

Los Angeles City Council, Journal/Council Proceedings
Wednesday, February 16, 2005
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: Cardenas, Garcetti, Greuel, Hahn, LaBonge, Ludlow, Miscikowski, Perry, Reyes, Smith, Villaraigosa, Weiss, Zine and President Padilla (14); Absent: Parks (1).

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
FEBRUARY 11, 2005

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 30

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 1-4

Roll Call #1 - Motion (LaBonge - Miscikowski) Adopted, Ayes (14); Absent: Parks (1)
(Item Nos. 1-4)

ITEM NO. (1) - PUBLIC HEARING CLOSED - ADOPTED

[04-1693](#)

CD 7 CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST
CONSIDERATION relative to the improvement and maintenance of TELFAIR AVENUE
AND COBALT 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 district, 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 January 26, 2005)

ITEM NO. (2) - PUBLIC HEARING CLOSED - ADOPTED

04-1695

CD 4 CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of MTA - CHANDLER BOULEVARD AND TUJUNGA AVENUE - G1 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 district, 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 January 26, 2005)

ITEM NO. (3) - PUBLIC HEARING CLOSED - ADOPTED

04-1710

CD 5 CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of WOODLEY AVENUE AND VALLEY VISTA BOULEVARD LIGHTING DISTRICT.

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

1. FIND that a majority protest exists in the Street Lighting Maintenance Assessment District and therefore the proposed assessment cannot be enacted.
2. PRESENT and ADOPT the accompanying ORDINANCE abandoning all proceedings for the above lighting district, 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).
3. INSTRUCT the Director, Bureau of Street Lighting, to assure that the streetlights are not installed or are removed from service if previously installed.

(Public Hearing held January 26, 2005)

ITEM NO. (4) - PUBLIC HEARING CLOSED - ADOPTED

04-1828

CD 11 CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of ARBOR VITAE BOULEVARD AND AIRPORT BOULEVARD LIGHTING DISTRICT.

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

1. FIND that a majority protest exists in the Street Lighting Maintenance Assessment District and therefore the proposed assessment cannot be enacted.
2. PRESENT and ADOPT the accompanying ORDINANCE abandoning all proceedings for the above lighting district, 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).
3. INSTRUCT the Director, Bureau of Street Lighting, to assure that the streetlights are not installed or are removed from service if previously installed.

(Public Hearing held January 26, 2005)

Items for Which Public Hearings Have Been Held - Items 5-12

Roll Call #2 - Motion (Reyes - LaBonge) Adopted, Ayes (14); Absent: Parks (1)
(Item Nos. 5-7)

ITEM NO. (5) - ADOPTED

05-0102

CD 7 PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change for property on the northeastern side of Foothill Boulevard southeast of Gridley Street and extending to southeast of Harding Street, within the Sylmar Community Plan.

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

1. ADOPT the FINDINGS of the Director of Planning as the Findings of the Council.
2. PRESENT and ADOPT the accompanying ORDINANCE, approved by the Director of Planning, effecting the zone change from (T) R3-1 and RA-1 to [T][Q] RD1.5-1 on property on the northeastern side of Foothill Boulevard beginning 170 feet southeast of Gridley Street and extending to approximately 484.5 feet southeast of Harding Street, within the Sylmar Community Plan, subject to Conditions of Approval.

CPC14334 & 16693 ZC

Said rezoning shall be subject to the "Q" Qualified classification zone limitations substantially as shown on the sheet(s) attached to the Committee report.

3. REMOVE the (T) Tentative classification as described in detail on the sheet(s) attached to the Committee report.

4. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.

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

TIME LIMIT FILE - APRIL 20, 2005

(LAST DAY FOR COUNCIL ACTION - APRIL 20, 2005)

ITEM NO. (6) - ADOPTED

05-0123

CD 2

NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change for property at 11051 West Victory Boulevard.

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

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Negative Declaration reflects the independent judgment of the lead agency City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 05-0123 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Negative Declaration [ENV 2003-8806 ND] filed on July 23, 2004.
2. ADOPT the FINDINGS of the South Valley Area Planning Commission, and include Consistency Finding No. 1, as modified by Planning and Land Use Management Committee, and as shown in the attachment to the Committee report to read as follows:

General Plan Land Use Designation. The subject property is located within the area covered by the North Hollywood - Valley Village Plan area, the Land Use Element of the adopted General Plan for this geographic area. The Plan designates the subject property as Neighborhood Commercial. The Plan designates the site as Neighborhood Commercial, with the corresponding zones of CR, C1, C1.5, RAS4, RAS5 and P.

3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the City Planning Commission, effecting the zone change from C1.5-1VL and P-1VL to (T)(Q)C1.5-1VL, subject to conditions of approval, for the proposed addition of 13,915 square feet of floor area to facilitate the expansion of an existing 121,660 square foot retail store, for a total of 135,575 square feet, with a 6,438 square foot garden center, one-story, approximately 20-feet high, with 623 proposed parking spaces, on a 10.8 acre lot at 11051 West Victory Boulevard.

Said rezoning shall be subject to the "Q" Qualified classification zone limitations substantially as shown on the sheet(s) attached to the Committee report.

4. REMOVE the (T) Tentative classification as described in detail on the sheet(s) attached to the Committee report.
5. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.
6. ADVISE the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination filing.

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

TIME LIMIT FILE - APRIL 21, 2005

(LAST DAY FOR COUNCIL ACTION - APRIL 20, 2005)

ITEM NO. (7) - ADOPTED

05-0139

CD 7

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change at 9125 and 9127 Noble Avenue.

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

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the lead agency City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 05-0139 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV 2004-788 MND] filed on March 4, 2004.
2. ADOPT the FINDINGS of the North Valley Area Planning Commission (APC) as the Findings of the Council.

3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the North Valley APC, effecting the zone change from RA-1 to (T)(Q)RD3-1, incident to Tentative Tract No. 60770, and subject to conditions of approval for the proposed subdivision, for a maximum of an eight unit condominium project on a 0.59 acre lot for property at 9125 and 9127 Noble Avenue.

Applicant: Brookview-Noble 8, LLC/Michael Tharp

APCNV 2004-0787 ZC

Said rezoning shall be subject to the "Q" Qualified classification zone limitations substantially as shown on the sheet(s) attached to the Committee report.

4. REMOVE the (T) Tentative classification as described in detail on the sheet(s) attached to the Committee report.
5. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.
6. ADVISE the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
7. ADVISE the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination filing.

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

TIME LIMIT FILE - APRIL 25, 2005

(LAST DAY FOR COUNCIL ACTION - APRIL 22, 2005)

ITEM NO. (8) - ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #9 - Motion (Miscikowski - Greuel) Adopted, Ayes (11); Noes: Hahn, LaBonge and Reyes (3); Absent: Smith (1)

05-1300-S2

ORDINANCE SECOND CONSIDERATION calling a Special Election to be held on Tuesday, May 17, 2005 for the purpose of submitting to the qualified voters of the City of Los Angeles a proposed Charter amendment, and to consolidate this Special Election with the City General Municipal Election to be held on the same date.

(Motion and resolutions adopted as amended on February 9, 2005)

ITEM NO. (9) - ADOPTED

Roll Call #5 - Motion (Zine - Reyes) Adopted, Ayes (15)

04-0239-S1

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to establishing a website for the purchase of Canadian prescription drugs via existing mail-order and internet-based providers.

Recommendations for Council action:

1. ESTABLISH a task force to study and report on the feasibility of appropriate program design, City policy needs and changes, legal criteria, implementation, and program oversight infrastructure of a website which provides information regarding the purchase of Canadian prescription drugs via existing mail-order and internet-based providers.
2. REQUEST the City Attorney and INSTRUCT the Information Technology Agency (ITA), the Department of Aging (Aging), the Department on Disability, the Personnel Department, the Los Angeles City Employee Retirement System, and other Departments/City entities, as deemed advisable to provide input on the needs of seniors and other constituent groups, to participate in a task force which will study and report on the feasibility of establishing a website for the purchase of Canadian prescription drugs via existing mail-order and internet-based providers.
3. REQUEST the City Attorney and INSTRUCT the ITA to co-chair the subject task force which will study and report on the feasibility of establishing a website for the purchase of Canadian prescription drugs via existing mail-order and internet-based providers.

Fiscal Impact Statement: Aging reports that the fiscal impact is, as of yet, unknown. Aging anticipates that City staff time required to design, implement, and maintain any website program would result in salary dollars being dedicated to this project.

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

Roll Call #2 - Motion (Reyes - LaBonge) Adopted, Ayes (14); Absent: Parks (1)

03-1922

EDUCATION AND NEIGHBORHOODS COMMITTEE REPORT relative to site selection criteria use for neighborhood council events sponsored by the Department of Neighborhood Empowerment (DONE).

Recommendation for Council action:

RECEIVE and FILE the DONE report dated October 20, 2003 relative to site selection criteria used for neighborhood council events sponsored by DONE, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (11) - ADOPTED, AS AMENDED - ADDITIONAL MOTION REFERRED TO HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #6 - Motion (Cardenas - Garcetti) to Refer Amending Motion, Unanimous Vote (15)

Roll Call #7 - Motion (Garcetti - Reyes) to Adopt as Amended, Ayes (15)

05-0093

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to Program Year (PY) 2005-06 Consolidated Plan (31st Year) for U.S. Department of Housing and Urban Development (HUD) Grants.

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

1. CONSIDER the 31st Consolidated Plan (2005-06) no later than February 16, 2005 in order to meet the U.S. HUD submission deadline and COMPLY with the 30-day public comment period.
2. FIND that the 31st Consolidated Plan will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines, and in compliance with the California Environmental Quality Act of 1970; that the Notice of Exemption and Notice of Determination reflect the independent judgment of the lead agency of the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in the Council file No. 05-0093 in the custody of the City Clerk, and ADOPT the Notice of Exemption and Notice of Determination for the 31st Consolidated Plan, to be submitted by the Community Development Department (CDD) and attached to the Council file. All projects involving new construction and/or major rehabilitation will require the preparation of a Mitigated Negative Declaration or Environmental Impact Report on a site by site basis.
3. APPROVE the reallocation of \$6,237,681 in available Community Development Block Grant (CDBG) funds, as detailed in Attachment C of the City Administrative Officer's (CAO) report dated February 7, 2005, attached to the Council file and INSTRUCT the CDD to identify the specific accounts for the \$1 million identified as "various" Los Angeles Community Development Bank (CDB) accounts.
4. APPROVE the 31st Consolidated Plan and the related budgets for the CDBG, Home Investment Partnership Act (HOME) Program, Housing Opportunities for Persons with AIDS (HOPWA) Program and Emergency Shelter Grant Program (ESG), included as Attachments E, G, J and K of the CAO's February 7, 2005 report attached to the Council file, and as amended by the Housing, Community and Economic Development Committee (HCED), with authority to expend the allocation of the \$600,000 in CDBG funds for the Section 108 program in CDD, contingent upon CDD report back to Council with an expenditure plan.
5. AUTHORIZE the General Manager, Los Angeles Housing Department (LAHD), or designee, to sign, on behalf of the City of Los Angeles, the Applications for Federal Assistance for the HOME, HOPWA, ESG programs and the associated Grantee Certifications, subject to review and approval of the City Attorney as to form and legality, and forward the documents to the CDD for further processing.

6. AUTHORIZE the General Manager, CDD, or designee, to sign, on behalf of the City, the Applications for Federal Assistance for CDBG and the associated Grantee Certifications, subject to the review and approval of the City Attorney as to form and legality.
7. AUTHORIZE the General Manager, CDD, or designee, to submit the final 2005-06 Consolidated Plan (31st Year) to the HUD.
8. AUTHORIZE the General Manager, LAHD, or designee, upon receipt of the grant award agreements for the HOME, HOPWA and ESG program grants, to execute said documents on behalf of the City, subject to the approval of the City Attorney as to form and legality, and to return the documents to HUD.
9. AUTHORIZE the General Manager, CDD, or designee, upon receipt of the grant award agreements for the CDBG to execute said documents on behalf of the City, subject to the approval of the City Attorney as to form and legality, and to return the documents to HUD.
10. AUTHORIZE the various program implementing departments to negotiate and execute contracts, except where a new competitive bidding process is required, and appropriate interdepartmental agreements for the contracts listed in the 31st Consolidated Plan in an amount not to exceed that set forth in the Consolidated Plan, and in consultation with the CDD, and in substantial conformance with the pro forma agreement(s) to be submitted by the CDD and attached to the Council file as set forth in the Mayor and Council approved 31st Consolidated Plan, subject to the review and approval of the City Attorney as to form and legality and the Public Works Bureau of Contract Administration as to compliance with the City's contracting requirements, and as further described in the Third Year Action Plan of the Consolidated Plan for the program period from April 1, 2005 through March 31, 2006, subject to federal approval of the 2005-06 Consolidated Plan, and receipt of grant funds.
11. AUTHORIZE the General Managers of the CDD, the LAHD and other implementing departments, or designees, to prepare Controller instructions and to make any necessary technical adjustments and corrections to required Controller instructions relative to the Mayor and Council approved 31st Consolidated Plan and subsequent amendments, subject to the approval of the CAO, and AUTHORIZE the City Controller to implement the instructions.
12. INSTRUCT the CDD to inform all CDBG implementing departments and agencies to refrain from programming or expending CDBG savings identified in Attachment C, of the CAO's report dated February 7, 2005 attached to the Council file, as articulated in the CDBG Expenditure Policy and Guidelines adopted by Council on September 12, 2003 (Council file No. 01-2765-S2).
13. INSTRUCT the CDD to:
 - a. Notify unsuccessful applicants for 2005-06 CDBG funding that they are not funded, and copy the relevant Council Offices.

- b. Continue providing monthly CDBG balances to the CAO and Chief Legislative Analyst (CLA), including comments on unexpended balances.
 - c. Review, with the assistance of the CAO and CLA, the changes to the proposed 31st Consolidated Plan relative to eligibility and cap requirements.
- 14. INSTRUCT the CDD and the LAHD to provide semi-annual reports to the Mayor, CAO and CLA on program income receipts for all Consolidated Plan sources.
- 15. INSTRUCT the LAHD to report to Council on a semi-annual basis on the LAHD reorganization effort and its accomplishments, including budget and performance measures.
- 16. AUTHORIZE the General Manager, LAHD, or designee, upon compliance with the conditions of the awarding Request for Proposals (RFP) process(es), and where a new RFP is not required, to:
 - a. Extend the time of performance of the below listed current contracts (as permitted under original contract terms) for 12 months beginning April 1, 2005 through March 31, 2006, subject to the review of the City Attorney as to form and legality and the Public Works, Bureau of Contract Administration as to compliance with the City's contracting requirements, and increase compensation from 2005-06 Consolidated Plan funds, as follows:
 - (1) HOPWA contracts identified in Attachment M of the CAO's February 7, 2005 attached to the Council file, except for the accounting services category which the LAHD is authorized to contract with one or more CPA firms previously authorized through a competitive RFP process and the allocation of \$1,614,065 HOPWA funds for Capital Projects. Total combined funding is not to exceed the total funds identified in Attachment M.
 - (2) Los Angeles Homeless Services Authority (LAHSA) contracts identified in Attachment N of the CAO's February 7, 2005 report attached to the Council file, except for authority to execute a new contract for \$200,000 for the Year Round Emergency Shelter San Fernando Valley program, for a total combined funding not to exceed \$12,387,510.
 - b. Allocate \$1,150,000 for contractor(s) to provide housing rehabilitation services and Home Ownership Program support services within HOME Fund, Fund No. 561, for 2005-06.
 - c. Execute a second amendment to the professional services agreements with Arceneaux-DelHomme and Company (C-106027) and Los Angeles Neighborhood Housing Services (C-105984, C-105985), subject to review of the City Attorney as to form and legality and the Public Works Bureau of Contract Administration as to compliance with the City's contracting requirements, to: 1) Extend time of performance for 12 months beginning April 1, 2005 through March 31, 2006; and, 2) increase compensation as follows:

- (1) Arceneaux-DelHomme and Company (C-106027) by \$850,000 for a total contract amount not to exceed \$1,200,000.
 - (2) Los Angeles Neighborhood Housing Services (C-105984) by \$200,000 for a total contract amount not to exceed \$500,000.
 - (3) Los Angeles Neighborhood Housing Services (C-105985) by \$100,000 for a total contract amount not to exceed \$300,000.
- d. Allocate \$735,000 for contractor(s) to provide housing program technical services within HOME Fund, Fund No. 561, for 2005-06.
- e. Execute a second amendment to the professional services agreements as follows [except for Veloce Partners (C-105032), which is a third amendment], subject to review of the City Attorney as to form and legality and the Public Works Bureau of Contract Administration as to compliance with the City's contracting requirements, to: 1) Extend time of performance for 12 months beginning April 1, 2005 through March 31, 2006 [except for Veloce Partners (C-105032) and CSG Advisors, Inc. (C-104534), which will begin March 1, 2005 and end February 28, 2006]; and, 2) increase compensation as follows:
- (1) For inspection survey and analysis of hazardous materials (lead) services, a total contract compensation increase of \$40,000 is allocated as follows:
 - (a) National Econ Corporation (C-104859) by \$10,000, for a total contract amount not to exceed \$93,500.
 - (b) Allstate Services Environmental, Inc. (C-104886) by \$10,000, for a total contract amount not to exceed \$93,500.
 - (c) Allied Environmental Services (C-104858) by \$10,000, for a total contract amount not to exceed \$93,500.
 - (d) Lead Tech Environmental (C-104834) by \$10,000, for a total contract amount not to exceed \$93,500.
 - (2) For real estate architectural services, a total contract compensation increase of \$120,000 is allocated as follows:
 - (a) Gillette Associates (C-104857) by \$60,000, for a total contract amount not to exceed \$65,400.
 - (b) Corlett, Skaer & Devoto Architects, Inc. (CSDA) (C-105030) by \$60,000, for a total contract amount not to exceed \$65,400.
 - (3) For geo-technical engineering consultant services, a total contract compensation increase of \$200,000 is allocated as follows:

- (a) Converse Consultants (C-105388) by \$100,000, for a total contract amount not to exceed \$115,250.
 - (b) Geosoils Consultants, Inc. (C-105391) by \$100,000, for a total contract amount not to exceed \$115,250.
- (4) For financial underwriting consultant services a total contract compensation increase of \$225,000 is allocated as follows:
 - (a) CSG Advisors, Inc. (C-104534) by \$175,000, for a total contract amount not to exceed \$400,000.
 - (b) Veloce Partners (C-105032) by \$50,000, for a total contract amount not to exceed \$150,000.
- f. Allocate \$80,000 for contractor(s) to provide Handyworker program technical services within Community Development Block Grant (CDBG) Fund, Fund No. 424, for 2005-06.
- g. Execute a second amendment to the below listed professional services agreements as follow [except for Barr & Clark, Inc. (C-104835), which is a fourth amendment], subject to review of the City Attorney as to form and legality and the Public Works Bureau of Contract Administration as to compliance with the City's contracting requirements, to: 1) Extend time of performance for 12 months beginning April 1, 2005 through March 31, 2006; and, 2) increase compensation as follows:
 - (1) For inspection survey and analysis of hazardous materials (lead) services, a total contract compensation increase of \$30,000 is allocated as follows:
 - (a) Barr & Clark, Inc. (C-104835) by \$30,000, for a total contract amount not to exceed \$190,458.
 - (2) For laboratory lead testing services, a total contract compensation increase of \$50,000 is allocated as follows:
 - (a) EMS Laboratories, Inc. (C-105189) by \$30,000, for a total contract amount not to exceed \$106,250.
 - (b) MACS Laboratory, Inc. (C-107238) by \$20,000, for a total contract amount not to exceed \$96,250.
- h. Allocate \$50,000 for contractor(s) to provide housing program technical services within the Lead Grant IV Fund, Fund No. 47Q, for 2005-06.
- i. Execute a second amendment to the Del Richardson & Associates, Inc. contract (C-106454) to extend the time of performance for 12 months beginning April 1, 2005 through March 31, 2006, and increase compensation by \$50,000, for a total contract amount not to exceed \$183,000, subject to review of the City Attorney as to form and legality and the Public Works Bureau of Contract Administration as to compliance with the City's contracting requirements.

17. AUTHORIZE the General Manager, CDD, or designee, to amend the Historic Resources Group contract (C-105747) to extend the time of performance for 12 months beginning April 1, 2005 through March 31, 2006, and increase compensation from 2005-06 Consolidated Plan funds by \$150,000, for a total contract amount not to exceed \$425,000, subject to the review of the City Attorney as to form and legality and the Public Works Bureau of Contract Administration as to compliance with the City's contracting requirements.
18. INSTRUCT the CDD, with the assistance of the CAO and CLA, to report back on the status of projects with unspent reprogramming funds through the 30th PY and to identify any other CDBG accounts supporting these projects, with those projects through the 29th Year subject to review by Mayor and Council for possible forfeiture of funds in accordance with the Council policy adopted under Council file No. 04-0046-S10.
19. REQUEST the CAO and CLA to review the programs in conjunction with the CDBG Midyear Reprogramming in 2005 for funding, as necessary, for Neighborhood Block Grant (NBG) administration, NBG projects, Los Angeles Community Development Bank-related expenses, Youth Recreation and Nutrition program, Brownfields, Sears project, Adams La Brea project and those projects not funded in the 31st Consolidated Plan as identified in Attachment T of the CAO's February 7, 2005 report attached to the Council file.
20. REQUEST the NBG director to prepare an annual review of the NBG Phase I and Phase II program in conjunction with the CDBG Midyear Reprogramming in 2005, including current and requested allocations and balances.
21. INSTRUCT the LAHD, with the assistance of the City Attorney, CAO, CLA and any other appropriate entities in consultation with the LAHSA and the County of Los Angeles, to develop recommendations governing the contractual relationship between the City and LAHSA for approval of the Mayor and Council.
22. INSTRUCT the CDD to report back within 90-days on a self-sufficiency plan for the Youth Opportunities Movement program.
23. INSTRUCT the CDD to report back on identification of Neighborhood Facility Repair funds for the rehabilitation of the Jeopardy facility identified in Attachment T of the CAO's February 7, 2005 report attached to the Council file.
24. INSTRUCT the LAHD to report back on the status of funding for Section 8 vouchers.
25. REQUEST the Mayor's Office, Chair of Housing, Community and Economic Development Committee, CAO, CLA, CDD and Community Redevelopment Agency to review the current Block Grant Investment Fund (BGIF) policy and report back to Council with recommendations to expedite and simplify the application and approval process, consider broadening the scope of BGIF to include other economic development needs and recommend a policy regarding the percentage of annual Section 108 repayment loan funds that should be backed by the BGIF reserve.

26. REQUEST the Mayor to establish an advisory working group chaired by the Mayor's Office and composed of the CDD, LAHD, CAO, CLA, and any other entity as needed to track federal funding for entitlement grant programs and develop recommendations on how the City should prepare for and address any additional cuts to the entitlement grant programs.

27. AUTHORIZE the Controller to:

- a. Establish new accounts and appropriate \$902,178 within the Senior Human Services Fund Number 42J as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
X400	Legal Services Program	\$250,190
X500	Home Secure Program	581,911
X700	Shared Housing Program	<u>70,077</u>
Total		\$902,178

- b. Disburse funds to the recommended service providers upon submission of proper demand from the General Manager, Department of Aging.

28. INSTRUCT the Department of Aging to implement the new Home Secure funding formula as proposed in Attachment V of the CAO's February 7, 2005 report attached to the Council file, in the 31st Year.

29. REQUEST the City Attorney to prepare and present an ordinance enacting a statutory timetable by which the annual proposed Consolidated Plan shall be submitted to Council for adoption.

30. INSTRUCT the CAO and CLA to report back within 90 days on the status of Economic Development Administration matching funds line items.

32. INSTRUCT the CDD, with the assistance of CAO and CLA, to report back within 90 days on identification of Urban Development Action Grant funds for the Youth Recreation and Nutrition Program administered by the Department of Recreation and Parks.

33. INSTRUCT the CDD to include the Community Financial Resource Center on CDD's list of potential bidders for any future bid processes related to Section 108 funds in the 31st Year.

Fiscal Impact Statement: The CAO reports that there is no impact to the General Fund as a result of these actions. The recommendations involve funding from the Federal CDBG, HOME HOPWA, programs only.

ADOPTED

AMENDING MOTION (REYES - GARCETTI)

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

AMEND the Housing, Community and Economic Development Committee Report relative to the 2005-06 Consolidated Plan to reflect the following:

1. REDUCE Code Enforcement/PACE/CD 1 by \$50,000 for a new total of \$250,000.
2. ALLOCATE \$50,000 to the Clean and Green/Clean Street, Clean Neighborhoods Program.

ADOPTED

AMENDING MOTION (GARCETTI - LUDLOW)

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

AMEND the Housing, Community and Economic Development Committee Report relative to the 2005-06 Consolidated Plan to reflect the following:

1. Include the following language in Recommendation No. 17:

Instruct the Community Development Department (CDD) to coordinate any historic resources surveys or impact statements resulting from the Historic Resources Group contract with the City Planning Department to ensure consistent data collection for public and City agency use.

2. Adopt the following line item adjustments:

- a. Reduce line item for the CDD Administration (No. 175) by \$97,000 for a new total of \$12,661,291.
- b. Increase line item for the Neighborhood Facilities Repair (No. 128) by \$97,000 for a new total of \$2,806,857.
- c. Reduce line item for the Los Angeles Housing Department Administration (No. 184) by \$150,000 for a new total of \$3,853,691.
- d. Increase line item for the Affordable Housing Trust Fund (No. 87) by \$150,000 for a new total of \$1,650,000.
- e. Reclassify line item for LA Bridges Public Services (No. 17) to LA Bridges CDBO (no reduction in total allocation).

3. Allocate the available balance of \$100,680 as follows:

- a. \$50,000 to the Citywide Fresh Food Access (No. 77) program for a total of \$200,000
- b. \$10,000 to the Jeffrey Foundation, subject to CDBO certification
- c. \$40,680 to Clean and Green/Clean Streets, Clean Neighborhoods, subject to CDBO certification

4. Instruct the City Administrative Officer and Chief Legislative Analyst, with the assistance of the CDD to make any additional technical adjustments in order to submit a balanced application to HUD.

5. Approve revised spreadsheet which reflects the line items changes (attached to the Council file).

ADOPTED

AMENDING MOTION (PARKS - GARCETTI)

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

AMEND the Housing, Community and Economic Development Committee Report relative to the 2005-06 Consolidated Plan to reflect the following:

1. Reallocate \$100,00 for the Leimert Park Fountain as follows:

- a. \$30,000 to the Exposition Park Regional Library
- b. \$45,000 to Youth Media Technology Training
- c. \$25,000 to See-LA Farm

REFERRED TO HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

AMENDING MOTION (CARDENAS - GARCETTI)

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

AMEND the Housing, Community and Economic Development Committee Report relative to the 2005-06 Consolidated Plan to reflect the following:

1. Allocate \$100,000 to the Van Nuys Library for ADA improvements.

ITEM NO. (12) - ADOPTED

Roll Call #5 - Motion (Zine - Reyes) Adopted, Ayes (15)

04-0239

PERSONNEL COMMITTEE REPORT relative to overcoming inequities in prescription drug pricing and accessibility.

Recommendations for Council action, as initiated by Motion (Zine - LaBonge - Smith - et al.):

1. REQUEST the Mayor and INSTRUCT the Chief Legislative Analyst (CLA) to continue to monitor legislation that provides more access and affordability in obtaining prescription drugs.
2. REQUEST the City Attorney to report to the Personnel Committee in 90 days relative to the results of the task force to study and report on the feasibility of appropriate program design, City policy needs and changes, legal criteria, implementation, and program oversight infrastructure of a website which provides information regarding the purchase of Canadian prescription drugs via existing mail-order and internet-based providers.

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

Items for Which Public Hearings Have Not Been Held - Items 13-36
(10 Votes Required for Consideration)

Roll Call #3 - Motion (Miscikowski - Zine) Adopted, Ayes (14); Absent: Parks (1)
(Item Nos. 13-36)

ITEM NO. (13) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

04-2366

COMMUNICATION FROM CHAIR and MEMBER, PUBLIC SAFETY COMMITTEE and ORDINANCE FIRST CONSIDERATION relative to providing for the selection of an Official Police Garage (OPG) for newly created geographic police areas.

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

PRESENT and ADOPT the accompanying ORDINANCE amending the Los Angeles Municipal Code Section 80.77.4 to provide for the selection of an OPG for newly created geographic police areas.

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. (14) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS -
TO THE MAYOR FORTHWITH

04-2263

COMMUNICATION FROM VICE-CHAIR, BUDGET AND FINANCE COMMITTEE relative to the Law Enforcement Specialized Units Program Grant.

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

1. AUTHORIZE the Chief of Police, or designee, to:
 - a. Accept the State of California Law Enforcement Specialized Units Program (LESUP) Grant, in the amount of \$83,921 for the period July 1, 2004 through June 30, 2005.
 - b. Negotiate, execute, and submit the necessary documents relative to the grant award, subject to City Attorney approval as to form and legality.
 - c. Apply for subsequent LESUP grants on behalf of the City, as they become available.
 - d. Negotiate and execute a contract with PeaceMakers, Inc., a community-based organization, to provide crisis intervention, counseling and referral services to victims as part of the Specialized Domestic Abuse Response Team (SDART) response to domestic violence incidents, subject to City Attorney approval as to form and legality.
2. AUTHORIZE the Chief of Police to re-release the Request for Proposals if an acceptable agreement with PeaceMakers, Inc., cannot be reached.
3. AUTHORIZE the Controller to establish a new appropriation within Los Angeles Police Department (LAPD) Grant Fund No. 339, for receipt and disbursement of the new LESUP grant funds, upon notification from the LAPD.
4. AUTHORIZE the LAPD to receive and expend the grant funds for grant program purposes, consistent with the grant award and grant budget.
5. AUTHORIZE the LAPD to transfer LESUP grant funds, upon receipt, from Fund No. 339 to the LAPD's operating budget, Fund No. 100, Department No. 70, accounts to be determined by the LAPD, to replenish those accounts that have provided cash flow advances for the grant project.
6. AUTHORIZE the LAPD to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer, and AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: The City Administrative Officer reports that the LESUP grant will provide \$83,921 in continuation funding for the Specialized Domestic Abuse Response Team (SDART) program. An additional \$27,740 is required as a City match. This local match will be a General Fund obligation, which is funded in the Police Department's 2004-05 salary base.

(Public Safety Committee waived consideration of the above matter)

ITEM NO. (15) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

05-0162

COMMUNICATION FROM VICE-CHAIR, BUDGET AND FINANCE COMMITTEE relative to a request from the law firm of Manatt Phelps & Phillips for a waiver of conflict of interest concerning its representation of Seventh Street Development, LLC in the acquisition of real property commonly called the "Lanzit site" from the City.

Recommendations for Council action, pursuant to Motion (Parks - Miscikowski):

1. APPROVE the waiver of conflict of interest requested by the law firm of Manatt Phelps & Phillips relative to its representation of Seventh Street Development, LLC in the acquisition of real property commonly called the "Lanzit site" from the City.
2. AUTHORIZE the City Attorney to execute the waiver on behalf of the City.
3. REQUEST the City Attorney to report back to the Budget and Finance Committee on the feasibility of including a caveat in City contracts whereby firms would agree to avoid conflicts of interest relative to matters which may be adverse to the City.

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

ITEM NO. (16) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

05-0163

COMMUNICATION FROM VICE-CHAIR, BUDGET AND FINANCE COMMITTEE relative to a request from the law firm of Wasserman, Comden, Casselman & Pearson, LLP for a waiver of any potential conflicts of interest with the City over the firm's representation of Mr. Sean Ahl in an inverse condemnation/nuisance/dangerous condition of public property case against the City.

Recommendations for Council action, pursuant to Motion (Parks - Miscikowski):

1. APPROVE the waiver of conflict of interest requested by the law firm of Wasserman, Comden, Casselman & Pearson, LLP relative to the firms representation of Mr. Sean Ahl in an inverse condemnation/nuisance/dangerous condition of public property case against the City.

2. AUTHORIZE the City Attorney to execute the waiver on behalf of the City.
3. REQUEST the City Attorney to report back to the Budget and Finance Committee on the feasibility of including a caveat in City contracts whereby firms would agree to avoid conflicts of interest relative to matters which may be adverse to the City.

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

ITEM NO. (17) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

05-0164

COMMUNICATION FROM VICE-CHAIR, BUDGET AND FINANCE COMMITTEE relative to a request from the law firm of Manatt Phelps & Phillips for a waiver of conflict of interest concerning matters which may be adverse to the City.

Recommendations for Council action, pursuant to Motion (Parks - Miscikowski):

1. APPROVE the waiver of conflict of interest requested by the law firm of Manatt Phelps & Phillips concerning matters which may be adverse to the City.
2. AUTHORIZE the City Attorney to execute the waiver on behalf of the City.
3. REQUEST the City Attorney to report back to the Budget and Finance Committee on the feasibility of including a caveat in City contracts whereby firms would agree to avoid conflicts of interest relative to matters which may be adverse to the City.

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

ITEM NO. (18) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

04-1250-S47

COMMUNICATIONS FROM MEMBER, PERSONNEL COMMITTEE and VICE-CHAIR, BUDGET AND FINANCE COMMITTEE relative to filling one position each of Senior Personnel Analyst II and Personnel Analyst II in the Department of General Services (GSD).

Recommendation for Council action:

APPROVE, pursuant to the Managed Employment Process, the one-time filling of one position of Senior Personnel Analyst II, Code 9167-2, and one position of Personnel Analyst II, Code 1731-2, in the Personnel Services Division, GSD; and AUTHORIZE backfill authority if these positions are filled by promotion from within the GSD.

Fiscal Impact Statement: The City Administrative Officer reports that the annual General Fund cost to fill these positions is \$198,673; \$159,169 in direct salary costs and \$39,504 in related costs. No supplemental appropriation will be needed to fund these positions for the balance of the fiscal year.

ITEM NO. (19) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

04-1250-S49

COMMUNICATIONS FROM MEMBER, PERSONNEL COMMITTEE and VICE-CHAIR, BUDGET AND FINANCE COMMITTEE relative to filling one position of Materials Testing Engineer I in the Department of General Services (GSD).

Recommendation for Council action:

APPROVE, pursuant to the Managed Employment Process, the one-time filling of one position of Materials Testing Engineer I, Code 7973-1, in the Standards Division, GSD.

Fiscal Impact Statement: The City Administrative Officer reports that the annual General Fund cost to fill this position is \$116,487; \$94,349 in direct salary costs and \$22,138 in related costs. The position is fully funded in the GSD's 2004-05 Budget.

ITEM NO. (20) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

04-1250-S51

COMMUNICATIONS FROM MEMBER, PERSONNEL COMMITTEE and VICE-CHAIR, BUDGET AND FINANCE COMMITTEE relative to filling one position each of Civil Engineering Drafting Technician, Office Engineering Technician II and Civil Engineering Associate III, in the Bureau of Engineering (BOE).

Recommendation for Council action:

APPROVE, pursuant to the Managed Employment Process, the one-time filling of one position of Civil Engineering Drafting Technician, Code 7232, one position of Office Engineering Technician II, Code 7212-2, and one position of Civil Engineering Associate III, Code 7246-3, in the Geotechnical Engineering Division, BOE; and AUTHORIZE backfill authority if these positions are filled by promotion from within the BOE.

Fiscal Impact Statement: The City Administrative Officer reports that the annual cost to fill the three positions is \$222,694; \$191,713 in direct salary costs and \$30,981 in related costs. These costs would be funded by the General Fund (95 percent) and the Special Funds (5 percent).

ITEM NO. (21) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

04-1250-S52

COMMUNICATIONS FROM MEMBER, PERSONNEL COMMITTEE and VICE-CHAIR, BUDGET AND FINANCE COMMITTEE relative to filling one position of Senior Storekeeper I in the Department of General Services (GSD).

Recommendation for Council action:

APPROVE, pursuant to the Managed Employment Process, the one-time filling of one position of Senior Storekeeper I, Code 1837-1, in the Supply Services Division, GSD; and AUTHORIZE backfill authority if this position is filled by promotion from within the GSD.

Fiscal Impact Statement: The City Administrative Officer reports that the annual General Fund cost to fill this position is \$62,651; \$48,003 in direct salary costs and \$14,648 in related costs. No supplemental appropriation will be needed to complete the fiscal year.

ITEM NO. (22) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

04-1250-S53

COMMUNICATIONS FROM MEMBER, PERSONNEL COMMITTEE and VICE-CHAIR, BUDGET AND FINANCE COMMITTEE relative to filling one position of Senior Clerk Typist in the Department of General Services (GSD).

Recommendation for Council action:

APPROVE, pursuant to the Managed Employment Process, the one-time filling of one position of Senior Clerk Typist, Code 1368, in the Supply Services Division, GSD; and AUTHORIZE backfill authority if this position is filled by promotion from within the GSD.

Fiscal Impact Statement: The City Administrative Officer reports that the annual General Fund cost to fill this position is \$62,336; \$47,732 in direct salary costs and \$14,604 in related costs. The position is fully funded in the GSD's 2004-05 Budget.

ITEM NO. (23) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

04-1250-S57

COMMUNICATIONS FROM MEMBER, PERSONNEL COMMITTEE and VICE-CHAIR, BUDGET AND FINANCE COMMITTEE relative to filling one position each of Procurement Analyst I and Procurement Analyst II in the Department of General Services (GSD).

Recommendation for Council action:

APPROVE, pursuant to the Managed Employment Process, the one-time filling of one position of Procurement Analyst I, Code 1859-1, and one position of Procurement Analyst II, Code 1859-2, in the Supply Services Division, GSD; and AUTHORIZE backfill authority if these positions are filled by promotion from within the GSD.

Fiscal Impact Statement: The City Administrative Officer reports that the annual General Fund cost to fill the Procurement Analyst I position is \$90,544; \$72,015 in direct salary costs and \$18,529 in related costs. The annual General Fund cost to fill the Procurement Analyst II position is \$77,810; \$61,053 in direct salary costs and \$16,757 in related costs.

ITEM NO. (24) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

03-2569-S1

COMMUNICATION FROM CHAIR AND MEMBER, PUBLIC SAFETY COMMITTEE relative to contract amendment with The Wilson Group for the Local Hazard Mitigation Plan.

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

1. AUTHORIZE the General Manager, Emergency Preparedness Department (EPD), to execute the amendment to Contract No. C-107262 with Wilson Business Integrators, Inc., dba The Wilson Group, to change the source of funding and increase the total compensation from \$350,000 to \$400,000 for additional work hours and incidental expenses, for the Local Hazard Mitigation Plan.
2. AUTHORIZE the EPD, in conjunction with the City Administrative Officer (CAO), to submit to the grantor, on behalf of the City, requests for drawdown of funds for reimbursement of City funds expended for eligible grant purposes.
3. AUTHORIZE the Controller to set up a receivable in the Emergency Operations Fund (EOF), in the amount of \$400,000 for the Fiscal Year (FY) 2003 Pre-Disaster Mitigation Competitive Grant and create an appropriation account entitled "Professional Mitigation Plan Consultant," Account No. to be determined.
4. AUTHORIZE the Department of General Services (GSD), as accountant for the EOF, to prepare a Journal Voucher to TRANSFER funds from the City's Grant Clearing Account Fund No. 814, Department No. 62, to the EOF, Fund No. 392, Department No. 34, Account No. 4676, to reimburse the EOF for funds already advanced to pay for work completed under the Mitigation Plan Consultant contract.
5. AUTHORIZE the GSD to TRANSFER funds within the EOF from Fund No. 392, Department No. 34, Account No. 4676, to Fund No. 392, Department No. 34, Account No. 3040.
6. AUTHORIZE the EPD, as Administrator of the EOF, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the CAO.

7. INSTRUCT the Mayor's Criminal Justice Planning Office, as Administrator of the FY03 Urban Area Security Initiative (UASI) Part II grant, to report back to Council regarding the reprogramming of UASI Part II grant funds currently allocated for the Professional Mitigation Plan Consultant contract.

Fiscal Impact Statement: The CAO reports that the costs incurred under the contract and the contract amendment with The Wilson Group are fully reimbursable under the FY 2003 Pre-Disaster Mitigation Competitive Grant, up to \$400,000. The grant requires that the City contribute matching funds in the amount of \$750,000. This local match amount is included in the City's 2004-05 Adopted Budget. No additional appropriation is required.

ITEM NO. (25) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

04-0985

COMMUNICATION FROM CHAIR and MEMBER, PUBLIC SAFETY COMMITTEE relative to Los Angeles Police Department's (LAPD) surplus helmet and handcuffs.

Recommendations for Council action, pursuant to Motion (Zine - Miscikowski):

1. INSTRUCT the LAPD to refrain from destroying surplus helmets and handcuffs that meet the appropriate standards and to transfer them to the United States Central Command for use by the Iraqi Police Service.
2. REQUEST the City Attorney draft the necessary documents to successfully complete this donation.

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

ITEM NO. (26) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

04-2386

COMMUNICATION FROM CHAIR AND MEMBER, PUBLIC SAFETY COMMITTEE relative to a Vehicle Impound Information Center Website for Foothill, Devonshire and North Valley Los Angeles Police Department (LAPD) Divisions.

Recommendation for Council action:

NOTE and FILE the November 10, 2004 and January 19, 2005 Los Angeles Board of Police Commissioners' reports relative to the Official Police Garage Association of Los Angeles' implementation of a Vehicle Impound Information Center Website for Foothill, Devonshire and North Valley LAPD Divisions, inasmuch as the reports are submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (27) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

05-0191

CD 3

CATEGORICAL EXEMPTION and COMMUNICATION FROM THE BUREAU OF STREET LIGHTING relative to approving the majority petition for the Amigo Avenue and Tarzana Drive Modern Lighting Improvement.

Recommendations for Council action:

1. FIND this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article VII, Section I, Class 3(10) of the City's Environmental Guidelines.
2. APPROVE granting the majority petition from the property owners for the construction of an ornamental street lighting system to current standards under the title, Amigo Avenue and Tarzana Drive Modern Lighting Improvement.
3. INSTRUCT the Board of Public Works and the Director, Bureau of Street Lighting to initiate proceedings for the above petition under the Municipal Improvement Act of 1913 and Sections 6.1 - 6.5 of the Los Angeles Administrative Code.

Fiscal Impact Statement: The Bureau of Street Lighting reports that the Class "B" estimate for the cost of this improvement is \$210,000. Of this amount, \$14,000 may be funded by gas tax. The remaining cost would be assessed to all properties with benefitting street frontage.

ITEM NO. (28) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

04-2498

CD 14

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTIONS relative to rejection of future street as public street and acceptance of future street as public street lying along Yorkshire Drive westerly of Parrish Avenue - Right of Way No. 36000-1518.

Recommendations for Council action:

1. FIND that this rejection of future street as public street and acceptance of future street as public street are categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(22) and Class 5(4), of the City's Environmental Guidelines.
2. FIND that this rejection of future street as public street and acceptance of the future street as public street are in substantial conformance with the General Plan pursuant to Section 556 of the Los Angeles City Charter.

3. ADOPT the City Engineer report dated December 3, 2004, and the accompanying RESOLUTION OF REJECTION for the future street as public street lying along Yorkshire Drive westerly of Parrish Avenue, subject to the following condition:

That the petitioner improve Yorkshire Drive to the satisfaction of the City Engineer.

4. ADOPT the City Engineer report dated December 3, 2004, and the accompanying RESOLUTION OF ACCEPTANCE for the future street as public street lying along Yorkshire Drive westerly of Parrish Avenue, subject to the completion of the condition noted in Recommendation No. 3 above.
5. INSTRUCT the Real Estate Division, Bureau of Engineering, to record the Resolutions with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that a fee of \$4,280.00 was collected for processing this report.

ITEM NO. (29) - ADOPTED

05-0237

CD 9 MOTION (PERRY - PARKS) relative to declaring the Spring Gift and Home Furnishings and NeoCon Shows on March 3-21, 2005 a Special Event (event sponsor to reimburse the City for all fees and cost incurred).

Recommendation for Council action:

DECLARE the Spring Gift and Home Furnishings and NeoCon Shows, sponsored by the LA MART on March 3-21, 2005, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion including the waiver of all fees (costs absorbed by the City) and requirements, except insurance AND application requirements.

ITEM NO. (30) - ADOPTED

05-0238

CD 9 MOTION (PERRY - PARKS) relative to declaring the Community Fair on February 12, 2005 and March 20, 2005 a Special Event (fees and costs absorbed by the City = \$6,766).

Recommendation for Council action:

DECLARE the Community Fair, sponsored by the Phillips Temple CME on February 12, 2005 and March 20, 2005, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance AND application requirements.

ITEM NO. (31) - ADOPTED

02-0101

CD 9 MOTION (PERRY - REYES) relative to declaring the Fifth Annual March for Human Dignity on February 21, 2005 a Special Event (fees and costs absorbed by the City = \$10,400).

Recommendation for Council action:

DECLARE the Fifth Annual March for Human Dignity, sponsored by the Los Angeles Mission on February 21, 2005, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance AND application requirements.

ITEM NO. (32) - ADOPTED

04-2147-S1

CD 6

MOTION (CARDENAS - MISCIKOWSKI) relative to declaring the Council District Six Community Clean-Up for the Panorama City area on February 26, 2005 a Special Event (fees and costs absorbed by the City = \$708).

Recommendation for Council action:

DECLARE the Council District Six Community Clean-Up for the Panorama City area, sponsored by the Council District Six on February 26, 2005, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, INCLUDING insurance.

ITEM NO. (33) - ADOPTED

04-0249

CD 10

MOTION (LUDLOW - PADILLA) relative to declaring the Festival De San Valentin'05 on February 12-13, 2005 a Special Event (fees and costs absorbed by the City = \$14,307).

Recommendation for Council action:

DECLARE the Festival De San Valentin '05, sponsored by the Komite Civico Latino-Americano on February 12-13, 2005, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance AND application requirements.

ITEM NO. (34) - ADOPTED

04-0010-S52

MOTION (REYES - PERRY) relative to reinstating the reward offer in the death of Maxwell Hazlett for an additional 60 days.

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

REAFFIRM Council's findings and REINSTATE the reward offer relative to the death of Maxwell Hazlett (Council action of October 19, 2004, Council file No. 04-0010-S52) for an additional period of 60 days from the publication of the offer of reward by the Office of the City Clerk and, further, that the sum of \$50,000 shall be the aggregate maximum sum of any payment or payments of a City reward in this instance.

ITEM NO. (35) - ADOPTED - FORTHWITH

04-2231

MOTION (LABONGE - HAHN) and RESOLUTION relative to grant funds application for the State Urban Parks and Healthy Communities Program and the California Youth Soccer and Recreation Development Program.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION approving an application for grant funds for the State Urban Parks and Healthy Communities Program and the California Youth Soccer and Recreation Development Program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002.

ITEM NO. (36) - ADOPTED

05-0239

CD 11

MOTION (MISCIKOWSKI - LABONGE) relative to storm damage cleanup and mitigation work at the Mandeville Canyon fire road.

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

1. TRANSFER \$200,000 from the Council District 11 Real Property Trust Fund No. 693 to General Fund 100, Department 54, Account No. W327 entitled "Mandeville Canyon Phase IIIA" for emergency road repairs at the Mandeville Canyon fire road.
2. INSTRUCT the City Engineer to expedite approval of this unforeseen storm damage cleanup and mitigation work at the Mandeville Canyon fire road by increasing the current construction contract (C-107682) by an additional \$200,000 for a total of \$375,000 through a Motion to the Board of Public Works.

Closed Session - Item 37

ITEM NO. (37) - MEETING HELD - CONTINUED TO MARCH 2, 2005

Roll Call #8 - Motion (Parks - Miscikowski) Adopted to Continue, Unanimous Vote (14);
Absent: Smith (1)

03-2284-S1

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to settlement in the case entitled AB-Cellular-LA, LLC v. City of Los Angeles, Los Angeles Superior Court Case No. BC 257225. (This case arises out of an audit and assessment of utility users taxes.

(Budget and Finance Committee considered the above matter in Closed Session on February 1, 2005 - Continued from Council meeting of February 9, 2005)

Item Noticed for Public Hearing - Item 38

ITEM NO. (38) - CONTINUED TO MARCH 18, 2005

Roll Call #4 - Motion (LaBonge - Reyes) Adopted to Continue, Unanimous Vote (14);
Absent: Parks (1)

04-1925

CD 4 CONTINUED CONSIDERATION OF HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of assessment to cover the cost of cleaning the lot at 2750 North Auburn Street. (Assessment: \$2,546.04)

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

05-0286 - MOTION (GARCETTI - LABONGE) relative to declaring the premiere of "The Fat Actress" on February 23, 2005 a Special Event (event organizer to fully reimburse the City of all costs incurred).

05-0290 - MOTION (GARCETTI - LABONGE) relative to declaring the Constantine premiere party on February 16, 2005 a Special Event (event sponsor to reimburse the City of all costs incurred associated with this event).

05-0289 - MOTION (GARCETTI - LABONGE) relative to declaring the Avalon event on February 22, 2005 a Special Event (fees and costs absorbed by the City = none submitted).

- 05-0288 - MOTION (GARCETTI - LABONGE) relative to declaring the Vanity Fair event on February 24, 2005 a Special Event (event sponsor to reimburse the City of all costs incurred associated with this event).
- 00-0269 - MOTION (GARCETTI - LABONGE) relative to declaring the 77th Annual Academy Awards Presentation on February 27, 2005 a Special Event (fees and costs absorbed by the City = \$15,000).
- 05-0299 - MOTION (VILLARAIGOSA - PERRY) relative to declaring the Lantern Festival Parade on February 19, 2005 a Special Event (fees and costs absorbed by the City = \$9,800).
- 05-0291 - MOTION (VILLARAIGOSA - PERRY) relative to declaring the Day of Community Service on February 19, 2005 a Special Event (fees and costs absorbed by the City = \$1,226).
- 05-0292 - MOTION (CARDENAS - PADILLA) relative to declaring the 2005 Rotary Club Centennial Tree Planting Project on February 26, March 26, April 30, and May 21, 2005 a Special Event (fees and costs absorbed by the City = \$1,200).
- 04-2633 - MOTION (PERRY - SMITH) relative to declaring the Car Show on February 19, 2005 a Special Event (fees and costs absorbed by the City = \$6,946).
- 05-0010 - MOTION (PARKS - PERRY) relative to an offer of reward for information leading to the
S10 identification, apprehension, and conviction of the person(s) responsible for the death of Glenn Edward Ennis on October 4, 2004.
- 05-0293 - MOTION (GREUEL - PADILLA) relative to public right of way dedications and street improvements associated with an equestrian boarding and training facility at 9753 La Tuna Canyon Road.

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

- 05-0287 - RESOLUTION (GREUEL - ZINE) relative to declaring the week of February 13-19, 2005 as Child Passenger Safety Week.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

- | | |
|-------------------------------------|-----------------------------|
| 05-0014 - Sean "Hollywood" Hamilton | (Zine - All Councilmembers) |
| Dr. George Brothers | (Zine - All Councilmembers) |
| Robert P. Henry | (Hahn - All Councilmembers) |
| Otis Slaughter | (Hahn - All Councilmembers) |

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

05-0013 - Mark Hooper	(Greuel - Padilla - Hahn)
Ray Rucker, Sr.	(Parks)
Joseph Paul Nelson	(Villaraigosa)

Ayes, Cardenas, Garcetti, Greuel, Hahn, LaBonge, Ludlow, Miscikowski, Parks, Perry, Reyes, Villaraigosa, Weiss, Zine and President Padilla (14); Absent: Smith (1).

Whereupon the Council did adjourn.

ATTEST: Frank T. Martinez, CITY CLERK

By	
Council Clerk	PRESIDENT OF THE CITY COUNCIL