Engineer to prepare a Notice of Exemption reflecting Council's actions under c. 1) above and file such notice with the City and County Clerks within five working days of the City Council's action.
- d. With respect to the projects in List 4 of Attachment 7 of the Steering Committee report dated April 29, 2004:
- 1) REVIEW and CONSIDER the Negative/Mitigated Negative Declaration.
 - 2) CERTIFY that the Negative/Mitigated Negative Declaration has been prepared in accordance with CEQA, and ADOPT it.
 - 3) ADOPT all the mitigation measures described in the Mitigated Negative Declaration as part of the City Council's approval of the Proposition K Assessment and ADOPT the mitigation monitoring program prepared to ensure that the mitigation measures will be implemented.
 - 4) FIND that with imposition of the mitigation measures, there will remain no significant impacts.
 - 5) INSTRUCT the DRP and the City Engineer to prepare a Notice of Determination and file such notice with the City and County Clerks within five working days of the City Council's approval.
- e. With respect to the projects on List 5 of Attachment 7 of the Steering Committee report dated April 29, 2004:
- 1) FIND that those are projects which may be considered for funding after CEQA compliance and no further action is required at this time.

- f. PRESENT and ADOPT the accompanying ORDINANCE prepared and transmitted by the City Attorney, confirming the assessments and approving the assessment diagram for Fiscal Year 2004-05.
- g. INSTRUCT the City Engineer to record a Notice of Assessment with the County Recorder.
- h. REQUEST the Controller to set up accounts for the 2004-05 Proposition K Assessment in the following funds pursuant to instructions to be provided by the City Administrative Officer (CAO): Proposition K Projects Fund No. 43K, Proposition K Maintenance Fund No. 43L, and Proposition K Administration Fund No. 43M.
- i. APPROVE the 2004-05 Expenditure Plan and the Five Year Plan for the LA for Kids Program as set forth in Attachments 1, 2, 3 and 4 of the Steering Committee report dated April 29, 2004.
- j. INSTRUCT the Information Technology Agency to prepare and transmit the necessary computer tape to the County containing the assessment levy information confirmed by the City Council for Fiscal Year 2004-05 for each parcel in the District.
- k. AUTHORIZE the City Engineer to:
 - 1) Negotiate and execute two-year grant contracts with competitive grant applicants in the five year plan, excluding the DRP projects, subject to the approval of the City Attorney as to form and legality.
 - 2) Negotiate and execute service and maintenance agreements with competitive grant applicants in the five year plan for the term required in the LA for Kids Program Request for Proposals, excluding Department of Recreation and Parks projects, subject to approval of the City Attorney.

(Public Hearing Closed June 15, 2004)

ITEM NO. (21) - CONTINUED TO JULY 6, 2004

**Roll Call #2 - Motion (Smith - LaBonge) Adopted to Continue, Unanimous Vote (11);
Absent: Cardenas, Ludlow, Parks and Villaraigosa (4)**

03-2009 - CONTINUED CONSIDERATION OF CATEGORICAL EXEMPTION and PUBLIC WORKS CD 1 COMMITTEE REPORT relative to vacating Valencia Street between Wilshire Boulevard and Ingraham Street and the Ingraham Street Vacation District.

Recommendations for Council action:

- 1. FIND that this vacation is categorically exempt from the California Environmental Quality Act of 1970, pursuant to Article VII, Class 5(3) of the City's Environmental Guidelines.

2. ADOPT the FINDINGS of the City Engineer dated February 10, 2004, as the Findings of Council.
3. ADOPT the City Engineer report dated February 10, 2004, that street vacation proceedings (VAC-E1400875) BE INSTITUTED for Valencia Street between Wilshire Boulevard and Ingraham Street and the Ingraham Street Vacation District, subject to conditions enumerated therein.

Fiscal Impact Statement: The City Engineer reports that an estimated \$3,400 in charges have been expended in the investigation and processing of this proceeding. Approximately \$6,000 will be required from the General Fund to complete these proceedings. Since Los Angeles Administrative Code Section 7.46 exempts all governmental agencies from the payment of fees, the processing of this report will be absorbed by the Bureau of Engineering.

MOTION ADOPTED UPON FINDINGS BY COUNCIL THAT THE NEED TO TAKE ACTION AROSE SUBSEQUENT TO THE POSTING OF THE COUNCIL AGENDA FOR FRIDAY, JUNE 18, 2004, PURSUANT TO GOVERNMENT CODE SECTION 54954.2(b)(2) AND COUNCIL RULE 23

REFERRED TO PUBLIC SAFETY COMMITTEE AND PUBLIC WORKS COMMITTEE

Roll Call #10 - Motion (Miscikowski - Padilla) Findings on Need to Act - Adopted, Ayes (10);
Absent: Cardenas, Ludlow, Parks, Villaraigosa and Weiss (5)

Roll Call #11 - Motion (Miscikowski - Padilla) Adopted to Refer, Unanimous Vote (10);
Absent: Cardenas, Ludlow, Parks, Villaraigosa and Weiss (5)

04-1186 - MOTION (MISCIKOWSKI - PADILLA) relative to the June 4, 2004 action by the Board of Public Works in approving a contract for Ruiz Brothers Construction Company for Fire Station No. 59.

Recommendations for Council action:

1. ASSERT JURISDICTION over the June 4, 2004 action of the Board of Public Works in approving a contract for Ruiz Brothers Construction Company for Fire Station No. 59.
2. Upon assertion of jurisdiction, REFER the matter to the Public Safety Committee for further review.

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

04-1145 - MOTION (REYES - PERRY) relative to declaring the Pasadena Orchestra Philharmonic Community Concert on June 19, 2004 a Special Event (fees and costs absorbed by the City = \$4,411).

- 00-1242 - MOTION (PERRY - GREUEL) relative to declaring the 2004 Nisei Week Festival on August 7-15, 2004 a Special Event (fees and costs absorbed by the City = \$4,500).
- 04-1198 - MOTION (MISCIKOWSKI - GREUEL) relative to declaring the 81st Street Block Party on July 4, 2004 a Special Event (fees and costs absorbed by the City = \$1,226).
- 04-1197 - MOTION (MISCIKOWSKI - GREUEL) relative to declaring the Annual Reading Rangers Block Party on July 10, 2004 a Special Event (fees and costs absorbed by the City = \$1,226).
- 04-1196 - MOTION (REYES - PERRY) relative to declaring the Pico Union Neighborhood Network and Health Community Health Fair on June 25-27, 2004 a Special Event (fees and costs absorbed by the City = \$2,672).
- 04-1195 - MOTION (PERRY - ZINE) relative to declaring the Community Carnival on July 30-August 1, 2004 a Special Event (event sponsor to reimburse the City for all fees and costs incurred).
- 04-1194 - MOTION (PERRY - ZINE) relative to declaring the Rodney Graham: A Little Thought on July 24, 2004 a Special Event (fees and costs absorbed by the City = \$1,226).
- 03-1284 - MOTION (MISCIKOWSKI - GREUEL) relative to declaring the 29th Annual Festival on June 26-28, 2004 a Special Event (fees and costs absorbed by the City = \$3,507).
- 04-1193 - MOTION (LABONGE - GREUEL) relative to declaring the First Baptist Outdoor Festival on June 19, 2004 a Special Event (fees and costs absorbed by the City = \$1,859).
- 02-1427 - MOTION (GARCETTI - LABONGE) relative to declaring the 12th Annual ESPY Award on July 14, 2004 a Special Event (fees and costs absorbed by the City = \$6,500).
- 04-1192 - MOTION (HAHN - GREUEL) relative to declaring the Holy Family Church Annual Fiesta on July 23-25, 2004 a Special Event (fees and costs absorbed by the City = \$720).
- 02-1368 - MOTION (HAHN - REYES) relative to declaring the Stargazer Avenue Block Party on July 4, 2004 a Special Event (fees and costs absorbed by the City = \$380).
- 03-1394 - MOTION (HAHN - REYES) relative to declaring the 1800 Bardale Avenue Neighborhood Block Party on July 4, 2004 a Special Event (fees and costs absorbed by the City = \$380).
- 04-1191 - MOTION (HAHN - REYES) relative to declaring the Third Street Block Party on July 4, 2004 a Special Event (fees and costs absorbed by the City = \$380).
- 04-1190 - MOTION (HAHN - GREUEL) relative to declaring the Kirk Douglas Playground Dedication on June 23, 2004 a Special Event (fees and costs absorbed by the City = \$380).
- 01-1111 - MOTION (HAHN - GREUEL) relative to declaring the San Pedro Fiesta on June 27, 2004 a Special Event (fees and costs absorbed by the City = \$520).
- 03-0063 - MOTION (PERRY - GREUEL) relative to selection of a potential site for the new Police S5 Headquarters Facility.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon his request, and without objections, President Padilla was excused from Council session of Tuesday, June 29, 2004 due to City business.

Upon his request, and without objections, Councilmember Garcetti was excused from Council session of Tuesday, June 22, 2004 due to City business.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

04-0606 - Randall S. Tsurutani

(Smith - All Councilmembers)

Mary Ann Cyphers

(Hahn - Miscikowski)

Councilmember Reyes moved, seconded by Councilmember LaBonge, that the Council meeting adjourn, due to the lack of a quorum.

Ayes, Garcetti, Hahn, LaBonge, Miscikowski, Perry, Reyes, Smith and Zine (8); Absent: Cardenas, Greuel, Ludlow, Parks, Villaraigosa, Weiss and President Padilla (7).

Whereupon the Council did adjourn for lack of quorum.

ATTEST: J. Michael Carey, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL