

Los Angeles City Council, Journal/Council Proceedings
Tuesday, May 10, 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: Garcetti, Greuel, Hahn, LaBonge, Miscikowski, Perry, Reyes, Smith, Weiss and President Padilla (10); Absent: Cardenas, Ludlow, Parks, Villaraigosa and Zine (5).

SALUTE TO THE FLAG

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
MAY 3, 2005

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 45

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 1-11

Roll Call #6 - Motion (Miscikowski - Smith) Adopted, Ayes (12); Absent: Cardenas, Ludlow
and Villaraigosa (3)
(Item Nos. 1-5)

ITEM NO. (1) - PUBLIC HEARING CLOSED - PROTESTS DENIED - ASSESSMENTS CONFIRMED
- ORDINANCE ADOPTED

04-1834

CD 3 CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST
CONSIDERATION relative to the improvement and maintenance of VENTURA
BOULEVARD AND ETIWANDA AVENUE LIGHTING DISTRICT.

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

1. DENY the protests and confirm the assessments.

2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing held April 15, 2005)

ITEM NO. (2) - PUBLIC HEARING CLOSED - PROTESTS DENIED - ASSESSMENTS CONFIRMED
- ORDINANCE ADOPTED

04-1846

CD 11 CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of LINCOLN BOULEVARD AND BLUFF CREEK DRIVE 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 Section 53753 (Proposition 218).

(Public Hearing held April 15, 2005)

ITEM NO. (3) - PUBLIC HEARING CLOSED - PROTESTS DENIED - ASSESSMENTS CONFIRMED
- ORDINANCE ADOPTED

02-2795

CD 11 CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of JEFFERSON AND CULVER BOULEVARDS (REBALLOT) LIGHTING DISTRICT.

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

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing held April 15, 2005)

ITEM NO. (4) - PUBLIC HEARING CLOSED - PROTESTS DENIED - ASSESSMENTS CONFIRMED
- ORDINANCE ADOPTED

03-2480

CD 7 CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of SAYRE STREET AND FRANK MODUGNO DRIVE (REBALLOT) LIGHTING DISTRICT.

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

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing held April 15, 2005)

ITEM NO. (5) - PUBLIC HEARING CLOSED - ORDINANCE ADOPTED

04-1845

CD 6 CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of SHELDON STREET AND EL DORADO AVENUE 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 relating to the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (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 April 15, 2005)

Roll Call #1 - Motion (Greuel - LaBonge) Adopted to Continue, Unanimous Vote (11); Absent: Cardenas, Ludlow, Parks and Villaraigosa (4)
(Item Nos. 6-11)

ITEM NO. (6) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED ON MAY 27, 2005

04-1951

CD 11 HEARING PROTESTS against the proposed improvement and maintenance of the WELLESLEY AND ROCHESTER AVENUES LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Wellesley and Rochester Avenues Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on March 4, 2005 - Continue hearing and present Ordinance on MAY 27, 2005 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (7) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED ON MAY 27, 2005

04-1912

CD 3 HEARING PROTESTS against the proposed improvement and maintenance of the STRATHERN STREET AND OAKDALE AVENUE LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Strathern Street and Oakdale 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 March 4, 2005 - Continue hearing and present Ordinance on MAY 27, 2005 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (8) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED ON MAY 27, 2005

04-1910

CD 14 HEARING PROTESTS against the proposed improvement and maintenance of the ALAMEDA AND LOS ANGELES STREETS LIGHTING DISTRICT.

Recommendation for Council action:

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

(Ordinance of Intention adopted on March 4, 2005 - Continue hearing and present Ordinance on MAY 27, 2005 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (9) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED ON MAY 27, 2005

04-1909

CD 11 HEARING PROTESTS against the proposed improvement and maintenance of the RALSTON AND HUBBARD AVENUES LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Ralston and Hubbard Avenues Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on March 4, 2005 - Continue hearing and present Ordinance on MAY 27, 2005 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (10) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED ON MAY 27, 2005

04-1875

CD 2 HEARING PROTESTS against the proposed improvement and maintenance of the FOOTHILL BOULEVARD AND MT. GLEASON AVENUE LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Foothill Boulevard and Mt. Gleason 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 March 4, 2005 - Continue hearing and present Ordinance on MAY 27, 2005 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (11) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED ON MAY 27, 2005

04-1874

CD 2 HEARING PROTESTS against the proposed improvement and maintenance of the SHERMAN WAY AND RANCHITO AVENUE LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Sherman Way and Ranchito 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 March 4, 2005 - Continue hearing and present Ordinance on MAY 27, 2005 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

Items for Which Public Hearings Have Been Held - Items 12-43

Roll Call #6 - Motion (Miscikowski - Smith) Adopted, Ayes (12); Absent: Cardenas, Ludlow and Villaraigosa (3)
(Item Nos. 12-14)

ITEM NO. (12) - ADOPTED

04-2473

CD 3 MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to zone change for property at 6800-12 North Variel Street.

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. 04-2473 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 2004-2131 MND] filed on April 29, 2004.
2. ADOPT the April 29, 2005 FINDINGS of the Director of Planning as the Findings of the Council.

3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the Director of Planning, effecting the zone change from (T)(Q)R3-1/R1-1 to (T)(Q)R3-1, incident to Tract Map for the proposed construction of a 23-unit condominium with 17 units by right and six density bonus units (of which three will be affordable units) in a four story, 43 feet in height building, with 52 parking spaces on a 15,034 square foot lot at 6800-6812 North Variel Street, and subject to modified conditions of approval for "Q" Conditions Nos. A1, 2 and 3 as attached to this report.

Applicant: Variel Project Partners, LLC

APCSV 2004-2130 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. NOT PRESENT and ORDER FILED the Ordinance approved by the South Valley Area Planning Commission on September 23, 2004.

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

TIME LIMIT FILE - MAY 11, 2005

(LAST DAY FOR COUNCIL ACTION - MAY 11, 2005)

ITEM NO. (13) - ADOPTED

05-0262

CD 7

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT, RESOLUTION and ORDINANCE FIRST CONSIDERATION relative to a General Plan Amendment and zone change for property at 14930 and 14950 Plummer Street.

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. 05-0262 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 2004-0265 MND] filed on July 1, 2004.
2. ADOPT the April 26, 2005 FINDINGS of the Director of Planning as the Findings of the Council.

3. ADOPT the accompanying RESOLUTION as recommended by the Mayor, the City Planning Commission and the Director of Planning APPROVING the proposed General Plan Amendment from Low Density Residential to Low Medium I Residential for the site and the abutting ADD Area, 14950 Plummer Street and Disapproving a General Plan Amendment for Low Density Residential to Low Medium I Density Residential for the ADD area south of the project along Lemona Avenue, within the Mission Hills - Panorama City - North Hills Community Plan - Geographic Area 1 - North Valley.

Applicant: Jim Brewer, Spiegel Development, Inc.

CPC 2004-0262 GPA/ZC

4. PRESENT and ADOPT the accompanying ORDINANCE, approved by the Director of Planning, effecting a zone change from RA-1 to (T)(Q)RD3-1, subject to conditions of approval, for the proposed construction, use and maintenance of 32 single family dwellings at 14930 and 14950 Plummer Street. The Committee modified "Q" Condition No. 3 to read as follows:

3. Parking: The applicant shall provide two parking spaces per unit and no less than 1/2 guest parking space per unit.

Said rezoning shall be subject to the "Q" Qualified classification zone limitations as shown on the attached sheets.

5. REMOVE (T) Tentative classification as described in detail on the sheet(s) attached to this Committee report.
6. NOT PRESENT and ORDER FILED the Ordinance approved by City Planning Commission on September 23, 2004.
7. INSTRUCT the Planning Department to update the General Plan and appropriate maps pursuant to this action.
8. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.

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

TIME LIMIT FILE - MAY 16, 2005

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

ITEM NO. (14) - ADOPTED

05-0339

CD 3

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to zone change at 18343 West Ingomar Street.

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. 05-0339 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 2004-5343 MND] filed on September 20, 2004.
2. ADOPT the April 26, 2005 FINDINGS of the Director of Planning as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the Director of Planning, effecting the zone change from RA-1 to (T)(Q)R1-1, for the proposed subdivision of six single-family lots on a 0.88 net acre lot at 18343 West Ingomar Street, subject to modified conditions of approval. The Committee modified "Q" Condition No. 8 to read as follows:
 8. Severe Noise Levels (Aircraft Noise - Residential): All exterior windows shall be constructed with double-pane glass. Before the granting of a building permit, an acoustical engineer must specify the CNEL contour within which the building will be located and, based on such CNEL contours, the measures necessary to achieve an interior noise level which will not exceed 45 dBA in any habitable room. The applicant may submit other evidence stating that the interior noise levels shall not exceed 45 dba in any habitable room. This evidence shall be to the satisfaction of the Department of City Planning.

Applicant: Shawn Evenhaim, Village Homes Corporation APCSV 2004-5409 ZC SM

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. NOT PRESENT and ORDER FILED the Ordinance approved by South Valley Area Planning Commission on December 16, 2004.
7. 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.
8. 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 - MAY 24, 2005

(LAST DAY FOR COUNCIL ACTION - MAY 24, 2005)

Roll Call #3 - Motion (Garcetti - Weiss) Adopted, Ayes (11); Absent: Cardenas, Ludlow, Parks and Villaraigosa (4)
(Item Nos. 15-16)

ITEM NO. (15) - ADOPTED

05-0466

CD 3 ORDINANCE SECOND CONSIDERATION, approved by the South Valley Area Planning Commission, effecting the zone change from RA-1 to (T)(Q)RE-11-1, subject to conditions of approval, for the proposed subdivision for a maximum of a four parcel single-family project on a 1.0 acre site at 18766 Strathern Street.

(Planning and Land Use Management Committee report adopted on April 29, 2005)

ITEM NO. (16) - ADOPTED

96-2188-S1

CD 11 ORDINANCE OF INTENTION SECOND CONSIDERATION establishing JUNE 28, 2005 as the date for hearing protests against the proposed vacation of Slauson Avenue from approximately 178 feet southeasterly of Bradson Place to its southeasterly terminus.

(Communication from the City Engineer adopted on April 29, 2005)

ITEM NO. (17) - ADOPTED - FORTHWITH

Roll Call #8 - Motion (LaBonge - Parks) Adopted, Ayes (12); Absent: Cardenas, Ludlow and Villaraigosa (3)

05-0620

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to the first phase of the Cultural Affairs Department (CAD) initiative entitled MUSIC LA!.

Recommendation for Council action:

RECEIVE and FILE the CAD report dated April 5, 2005 relative to the first phase of the CAD initiative entitled MUSIC LA!, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

Roll Call #9 - Motion (Zine - Parks) Adopted to Refer, Unanimous Vote (12); Absent: Cardenas, Ludlow and Villaraigosa (3)
(Item Nos. 18-19)

ITEM NO. (18) - REFERRED TO BUDGET AND FINANCE COMMITTEE

02-2878

CONTINUED CONSIDERATION OF BUDGET AND FINANCE COMMITTEE REPORT relative to a fund transfer from the Unclaimed Monies Seized Incidental to Arrest Trust Fund.

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

TRANSFER \$190,955.82 from the Unclaimed Monies Seized Incidental to Arrest Trust Fund No. 7772, to the General Fund.

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

(Continued from Council meeting of April 5, 2005)

ITEM NO. (19) - REFERRED TO BUDGET AND FINANCE COMMITTEE

05-0517

CONTINUED CONSIDERATION OF BUDGET AND FINANCE COMMITTEE REPORT relative to a fund transfer from the Unclaimed Monies Seized Incidental to Arrest Trust Fund.

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

TRANSFER \$132,276.10 from the Unclaimed Monies Seized Incidental to Arrest Trust Fund No. 7772, to the General Fund.

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

(Continued from Council meeting of April 5, 2005)

ITEM NO. (20) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATION
- SEE FOLLOWING

Roll Call #3 - Motion (Garcetti - Weiss) Adopted, Ayes (11); Absent: Cardenas, Ludlow, Parks and Villaraigosa (4)

05-0002-S108

RESOLUTION (CARDENAS - PADILLA) relative to the City's position in connection with AB 672 (Klehs) which would establish a blanket prohibition on the City to prohibit recreational access in the vicinity of reservoirs.

(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.)

(For copies of related, staff-generated reports for this matter, please contact the Legislative Assistant for the Commerce, Energy and Natural Resources Committee at 213-978-1076.)

ADOPTED

COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to the City's position in connection with AB 672 (Klehs) or similar legislation which would establish a blanket prohibition on the City to prohibit recreational access in the vicinity of reservoirs.

Recommendation for Council action, as initiated by Resolution (Cárdenas - Padilla),
SUBJECT TO THE CONCURRENCE OF THE MAYOR:

RESOLVE to include in the City's 2005-06 Legislative Program OPPOSITION to AB 672 (Klehs) or similar legislation that would revise existing law prohibiting recreation use, in which there is bodily contact, of reservoirs where water is stored for domestic use UNLESS AMENDED to permit local governmental agencies to retain jurisdiction over the level to which recreational activity should be permitted at its water supply reservoir.

Fiscal Impact Statement: None submitted by the Chief Legislative Analyst (CLA). Neither the City Administrative Officer or the CLA has completed a financial analysis of this report.

ITEM NO. (21) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS - FORTHWITH - SEE FOLLOWING

Roll Call #10 - Motion (Hahn - Reyes) Adopted, Ayes (11); Absent: Cardenas, LaBonge, Ludlow and Villaraigosa (4)

[05-0896](#)

CD 15 COMMUNICATION FROM THE BOARD OF HARBOR COMMISSIONERS relative to proposed Seventh Amendment to and assignment of Permit No. 520 for the Marina Hotel from Meristar Sub 1A, LLC to San Pedro Ownership, Incorporated.

(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.)

(For copies of related, staff-generated reports for this matter, please contact the Legislative Assistant for the Commerce, Energy and Natural Resources Committee at 213-978-1076.)

ADOPTED

ADMINISTRATIVE EXEMPTION and COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to a proposed Seventh Amendment to Permit No. 520 for the Marina Hotel located at 2800 Villa Cabrillo Marina at the Port of Los Angeles/San Pedro.

Recommendations for Council action:

1. FIND that the proposed Seventh Amendment to Permit No. 520 for the Marina Hotel - Port of Los Angeles/San Pedro is exempt from the requirements of the California Environmental Quality Act as provided by Article III, Class 1 (14) of the Los Angeles City CEQA Guidelines, as amended by the Los Angeles City Council on July 31, 2002.
2. CONCUR with Board Order No. 6820 as adopted by the Board of Harbor Commissioners (Board) on April 12, 2005, APPROVE Board Order No. 6820 and AUTHORIZE the Executive Director of the Port of Los Angeles (Port) to execute the Seventh Amendment to Permit No. 520 with San Pedro Ownership, Incorporated (San Pedro Ownership) for the Marina Hotel located at 2800 Villa Cabrillo Marina at the Port of Los Angeles/San Pedro.
3. REQUEST the Port to incorporate reference to the Labor Peace Agreement between Kennedy Associates and UNITE HERE Local 11 (UNITE HERE) in the Agreement assigning Permit No. 520 for the Marina Hotel to Kennedy Associates/San Pedro Ownership.

Fiscal Impact Statement: The Board reports that approval of the proposed assignment has no impact on Port spending. The approximately \$6 million of hotel renovations will be funded with debt and equity provided through San Pedro Ownership. The existing rent obligation, as defined by the Sixth Amendment to Permit No. 520, will apply to San Pedro Ownership. Under those terms, monthly rent is the greater of \$14,227 and the sum of various percentages of corresponding gross revenue streams. During the 2004 calendar year, the monthly minimum was never exceeded and the Port's revenue was \$170,724. San Pedro Ownership anticipates that annual rent to the Port following renovation will increase from the minimum to \$313,669 over a four-year period.

TIME LIMIT FILE - JUNE 3, 2005

(LAST DAY FOR COUNCIL ACTION - JUNE 3, 2005)

Roll Call #3 - Motion (Garcetti - Weiss) Adopted, Ayes (11); Absent: Cardenas, Ludlow, Parks and Villaraigosa (4)
(Item Nos. 22-35)

ITEM NO. (22) - ADOPTED

05-0296

CD 11 ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE REPORT relative to leasing sites needed to complete the construction of the North Outfall Sewer (NOS) Rehabilitation Project.

Recommendations for Council action:

1. AUTHORIZE the Bureau of Engineering (BOE), Real Estate Group, to lease sites needed to complete the construction of the NOS Rehabilitation Project.
2. INSTRUCT the BOE to report to Council in 90 days with a cost estimate to obtain said sites.

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

ITEM NO. (23) - ADOPTED

05-0433

ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE REPORT relative to the City's position on the reinstatement of Environmental Enhancement and Mitigation Demonstration Program (EEMP) funding.

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

RESOLVE to include in the City's 2005-06 State Legislative Program SUPPORT to reinstate, in the State's 2005-06 budget, funding for the EEMP, which the City relies on for its environmental programs.

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

ITEM NO. (24) - ADOPTED

05-0521

CD 11

ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE REPORT relative to issuing a refund for overpaid stormwater pollution abatement charges (SPAC) for 12001 Chalon Road.

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

1. APPROVE the \$48,903.30 refund request to the owner of the property at 12001 Chalon Road, Los Angeles, CA 90049 for the overpayment of SPAC in the property tax bill.
2. AUTHORIZE the Director of the Bureau of Sanitation, or designee, to issue said refund to said owner.

Fiscal Impact Statement: The Board of Public Works reports that there is no impact to the General Fund since said refund will be paid from the Stormwater Pollution Abatement Fund.

ITEM NO. (25) - ADOPTED - TO THE MAYOR FORTHWITH

05-0847

CD 11 ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE REPORT relative to the proposed Basin Plan Amendment to incorporate a Total Maximum Daily Load (TMDL) to reduce toxic pollutants in the Ballona Creek Estuary.

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

AUTHORIZE the Bureau of Sanitation (BOS) to provide written and oral comments to the Regional Water Quality Control Board, the U.S. Environmental Protection Agency, and the State Water Resources Control Board on the proposed Basin Plan Amendment to incorporate a TMDL to reduce toxic pollutants in the Ballona Creek Estuary.

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

ITEM NO. (26) - ADOPTED

02-0774-S28

CD 14 INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to a notification that Adelphia Cable (Adelphia) will begin system upgrade construction in Franchise Area L.

Recommendation for Council action:

RECEIVE and FILE the Information Technology Agency report, dated March 8, 2005, relative to a notification that Adelphia will begin system upgrade construction in Franchise Area L, effective March 1, 2005, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (27) - ADOPTED

02-0774-S31

CDs 1,2, 4,5,6,7, 8,9,10,11 13 & 15 INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to a notification that Comcast Cable Company (Comcast) will launch TVK1 (Korean Programming) and three new Hispanic channels on Digital Classic Tier and will relocate TVONE and STYLE to the Expanded and Basic Plus Tier.

Recommendation for Council action:

RECEIVE and FILE the Information Technology Agency report, dated March 16, 2005, relative to a notification that Comcast will launch TVK1 and three new Hispanic channels on Digital Classic Tier and will relocate TVONE and STYLE to the Expanded and Basic Plus Tier in Franchise Areas B, D, I, J, K, and M, effective April 20 through May 1, 2005, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (28) - ADOPTED

04-0172

CD 5 INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to a request to lease retail space at 1036 Broxton Avenue, Suite B, to Tim Hall, dba LA Imprints.

Recommendation for Council action:

AUTHORIZE the Department of General Services (GSD) to negotiate and execute a new retail lease, on behalf of the Department of Transportation (DOT), with Tim Hall, dba LA Imprints, for approximately 953 square feet of City-owned, DOT controlled property, located at 1036 Broxton Avenue, Suite B, substantially as outlined in the GSD report dated March 31, 2005 (attached to the Council file), subject to the review of the City Attorney as to form and legality.

Fiscal Impact Statement: The GSD reports that the DOT Special Parking Revenue Fund would realize annual revenue of \$26,874.60 as a result of this action.

ITEM NO. (29) - ADOPTED

04-1779

CD 10 INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to proposed office space for Council District Ten Field Offices at 2900 Crenshaw Boulevard and 5651 Pico Boulevard.

Recommendation for Council action:

AUTHORIZE the Department of General Services (GSD) to:

- a. Negotiate and execute a sublease at 2900 Crenshaw Boulevard, substantially as outlined in the GSD report dated March 3, 2005 (attached to the Council file), subject to the review of the City Attorney as to form and legality.
- b. Negotiate and execute a new lease at 5651 Pico Boulevard, substantially as outlined in the GSD report dated March 3, 2005 (attached to the Council file), subject to the review of the City Attorney as to form and legality.
- c. Transfer funds from its leasing to contractual services accounts, as needed, to pay the tenant improvement and move costs for the above leases.

Fiscal Impact Statement: The GSD reports that the costs for the lease on Crenshaw Boulevard are estimated at \$61,943. The savings from the Pico Boulevard lease (space reduction) is \$34,025 and could be applied to the Crenshaw Boulevard lease costs. The GSD further reports that it will absorb the lease-related costs and will request a mid-year adjustment to its leasing account if needed. The Information Technology Agency will absorb the communications-related costs.

ITEM NO. (30) - ADOPTED

02-2539

PERSONNEL COMMITTEE REPORT relative to the status of reasonable accommodations of disabled City employees and job applicants.

Recommendation for Council action:

NOTE and FILE the Personnel Department's reports, dated November 13, 2002, February 4, 2003, April 7, 2003, August 5, 2003, February 6, 2004, May 5, 2004, August 6, 2004, October 22, 2004 and February 8, 2005, relative to the status of reasonable accommodations of disabled City employees and job applicants, inasmuch as the reports are submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (31) - ADOPTED

04-0127

PERSONNEL COMMITTEE REPORT relative to employee development and training programs in the City for Fiscal Year 2002-03, safety-related training provided to City employees and management development.

Recommendation for Council action:

NOTE and FILE the Personnel Department's reports relative to employee development and training programs in the City for Fiscal Year 2002-03, safety-related training provided to City employees and management development, inasmuch as the reports are submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (32) - ADOPTED

04-0127-S1

PERSONNEL COMMITTEE REPORT relative to employee development and training programs in the City for Fiscal Year (FY) 2003-04.

Recommendation for Council action:

RECEIVE and FILE the Personnel Department's report relative to employee development and training programs in the City for FY 2003-04, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (33) - ADOPTED

05-0840

PERSONNEL COMMITTEE REPORT relative to the 2004-07 Memorandum of Understanding (MOU) for the Management Employees Unit.

Recommendations for Council action:

1. APPROVE the 2004-07 MOU for the Management Employees Unit (MOU No. 36).
2. AUTHORIZE the City Administrative Officer (CAO) and the Controller to make clerical or technical corrections to the MOU as required.

Fiscal Impact Statement: The CAO reports that the additional salary cost for Fiscal Year 2004-05, including special adjustments, will be \$71,000. The cost per year upon full implementation of the MOU will be \$2.8 million.

ITEM NO. (34) - ADOPTED

05-0276

CD 5

ENVIRONMENTAL IMPACT REPORT, STATEMENT OF OVERRIDING CONSIDERATIONS, MITIGATION MONITORING AND REPORTING PROGRAM and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to Vesting Conditional Use Permit appeal for property at 474, 638 and 700 North Faring Road.

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

1. CERTIFY that the Environmental Impact Report (ENV 2001-3473 EIR; State Clearing House No. SCH No. 2001-121016) has been completed in compliance with the California Environmental Quality Act, the State Guidelines and the City Guidelines and that the City 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. 05-0276 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 FINDINGS made pursuant to and in accordance with Section 21081 of the Public Resources Code and the Statement of Overriding Considerations prepared by the City Planning Department.
3. ADOPT the FINDINGS of the City Planning Commission as the Findings of the Council as well as environmental findings and a Mitigation Monitoring and Reporting Program.
4. RESOLVE TO DENY APPEAL filed by Holmby Hills Homeowners Association (F. Thomas Muller, Esq., Representative), from the entire decision of the City Planning Commission, THEREBY APPROVE the Modification, Site Plan Review and a Vesting Conditional Use Permit to modernize facilities of an existing 10.7 acre private middle school at 700 North Faring Road, and the construction of new facilities on two adjacent properties at 474 and 638 North Faring Road, subject to modified Condition No. 32, as shown in the attachment to the Committee report.

Applicant: Harvard-Westlake School, John Amato

CPC 2001-3472 VCU-SPR

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

TIME LIMIT FILE - MAY 10, 2005

(LAST DAY FOR COUNCIL ACTION - MAY 10, 2005)

ITEM NO. (35) - ADOPTED - TO THE MAYOR FORTHWITH

05-0671

CDs 2,3, 7 & 12 NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and RESOLUTION relative to amendment to the boundaries of the Sphere of Influence (SOI) for the City of Los Angeles pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

Recommendations for Council action, as initiated by Motion (Bernson - Galanter), SUBJECT TO THE CONCURRENCE 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. 05-0671 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 2004-7108 ND] filed on November 22, 2004.
2. ADOPT the Findings of the Director of Planning as the Findings of the Council.
3. APPROVE the amendment to the boundaries of the SOI for the City of Los Angeles, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, and as shown in the April 6, 2005 City Planning Department report, Exhibit A, to include areas near Dayton Canyon between the Ventura County Line and the City of Los Angeles on the west, north along the Ventura County line to the ridgeline of the Santa Susana Mountains, turning east following the ridgeline of the Santa Susana Mountains (west of the 405 Freeway), to the limits of the City of Santa Clarita at the Sierra Highway, then following the limits south and then east, and continuing to follow the ridgeline eastward to the boundary of the Angeles National Forest and the unincorporated areas to the terminus south of Little Tujunga Road, with some deviations to include unincorporated areas between the City of Los Angeles and Ventura County, and between the City of Los Angeles and the Angeles National Forest. Along the northern segment, the border was chosen to include unincorporated areas in the San Fernando Valley that are south of the natural ridgeline of the Santa Susana Mountains as shown in Exhibit B of the April 6, 2005, City Planning Department report, attached to the file.
4. ADOPT the accompanying RESOLUTION relative to an application by the City of Los Angeles, requesting the Local Agency Formation Commission of the County of Los Angeles to initiate proceedings to adopt an amended SOI proposed by the City of Los Angeles.

5. APPROVE the application to the Local Agency Formation Commission of the County of Los Angeles to amend the SOI, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

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.

ITEM NO. (36) - REFERRED TO COMMERCE, ENERGY AND NATURAL RESOURCES
COMMITTEE

Roll Call #2 - Motion (Miscikowski - Weiss) Adopted to Refer, Unanimous Vote (11); Absent: Cardenas, Ludlow, Parks and Villaraigosa (4)

04-2468

PUBLIC SAFETY COMMITTEE REPORT relative to Los Angeles World Airports (LAWA) public safety/security and law enforcement service options.

Recommendations for Council action:

1. NOTE and FILE the joint Chief Legislative Analyst (CLA)/City Administrative Officer (CAO) report dated April 22, 2005 relative to LAWA public safety/security and law enforcement service options, inasmuch as the report is submitted for information only and no Council action is necessary.
2. INSTRUCT the CLA and CAO to commence a Task Force, to include General Services Department, Los Angeles Police Department, LAWA and the future Office of Public Safety, to investigate and review the various issues related to this matter.

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

Roll Call #3 - Motion (Garcetti - Weiss) Adopted, Ayes (11); Absent: Cardenas, Ludlow, Parks and Villaraigosa (4)
(Item Nos. 37-40)

ITEM NO. (37) - ADOPTED

05-0006-S3

CD 2 PUBLIC SAFETY COMMITTEE REPORT relative to Graffiti Apprehension Reward payment.

Recommendation for Council action:

APPROVE Graffiti Apprehension Reward total payment in the amount of \$1,000 to be divided between two applicants, \$500 for each applicant, for an incident that occurred at Oxnard east of Laurel Canyon Boulevard.

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

ITEM NO. (38) - ADOPTED

05-0006-S4

CD 15 PUBLIC SAFETY COMMITTEE REPORT relative to Graffiti Apprehension Reward payment.

Recommendation for Council action:

APPROVE Graffiti Apprehension Reward payment in the amount of \$1,000 to the applicant for an incident that occurred at 1300 Pacific Avenue, San Pedro.

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

ITEM NO. (39) - ADOPTED

05-0143

PUBLIC SAFETY COMMITTEE REPORT relative to the Los Angeles Police Department's (LAPD) Bulletproof Vest Partnership Program Grant Sixth-year award.

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

1. AUTHORIZE the Chief of Police, or designee, to submit a grant application for the Sixth Year funding of the Bulletproof Vest Partnership Program (BVP) to the United States Department of Justice, Bureau of Justice Assistance (BJA) for the period of July 1, 2004 through June 30, 2005.
2. AUTHORIZE the Chief of Police, or designee, to accept the grant award of \$66,837.90 for the Sixth Year funding of the BVP from BJA for the period of July 1, 2004 through June 30, 2005.
3. AUTHORIZE the Chief of Police, or designee, to submit the necessary documents to the BJA to receive reimbursement.
4. APPROVE the City match in the amount of \$66,837.90 for the period of July 1, 2004 through June 30, 2005.
5. AUTHORIZE the LAPD to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative (CAO) and AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: The CAO reports that there is no additional cost to the General Fund. Funding was provided in the LAPD's 2004-05 Adopted Budget for the purchase of bulletproof vests. The BVP grant will reimburse the City for \$66,837.90 of these costs.

ITEM NO. (40) - ADOPTED

05-0165

PUBLIC SAFETY COMMITTEE REPORT relative to the status of Two Resources Organized Against Driving-Under-The-Influence Supplemental Project grant and purchase of Total Station equipment.

Recommendation for Council action, as initiated by Motion (Zine - Padilla):

NOTE and FILE the City Administrative Officer and Los Angeles Police Department reports relative to the status of Two Resources Organized Against Driving-Under-The-Influence Supplemental Project grant and purchase of Total Station equipment, inasmuch as the reports are submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (41) - ADOPTED

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

04-2499

BUDGET AND FINANCE and PERSONNEL COMMITTEES' REPORT, PUBLIC SAFETY COMMITTEE REPORT and RESOLUTION relative to the Fiscal Year (FY) 2004 State Homeland Security Grant Program and Urban Area Security Initiative (UASI) Grants from the United States Department of Homeland Security.

A. BUDGET AND FINANCE and PERSONNEL COMMITTEES' REPORT

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

1. CONCUR with recommendations 1 through 17, and 19 through 26 of the Public Safety Committee relative to the FY 2004 State Homeland Security Grant Program and UASI Grants from the United States Department of Homeland Security.
2. AUTHORIZE the Mayor, or designee, with the assistance from the affected City departments, to release Requests for Proposal (RFP) pursuant to the pro-forma RFP attached to the Council file, to select appropriate contractors, and to negotiate contracts consistent with the pro-forma Agreement attached to the Council file, for the purchase of approved training, exercise, and planning items, including consultant services, authorized in the FY 2004 UASI Grant.
3. AUTHORIZE the Mayor, or designee, on behalf of the City, to execute the contracts related to the FY 2004 UASI Grant, subject to approval of the City Attorney as to form and legality, subject to review by the City Administrative Officer for consistency with the Grant budget and compliance with all City contracting policies and requirements.

4. DIRECT the General Managers of affected City departments, with the assistance from the Mayor's Office, to report to the Public Safety and Budget and Finance Committees on a quarterly basis regarding the status of revised cost estimates for all RFPs, contractor selections, contracts, and purchases, authorized in the FY 2003 UASI Part I, FY 2003 UASI Part II and FY 2004 UASI grants.

B. PUBLIC SAFETY COMMITTEE REPORT

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

1. AUTHORIZE the Mayor, or designee, to:
 - a. Accept, on behalf of the City, the Fiscal Year (FY) 2004 State Homeland Security Grant (SHSGP).
 - b. Submit to the grantor, on behalf of the City, requests for drawdown of funds or reimbursement of City funds expended for eligible grant purposes.
 - c. Receive and deposit these grant funds into the Homeland Security Assistance Fund No. 47N and expend the funds in a manner consistent with the grant budget.
 - d. Purchase eligible equipment and services, with the assistance of the Los Angeles Police Department (LAPD) , Los Angeles Fire Department (LAFD), Emergency Preparedness Department (EPD), and other affected City departments, in compliance with the grant approvals.
2. INSTRUCT the City Administrative Officer (CAO), in the event that the City is unable to draw down or otherwise access the grant funds directly for the purchase of eligible equipment and services, to identify a source or sources of funds and a process to provide cash flow loans for these grants and report back to the Mayor and Council.
3. AUTHORIZE the Controller to establish a receivable, in the amount of \$8,137,384, within the Homeland Security Assistance Fund No. 47N for the FY 2004 SHSGP grant, upon presentation of documentation by the Mayor's Criminal Justice Planning Office (MCJPO).
4. AUTHORIZE the MCJPO to create new appropriation and revenue accounts within the Homeland Security Assistance Fund for the FY 2004 SHSGP grant.
5. TRANSFER \$192,000 from the Reserve Fund to the Unappropriated Balance, Fund No. 100, Department No. 58, and APPROPRIATE therefrom to the EPD Fund No. 100, Department No. 35, Account No 1010, Salaries General, for staff services authorized in the FY 2004 SHSGP grant.
6. AUTHORIZE the MCJPO to repay the \$192,000 Reserve Fund Loan referenced in Recommendation No. 5, with funds from the Homeland Security Assistance Fund No. 47N, upon receipt of reimbursement for EPD staff services authorized in the FY 2004 SHSGP grant.

7. RESOLVE that Employment Authority for the following three positions in the EPD, under the City's Managed Employment Process, IS APPROVED, and APPROVE backfill authority for any vacancy created by the filling of these positions for the balance of FY 2004-05:

<u>No.</u>	<u>Code</u>	<u>Title</u>
1	1223-1	Accounting Clerk I
1	1117-2	Executive Secretary II
1	9273	Assistant General Manager

8. AUTHORIZE the MCJPO, upon receipt of the relevant FY04 SHSGP grant funds, to transfer up to \$1,113,070 from the Homeland Security Assistance Fund No. 47N to Fund No. 100, Department No. 38, Account No. 1098, to reimburse the LAFD's operating budget for expenditures that are eligible under the FY04 SHSGP grant.
9. AUTHORIZE the MCJPO to prepare Controller's instructions for any necessary technical adjustments, subject to the approval of the CAO, and AUTHORIZE the Controller to implement such instructions.
10. AUTHORIZE the Mayor, or designee, with the assistance of General Managers of affected City Departments, to release Request for Proposals (RFP), pursuant to the attached pro-forma RFP, select appropriate contractors, and negotiate contracts, according to the attached pro-form agreement for the purchase of approved training, exercise, and planning items including consultant services, authorized in the FY 2003 UASI Part I, FY 2003 UASI Part II and FY 2004 UASI Grants, for the performance period of the grants, except for the development of the Interoperability Plan.
11. AUTHORIZE the Mayor, or designee, to execute, on behalf of the City, the contracts referenced in Recommendation No. 10, subject to the approval of the City Attorney as to form and legality, and subject to review by the CAO, for consistency with the grant budget and compliance with all City contracting policies and requirements.
12. AUTHORIZE the MCJPO to transfer FY 2003 UASI Part II and FY 2004 UASI grant receipts to the Los Angeles Urban Area Cities previously approved by the Mayor and Council in the adopted grant budget (CF 03-2569).
13. AUTHORIZE the MCJPO to transfer FY 2003 UASI Part II grant receipts to the following funds to reimburse the General Fund and other City funds for Orange Alert costs incurred and reimbursed by this grant, as follows:

<u>Department</u>	<u>Title</u>	<u>Fund</u>	<u>Amount</u>
Airports	Airport Revenue Fund	700	\$4,153,045
Airports	Ontario Airport Revenue Fund	723	\$ 43,165
Harbor	Harbor Revenue Fund	702	\$ 17,406
DWP	Water Revenue Fund	705	\$ 151,700
General Fund	General Fund	100	\$ 353,395

14. AUTHORIZE the MCJPO to transfer FY 2004 UASI Part II grant receipts to the following funds to reimburse the General Fund and other City funds for Orange Alert costs incurred and reimbursed by this grant, as follows:

<u>Department</u>	<u>Title</u>	<u>Fund</u>	<u>Amount</u>
Airports	Airport Revenue Fund	700	\$5,430,623
Harbor	Harbor Revenue Fund	702	\$ 225,085
DWP	Water Revenue Fund	705	\$ 37,500
General Fund	General Fund	100	\$ 755,998

15. AUTHORIZE the MCJPO to disburse grant receipts to the Urban Area Cities for Orange Alert costs incurred and reimbursed by the FY 2004 UASI grant, as follows:

<u>Jurisdiction</u>	<u>Amount</u>
Los Angeles County Sheriff	\$33,011
Los Angeles County Fire	\$10,000
Alhambra	\$ 6,559
Glendale	\$65,417
Pasadena	\$26,345

16. INSTRUCT the MCJPO to transfer Fringe Benefit cost reimbursements up to \$69,589.83 from the Homeland Security Assistance Fund No. 47N to the General Fund, Fund No. 100, upon receipt of such reimbursements from the grantor.

17. INSTRUCT the City Clerk to place on the Council agenda on JULY 1, 2005 or as soon thereafter as possible, the following recommendation, SUBJECT TO THE APPROVAL OF THE MAYOR:

INSTRUCT the MCJPO to transfer up to \$285,438.17 from grant administration allowances in the Homeland Security Assistance Fund No. 47N to Fund No. 100, Department No. 46, Account No. 1020, Salaries Grant Reimbursed, for the MCJPO expenses for FY 2004 UASI grant program administration in 2005-06 upon receipt of the FY 2004 UASI grant administrative allowance funds.

18. DIRECT the General Managers of affected City Departments, with the assistance from the Mayor's Office, to report to the Public Safety Committee on a quarterly basis regarding the status and revised costs estimates for all RFPs, contractor selections, contracts, and purchases, authorized in the FY 2003 UASI Part I, FY 2003 UASI Part II and FY 2004 UASI grants.

19. AUTHORIZE the MCJPO to create appropriation Account No. W170, LAPD Salaries, in the amount of \$977,027, within the Homeland Security Assistance Fund No. 47N for LAPD Operation Archangel salary expenses, and TRANSFER up to \$977,027, to the LAPD, Fund No. 100, Department No. 70, Account No. 1010, Civilian Salaries, pursuant to the grant budget approved in Council File No. 04-0591, and upon receipt of the grant reimbursement funds from the grantor.

20. AUTHORIZE the MCJPO to increase the salary and fringe benefit appropriation by \$119,547, within the Homeland Security Assistance Fund No. 47N, Account No. W146, for Operation Archangel grant program administration, consistent with the previously approved grant budget (Council File No. 04-0591).
21. AUTHORIZE the MCJPO to transfer up to \$96,114.33 from the Homeland Security Assistance Fund No. 47N, Account No. W146 to Fund No. 100, Department No. 46, Account No. 1020, Salaries Grant Reimbursed, for the MCJPO salary expenses for program administration upon receipt of the UASI Operation Archangel grant administrative allowance funds.
22. INSTRUCT the MCJPO to transfer Fringe Benefits cost reimbursements up to \$23,432.67 from the Homeland Security Assistance Fund No. 47N, Account No. W146, to the General Fund, Fund No. 100, upon receipt of such reimbursements from the grantor.
23. INSTRUCT City Departments to add all Homeland Security grant-financed equipment to the appropriate City inventory systems in the name of the Department that will "own and operate" the equipment.
24. AUTHORIZE the Controller, upon notification from the MCJPO, to create new General Fund Revenue Source Codes or Sub-codes for the FY 2004 SHSGP, FY 2003 UASI Part I, FY 2003 UASI Part II, FY 2004 UASI, and UASI Operation Archangel grants.
25. AUTHORIZE the Controller to transfer cash from Fund No. 47N to Fund No. 100 on an as-needed basis, supported by proper documentation, and upon proper demand of the Mayor's Office.
26. ADOPT the accompanying Governing Body Resolution for federal financial assistance provided by the Federal Department of Homeland Security and subgranted through the State of California.

Fiscal Impact Statement: The CAO reports that the FY 2004 State Homeland Security Grant does not require matching funds. However, because the grant funds are intended to reimburse the City for expenditures, a source of funds for a cash flow loan may need to be identified in the future. Depending on what source is ultimately used, there may be a short-term impact on the General Fund.

ITEM NO. (42) - MOTION ADOPTED TO APPROVE ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT, AS AMENDED - SEE FOLLOWING

Roll Call #12 - Motion (Garcetti - Parks) Adopted as Amended, Ayes (11); Absent: Cardenas, LaBonge, Ludlow and Villaraigosa (4)

04-1877

PUBLIC WORKS and ARTS, PARKS, HEALTH AND AGING COMMITTEES' REPORTS relative to expanding the Uniting Neighborhoods To Abolish Graffiti (UNTAG) on a Citywide basis.

RECEIVED AND FILED

A. PUBLIC WORKS COMMITTEE REPORT

Recommendations for Council action, pursuant to Motion (Garcetti - Villaraigosa - et al.):

1. REQUEST the Department of Public Works, Operation Clean Sweep, the Chief Legislative Analyst (CLA), and the City Administrative Officer (CAO) to report to the Public Works Committee in 90 days with recommendations, including funding proposals, to expand the UNTAG Graffiti Abatement Program on a Citywide basis with the following goals:
 - a. Expansion of the Rapid Response System on a Citywide basis so that graffiti is removed within 24-48 hours, each graffiti report is tracked until completion, and any obstacles to graffiti removal are eliminated quickly.
 - b. Coordination with the Department of Recreation and Parks (DRP) to ensure that graffiti on DRP property is removed within 24-48 hours.
 - c. Evaluation of the UNTAG program's effectiveness.
 - d. Involvement of volunteers as Anti-Graffiti Block Captains.
 - e. Placement of surveillance cameras in every park and graffiti hot spot throughout the City.
2. DIRECT the CAO and the CLA to report in 60 days to the Arts, Parks, Health and Aging Committee to identify funding and an implementation schedule for the placement of surveillance cameras in all City parks.

ADOPTED, AS AMENDED

B. ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT

Recommendations for Council action, as initiated by Motion (Garcetti - Villaraigosa - et al.):

1. REQUEST the Department of Public Works, Operation Clean Sweep, the Chief Legislative Analyst (CLA), and the City Administrative Officer (CAO) to report to the Public Works Committee in 90 days with recommendations, including funding proposals, to expand the UNTAG Graffiti Abatement Program on a Citywide basis, excluding those areas that currently have effective graffiti abatement programs in place, with the following goals:
 - a. Expansion of the Rapid Response System on a Citywide basis so that graffiti is removed within 24-48 hours, each graffiti report is tracked until completion, and any obstacles to graffiti removal are eliminated quickly.
 - b. Coordination with the Department of Recreation and Parks (DRP) to ensure that graffiti on DRP property is removed within 24-48 hours.

- c. Evaluation of the UNTAG program's effectiveness.
 - d. Involvement of volunteers as Anti-Graffiti Block Captains.
 - e. Placement of surveillance cameras in every park and graffiti hot spot throughout the City.
 - f. Study the use of "vining" as a graffiti abatement measure.
2. DIRECT the CAO and the CLA to report in 60 days to the Arts, Parks, Health and Aging Committee to identify funding and an implementation schedule for the placement of surveillance cameras in all City parks.

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

Community Impact Statement: The Silver Lake Neighborhood Council supports the Citywide expansion of the UNTAG Program.

ADOPTED

AMENDING MOTION (REYES - GARCETTI)

AMEND the Arts, Parks, Health and Aging Committee report to INVITE the MTA and other County agencies with budget(s) for graffiti removal and the State, as well, to participate in the UNTAG program.

ITEM NO. (43) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT AND COMMUNICATION RECOMMENDATIONS

Roll Call #3 - Motion (Garcetti - Weiss) Adopted, Ayes (11); Absent: Cardenas, Ludlow, Parks and Villaraigosa (4)

04-0184-S1

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, 2003 and 2004.

Recommendation for Council action:

NOTE and FILE the Simpson & Simpson's January 21, 2005 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, 2003 and 2004, and the Debt Service Compliance Report for the Fiscal Year ended June 30, 2004, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

Items for Which Public Hearings Have Not Been Held - Items 44-76
(10 Votes Required for Consideration)

ITEM NO. (44) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

Roll Call #13 - Motion (Greuel - Perry) Adopted, Ayes (12); Absent: Cardenas, Ludlow and Villaraigosa (3)

04-0268-S1

COMMUNICATION FROM CHAIR, AUDITS AND GOVERNMENTAL EFFICIENCY COMMITTEE relative to the Department of Transportation's (DOT) non-felony want stolen vehicle recovery pilot program.

Recommendation for Council action:

NOTE and FILE the DOT's quarterly report, dated March 2, 2005, relative to the DOT's non-felony want stolen vehicle recovery pilot program in the Los Angeles Police Department's Southern and Valley Traffic Division boundaries, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

Roll Call #4 - Motion (Zine - Garcetti) Adopted, Ayes (11); Absent: Cardenas, Ludlow, Parks and Villaraigosa (4)
(Item Nos. 45-46)

ITEM NO. (45) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

04-0963

COMMUNICATION FROM VICE CHAIR, ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE relative to a proposed Memorandum Of Understanding (MOU) with the Regional Water Quality Control Board (RWQCB) for the regulation of Onsite Wastewater Treatment Systems (OWTS).

Recommendation for Council action:

NOTE and FILE the Board of Public Works report and the Department of Building and Safety and the Bureau of Sanitation joint report relative to concerns regarding the proposed MOU with the RWQCB for the regulation of OWTS, inasmuch as the RWQCB and the City developed a revised MOU that addressed said concerns and said MOU was subsequently approved by Council on April 27, 2005, and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (46) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

05-0723

COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER (CAO) relative to the 2004-06 Memorandum of Understanding (MOU) for the Peace Officers Representation Unit (MOU No. 30).

Recommendations for Council action:

1. APPROVE the 2004-06 MOU for the Peace Officers Representation Unit, represented by the Los Angeles Airport Peace Officers Association, (MOU No. 30).
2. AUTHORIZE the 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 because the entire cost is an obligation of the Los Angeles World Airports. The estimated salary and pension cost of this two-year agreement is \$1,813,620. The annual ongoing cost is \$1,082,744.

(Personnel Committee waived consideration of the above matter)

ITEM NO. (47) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

Roll Call #14 - Motion (Garcetti - Smith) Adopted, Ayes (12); Absent: Cardenas, Ludlow and Villaraigosa (3)

03-0720

COMMUNICATION FROM THE CHIEF EXECUTIVE OFFICER, COMMUNITY REDEVELOPMENT AGENCY (CRA) and RESOLUTIONS relative to the reprogramming of budgeted funds for the reimbursement of expenditures for the operation of the Winter Weather Shelter Program, and related actions.

Recommendations for Council action:

1. AMEND the CRA's Fiscal Year 2005 Budget to deposit a total of \$200,000 in the following amounts into the respective project area Low and Moderate Income Housing Funds:

From:

<u>Source Fund No./Project Area</u>	<u>Amount</u>
CT2000/City Center Redevelopment Project	\$34,000
EA9990/Adelante Eastside Redevelopment Project	\$34,000
HW9990/Hollywood Redevelopment Project	\$34,000
RP9990/Reseda - Canoga Park Project	\$34,000
NH2030/North Hollywood Redevelopment Project	\$34,000
WK9990/Wilshire Center / Koreatown Project	\$30,000

To:

Fund No./Objective Title

Amount

CW1820/City's Affordable Housing Trust Fund

\$200,000

2. ADOPT the accompanying Finding of Benefit RESOLUTION (document entitled "Attachment A" of the CRA's report to Council dated April 22, 2005), attached to the Council file, from budget objective CW1820 to the Los Angeles Housing Department (LAHD) to cover costs associated with the Tierra del Sol and Grand Avenue affordable housing projects, so that LAHD may reimburse itself for expenditures for the operation of the Winter Weather Shelter Program.
3. ADOPT the accompanying Finding of Benefit RESOLUTION (document entitled "Attachment B" of the CRA's report to Council) attached to the Council file, finding that the expenditures on the Tierra del Sol affordable housing project to be of benefit to the North Hollywood and the Reseda - Canoga Park Redevelopment Project Areas, and that the expenditures on the Grand Avenue affordable housing project to be of benefit to the City Center, Adelante Eastside, Hollywood, and Wilshire Center/Koreatown Redevelopment Project Area; and, to take such City budgetary actions as are needed to place the funds in the proper accounts.

Fiscal Impact Statement: The CRA reports that this action will not impact the General Fund.

(Housing, Community and Economic Development Committee waived consideration of the above matter)

Roll Call #4 - Motion (Zine - Garcetti) Adopted, Ayes (11); Absent: Cardenas, Ludlow, Parks and Villaraigosa (4)
(Item Nos. 48-58)

ITEM NO. (48) - ADOPTED

04-2109

CD 7

CONSIDERATION OF MOTION (GARCETTI for PADILLA - GREUEL) relative to the administration and operation of a community beautification and clean-up program within the Pacoima - Panorama City Earthquake Disaster Assistance Project Area.

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

1. AUTHORIZE the Board of Public Works to recognize the receipt of funds in the amount of \$250,000 from the Community Redevelopment Agency (CRA), and to make appropriations in the same amount for the Operation Clean Sweep/Pacoima Graffiti Busters within the Pacoima/Panorama City Earthquake Disaster Assistance Project Area.

2. AUTHORIZE the Controller, upon proper demand of the Chief Executive Officer, CRA, or designee, to transfer funds, in an amount not to exceed \$250,000, of AB 1290 funds from the Pacoima - Panorama City Earthquake Disaster Assistance Project Area to Department of Public Works, Fund No. 100/74, Account No. 3040.
3. AUTHORIZE the City Administrative Officer to prepare Controller instructions and/or make any technical adjustments that may be required consistent with this action, and AUTHORIZE the Controller to implement said instructions and/or adjustments.

(Housing, Community and Economic Development Committee waived consideration of the above matter)

ITEM NO. (49) - ADOPTED

02-0855

CD 1 MOTION (REYES - GREUEL) relative to declaring the Cinco de Mayo Celebration on May 8, 2005 a Special Event (fees and costs absorbed by the City = \$6,700).

Recommendation for Council action:

DECLARE the Cinco de Mayo Celebration, sponsored by Council District One on May 8, 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. (50) - ADOPTED

05-0851

CD 1 MOTION (REYES - GREUEL) relative to declaring the St. Thomas Centennial Year Celebration 2005 on June 24-26, 2005 a Special Event (fees and costs absorbed by the City = \$8,000).

Recommendation for Council action:

DECLARE the St. Thomas Centennial Year Celebration 2005, sponsored by St. Thomas the Apostle Parish on June 24-26, 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. (51) - ADOPTED

05-0852

CD 1 MOTION (REYES - GREUEL) relative to declaring the Lincoln Heights Sidewalk Sale on June 3-5, 2005 a Special Event (fees and costs absorbed by the City = \$6,800).

Recommendation for Council action:

DECLARE the Lincoln Heights Sidewalk Sale, sponsored by Council District One on June 3-5, 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. (52) - ADOPTED

03-0565

CD 5 MOTION (WEISS - GREUEL) relative to declaring It's a SORO World Festival on June 5, 2005 a Special Event (fees and costs absorbed by the City = \$2,241).

Recommendation for Council action:

DECLARE It's a SORO World Festival, sponsored by the South Robertson Neighborhoods Council and the Cultural Affairs Department on June 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. (53) - ADOPTED

05-0854

CD 8 MOTION (PARKS - REYES) relative to declaring the Neighborhood Pride Day on April 30, 2005 a Special Event (fees and costs absorbed by the City = \$500).

Recommendation for Council action:

DECLARE the Neighborhood Pride Day, sponsored by the SCLC - LA Martin Luther King Legacy 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. (54) - ADOPTED

02-2041

CD 7 MOTION (PADILLA - MISCIKOWSKI) relative to declaring the Mary Immaculate School Community Festival on May 20-22, 2005 a Special Event (fees and costs absorbed by the City = \$950).

Recommendation for Council action:

DECLARE the Annual Mary Immaculate School Community Festival, sponsored by Mary Immaculate School on May 20-22, 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. (55) - ADOPTED

04-0854

CD 11 MOTION (MISCIKOWSKI - REYES) relative to declaring the Cinco de Mayo Event on April 29 - May 1, 2005 a Special Event (fees and costs absorbed by the City = \$15,315).

Recommendation for Council action:

DECLARE the Cinco de Mayo Event, sponsored by the Penmar Recreation Center on April 29-May 1, 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 fees and costs that may be associated with the use of facilities under the jurisdiction of the Board of Recreation and Park Commissioners, and the event sponsor shall meet all application requirements of the City.

ITEM NO. (56) - ADOPTED

05-0864

CD 2 MOTION (GREUEL - LABONGE) relative to declaring Our Lady of Lourdes Annual Fun Day on May 13-15, 2005 a Special Event (fees and costs absorbed by the City = \$4,587).

Recommendation for Council action:

DECLARE Our Lady of Lourdes Annual Fun Day, sponsored by Our Lady of Lourdes on May 13-15, 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. (57) - ADOPTED

05-0865

CD 11 MOTION (MISCIKOWSKI - REYES) relative to declaring the Cinco de Mayo Festival on May 1, 2005 a Special Event (fees and costs absorbed by the City = \$8,993).

Recommendation for Council action:

DECLARE the Cinco de Mayo Festival, sponsored by the Mar Vista Family Center on May 1, 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. (58) - ADOPTED

04-0718

CD 2 MOTION (GREUEL - HAHN) relative to declaring the Saint Francis de Sales Annual School Fair on April 29-May 1, 2005 a Special Event (fees and costs absorbed by the City = \$3,447).

Recommendation for Council action:

DECLARE the Saint Francis de Sales Annual School Fair, sponsored by Saint Francis de Sales on April 29-May 1, 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. (59) - ADOPTED

Roll Call #15 - Motion (Perry - Smith) Adopted, Ayes (12); Absent: Cardenas, Ludlow and Villaraigosa (3)

05-0866

CD 9 MOTION (PERRY - SMITH) relative to declaring the 2005 Intercontinental Conference on Terrorism and Organized Crime on May 2-6, 2005 a Special Event (fees and costs absorbed by the City = \$19,088).

Recommendation for Council action:

DECLARE the 2005 Intercontinental Conference on Terrorism and Organized Crime, sponsored by the Los Angeles Police Department and the Asian Gang Investigators Association of California on May 2-6, 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. The event sponsor is requested to meet the application requirements of the City.

Roll Call #4 - Motion (Zine - Garcetti) Adopted, Ayes (11); Absent: Cardenas, Ludlow, Parks and Villaraigosa (4)
(Item Nos. 60-63)

ITEM NO. (60) - ADOPTED

05-0867

CD 4 MOTION (LABONGE - HAHN) relative to declaring the Girls on the Run of Southern California Mothers' Day 5K/10K Run on May 8, 2005 a Special Event (fees and costs absorbed by the City = \$4,840).

Recommendation for Council action:

DECLARE the Girls on the Run of Southern California Mothers' Day 5K/10K Run, sponsored by New Balance, American Girl, Bank of America, Century Housing, California Commerce Bank, Manhattan Confectionary, Investor's Business Daily, Towers Perrin, Pioneer Phone Albums, Meridian Sports Club, and more on May 8, 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. (61) - ADOPTED

05-0868

CD 9 MOTION (PERRY - SMITH) relative to declaring the Annual High School Choir Festival on May 3, 2005 a Special Event (fees and costs absorbed by the City = \$1,322).

Recommendation for Council action:

DECLARE the Annual High School Choir Festival, sponsored by the Los Angeles Master Chorale on May 3, 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. (62) - ADOPTED

04-0719

CD 9 MOTION (PERRY - SMITH) relative to declaring the Children's Day Festival on May 6-8, 2005 a Special Event (fees and costs absorbed by the City = \$7,347).

Recommendation for Council action:

DECLARE the Children's Day Festival, sponsored by the Japanese American Cultural and Community Center on May 6-8, 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. (63) - ADOPTED

04-1192

CD 15 MOTION (HAHN - LABONGE) relative to declaring the Holy Family Church Fiesta on April 30 - May 1, 2005 a Special Event (fees and costs absorbed by the City = \$7,043).

Recommendation for Council action:

DECLARE the Holy Family Church Fiesta, sponsored by the Holy Family Church on April 30 - May 1, 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. (64) - ADOPTED

Roll Call #16 - Motion (Hahn - LaBonge) Adopted, Ayes (12); Absent: Cardenas, Ludlow and Villaraigosa (3)

05-0010-S22

MOTION (HAHN - LABONGE) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of James Wiggins on April 13, 2005.

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 James Wiggins on April 13, 2005.
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.

Roll Call #4 - Motion (Zine - Garcetti) Adopted, Ayes (11); Absent: Cardenas, Ludlow, Parks and Villaraigosa (4)
(Item Nos. 65-67)

ITEM NO. (65) - ADOPTED

[04-1250-S82](#)

MOTION (MISCIKOWSKI - CARDENAS) relative to authorizing by resolution and exempting from the Managed Employment Process one position of Project Coordinator in the Human Relations Commission.

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

1. AUTHORIZE by resolution, one Project Coordinator (Code 1537) and EXEMPT this position from the Managed Employment Process to provide human relations training and intervention services to public middle and high schools in the City.
2. INSTRUCT the City Administrative Officer to include the necessary funding for the position in the upcoming 2004-05 Year End Financial Status Report.

ITEM NO. (66) - ADOPTED

[05-0853](#)

CD 10 MOTION (LUDLOW - GREUEL) relative to approving an executed lease agreement for the Wilshire Center-Koreatown Neighborhood Council.

Recommendation for Council action:

APPROVE the executed Neighborhood Council Lease Agreement between the City of Los Angeles, through the Department of Neighborhood Empowerment (on behalf of the Wilshire Center-Koreatown Neighborhood Council) and Central Plaza, LLC, under the terms and conditions as outlined in the Neighborhood Council Lease Agreement dated April 18, 2005, attached to the Council file.

ITEM NO. (67) - ADOPTED

[05-1073-S7](#)

CD 13 MOTION (GARCETTI - GREUEL) relative to funding from the Council District 13 portion of the Street Furniture Revenue Fund for clean up and beautification of Sunset Boulevard in Echo Park.

Recommendations for Council action:

1. AUTHORIZE the Board of Public Works, Office of Accounting to pay \$6,000 from the Street Furniture Revenue Fund No. 43D Department 50 to the Central City Action Committee for clean up and beautification of Sunset Boulevard in Echo Park.

2. AUTHORIZE the Chief Legislative Analyst, or designee, to make technical corrections or clarifications as may be necessary to facilitate the intent of this Motion.

ITEM NO. (68) - ADOPTED

Roll Call #17 - Motion (Garcetti - Greuel) Adopted, Ayes (12); Absent: Cardenas, Ludlow and Villaraigosa (3)

05-1073-S8

CD 13 MOTION (GARCETTI - GREUEL) relative to funding from the Council District 13 portion of the Street Furniture Revenue Fund for graffiti abatement, bulky item pick up and neighborhood beautification activities in the Hollywood area.

Recommendations for Council action:

1. AUTHORIZE the Board of Public Works, Office of Accounting to pay \$6,000 from the Street Furniture Revenue Fund No. 43D Department 50 to the Hollywood Neighborhood Charities for graffiti abatement, bulky item pick up and neighborhood beautification activities in the Hollywood area.
2. AUTHORIZE the Chief Legislative Analyst, or designee, to make technical corrections or clarifications as may be necessary to facilitate the intent of this Motion.

Roll Call #4 - Motion (Zine - Garcetti) Adopted, Ayes (11); Absent: Cardenas, Ludlow, Parks and Villaraigosa (4)
(Item Nos. 69-73)

ITEM NO. (69) - ADOPTED

04-1250-S83

MOTION (PARKS - ZINE) relative to exempting 20 various positions in the Personnel Department.

Recommendation for Council action:

AUTHORIZE pursuant to the 2004-05 Managed Employment Process, the one-time exemption of the 20 positions listed below in the Personnel Department for activities necessary to recruit, examine and establish eligible lists of candidates for various position classifications throughout the City:

<u>Division</u>	<u>No.</u>	<u>Classification</u>
Examining Division	2	Personnel Analyst II
Examining Division	2	Personnel Analyst I
Examining Division	1	Clerk Typist
Employment Services Division	3	Personnel Analyst II
Employment Services Division	3	Senior Clerk Typist
Employment Services Division	4	Clerk Typist
Classification Division	1	Personnel Analyst II
Central Services Division	2	Clerk Typist

Central Services Division	1	Senior Clerk Typist
Administrative Services Division	1	Senior Personnel Analyst I

ITEM NO. (70) - ADOPTED

02-0283-S3

MOTION (MISCIKOWSKI - PARKS) relative to the 2003 Homeland Security Overtime Program Grant Award.

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

1. AUTHORIZE the Mayor’s Criminal Justice Planning Office (MCJPO) to establish a receivable within the Homeland Security Assistance Fund, No. 47N in the amount of \$3 million for the U.S. Department of Justice COPS Office Homeland Security Overtime Grant and establish revenue and appropriation accounts for this item.
2. AUTHORIZE the MCJPO to:
 - a. Transfer the U.S. Department of Justice COPS Office Homeland Security Overtime grant receipts in the amount of \$3 million from the Grants Clearing Account, Fund No. 814 to the Homeland Security Assistance Fund, No. 47N, revenue account to be established.
 - b. Appropriate these funds to an appropriation account to be established within Fund No. 47N.
 - c. Transfer the grant receipts from this appropriation account to the General Fund No. 100, Department 62, Revenue Source Code 4676.

ITEM NO. (71) - ADOPTED

03-2569-S5

MOTION (MISCIKOWSKI - PARKS) relative to the Fiscal Year 2004 Urban Areas Security Initiative Grant.

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

1. AUTHORIZE the Mayor’s Criminal Justice Planning Office (MCJPO) to make the following transfers of funds within the Homeland Security Assistance Fund, No. 47N, Department 46 as follows:

	<u>Account</u>	<u>Title</u>	<u>Amount</u>
From:	APPR W404	Airports Department	\$750,000
To:	APPR W521	Los Angeles County Sheriff	\$750,000
From:	APPR W438	Los Angeles Fire Department	\$100,000
To:	APPR W520	Los Angeles County Fire Department	\$100,000
From:	APPR W438	Los Angeles Fire Department	\$100,000
To:	APPR W509	City of Alhambra	\$100,000

2. AUTHORIZE the MCJPO to disburse the grant funds to the Los Angeles County Sheriff, the Los Angeles County Fire Department and the City of Alhambra consistent with the above-described grant budget revisions, and amend the existing contracts as necessary to execute such revisions.

ITEM NO. (72) - ADOPTED

03-2569-S4

MOTION (MISCIKOWSKI - PARKS) relative to the Fiscal Year 2003 Part II Urban Areas Security Initiative Grant.

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

1. AUTHORIZE the Mayor's Criminal Justice Planning Office (MCJPO) to make the following transfer of funds within the Homeland Security Assistance Fund, No. 47N, Department 46:

	<u>Account</u>	<u>Title</u>	<u>Amount</u>
From:	APPR V338	Los Angeles Fire Department	\$400,000
To:	APPR V404	LA County Fire Department	\$400,000
From:	APPR V370	Los Angeles Police Department	\$1,000,000
To:	APPR V418	LA County Sheriff Department	\$1,000,000

2. AUTHORIZE the MCJPO to disburse the grant funds to the Los Angeles County Fire Department and the Los Angeles County Sheriff Department consistent with the above-described grant budget revisions, and amend the existing contracts as necessary to execute such revisions.

ITEM NO. (73) - ADOPTED

04-2608

CD 11

MOTION (MISCIKOWSKI - REYES) relative to approving position authority for one City Planning Associate in the Planning Department to begin work on the Community Design Overlay for Lincoln Boulevard.

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

APPROVE position authority for one new City Planning Associate, Code 7941, in the Planning Department to begin work on the Community Design Overlay for Lincoln Boulevard as a one-time exemption from the hiring freeze, and AUTHORIZE backfill authority of vacancies in the Planning Department if vacancies result from filling this position.

ITEM NO. (74) - ADOPTED

Roll Call #18 - Motion (Zine - Reyes) Adopted, Ayes (12); Absent: Cardenas, Ludlow and Villaraigosa (3)

05-0863

RESOLUTION (ZINE -REYES) relative to declaring May 2005 as Veterans Appreciation Month.

Recommendation for Council action:

RESOLVE to DECLARE May 2005 as "Veterans Appreciation Month" in the City of Los Angeles.

Roll Call #4 - Motion (Zine - Garcetti) Adopted, Ayes (11); Absent: Cardenas, Ludlow, Parks and Villaraigosa (4)
(Item Nos. 75-76)

ITEM NO. (75) - MAP APPROVED - CITY ENGINEER REPORT ADOPTED

05-0879

CD 6 FINAL MAP OF TRACT NO. 60089 lying northerly of Forbes Street on the south side of Saticoy Street.

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

(ADOPT City Engineer Report)

(ADOPT Bond No. C-108043)

Applicants: Castagna Family Trust
Sukow Engineering

ITEM NO. (76) - MAP APPROVED - CITY ENGINEER REPORT ADOPTED

05-0857

CD 3 PARCEL MAP L.A. NO. 2001-5789 and RESOLUTION lying southerly of Cohasset Street and westerly of Tampa Avenue.

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

(ADOPT City Engineer Report)

(ADOPT Bond No. C-108042)

(ADOPT Resolution of Acceptance of Future Street)

(Quimby Fee: \$3,760)

Applicants: Thanuja Parapitiya
Victor P. Beck

Item Noticed for Public Hearing - Item 77

ITEM NO. (77) - PUBLIC HEARING CLOSED - ORDINANCE OVER TO JUNE 10, 2005

Roll Call #5 - Motion (Zine - Greuel) to Close Public Hearing, Ordinance over to June 10, 2005, Ayes (12); Absent: Cardenas, Ludlow and Villaraigosa (3)

05-0912

COMMUNICATIONS FROM THE CITY ADMINISTRATIVE OFFICER AND THE CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to sworn retiree health subsidies.

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

1. PRESENT the accompanying ORDINANCE amending the Los Angeles Administrative Code to establish the maximum amount of health subsidies for retirees and beneficiaries of the Fire and Police Pension Plan and to make other technical corrections.
2. HOLD a public hearing relative to this matter at the first reading.

Fiscal Impact Statement: The City Administrative Officer reports that there is no additional cost in Fiscal Year 2005-06.

Pursuant to provisions of City Charter Section 1168, final adoption of this Ordinance cannot occur until at least 30 days after its first presentation to the Council, with approval of at least two-thirds of the membership of the Council; Second Consideration to be scheduled for Friday, June 10, 2005.

(Personnel Committee waived consideration of the above matter)

Item for Which Public Hearing Has Not Been Held - Item 78

(10 Votes Required for Consideration)

ITEM NO. (78) - CONTINUED TO MAY 11, 2005

Roll Call #7 - Motion (Miscikowski - Parks) Adopted to Continue, Unanimous Vote (10); Absent: Hahn, Ludlow, Reyes, Villaraigosa and Weiss (5)

05-0065-S1

99-0235

CD 1

CONTINUED CONSIDERATION OF APPEAL filed by Ad Hoc Committee for Safe Children, et al., from part of the Zoning Administrator's March 14, 2003 determination to modify conditions for the operation of the adult entertainment use known as the Blue Zebra at 2662 Lacy Street (Council file No. 99-0235). Comments from the public will be limited to matters not raised at the May 4, 2005, City Council hearing on the matter.

CONSIDERATION OF FINDINGS (Re: Modifying Conditions for the Operation of the Adult Entertainment Use Known as the Blue Zebra at 2662 Lacy Street) including attached Report and Findings of Planning and Land Use Management Committee, relative to modifying conditions for the operation of the adult entertainment use known as the Blue Zebra at 2662 Lacy Street (Council file No. 99-0235).

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

1. ADOPT the FINDINGS (Re: Modifying Conditions for the Operation of the Adult Entertainment Use Known as the Blue Zebra at 2662 Lacy Street) including attached Report and Findings of the Planning and Land Use Management Committee as the Findings of the Council.
2. GRANT the appeal filed by the Ad Hoc Committee for Safe Children and others from part of the March 14, 2003, Determination of the Zoning Administrator, and reinstate Conditions 6 and 19 as set forth in the October 19, 1998, Determination of the Zoning Administrator.

(Pursuant to Council action of May 4, 2005)

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

03-0799

MOTION (PARKS - PERRY) relative to declaring the Peace on Streets Rally on May 7, 2005 a Special Event (fees and costs absorbed by the City = \$500).

05-0953

MOTION (REYES - SMITH) relative to declaring the Pico Union Health Street Fair on May 21-22, 2005 a Special Event (fees and costs absorbed by the City = \$6,000).

04-0701

MOTION (MISCIKOWSKI - GREUEL) relative to declaring the St. Mark's Carnival on May 7, 2005 a Special Event (fees and costs absorbed by the City = \$2,447).

05-0952

MOTION (MISCIKOWSKI - GREUEL) relative to declaring the 79th Street Block Party on May 30, 2005 a Special Event (fees and costs absorbed by the City = \$1,226).

05-0950

MOTION (ZINE - PERRY) relative to declaring the Warner Center Ridefest on June 9, 2005 a Special Event (fees and costs absorbed by the City = \$1,226).

04-1106

MOTION (ZINE - PERRY) relative to declaring the Valley Cultural Center's Sixth Annual Food, Wine and Micro Brew Festival on June 2, 2005 a Special Event (fees and costs absorbed by the City = \$1,404).

05-0949

MOTION (ZINE - PERRY) relative to declaring the 2005 South Valley Butterfly Festival and Street Fair on May 21-22, 2005 a Special Event (fees and costs absorbed by the City = \$21,015).

05-0948

MOTION (ZINE - PERRY) relative to declaring the Reseda High School Graduation Ceremony on June 23, 2005 a Special Event (fees and costs absorbed by the City = \$1,226).

05-0947

MOTION (PERRY - REYES) relative to declaring the Opening Exhibition on June 3, 2005 a Special Event (fees and costs absorbed by the City = \$1,424).

02-0739

MOTION (PERRY - PARKS) relative to declaring the Annual Mother's Day Celebration on May 7, 2005 a Special Event (fees and costs absorbed by the City = none submitted).

04-0816

MOTION (PERRY - PARKS) relative to declaring the Country Fair on May 14, 2005 a Special Event (fees and costs absorbed by the City = \$1,188).

04-0942

MOTION (GARCETTI - GREUEL) relative to declaring the May Fair on May 6-7, 2005 a Special Event (fees and costs absorbed by the City = \$1,188).

05-0945

MOTION (GARCETTI - GREUEL) relative to declaring the Elim Church Festival on May 21, 2005 a Special Event (fees and costs absorbed by the City = \$180).

05-0951

MOTION (MISCIKOWSKI - GREUEL) relative to partial funding for the Los Angeles Police Foundation's implementation of a security video camera system at various locations in Council District 11.

05-1073-S10

MOTION (REYES - SMITH) relative to providing funding for the restoration of the "Chicano Time Trip" mural located in Lincoln Heights.

05-0794

MOTION (PARKS -PERRY) relative to amending a previous Council action regarding the "Dance with my Father" concert series in Leimert Park Village.

05-0946

MOTION (ZINE - SMITH) relative to authorizing use of a City vehicle for attendance at the National League of Cities Public Safety and Crime Prevention Steering Committee in Reno, Nevada.

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

05-0944

RESOLUTION (GREUEL - LABONGE) relative to declaring May 2005 as Celiac Disease Awareness Month.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon his request, and without objections, Councilmember Zine was excused from Council session of Tuesday, May 17, 2005 to arrive at 11 a.m. for City business.

Upon her request, and without objections, Councilmember Hahn was excused from Council sessions of Wednesday, May 18 and Tuesday, May 24 for personal business and Friday, May 20, 2005 to leave at 11:30 a.m for City business.

Upon her request, and without objections, Councilmember Greuel was excused from Council session of Wednesday, May 11, 2005 to leave at 11:30 a.m. for City business.

Upon his request, and without objections, Councilmember Garcetti was excused from Council session of Wednesday, May 18, 2005 for City business.

Motion (Reyes - Greuel) unanimously adopted to excuse Councilmember Garcetti from Council session of Wednesday, May 11, 2005 to leave at 11:45 a.m. for City business.

Motion (LaBonge - Reyes) unanimously adopted to excuse Councilmember Ludlow from Council sessions of Tuesday and Wednesday, May 10 and 11, 2005 for City business.

Motion (Reyes - Weiss) unanimously adopted to excuse Councilmember Cardenas from Council session of Wednesday, May 18, 2005 to leave at 11:30 a.m. for City business.

Upon her request, and without objections, Councilmember Hahn was excused from Council session of Tuesday, May 17, 2005 for personal business.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

05-0574 - Rodolfo Calumpang

(Perry - Reyes)

Dr. A. Richard Grossman and Elizabeth Rice Grossman

(Greuel - LaBonge)

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

05-0573 - Miguel Contreras

(Padilla - All Councilmembers)

Louis Nese

(Reyes)

Brad Gillham

(Zine)

Susan C. Wagner

(Miscikowski - All Councilmembers)

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

Whereupon the Council did adjourn.

ATTEST: Frank T. Martinez, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL