

Los Angeles City Council, Journal/Council Proceedings
Friday, April 15, 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, Smith, Weiss, Zine and President Padilla (12); Absent: Parks, Reyes and Villaraigosa (3).

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
APRIL 12, 2005

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - NONE

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

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

Items Noticed for Public Hearing - Items 1-6

Roll Call #1 - Motion (Miscikowski - Zine) Adopted to Continue, Unanimous Vote (13);
Absent: Parks and Villaraigosa (2)
(Item Nos. 1-5)

ITEM NO. (1) - PUBLIC HEARING HELD - HEARING AND ORDINANCE CONTINUED TO
MAY 6, 2005

[02-2795](#)

CD 11 HEARING PROTESTS against the proposed improvement and maintenance of the
JEFFERSON AND CULVER BOULEVARDS (REBALLOT) LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Jefferson and
Culver Boulevards (reballot) Lighting District, in accordance with Sections 6.95-6.127 of
the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on February 11, 2005 - Continue hearing and present
Ordinance on MAY 6, 2005 to consider report of protests to be submitted as a result of
balloting, pursuant to Proposition 218)

ITEM NO. (2) - PUBLIC HEARING HELD - HEARING AND ORDINANCE CONTINUED TO
MAY 6, 2005

03-2480

CD 7 HEARING PROTESTS against the proposed improvement and maintenance of the SAYRE STREET AND FRANK MODUGNO DRIVE (REBALLOT) LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Sayre Street and Frank Modugno Drive (reballot) Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on February 11, 2005 - Continue hearing and present Ordinance on MAY 6, 2005 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (3) - PUBLIC HEARING HELD - HEARING AND ORDINANCE CONTINUED TO
MAY 6, 2005

04-1834

CD 3 HEARING PROTESTS against the proposed improvement and maintenance of the VENTURA BOULEVARD AND ETIWANDA AVENUE LIGHTING DISTRICT.

Recommendation for Council action:

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

(Ordinance of Intention adopted on February 11, 2005 - Continue hearing and present Ordinance on MAY 6, 2005 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (4) - PUBLIC HEARING HELD - HEARING AND ORDINANCE CONTINUED TO
MAY 6, 2005

04-1845

CD 6 HEARING PROTESTS against the proposed improvement and maintenance of the SHELDON STREET AND EL DORADO AVENUE LIGHTING DISTRICT.

Recommendation for Council action:

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

(Ordinance of Intention adopted on February 11, 2005 - Continue hearing and present Ordinance on MAY 6, 2005 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (5) - PUBLIC HEARING HELD - HEARING AND ORDINANCE CONTINUED TO
MAY 6, 2005

04-1846

CD 11 HEARING PROTESTS against the proposed improvement and maintenance of the LINCOLN BOULEVARD AND BLUFF CREEK DRIVE LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Lincoln Boulevard and Bluff Creek Drive Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on February 11, 2005 - Continue hearing and present Ordinance on MAY 6, 2005 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (6) - PUBLIC HEARING CLOSED - MOTION ADOPTED TO GRANT APPLICATION

Roll Call #2 - Motion (Perry - Greuel) Adopted to Grant Application, Ayes (13); Absent: Parks and Villaraigosa (2)

05-0562

CD 9 HEARING COMMENTS relative to application for determination of "Public Convenience or Necessity" for alcohol sales for on-site consumption located at 800 South Figueroa (Roy's Hawaiian Fusion Restaurant).

Recommendations for Council action:

1. DETERMINE that the issuance of a liquor license at 800 South Figueroa (Roy's Hawaiian Fusion Restaurant) will serve the "Public Convenience or Necessity" and will not tend to create a law enforcement problem.
2. GRANT the Application for Determination of "Public Convenience or Necessity" for the sale of alcoholic beverages for on-site consumption located at 800 South Figueroa.
3. INSTRUCT the City Clerk to transmit this determination to the State Department of Alcoholic Beverage Control as the required findings under Business and Professions Code Section 23958.4.

Applicant: Outback Steakhouse, Inc.

TIME LIMIT FILE - MAY 16, 2005

(LAST DAY FOR COUNCIL ACTION - MAY 13, 2005)

Items for Which Public Hearings Have Been Held - Items 7-12

Roll Call #3 - Motion (Greuel - Miscikowski) Adopted, Ayes (13); Absent: Parks and Villaraigosa (2)
(Item Nos. 7-12)

ITEM NO. (7) - ADOPTED

01-1540

AUDITS AND GOVERNMENTAL EFFICIENCY COMMITTEE REPORT relative to the City of Los Angeles Cost Allocation Plan 27 for Central Services and Fringe Benefits and Independent Auditor's report.

Recommendation for Council action:

RECEIVE and FILE the Simpson & Simpson's report, dated September 8, 2004, relative to the City of Los Angeles Cost Allocation Plan 27 for Central Services and Fringe Benefits for the Fiscal Year ended June 30, 2003 and Independent Auditor's report, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (8) - ADOPTED

01-1847

AUDITS AND GOVERNMENTAL EFFICIENCY COMMITTEE REPORT relative to the City of Los Angeles Cost Allocation Plan 27 for Department Administration and Support and Independent Auditor's report.

Recommendation for Council action:

RECEIVE and FILE the Simpson & Simpson's report, dated September 8, 2004, relative to the City of Los Angeles Cost Allocation Plan 27 for Department Administration and Support for the Fiscal Year ended June 30, 2003 and Independent Auditor's report, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (9) - ADOPTED

04-1916

AUDITS AND GOVERNMENTAL EFFICIENCY COMMITTEE REPORT relative to deficiencies involving internal control over cash at the Treasurer's Office.

Recommendation for Council action:

NOTE and FILE the Simpson and Simpson's report, dated September 24, 2004, relative to deficiencies involving internal control over cash at the Treasurer's Office, inasmuch as the report is submitted for information only, and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (10) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS
- SEE FOLLOWING

02-0595

CD 9

COMMUNICATION FROM THE CHIEF EXECUTIVE OFFICER, COMMUNITY REDEVELOPMENT AGENCY relative to a \$4.8 million rehabilitation loan with the Mexican American Legal Defense and Educational Fund for the conversion of a \$2.8 million residual receipts loan to service repayments and related actions.

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

(For copies of related, staff-generated reports for this matter, please contact the Legislative Assistant for the Housing, Community and Economic Development Committee at 213-978-1080.)

ADOPTED

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to a \$4.8 million rehabilitation loan with Mexican American Legal Defense and Educational Fund (MALDEF) for the conversion of a \$2.8 million residual receipts loan to service repayments and related actions.

Recommendations for Council action:

1. REAFFIRM the Community Redevelopment Agency Board of Commissioners action of March 21, 2002, with MALDEF for the Banks-Huntley Building property at 634 S. Spring Street to convert a \$2.8 million residual receipts loan to service repayments, with the maximum amount of credit allowable at \$280,000 annually; and, clarifying Board actions to:
 - a. Recognize accrued interest of \$474,543 as of March 21, 2002, as being included in the service repayment amount and as being eligible for repayment through additional service delivery.
 - b. Cap accumulated interest through March 21, 2002, which interest is suspended thereafter.
2. REQUIRE the Residual Receipts Loan, and any balance that may still be outstanding, to become due and payable (if not retired by earned service credits) on the 40th anniversary of the amended loan date if MALDEF does not achieve the maximum annual service credit.

3. RECOGNIZE accrued interest on an interest-only loan in the amount of \$180,000 as being included in the service repayment amount and as being eligible for repayment through additional service delivery, with the maximum amount of credit allowable at \$60,000 annually.
4. REQUIRE that MALDEF, if it does not achieve the maximum annual service credit on the Interest-Only Loan, pay in cash at the end of each fiscal year, the difference between the maximum allowable credits of \$60,000 and the actual amount paid.
5. AMEND the Interest-Only Loan due date from September 1, 2006 to one which is due ten years from the date of a new promissory note, or upon sale or refinance, whichever comes first.
6. AUTHORIZE the Chief Executive Officer, Community Redevelopment Agency (Agency) or designee to execute a Second Amendment to the Owner Participation and Loan Agreement with MALDEF for the above actions, and to take such other actions as may be necessary to carry out the agreement.
7. INSTRUCT the Agency to report:
 - a. In 45 days relative to a revised or updated policy on conditional grants and service provider operating contracts.
 - b. On the status of all of its loans that have been converted into service repayment agreements, and on whether the affected organizations are in compliance with service repayment obligations, services credited thus far, remaining balances, and how Agency staff monitors and evaluates those organizations when granting service credits, and provide periodic reports thereafter.
 - c. Relative to the developmental cost of converting loans to service repayment agreements.

Fiscal Impact Statement: The Chief Legislative Analyst (CLA) reports that this action will not impact the General Fund. The Interest Only Loan of \$2 million was funded from the Agency's Special Revenue Fund and the Residual Receipts Loan of \$2.8 million is tax increment funds from the Central Business District Redevelopment Project Area. The loans were provided by the Agency to MALDEF in 1992 for the acquisition and rehabilitation of the Banks - Huntley Building which now serves as MALDEF's headquarters.

ITEM NO. (11) - ADOPTED

04-0184

ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE REPORT and COMMUNICATION FROM CHAIR, AUDITS AND GOVERNMENTAL EFFICIENCY COMMITTEE relative to the Independent Auditor's report on the Sewer Construction and Maintenance Fund for the Fiscal Years ended June 30, 2002 and 2003.

Recommendation for Council action:

NOTE and FILE the Simpson & Simpson's February 2, 2004 report relative to the Sewer and Construction Maintenance Fund (an Enterprise Fund of the City of Los Angeles) basic financial statements with Independent Auditor's report for the Fiscal Years ended June 30, 2002 and 2003, and the Debt Service Compliance Report for the Fiscal Year ended June 30, 2003, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (12) - ADOPTED

05-0017

PUBLIC SAFETY and PERSONNEL COMMITTEES' REPORT relative to acceptance of a Federal Emergency Management Agency (FEMA) grant to continue development and maintenance of National Urban Search and Rescue (US&R) Response System resources.

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

1. AUTHORIZE the Los Angeles Fire Department (LAFD) to accept the grant award from the FEMA and execute a no-match Cooperative Agreement with FEMA for continued development and maintenance of US&R Response System resources, in the amount of \$983,035, for the term of September 1, 2004 through August 31, 2006, subject to the review and approval of the City Attorney as to form and legality.
2. RESOLVE that Employment Authority for the following three positions in the LAFD for the period of January 31, 2005 through June 30, 2005, is APPROVED; and EXEMPT these positions from the existing Managed Employment Process:

<u>No.</u>	<u>Code</u>	<u>Title</u>
2	2142-1	Fire Captain I
1	9184-2	Management Analyst II

3. FIND, in accordance with Los Angeles Administrative Code Section 4.133 (a), that the three positions in Recommendation No. 2, in the LAFD, will remain approved and continue under Employment Authority for the period of July 1, 2005 through June 30, 2006.
4. AUTHORIZE the LAFD to deposit the FEMA grant funds received under this Cooperative Agreement into Fund No. 335/38, Account No. 004R.
5. TRANSFER the FEMA grant funds from Fund No. 335/38, Account No. 004R, to various accounts within Fund No. 100/38 upon submission of proper documentation by the LAFD of actual costs incurred from the continued development and maintenance of US&R Response System resources through August 31, 2006, subject to the review and approval of the City Administrative Officer (CAO).

6. TRANSFER \$266,985 from Fund No. 100/38, Account No. 1093 to Fund No. 335/38, Account No. 004R, to provide the necessary funds (that will be reimbursed by the FEMA grant) for the purchase of various equipment, supplies and training in Fiscal Year 2004-05.

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

Items for Which Public Hearings Have Not Been Held - Items 13-40 (10 Votes Required for Consideration)

Roll Call #4 - Motion (Miscikowski - Reyes) Adopted, Ayes (13); Absent: Parks and Villaraigosa (2)
(Item Nos. 13-39)

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

04-2004

CD 11

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of BUNDY DRIVE AND TENNESSEE PLACE LIGHTING DISTRICT.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated September 29, 2004.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of JUNE 17, 2005 as the hearing date for the maintenance of Bundy Drive and Tennessee Place Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$243.08 will be collected annually starting with tax year 2005-06 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: June 6, 2005)

ITEM NO. (14) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

04-2006

CD 2

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of WEDDINGTON STREET AND VAN NUYS BOULEVARD LIGHTING DISTRICT.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated September 29, 2004.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of JUNE 17, 2005 as the hearing date for the maintenance of Weddington Street and Van Nuys Boulevard Lighting District, in accordance with Proposition 218, Articles XIIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$1,071 will be collected annually starting with tax year 2005-06 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: June 6, 2005)

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

04-2008

CD 1

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of COURT STREET AND EAST EDGEWARE ROAD LIGHTING DISTRICT.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated September 29, 2004.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of JUNE 17, 2005 as the hearing date for the maintenance of Court Street and East Edgeware Road Lighting District, in accordance with Proposition 218, Articles XIIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$52.40 will be collected annually starting with tax year 2005-06 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: June 6, 2005)

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

04-2009

CD 3

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of CANOGA AVENUE AND COHASSET STREET LIGHTING DISTRICT.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated September 29, 2004.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of JUNE 17, 2005 as the hearing date for the maintenance of Canoga Avenue and Cohasset Street Lighting District, in accordance with Proposition 218, Articles XIIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$89.91 will be collected annually starting with tax year 2005-06 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: June 6, 2005)

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

04-2013

CD 7

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of ROXFORD STREET AND GLENOAKS BOULEVARD LIGHTING DISTRICT.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated October 1, 2004.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of JUNE 17, 2005 as the hearing date for the maintenance of Roxford Street and Glenoaks Boulevard Lighting District, in accordance with Proposition 218, Articles XIIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$1,407.60 will be collected annually starting with tax year 2005-06 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: June 6, 2005)

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

04-2018

CD 2

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of FOOTHILL AND TUJUNGA CANYON BOULEVARDS LIGHTING DISTRICT.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated October 1, 2004.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of JUNE 17, 2005 as the hearing date for the maintenance of Foothill and Tujunga Canyon Boulevards Lighting District, in accordance with Proposition 218, Articles XIII C and XIII D of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$2,536.27 will be collected annually starting with tax year 2005-06 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: June 6, 2005)

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

04-0226

COMMUNICATION FROM CHAIR, AUDITS AND GOVERNMENTAL EFFICIENCY COMMITTEE relative to the Controller's performance audits of the Community Development Department's (CDD's) Workforce Investment Act (WIA) and Youth Opportunity Grant (YOG) Programs.

Recommendation for Council action:

NOTE and FILE the Controller's February 5, 2004 report relative to its performance audits of the CDD's WIA and YOG Programs and the CDD's responses to these audits, dated February 25, 2004, August 17, 2004, and March 15, 2005, inasmuch as these reports are submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

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

05-0002-S58

COMMUNICATION FROM THE CHIEF LEGISLATIVE ANALYST (CLA) and RESOLUTION relative to establishing City positions on proposed legislation regarding AIDS Prevention.

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

ADOPT the accompanying RESOLUTION thereby establishing the following positions of SUPPORT in the City's Legislative Program for:

- a. Assembly Bill (AB) 547 (Berg) which would authorize cities and counties to operate needle exchange programs without the requirement to renew a Declaration of Local Emergency every 14 to 21 days.

- b. AB 1142 (Dymally) which would establish a statewide African-American HIV/AIDS Initiative to address the disproportionate impact of HIV/AIDS on African-Americans by coordinating prevention and service networks around the state and increasing capacity of core service providers.
- c. AB 1677 (Koretz) which would authorize the distribution of sexual barrier protection devices in correctional facilities.

Fiscal Impact Statement: The CLA reports that there is no impact on the General Fund as a result of this action.

(Arts, Parks, Health and Aging Committee waived consideration of the above matter)

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

05-0372

CD 13 COMMUNICATION FROM THE CITY ENGINEER relative to inclusion of the name of Jim Gray on the Hollywood Walk of Fame.

Recommendation for Council action:

APPROVE the installation of the name of Jim Gray on the Hollywood Walk of Fame at 6801 Hollywood Boulevard.

Fiscal Impact Statement: The City Engineer reports that there is no General Fund impact.

ITEM NO. (22) - ADOPTED

05-0673

CD 1 MOTION (REYES - PARKS) relative to declaring the 85th Anniversary of the School's Founding on April 9, 2005 a Special Event (fees and costs absorbed by the City = \$1,000).

Recommendation for Council action:

DECLARE the 85th Anniversary of the School's Founding, sponsored by the Loyola Law School on April 9, 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. (23) - ADOPTED

01-0873

CD 8 MOTION (PARKS - REYES) relative to declaring the 23rd Annual Walk for Education Walk-a-Thon on May 21, 2005 a Special Event (fees and costs absorbed by the City = \$4,000).

Recommendation for Council action:

DECLARE the 23rd Annual Walk for Education Walk-a-Thon, sponsored by the United Negro College Fund on May 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.

ITEM NO. (24) - ADOPTED

04-0192

CD 8 MOTION (PARKS - REYES) relative to declaring the Child Abuse Prevention Walk and Resource Fair on April 30, 2005 a Special Event (fees and costs absorbed by the City = \$312).

Recommendation for Council action:

DECLARE the Child Abuse Prevention Walk and Resource Fair, sponsored by the Families for Children on April 30, 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. (25) - ADOPTED

04-0549

CD 14 MOTION (VILLARAIGOSA - REYES) relative to declaring the Feria de los Ninos Festival on April 9-10, 2005 a Special Event (fees and costs absorbed by the City = \$13,083).

Recommendation for Council action:

DECLARE the Feria de los Ninos Festival, sponsored by the State Street Recreation Center of the Department of Recreation and Parks on April 9-10, 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. This action does not include the waiver of application requirements and fees and costs that may be associated with the use of facilities under the jurisdiction of the Board of Recreation and Park Commissioners.

ITEM NO. (26) - ADOPTED

04-0654

CD 14 MOTION (VILLARAIGOSA - REYES) relative to declaring the Don Emiliano Zapata March on April 10, 2005 a Special Event (fees and costs absorbed by the City = \$10,791).

Recommendation for Council action:

DECLARE the Don Emiliano Zapata March, sponsored by the Front of United Peoples of the Americas on April 10, 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. (27) - ADOPTED

05-0679

CD 14 MOTION (VILLARAIGOSA - REYES) relative to declaring the Cinco de Mile Charity Run on May 1, 2005 a Special Event (event sponsor to reimburse the City for all fees and cost incurred).

Recommendation for Council action:

DECLARE the Cinco de Mile Charity Run, co-sponsored by the Nike, Inc. - Community Affairs and All Access Entertainment on May 1, 2005, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion and meet insurance and application requirements of the City.

ITEM NO. (28) - ADOPTED

04-0737

CD 9 MOTION (PERRY - PARKS) relative to declaring the Annual Block Club Party on April 17, 2005 a Special Event (fees and costs absorbed by the City = none submitted).

Recommendation for Council action:

DECLARE the Annual Block Club Party, sponsored by the 71st Street Block Club on April 17, 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

05-0682

CD 9 MOTION (PERRY - PARKS) relative to declaring the Grand Opening Celebration on April 10, 2005 a Special Event (fees and costs absorbed by the City = \$1,188).

Recommendation for Council action:

DECLARE the Grand Opening Celebration, sponsored by the Midnight Mission on April 10, 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. (30) - ADOPTED

05-0681

MOTION (PERRY - REYES) relative to a request for an exemption from the Convention Center fee waiver policy for the 11th Annual Latino AIDS Conference on May 7, 2005.

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

1. FIND that the 11th Annual Latino AIDS Conference event, sponsored by ALIANZA, Los Angeles County Latino Caucus on HIV/AIDS, serves a public purpose in that it will provide an opportunity for approximately 5,000 adults to receive HIV/AIDS education.
2. AUTHORIZE the General Manager, Convention Center, to make an exception to the Council's Convention Center waiver policy by waiving a maximum of \$10,691.28 in room rental fees for this event.
3. INSTRUCT all concerned departments that should unforeseen circumstances change the actual date of the Special Event, the aforementioned departmental instructions continue to apply.

ITEM NO. (31) - ADOPTED

05-0010-S19

MOTION (ZINE - PARKS) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the September 29, 2002 death of Dana Sherman.

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

1. PROVIDE an offer of reward in the amount of \$50,000 for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Dana Sherman.
2. FIND that the subject reward complies with the provisions of Chapter 12, Article 1, Division 19, of the Los Angeles Administrative Code.
3. DIRECT the City Clerk to publish the required notices and/or advertisements to effectuate this reward.

ITEM NO. (32) - ADOPTED

05-0676

CD 5

MOTION (SMITH - WEISS) relative to initiating street vacation proceedings for a portion of Santa Rita Street from Alonzo Avenue to approximately 470 feet northwesterly thereof.

Recommendations for Council action:

1. INITIATE street vacation proceedings, pursuant to California Streets and Highways Code, Division 9, Part 3, Public Streets, Highways and Service Easements Vacation Law for a portion of Santa Rita Street from Alonzo Avenue to approximately 470 feet northwesterly thereof.

2. DIRECT the Bureau of Engineering to investigate the feasibility of this vacation request.
3. DIRECT the Bureau of Engineering to present its report regarding the feasibility of vacating the requested areas to the Public Works Committee.

ITEM NO. (33) - ADOPTED

05-0677

CD 1 MOTION (SMITH - REYES) relative to initiating street vacation proceedings for the alley southeasterly of Lucas Avenue from Lucas Avenue to approximately 280 feet northeasterly thereof.

Recommendations for Council action:

1. INITIATE street vacation proceedings, pursuant to California Streets and Highways Code, Division 9, Part 3, Public Streets, Highways and Service Easements Vacation Law for the alley southeasterly of Lucas Avenue from Lucas Avenue to approximately 280 feet northeasterly thereof.
2. DIRECT the Bureau of Engineering to investigate the feasibility of this vacation request.
3. DIRECT the Bureau of Engineering to present its report regarding the feasibility of vacating the requested areas to the Public Works Committee.

ITEM NO. (34) - ADOPTED

05-0678

CD 11 MOTION (SMITH - MISCIKOWSKI) relative to initiating street vacation proceedings for the alley northeasterly of Almar Plaza between Almar Avenue and Wynola Street.

Recommendations for Council action:

1. INITIATE street vacation proceedings, pursuant to California Streets and Highways Code, Division 9, Part 3, Public Streets, Highways and Service Easements Vacation Law for the alley northeasterly of Almar Plaza between Almar Avenue and Wynola Street.
2. DIRECT the Bureau of Engineering to investigate the feasibility of this vacation request.
3. DIRECT the Bureau of Engineering to present its report regarding the feasibility of vacating the requested areas to the Public Works Committee.

ITEM NO. (35) - ADOPTED - FORTHWITH

05-0680

CD 3 MOTION (SMITH - ZINE) relative to initiating street vacation proceedings for the alley northerly of Sherman Way between Beckford Avenue and Claire Avenue.

Recommendations for Council action:

1. INITIATE street vacation proceedings, pursuant to California Streets and Highways Code, Division 9, Part 3, Public Streets, Highways and Service Easements Vacation Law for the alley northerly of Sherman Way between Beckford Avenue and Claire Avenue.
2. DIRECT the Bureau of Engineering to investigate the feasibility of this vacation request.
3. DIRECT the Bureau of Engineering to present its report regarding the feasibility of vacating the requested areas to the Public Works Committee.

ITEM NO. (36) - ADOPTED - TO THE MAYOR FORTHWITH

05-1073-S4

CD 13 MOTION (PADILLA for GARCETTI - CARDENAS) relative to authorizing installation of five bus benches in Elysian Valley funded from the Council District 13 portion of the Street Furniture Revenue fund.

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

1. AUTHORIZE the Director, Bureau of Street Services, to perform the installation of five bus benches in Elysian Valley.
2. AUTHORIZE the Controller to TRANSFER and APPROPRIATE \$19,552 from the Council District 13 portion of Fund No. 43D (Street Furniture Revenue) Department 50 (Non-Department-Appropriation to Specific Purpose), Fund 43D (Street Furniture Revenue Fund) to Fund 100 Department 86 (Bureau of Street Services) Account 6020 (Operating Supplies and Expense) for the installation of five bus benches on Riverside Drive.
3. AUTHORIZE the Chief Legislative Analyst, or designee, to make any technical corrections or clarification that may be necessary to implement the intent of this action.

ITEM NO. (37) - ADOPTED

04-0600-S50

CD 13 MOTION (PADILLA for GARCETTI - CARDENAS) relative to amending previous Council action in connection with the Mid Year Adjustment and Financial Status Report.

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

1. TRANSFER \$78,760 from the \$647,000 allocated for the Atwater Village streetscape improvements, to the General Services Fund No. 100-40, as follows: \$50,000 to Account No. 1101 (Construction, Hiring Hall) and \$28,760 to Account No. 1121 (Construction, Hiring Hall Fringe Benefits), in order for the Department of General Services (GSD) to erect Atwater Village entry signs on Glendale Boulevard as part of this streetscape project.
2. INSTRUCT, REQUEST and AUTHORIZE the City Administrative Officer, the Controller, and/or the GSD to make technical corrections as necessary to the above fund transfer instructions in order to effectuate the intent of this motion.

ITEM NO. (38) - ADOPTED

05-0600

MOTION (PARKS - MISCIKOWSKI) relative to declaring the Council's intent to hold public hearings on the Mayor's Proposed 2005-06 Budget.

Recommendations for Council action:

1. DECLARE the Council's intent to hold public hearings on the Mayor's Proposed 2005-06 Budget commencing on Friday, May 13, 2005 at the hour of 10:00 a.m., in the John Ferraro Council Chamber and continuing each regular and special Council meeting day at said hour until such time as the City Council concludes its consideration of the Proposed Budget.
2. SCHEDULE special meetings, in order to provide adequate time for the City Council to consider the Budget and Finance Committee Report on the Mayor's Proposed 2005-06 Budget, at 10:00 a.m., on Monday, May 16, 2005 and on Thursday, May 19, 2005, which shall be devoted entirely to consideration of the Budget and Finance Committee Report and City Council motions to amend the Mayor's Proposed 2005-06 Budget.
3. INSTRUCT the City Clerk, with the assistance of the City Administrative Officer and the Chief Legislative Analyst, to provide information to the public on the Mayor's Proposed 2005-06 Budget and publish the required public notices.

ITEM NO. (39) - ADOPTED

04-0423

MOTION (MISCIKOWSKI - PARKS) relative to authorizing the Los Angeles Police Department (LAPD) to provide funding to other law enforcement agencies and various actions in connection with the Internet Crimes Against Children (ICAC) Task Force Program Grant.

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

1. ACCEPT and APPROVE a No-Cost Grant Extension to November 30, 2005, extending the grant period by five months.

2. AUTHORIZE the LAPD to disburse up to an aggregate total of \$90,000 in funds and computer equipment to other law enforcement agencies selected to participate in the ICAC Task Force Program, for travel, training and computer equipment, including related services pursuant to written agreements developed under Recommendation No. 5 below.
3. AUTHORIZE the Chief of Police to notify all other law enforcement agencies within Los Angeles County, and other areas as deemed appropriate, of the opportunity, benefits, and process for applying for participation in the ICAC Task Force Program.
4. AUTHORIZE the Chief of Police to select up to nine other interested law enforcement agencies to participate in the ICAC Task Force Program and to determine the amount of grant funds that selected law enforcement agencies will receive, subject to the maximum funding limits established by the Council and the grant, based upon the following criteria:
 - a. Ability to commit designated staff to the ICAC Task Force to maximize return on training resources invested.
 - b. Ability to commit staff to conduct ICAC Task Force investigations on a regular and on-going basis.
 - c. Ability to comply with ICAC Task Force Program rules, requirements, and investigative best practices.
 - d. Consider geographic diversity and population in making a selection between agencies that illustrate the "equivalent" ability to comply with the above criteria.
5. AUTHORIZE the Chief of Police to negotiate and execute written agreements with those law enforcement agencies selected to participate in the ICAC Task Force Program, Subject to City Attorney approval as to form.
6. AUTHORIZE the LAPD to receive and expend the grant funds for ICAC Task Force Program purposes, consistent with the grant award, grant budget, and Council authorizations.
7. AUTHORIZE the LAPD to deposit grant reimbursements in Account V415, Fund 339, Department 70 and reappropriate such funds for future grant expenditures.
8. 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.
9. REQUEST the LAPD to report to the Public Safety Committee in June 2005 regarding the status of the ICAC Task Force Program and the other law enforcement agencies selected to participate in the Program.

ITEM NO. (40) - RECEIVED AND FILED

Roll Call #5 - Motion (Cardenas - Ludlow) Adopted to Receive and File, Unanimous Vote (13);
Absent: Parks and Villaraigosa (2)

05-0675

MOTION (CARDENAS - SMITH) relative to asserting jurisdiction over the April 5, 2005, action of the Board of Water and Power Commissioners (Board) with respect to an Intra-City Memorandum of Understanding (MOU) between the Certified Neighborhood Councils and the Department of Water and Power (DWP).

Recommendations for Council action:

1. ASSERT jurisdiction, pursuant to Section 245 of the Los Angeles City Charter, over the action taken by the Board on April 5, 2005 relative to an Intra-City MOU between the Certified Neighborhood Councils and the DWP.
2. REFER this matter, upon assertion of jurisdiction, to the Commerce, Energy and Natural Resources Committee for further review and consideration.

TIME LIMIT FILE - APRIL 19, 2005

(LAST DAY FOR COUNCIL ACTION - APRIL 19, 2005)

10 VOTES REQUIRED

Item for Which Public Hearing Has Not Been Held - Item 41
(10 Votes Required for Consideration)

ITEM NO. (41) - SUBSTITUTE MOTION FAILED OF ADOPTION - SEE FOLLOWING

- Roll Call #6 - Motion (Weiss - Villaraigosa) On Whether To Substitute, Ayes (10);
Noes: Perry (1); Absent: Greuel, LaBonge, Reyes and Zine (4)
- Roll Call #7 - Motion (Weiss - Villaraigosa) To Assert Jurisdiction, Failed of Adoption, Ayes (9);
Noes: Hahn and Smith (2); Absent: Greuel, LaBonge, Reyes and Zine (4)
- Roll Call #8 - Motion (Weiss - Villaraigosa) To Adopt Substitute Motion, Failed of Adoption,
Ayes (6); Noes: Garcetti, Hahn, Miscikowski, Perry and Smith (5);
Absent: Greuel, LaBonge, Reyes and Zine (4)

05-0612

CONTINUED CONSIDERATION OF MOTION (VILLARAIGOSA - WEISS - LUDLOW - PARKS) relative to asserting jurisdiction over an April 4, 2005 action of the Board of Airport Commissioners regarding concession contract extensions.

Recommendations for Council action:

1. ASSERT jurisdiction, pursuant to Charter Section 245, over the actions of the Board of Airport Commissioners April 4, 2005 to approve contract extensions through May 31, 2007 with Airport Management Services LLC, DFS Group LP, Andy M. Camacho Inc., Eurotal, McDonald's Corporation, Java Java Inc., and the St. Clair Development Corporation.
2. REFER the matter, upon asserting jurisdiction, to the Commerce, Energy and Natural Resources Committee for further discussion.

TIME LIMIT FILE - APRIL 15, 2005

(LAST DAY FOR COUNCIL ACTION - APRIL 15, 2005)

10 VOTES REQUIRED

FAILED OF ADOPTION

SUBSTITUTE MOTION (VILLARAIGOSA - WEISS - LUDLOW - PARKS)

Recommendations for Council action:

1. ASSERT jurisdiction, pursuant to Charter Section 245, over the actions of the Board of Airport Commissioners (Board) April 4, 2005 to approve contract extensions through May 31, 2007 with Airport Management Services LLC and DFS Group LP.
2. REFER the matter, upon asserting jurisdiction, to the Commerce, Energy and Natural Resources Committee for further discussion.
3. REQUEST the Board of Airport Commissioners to immediately submit to Council for its approval or disapproval, pursuant to Section 606 of the Charter, the following contract extensions approved by the Board on April 4, 2005: Andy M. Camacho Inc., Eurotal, McDonald's Corporation, Java Java Inc., and the St. Clair Development Corporation; and INSTRUCT the City Clerk that upon receipt of the transmittal of those matters from the Board, those matters be immediately referred to the Commerce, Energy and Natural Resources Committee for consideration.

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

05-0703

MOTION (MISCIKOWSKI - CARDENAS) relative to declaring the WLA Farmers Market on Sundays from April 16, 2005 to July 16, 2005 a Special Event (fees and costs absorbed by the City = \$20,188).

05-0704

MOTION (ZINE - SMITH) relative to declaring the Dedication of the New Los Angeles Police Department West Valley Station on April 14, 2005 a Special Event (fees and costs absorbed by the City = \$1,226).

05-0705

MOTION (PERRY - REYES) relative to declaring the Earthday Walkathon 2005 on April 23, 2005 a Special Event (fees and costs absorbed by the City = \$1,188).

05-0706

MOTION (PERRY - REYES) relative to declaring the Downtown Arts Festival on June 3 - 5, 2005 a Special Event (fees and costs absorbed by the City = \$1,188).

02-0642

MOTION (HAHN - LUDLOW) relative to declaring the 13th Annual Watts Cinco de Mayo Fiesta on May 7, 2005 a Special Event (fees and costs absorbed by the City = \$4,912).

05-0707

MOTION (HAHN - GARCETTI) relative to declaring the Harbor City 'Pines' Neighborhood Cleanup on April 23, 2005 a Special Event (fees and costs absorbed by the City = \$914).

05-0708

MOTION (HAHN - LUDLOW) relative to declaring the Parents of Watts 14th Annual Cinco de Mayo Fiesta on May 4, 2004 a Special Event (fees and costs absorbed by the City = \$2,188).

04-0515

MOTION (HAHN - GARCETTI) relative to declaring the Cease Fire, Stop the Violence Peace March and Rally on May 7, 2005 a Special Event (fees and costs absorbed by the City = \$4,419).

02-0686

MOTION (HAHN - LABONGE) relative to declaring the Naval Days L.A. from April 14, 2005 to April 19, 2005 a Special Event (fees and costs absorbed by the City = \$9,152).

02-0466

MOTION (PARKS - LUDLOW) relative to declaring the Hawaii Club's Annual Luau on April 16, 2005 a Special Event (fees and costs absorbed by the City = \$1,500).

03-0722

MOTION (WEISS - GREUEL) relative to declaring the Warner Walk on May 6, 2005 a Special Event (fees and costs absorbed by the City = \$2,656).

05-0713

MOTION (GARCETTI - LABONGE) relative to declaring the Community Street Festival on April 23 - 24, 2005 a Special Event (fees and costs absorbed by the City = \$1,188).

01-0561

MOTION (GARCETTI - LABONGE) relative to declaring the Armenian Genocide Commemoration March on April 24, 2005 a Special Event (fees and costs absorbed by the City = none submitted).

05-0714

MOTION (GARCETTI - REYES) relative to declaring the Outpost For Contemporary Art Event on May 1, 2005 a Special Event (fees and costs absorbed by the City = \$180).

04-0980

MOTION (WEISS - ZINE) relative to declaring the Alexis de Tocqueville Gala on May 21, 2005 a Special Event (fees and costs absorbed by the City = \$902).

05-0710

MOTION (SMITH - VILLARAIGOSA) relative to initiating street vacation proceedings for the alley northerly of Yosemite Drive between Glacier Drive and the north/south alley easterly thereof.

05-0711

MOTION (SMITH - VILLARAIGOSA) relative to initiating street vacation proceedings for Eagle Street (alley) between Gless and Pecan Streets.

05-0712

MOTION (SMITH - VILLARAIGOSA) relative to initiating street vacation proceedings for Cassatt Street from McKenzie Avenue to its northwesterly terminus.

05-1073-S5

MOTION (LABONGE - GREUEL) relative to replacement landscaping of the median at Riverside Drive and Placidia Avenue.

01-2688

MOTION (LUDLOW - PARKS) relative to vacating the North-South Alley, easterly of Ninth Avenue, between 25th Street, the Santa Monica Freeway, and the North-South Alley easterly of Ninth Avenue, between 25th Street and the alley northerly of Adams Boulevard.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon his request, and without objections, Councilmember Garcetti was excused from Council sessions of Friday, April 22, 2005 and Friday, June 10, 2005 due to City business.

Upon her request, and without objections, Councilmember Hahn was excused to leave at 11:30 a.m. from Council session of Wednesday, April 27, 2005 due to City business.

Upon his request, and without objections, Councilmember Reyes was excused from Council session of Wednesday, May 25, 2005 due to City business.

Motion (Garcetti - LaBonge) unanimously adopted to excused Councilmember Ludlow to leave at 11:00 a.m. from Council session of Wednesday, April 20, 2005 and was excused from Council session of Friday, April 22, 2005 due to City business.

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

05-0573 - Rene Etienne

(Parks - Perry)

Helen Ferguson Brulte

(Villaraigosa)

Ayes, Cardenas, Garcetti, Hahn, LaBonge, Miscikowski, Parks, Perry, Villaraigosa, Weiss and President Padilla (10); Absent: Greuel, Ludlow, Reyes, Smith and Zine (5).

Whereupon the Council did adjourn.

ATTEST: Frank T. Martinez, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL