

Los Angeles City Council, Journal/Council Proceedings
Tuesday, February 22, 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, Miscikowski, Parks, Reyes, Smith, Villaraigosa, Weiss, Zine and President Padilla (13); Absent: Ludlow and Perry (2).

SALUTE TO THE FLAG BY DAVID GERSHWIN

MOMENT OF INSPIRATION

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
FEBRUARY 16, 2005

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 19

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

Item Noticed for Public Hearing - Item 1

ITEM NO. (1) - PUBLIC HEARING CLOSED - NO PROTESTS - ADOPTED - TO THE MAYOR
FORTHWITH

Roll Call #1 - Motion (Hahn - LaBonge) Adopted, Ayes (13); Absent: Ludlow and Perry (2)

[01-2372](#)

CD15 HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to levying the
Wilmington Parking and Business Improvement District (BID) special assessment for the
BID's fifth fiscal year (operating year) beginning on January 1, 2005 through December
31, 2005.

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

1. HEAR PROTESTS against the proposed levying of the special assessment for the
Wilmington Parking and BID's 2005 fiscal year, pursuant to Section 36524 of the
California Streets and Highways Code.

2. PRESENT and ADOPT accompanying ORDINANCE levying the special assessment for the Wilmington Parking and BID's 2005 fiscal year, if a majority protest, as defined by Section 36525 of the California Streets and Highways Code is found not to exist.
3. APPROVE the Wilmington Parking and Business Improvement District Advisory Board for the Wilmington Parking and BID's 2005 fiscal year.
4. AUTHORIZE the City Clerk, subject to the approval of the City Attorney, to prepare, execute and administer a contract between the City and the Wilmington Commercial District, the nonprofit service provider for administration of the Wilmington Parking and BID.
5. REQUEST the Controller to provide, if necessary and if available, an advance against the Wilmington Parking and BID assessment revenue, in an amount not to exceed \$11,531.25 (representing 25 percent of the anticipated assessment revenue for the BID's 2005 fiscal year), to the Wilmington Commercial District.

Fiscal Impact Statement: The City Clerk reports that direct costs for Department administration of the Wilmington Parking and BID program for its 2005 fiscal year will be recovered from the assessments collected. The amount of recoverable City costs to be charged to the Wilmington Parking and BID will be \$2,767.50, representing five percent of the BID's anticipated assessment revenue for its 2005 fiscal year, plus an additional one percent for departmental costs associated with the direct billing of BID stakeholders. There are no assessments to be paid for City-owned properties located within the boundaries of the BID; therefore, there is no impact on the General Fund.

(Pursuant to Council adoption of Ordinance No. 176446 on January 28, 2005 and Housing, Community and Economic Development Committee report on January 19, 2005)

Items for Which Public Hearings Have Been Held - Items 2-22

ITEM NO. (2) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATION IN LIEU OF COMMUNICATION RECOMMENDATION - SEE FOLLOWING

Roll Call #5 - Motion (Miscikowski - Hahn) Adopted to Approve Committee Report Recommendation, Ayes (13); Absent: Ludlow and Perry (2)

05-0155

COMMUNICATION FROM THE MAYOR relative to appointment of Ms. Evelyn Fierro to the Board of Directors of Los Angeles Export Terminal, Incorporated.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Evelyn Fierro to Los Angeles Export Terminal Board for the term ending October 20, 2009 to fill the vacancy created by the expiration of Mr. Raymond Bishop's term, is APPROVED and CONFIRMED. Ms. Fierro resides in Council District 15. (Current Commission gender composition: M=2; F=0; Vacancy=1)

TIME LIMIT FILE - FEBRUARY 25, 2005

(LAST DAY FOR COUNCIL ACTION - FEBRUARY 25, 2005)

(Commerce, Energy and Natural Resources 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

COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to the appointment of Ms. Evelyn Fierro to the Board of Directors of Los Angeles Export Terminal, Incorporated.

Recommendation for Council action:

DISAPPROVE the Mayor's appointment of Ms. Evelyn Fierro to the Board of Directors of Los Angeles Export Terminal, Incorporated for the term ending October 20, 2009 to replace Mr. Raymond Bishop.

Roll Call #2 - Motion (Zine - Garcetti) Adopted, Ayes (13); Absent: Ludlow and Perry (2)
(Item Nos. 3-21)

ITEM NO. (3) - ADOPTED

02-2579-S3

PERSONNEL COMMITTEE REPORT and ORDINANCES FIRST CONSIDERATION relative to non-represented employee salary adjustments and clarification of vacation payout for non-represented executive and managerial employees.

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

1. PRESENT and ADOPT the accompanying ORDINANCE to amend Ordinance No. 175049 pertaining to salaries for non-represented employees in the Department of Water and Power to remove the requirement that the classes of Assistant General Manager and Auditor receive salaries no lower than Step 3 of the prescribed salary range and to adjust the salary for Retirement Plan Manager.
2. PRESENT and ADOPT the accompanying ORDINANCE amending Ordinance No. 175048 and the Los Angeles Administrative Code Section 4.245.1, "Length of Vacation - Non-Represented Executive and Managerial Positions," to add a provision clarifying the vacation payout for non-represented executive and managerial employees.

3. REQUEST the Executive Employee Relations Committee to further review Recommendation No. 2 in the City Administrative Officer's (CAO) report, dated February 7, 2005, relative to amending Ordinance No. 176382 (2004-05 Departmental Personnel Ordinance, Cultural Affairs Department) to provide a salary note for the incumbent Commission Executive Assistant.

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

ITEM NO. (4) - ADOPTED

01-0328-S1

BUDGET AND FINANCE COMMITTEE REPORT relative to proposed third contract amendment with Unisys Corporation for LATAX post-implementation application support services.

Recommendation for Council action:

AUTHORIZE the Director of the Office of Finance and the General Manager of the Information Technology Agency (ITA), subject to the approval of the City Attorney as to form, to execute a third amendment to the Supplemental Agreement to Professional Services Agreement No. C-101701 between the City and Unisys Corporation, for post-implementation application support activities for the LATAX System, with the amended terms and conditions as described in the City Administrative Officer (CAO) report, attached to the Council file.

Fiscal Impact Statement: The CAO reports that required funding for the initial \$1,000,000 of the \$2,400,000 for this amendment is provided from the ITA budget through a transfer of funds as contained in the mid-year Financial Status Report. The remaining \$1,400,000 is being requested in the ITA 2005-06 Proposed Budget. The execution of this amendment does not obligate the City to utilize all contractor services or to use all the allocated funds. The ITA will use the services on an as-needed basis and within available funding.

TIME LIMIT FILE - APRIL 12, 2005

(LAST DAY FOR COUNCIL ACTION - APRIL 12, 2005)

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

ITEM NO. (5) - ADOPTED

05-0189

CD 11 ADMINISTRATIVE EXEMPTION and COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to a proposed five-year Replacement Lease with America West Airlines, Incorporated (America West) at Los Angeles International Airport (LAX).

Recommendations for Council action:

1. FIND that the issuance of permits, leases and agreements granting use of an existing facility at a municipal airport involving no expansion of use is exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Article III, Class 1 (18)©) of the Los Angeles City CEQA Guidelines, as amended by the Los Angeles City Council on July 31, 2002.
2. APPROVE Board Order No. AO-4939 as adopted by the Board of Airport Commissioners (Board) on January 25, 2005 authorizing a five-year Replacement Lease (LAA-8250) with America West covering Unit C in Air Freight Building No. 8 (AFB8) at 5720 Avion Drive at LAX, and CONCUR with the Board's action authorizing the Executive Director to execute the Replacement Lease.

Fiscal Impact Statement: The City Administrative Officer reports that approval of the proposed five-year Replacement Lease will have no impact on the City General Fund. Annual revenue to the Los Angeles World Airports (LAWA) will be \$152,031. Total revenue to the LAWA over the entire five-year term of the Replacement Lease will be \$760,155. These amounts are exclusive of annual Consumer Price Index-based rental rate adjustments and "Fair Market Value" adjustments that are provided for in the Replacement Lease.

TIME LIMIT FILE - MARCH 5, 2005

(LAST DAY FOR COUNCIL ACTION - MARCH 4, 2005)

ITEM NO. (6) - ADOPTED

05-0190

ADMINISTRATIVE EXEMPTION and COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to a proposed five-year Lease with one five-year option with the United States Postal Service (USPS) at Ontario International Airport (ONT).

Recommendations for Council action:

1. FIND that the issuance of permits, leases and agreements granting use of an existing facility at a municipal airport involving no expansion of use is exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Article III, Class 1 (18)©) of the Los Angeles City CEQA Guidelines, as amended by the Los Angeles City Council on July 31, 2002.
2. APPROVE Board Order No. AO-4938 as adopted by the Board of Airport Commissioners (Board) on January 25, 2005 authorizing a five-year Lease (ONT-8249), with one five-year option, with the USPS covering 2.9038 acres of land and 28,908 square feet of hanger space at 2300 East Airport Drive at ONT, and CONCUR with the Board's action authorizing the Executive Director to execute the Lease.

Fiscal Impact Statement: The City Administrative Officer reports that approval of the proposed five-year Lease, including one five-year option period, will have no impact on the City General Fund. Annual revenue to be paid to the Los Angeles World Airports (LAWA) Revenue Fund will total \$197,819 annually. The total revenue to be paid to the LAWA over the entire five-year term of the Lease will be \$989,095.

TIME LIMIT FILE - MARCH 5, 2005

(LAST DAY FOR COUNCIL ACTION - MARCH 4, 2005)

ITEM NO. (7) - ADOPTED

01-0407

ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE REPORT relative to the establishment of a new fund for the deposit of membership fees from a Joint Power Agreement with other municipalities in Los Angeles County.

Recommendations for Council action, pursuant to Motion (Perry - Zine), SUBJECT TO THE APPROVAL OF THE MAYOR:

1. AUTHORIZE the Controller to ESTABLISH a new interest-bearing Agency Fund No. XXX/50, entitled "Los Angeles Regional Agency (LARA)," for the deposit of membership fees from a Joint Power Agreement with other municipalities in Los Angeles County for joint Assembly Bill 939 reporting and regional programs.
2. AUTHORIZE the Controller to RECEIVE and APPROPRIATE future deposits into the LARA Fund to accounts designated by the Bureau of Sanitation (BOS) and ESTABLISH policies to ensure deposits to the said Fund shall not revert to the General, or any other, Fund.
3. DESIGNATE the Director, BOS, or designee, as the administrator of the LARA Fund.
4. AUTHORIZE the Controller to reclassify the prior and current year LARA receipts (\$47,152.39 and \$176,824.51 respectively) from Fund No. 556/50 to LARA Fund No. XXX/50 and APPROPRIATE to accounts designated by the Department of Public Works.
5. AUTHORIZE the Controller and the Public Works Office of Accounting to ESTABLISH the necessary accounts to reclassify the funding sources for the current year expenses through transfer of expenditure and to TRANSFER the uncommitted appropriation from Fund No. 556, Account W182 to the Lara Fund No. XXX.
6. AUTHORIZE the Director, BOS, or designee, to make technical corrections as necessary.

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

ITEM NO. (8) - ADOPTED

01-1096

ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE REPORT relative to a proposed sixth amended Joint Powers Agreement forming the Southern California Coastal Water Research Project Authority (SCCWRP).

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

1. APPROVE the Sixth Amended Joint Powers Agreement for the SCCWRP Authority and AUTHORIZE the Mayor to execute the agreement on behalf of the City.
2. AUTHORIZE \$336,528 for Fiscal Year 2005-06, increasing approximately 2.6 percent per year, to be included in the annual Wastewater Special Purpose Fund of the Budget.

Fiscal Impact Statement: The City Administrative Officer reports that funding in the amounts indicated in the summary section will be included in the Wastewater Special Purpose Fund on an annual basis. There is no impact to the General Fund.

ITEM NO. (9) - ADOPTED

02-1110

ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE REPORT relative to authority to accept and expend Local Enforcement Agency State Grant Funds.

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

1. AUTHORIZE the General Manager, Environmental Affairs Department (EAD), or designee, to accept the \$54,046.76 Local Enforcement Agency (LEA) Grant EA-15 for Fiscal Year (FY) 2004-05 and deposit said funds into the LEA Trust Fund No. 527, Account No. 0001, Enforcement Assistance Grants, for FY 2004-05.
2. AUTHORIZE the General Manager, EAD, or designee, to sign grant agreements and any amendments with the California Integrated Waste Management Board, to expend said funds, and to return any unspent funds to the CIWMB, as required by the State.

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

ITEM NO. (10) - ADOPTED

02-2576

ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE REPORT relative to a biosolids ordinance requiring permitting, inspection, monitoring, and record keeping of exceptional quality biosolids.

Recommendation for Council action:

RECEIVE and FILE the communication from the Board of Public Works relative to a biosolids ordinance requiring permitting, inspection, monitoring, and record keeping of exceptional quality biosolids, inasmuch as Council adopted the Biosolids Policy Statement to guide the City's Biosolid Management Program on December 10, 2004 (Council file No. [00-0656](#)), and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (11) - ADOPTED

[03-0260](#)

ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE REPORT relative to establishing a program for the collection, recycling, and proper management of electronic devices, such as computers and televisions.

Recommendation for Council action:

RECEIVE and FILE the Motion (Galanter - Garcetti) relative to establishing a program for the collection, recycling, and proper management of electronic devices, such as computers and televisions, inasmuch as Council established an electronic waste recovery and recycling payment system program under Council file No. 04-2557, and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (12) - ADOPTED

[03-0383](#)

ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE REPORT relative to the City pursuing litigation challenging new rules aimed at reducing pollutants through stormwater discharge.

Recommendation for Council action:

RECEIVE and FILE the Motion (Weiss - Garcetti) relative to the City pursuing litigation challenging new rules aimed at reducing pollutants through stormwater discharge, inasmuch as Council took action to resolve this issue under Council file No. 01-1020, and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (13) - ADOPTED

04-2555

CD 9

ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE REPORT relative to the removal of railroad tracks from the Los Angeles Unified School District (LAUSD) Maple Street school construction site.

Recommendation for Council action:

NOTE and FILE the Motion (Perry - Hahn) relative to the removal of railroad tracks located at the LAUSD Maple Street school construction site on Maple Street between Washington Boulevard and 23rd Street, inasmuch as the railroad tracks have been removed and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (14) - ADOPTED

04-2645

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to Master Cooperation Agreement between the Community Redevelopment Agency (Agency) and the Los Angeles Housing Department (LAHD).

Recommendations for Council action:

1. AUTHORIZE the Chief Executive Officer, Agency, and the General Manager, LAHD, to execute the Master Cooperation Agreement, essentially as set forth in Attachment 1 of the Chief Legislative Analyst's (CLA) report dated January 31, 2005, attached to the Council file, between the Agency and LAHD governing the use and application of Agency Housing Trust Fund monies set aside as contributions to the City's Affordable Housing Trust Fund.
2. INSTRUCT the General Manager, LAHD, in cooperation with the Agency and the City Administrative Officer (CAO), to establish and implement a Master Cooperation Agreement monitoring and evaluation program, and to report back to the City Council semi-annually with respect to the implementation of the Agreement.
3. INSTRUCT the General Manager, LAHD, with respect to the projects defined as "Agency Initiated Projects" to fully disclose Agency contributions to the project in its Affordable Housing Trust Fund project selection reports to the Mayor and City Council.
4. INSTRUCT the Chief Executive Officer, Agency, and the General Manager, LAHD, to meet on at least quarterly basis to discuss matters of mutual concern and interest.

Fiscal Impact Statement: The CLA reports that there is no impact on the City's General Fund. No Agency funds are required for the requested action. Source of funds consists of incremental property tax and tax allocation bond proceeds (5 percent) being allocated to the City's Affordable Housing Trust Fund.

ITEM NO. (15) - ADOPTED

05-0127

CD 13

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION relative to Grant Agreement with the Hollywood Entertainment District Property Owners' Association for street tree improvements in the Hollywood Redevelopment Project Area.

Recommendations for Council action,

1. ADOPT the accompanying RESOLUTION, and the form of the document relating thereto, making certain findings for Agency funding of improvements on a portion of Hollywood Boulevard between Sycamore Avenue and approximately North Orange Drive pursuant to the California Health and Safety Code Section 33445.
2. AUTHORIZE the Community Redevelopment Agency (Agency) Chief Executive Officer, or designee, to execute a Grant Agreement (Attachment A of the Agency's report dated January 20, 2005 attached to the Council file) with the Hollywood Entertainment District Property Owners' Association for an amount not to exceed \$212,000, effective from the date of execution to December 31, 2005 with an option to extend to June 30, 2006, to implement street tree improvements for the Hollywood Redevelopment Project Area, subject to the review and approval of the City Attorney as to form and legality and the Department of Public Works, Bureau of Contract Administration for compliance with Agency contracting requirements.

Fiscal Impact Statement: The City Administrative Officer reports that there is no impact to the General Fund. Funding for the Grant Agreement with the Hollywood Entertainment District Property Owners' Association is provided from Hollywood Tax Increment funds.

ITEM NO. (16) - ADOPTED

05-0186

PERSONNEL COMMITTEE REPORT relative to 2000-06 Memorandum of Understanding (MOU) for the Management Peace Officers' Unit (MOU No. 40).

Recommendations for Council action:

1. APPROVE the 2000-06 MOU for the Management Peace Officers' Unit (MOU No. 40), represented by the Airport Police Command Officers Association of Los Angeles.
2. AUTHORIZE the City Administrative Officer (CAO) to correct any clerical errors, or, if approved by the City Attorney, any technical errors in the MOU.

Fiscal Impact Statement: The CAO reports that the additional cost of this agreement has no impact on the City's General Fund, as the entire cost is an obligation of the Los Angeles World Airports. The estimated salary and pension cost of this six-year agreement is \$205,718.

ITEM NO. (17) - ADOPTED

00-0211-S75

PUBLIC SAFETY COMMITTEE REPORT relative to the Los Angeles Police Department Office of the Inspector General reorganization plan status report.

Recommendation for Council action:

NOTE and FILE the Los Angeles Police Commission report relative to the status of the Office of the Inspector General's reorganization plan, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (18) - ADOPTED

04-2253

03-2313

PUBLIC SAFETY COMMITTEE REPORT relative to security and safety measures for Department of Animal Services (ASD) employees and facilities.

Recommendations for Council action, as initiated by Motions (Miscikowski - Padilla) and (Parks - Ludlow), SUBJECT TO THE APPROVAL OF THE MAYOR:

1. AUTHORIZE the Department of General Services (GSD) to expend \$185,000 in its existing budget for the installation of video surveillance equipment at the seven ASD facilities and to begin work immediately.
2. TRANSFER \$58,663 from Animal Services Fund No. 100/06, Salaries General Account No. 1010 to General Services Fund No. 100/40, Contractual Services Account No. 3040.
3. INSTRUCT the GSD and ASD to report back in three months on the status of the work.

Fiscal Impact Statement: The ASD reports that additional funding totaling \$17,515 is required to cover the cost of the video surveillance equipment installation at the seven ASD facilities. An appropriation totaling \$48,900 will be required for the additional access control system for the South Los Angeles Shelter.

ITEM NO. (19) - ADOPTED - FORTHWITH

05-0058

CD2

CATEGORICAL EXEMPTION and PUBLIC WORKS COMMITTEE REPORT relative to the Tujunga Wash Restoration Project.

Recommendations for Council action, pursuant to Motion (Greuel - Weiss):

1. FIND that the Tujunga Wash Restoration Project (Project) is categorically exempt from the requirement to prepare an environmental document, pursuant to State California Environmental Quality Act Guidelines Section 15304, Categorical Exemption Class 4.
2. AUTHORIZE the City Engineer to approve the plans and specifications for the Project.
3. AUTHORIZE the County of Los Angeles Public Works (County) to proceed with construction as shown on the plans and specifications within the City's right-of-way.
4. REQUEST the County to notify the City in writing at least 14 calendar days in advance of the start of construction for this Project. The notification shall be sent to:
 - a. Bureau of Engineering (BOE)
Stormwater Group
Attention: Tom Kilmer
6262 Van Nuys Boulevard
Van Nuys, CA 91401
 - b. Bureau of Contract Administration (BCA)
Inspection Dispatcher
221 North Figueroa Street, Room 700
Los Angeles, CA 90012
5. AUTHORIZE the County to occupy and use City streets to construct the storm drain and to operate and maintain the storm drain upon its completion.
6. AUTHORIZE the BOE to grant, transfer, or assign, where legally possible and upon the request of the County, all prior rights over utility companies when necessary to construct and complete the Project.
7. FIND that the County shall not be held responsible for the expense of relocation, alteration, and modification of this Project necessitated by future street improvements, realignments, alterations, or reconstruction.
8. REQUEST the County to notify the BCA for final acceptance and notice of County acceptance of the Project by contacting the Inspection Dispatcher.
9. AUTHORIZE the BOE to waive all fees, to issue a "No-Fee" excavation permit to the County upon receipt and approval of the project plans and specifications, and to waive the Street Damage Restoration Fee for this Project.

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

ITEM NO. (20) - ADOPTED - FORTHWITH

05-0166

CD 12 TRANSPORTATION COMMITTEE REPORT relative to a proposed lease for Theater 41, Incorporated (T41) at the Chatsworth Metrolink Station Depot.

Recommendations for Council action, pursuant to Motion (LaBonge - Smith):

1. INSTRUCT the Department of General Services (GSD), with the assistance of the Department of Transportation (DOT), to negotiate and execute a three-year Lease Agreement, with two one-year renewal options, with T41 for 1225 square feet of office space at the Chatsworth Metrolink Station Depot.
2. REQUEST the City Attorney to review and approve the Lease Agreement as to form and legality prior to April 1, 2005.

Fiscal Impact Statement: The DOT reports that there is no fiscal impact on the budget.

ITEM NO. (21) - ADOPTED

04-1250-S58

PERSONNEL and BUDGET AND FINANCE COMMITTEES' REPORT relative to filling one position of Management Analyst II in the Bureau of Engineering (BOE).

Recommendation for Council action:

APPROVE, pursuant to the 2004-05 Managed Employment Process, the one-time filling of one position of Management Analyst II, Code 9184-2, in the BOE; and AUTHORIZE backfill authority if this position is filled by promotion from within the BOE.

Fiscal Impact Statement: The City Administrative Officer reports that the cost to fill the position for the remainder of the fiscal year is approximately \$26,396; \$22,724 in direct costs and \$3,672 in related costs, assuming the position is filled on March 1, 2005. These costs would be funded by the General Fund (42 percent) and the Special Funds (58 percent).

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

Roll Call #4 - Motion (Zine - Parks) Adopted, Ayes (13); Absent: Ludlow and Perry (2)

04-1250-S48

BUDGET AND FINANCE COMMITTEE REPORT and COMMUNICATION FROM MEMBER, PERSONNEL COMMITTEE relative to filling five positions in the Personnel Department.

Recommendation for Council action:

APPROVE, pursuant to the 2004-05 Managed Employment Process, the one-time filling of three positions of Clerk Typist, Code 1358, one position of Senior Systems Analyst I, Code 1597-1; and one substitute authority position of Accounting Clerk II, Code 1223-2, in the Workers' Compensation Division, Personnel Department; and AUTHORIZE backfill authority for the Accounting Clerk II position, if this position is filled by promotion from within the Personnel Department.

Fiscal Impact Statement: The City Administrative Officer reports that the annual General Fund cost to fill these positions is \$322,488; \$247,962 in direct salary costs and \$74,526 in related costs. There is sufficient funding in the Personnel Department salary account to fund the cost of the positions.

Items for Which Public Hearings Have Not Been Held - Items 23-31 (10 Votes Required for Consideration)

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

Roll Call #6 - Motion (Garcetti - Villaraigosa) Adopted, Ayes (13); Absent: Ludlow and Perry (2)

02-0349

COMMUNICATION FROM CHAIR AND MEMBER, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE relative to the reappointment of Mr. John A. Ornelas to the Community Redevelopment Agency (CRA) Board of Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Mr. John A. Ornelas to the CRA Board of Commissioners for the new term ending November 4, 2008, is APPROVED and CONFIRMED. Mr. Ornelas resides in Council District Seven. (Current Commission gender composition: F=3; M=4)

Ethics Commission Review: Pending

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

Roll Call #7 - Motion (Reyes - Weiss) Adopted, Ayes (13); Absent: Ludlow and Perry (2)

01-1824

CDs 1&9 ENVIRONMENTAL IMPACT REPORT, COMMUNICATION FROM THE CHAIR, PLANNING AND LAND USE MANAGEMENT COMMITTEE and ORDINANCE FIRST CONSIDERATION relative to amending Ordinance No. 167944 commonly known as the Central City West Specific Plan.

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

1. CERTIFY that the Environmental Impact Report (City of Los Angeles EIR No. 87-182; State Clearing House No. 88-110904) and Addendum has been completed in compliance with the California Environmental Quality Act, the State Guidelines and the City Guidelines and that the Council has reviewed the information contained therein and considered it along with other factors related to this project; that this determination reflects the independent judgment of the lead agency City of Los Angeles; and that the documents constituting the record of proceedings in this matter are located in Council file No. 01-1824 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 Environmental Impact Report.
2. ADOPT the January 13, 2005 FINDINGS of the Director of Planning as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE, disapproved by the Director of Planning on behalf of the Commission, amending Ordinance No. 167944 commonly known as the Central City West Specific Plan to: (a) Reduce the Trip Fee; (b) redesignate certain collector streets to local streets; and, (c) include various clean-up provisions to make the plan consistent with updates to the City Charter and current citywide zone code provision. CPC 87-182 SP

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

Roll Call #3 - Motion (Greuel - Zine) Adopted, Ayes (13); Absent: Ludlow and Perry (2)
(Item Nos. 25-31)

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

05-0214

COMMUNICATION FROM THE ENVIRONMENTAL AFFAIRS DEPARTMENT (EAD) relative to exempting three positions, for the grant-funded, tree-planting program, from Civil Service provisions of the City Charter.

Recommendations for Council action:

1. RESOLVE that one position of Student Professional Worker, Code 1502, and one position of Project Coordinator, Code 1537, in the EAD, for the grant-funded, tree-planting program, BE EXEMPTED from the Civil Service provisions of the City Charter, pursuant to City Charter Section 1001(d)(4). These positions are grant funded by a State of California Environmental Enhancement and Mitigation Program grant for a term not to exceed two years. (On January 27, 2005, the Board of Civil Service Commissioners approved the exemption.)

2. RESOLVE that one position of Project Coordinator, Code 1537, in the EAD, for the grant-funded, tree-planting program, BE EXEMPTED, to October 30, 2005, and further BE EXEMPTED retroactively to October 31, 2002, from the Civil Service provisions of the City Charter, pursuant to City Charter Section 1001(d)(4). (On January 27, 2005, the Board of Civil Service Commissioners approved the exemption.)

Fiscal Impact Statement: The EAD reports that these positions are 100 percent grant funded; therefore, there will be no impact to the General Fund.

(Personnel Committee waived consideration of the above matter)

ITEM NO. (26) - ADOPTED

05-0267

CD 1 MOTION (REYES - PERRY) relative to declaring the Sixth Annual St. Ignatius Community Festival on March 25, 2005 a Special Event (fees and costs absorbed by the City = \$1,200).

Recommendation for Council action:

DECLARE the Sixth Annual St. Ignatius Community Festival, sponsored by the St. Ignatius of Loyola Church on March 25, 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.

ITEM NO. (27) - ADOPTED

04-1625

CD 9 MOTION (PERRY - LABONGE) relative to declaring the Full Scale High-Rise exercise drill on February 26, 2005 a Special Event (fees and costs absorbed by the City = none submitted).

Recommendation for Council action:

DECLARE the Full Scale High-Rise exercise drill, sponsored by the Los Angeles Fire Department 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, except insurance.

ITEM NO. (28) - ADOPTED

03-0320

CD 6 MOTION (CARDENAS - GARCETTI) relative to declaring the Eighth Annual Van Nuys Health Fair and Family Festival on March 5, 2005 a Special Event (fees and costs absorbed by the City = \$612).

Recommendation for Council action:

DECLARE the Eighth Annual Van Nuys Health Fair and Family Festival, sponsored by the Children's Community School on March 5, 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.

ITEM NO. (29) - ADOPTED

05-0287

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

Recommendation for Council action:

RESOLVE to DECLARE February 13-19, 2005 as Child Passenger Safety Week in the City of Los Angeles.

ITEM NO. (30) - MAP APPROVED - CITY ENGINEER REPORT ADOPTED

04-1481

04-1482-S1

CD 7 FINAL MAP OF TRACT NO. 60577 lying northerly of Chase Street on the east side of Langdon Avenue.

(Approve Subdivision Improvement Agreement and Contract with attached security documents)

(ADOPT City Engineer Report)

(ADOPT Bond No. C-107712)

(Quimby Fee: \$50,568)

Applicants: Montage Development

Wagner Kerr Associates, Inc.

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

05-0285

CD 5 FINAL MAP OF TRACT NO. 53561 lying westerly of Pandora Avenue and southerly of Santa Monica Boulevard.

(Approve Subdivision Improvement Agreement and Contract with attached security documents)

(ADOPT City Engineer Report)

(ADOPT Bond No. C-107903)

(Quimby Fee: \$22,750)

Applicants: Pandora Structures LLC

Robert Kameoka

Closed Session - Item 32

ITEM NO. (32) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - FORTHWITH - SEE FOLLOWING

Roll Call #8 - Motion (Miscikowski - Smith) Adopted in Open Session, Ayes (10);
Noes: Weiss (1); Absent: Hahn, Ludlow, Perry and Villaraigosa (4)

04-0893-S1

The Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to retention of outside counsel to represent a former police officer in the case entitled Estate of Wallace v. City of Los Angeles.

(Budget and Finance Committee considered the above matter in Closed Session on February 15, 2005.)

ADOPTED

MOTION (MISCIKOWSKI - SMITH)

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

1. APPROVE the retention of conflict counsel to represent former police officer David Mack in the trial phase of the case entitled Estate of Wallace v. City of Los Angeles.
2. AUTHORIZE the City Administrative Officer (CAO), in consultation with the Office of the City Attorney, to select counsel with suitable expertise and experience to handle this matter.
3. AUTHORIZE the CAO or designee to negotiate and execute a legal services contract with a firm selected in consultation with the Office of the City Attorney.
4. AUTHORIZE the Office of the CAO to pay the selected firm a rate not exceeding \$395 per hour.

This matter was approved by the Budget and Finance Committee (Miscikowski - Smith - Cardenas - Garcetti "yes") at its meeting of February 15, 2005, in Closed Session as permitted by Government Code Section 54956.9(a).

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

04-0834 - MOTION (VILLARAIGOSA - PERRY) relative to declaring the Berkshire Avenue Neighborhood Community Fair on July 2, 2005 a Special Event (fees and costs absorbed by the City = \$2,637).

05-0328 - MOTION (VILLARAIGOSA - PERRY) relative to declaring the Survival Research Laboratories on April 2, 2005 a Special Event (fees and costs absorbed by the City = \$1,720).

- 04-1040 - MOTION (CARDENAS - PADILLA) relative to declaring the Council District Six Community Clean Up on June 4, 2005 a Special Event (fees and costs absorbed by the City = \$708).
- 05-0329 - MOTION (PARKS - MISCIKOWSKI - REYES) relative to over-concentration of sex offenders in facilities located in residential communities.
- 05-0330 - MOTION (REYES - ZINE) relative to temporarily suspending any internal staffing movements within the Planning Department, until a new Planning Director has been appointed.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Motion (Zine - Reyes) unanimously adopted to excuse Councilmember Parks from Council sessions of Wednesday and Friday, February 23 and 25, 2005 due to personal business.

Upon his request, and without objections, Councilmember Garcetti was excused to arrive at 11:00 a.m. to Council session of Tuesday, March 8, 2005 due to City business.

Motion (Smith - Zine) unanimously adopted to excuse Councilmember Villaraigosa from Council session of Friday, February 25, 2005 and upon his request, without objections, he was excused from Council sessions of Tuesday and Wednesday, March 1, 2, 8 and 9, 2005 due to personal business.

Upon his request, without objections, Councilmember Ludlow was excused from the Council session of Tuesday, February 22, 2005 due to personal business.

COMMENDATORY RESOLUTION ADOPTED IN HONOR OF:

05-0014 - William Edward Lamb (Greuel - LaBonge)

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

05-0013 - Rory M. Shaw	(Cardenas - All Councilmembers)
Harry Handler	(LaBonge - All Councilmembers)
Maria Urias Munoz	(Reyes)
Robert Wickham	(Zine)

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

Whereupon the Council did adjourn.

ATTEST: Frank T. Martinez, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL