

Los Angeles City Council, Journal/Council Proceedings  
Tuesday, May 24, 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, Ludlow, Miscikowski, Reyes, Smith, Villaraigosa, Weiss, Zine and President Padilla (10); Absent: Cardenas, Hahn, LaBonge, Parks and Perry (5).

SALUTE TO THE FLAG

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF  
MAY 18, 2005

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 30

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

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

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## Items Noticed for Public Hearing - Items 1-18

Roll Call #1 - Motion (Garcetti - Miscikowski) to Close Public Hearing, Ordinance over  
One Week, Ayes (10); Absent: Cardenas, Hahn, LaBonge, Parks and Perry (5)  
(Item Nos. 1-10)

ITEM NO. (1) - PUBLIC HEARING CLOSED - ORDINANCE OVER ONE WEEK TO MAY 31, 2005

**01-1490**

CD 2 CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST  
CONSIDERATION relative to the improvement and maintenance of FOOTHILL  
BOULEVARD AND MC VINE 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 27, 2005)

ITEM NO. (2) - PUBLIC HEARING CLOSED - ORDINANCE OVER ONE WEEK TO MAY 31, 2005

04-1790

CD 5

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of MTA - CHANDLER BOULEVARD AND BELLAIRE AVENUE - G1 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 27, 2005)

ITEM NO. (3) - PUBLIC HEARING CLOSED -ORDINANCE OVER ONE WEEK TO MAY 31, 2005

04-1861

CD 13

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of GLENDALE BOULEVARD AND AARON STREET LIGHTING DISTRICT.

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

1. DENY the protests and confirm the assessments.

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

(Public Hearing held April 27, 2005)

ITEM NO. (4) - PUBLIC HEARING CLOSED - ORDINANCE OVER ONE WEEK TO MAY 31, 2005

04-1862

CD 13 CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of GLENDALE BOULEVARD AND BERKELEY 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 27, 2005)

ITEM NO. (5) - PUBLIC HEARING CLOSED - ORDINANCE OVER ONE WEEK TO MAY 31, 2005

04-1863

CD 13 CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of GLENDALE BOULEVARD AND MONTANA STREET LIGHTING DISTRICT.

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

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

(Public Hearing held April 27, 2005)

ITEM NO. (6) - PUBLIC HEARING CLOSED - ORDINANCE OVER ONE WEEK TO MAY 31, 2005

04-1869

CD 11 CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of AVENIDA ORIENTE AND LINNET STREET 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 27, 2005)

ITEM NO. (7) - PUBLIC HEARING CLOSED - ORDINANCE OVER ONE WEEK TO MAY 31, 2005

04-1870

CD 11 CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of BUTLER AND MISSISSIPPI AVENUES 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 27, 2005)

ITEM NO. (8) - PUBLIC HEARING CLOSED - ORDINANCE OVER ONE WEEK TO MAY 31, 2005

04-1871

CD 14 CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of FIGUEROA STREET AND COLORADO BOULEVARD LIGHTING DISTRICT.

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

1. FIND that a majority protest exists in the Street Lighting Maintenance Assessment District and therefore the proposed assessment cannot be enacted.
2. PRESENT and ADOPT the accompanying ORDINANCE abandoning all proceedings 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 27, 2005)

ITEM NO. (9) - PUBLIC HEARING CLOSED - ORDINANCE OVER ONE WEEK TO MAY 31, 2005

[04-1872](#)

CD 6

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of WOODMAN AVENUE AND OSBORNE STREET 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 27, 2005)

ITEM NO. (10) - PUBLIC HEARING CLOSED - ORDINANCE OVER ONE WEEK TO MAY 31, 2005

[04-1876](#)

CD 2

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of FOOTHILL BOULEVARD AND WOODWARD 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 27, 2005)

Roll Call #2 - Motion (Greuel - Miscikowski) Adopted to Continue, Unanimous Vote (11);  
Absent: Hahn, LaBonge, Parks and Perry (4)  
(Item Nos. 11-17)

ITEM NO. (11) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED ON JUNE 14, 2005

04-1911

CD 11 HEARING PROTESTS against the proposed improvement and maintenance of the ARMACOST AVENUE AND WILSHIRE BOULEVARD LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Armacost Avenue and Wilshire Boulevard 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 18, 2005 - Continue hearing and present Ordinance on JUNE 14, 2005 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (12) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED ON JUNE 14, 2005

04-1954

CD 2 HEARING PROTESTS against the proposed improvement and maintenance of the MTA - CHANDLER BOULEVARD AND COLFAX AVENUE - G1 LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of MTA - Chandler Boulevard and Colfax Avenue - G1 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 18, 2005 - Continue hearing and present Ordinance on JUNE 14, 2005 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (13) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED ON JUNE 14, 2005

04-1955

CD 2 HEARING PROTESTS against the proposed improvement and maintenance of the MTA - CHANDLER AND LAUREL CANYON BOULEVARDS - G1 LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of MTA - Chandler and Laurel Canyon Boulevards - G1 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 18, 2005 - Continue hearing and present Ordinance on JUNE 14, 2005 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (14) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED ON JUNE 14, 2005

04-1956

CD 2 HEARING PROTESTS against the proposed improvement and maintenance of the MTA - CHANDLER BOULEVARD AND WHITSETT AVENUE - G1 LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of MTA - Chandler Boulevard and Whitsett Avenue - G1 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 18, 2005 - Continue hearing and present Ordinance on JUNE 14, 2005 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (15) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED ON JUNE 14, 2005

04-1973

CD 4 HEARING PROTESTS against the proposed improvement and maintenance of the FAIR AVENUE AND CHANDLER BOULEVARD LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Fair Avenue and Chandler Boulevard 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 18, 2005 - Continue hearing and present Ordinance on JUNE 14, 2005 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (16) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED ON JUNE 14, 2005

04-1974

CD 2 HEARING PROTESTS against the proposed improvement and maintenance of the TUXFORD PLACE AND SUNLAND BOULEVARD LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Tuxford Place and Sunland Boulevard 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 18, 2005 - Continue hearing and present Ordinance on JUNE 14, 2005 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (17) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED ON JUNE 14, 2005

04-1975

CD 6 HEARING PROTESTS against the proposed improvement and maintenance of the TROOST AVENUE AND CANTARA STREET LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Troost Avenue and Cantara Street 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 18, 2005 - Continue hearing and present Ordinance on JUNE 14, 2005 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (18) - PUBLIC HEARING CLOSED - ORDINANCE OVER ONE WEEK TO MAY 31, 2005

Roll Call #3 - Motion (Miscikowski - Smith) Adopted, Ayes (11); Absent: Hahn, LaBonge, Parks and Perry (4)

02-1508-S1

CD 11 PUBLIC HEARING and ORDINANCES FIRST CONSIDERATION relative to amending Playa Vista Community Facilities Districts (CFD) No. 5 and No. 6.



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

1. PRESENT and ADOPT the accompanying ORDINANCE calling a Special Election for proposed changes to CFD No. 5.
2. PRESENT and ADOPT the accompanying ORDINANCE calling a Special Election for proposed changes to CFD No. 6.

Fiscal Impact Statement: The City Administrative Officer reports there is no impact on the General Fund as a result of the recommended actions. All administrative costs associated with the formation of CFDs are paid by the developer.

(Pursuant to Council action on March 30, 2005)

## Items for Which Public Hearings Have Been Held - Items 19-29

Roll Call #4 - Motion (Miscikowski - Smith) Adopted, Ayes (11); Absent: Hahn, LaBonge, Parks and Perry (4)  
(Item Nos. 19-29)

ITEM NO. (19) - ADOPTED

05-0555

ORDINANCE SECOND CONSIDERATION amending Section 4.126(b) of the Los Angeles Administrative Code to permit appointing authorities to authorize cash payment to the legal beneficiaries of any City employee killed during the performance of job-related duties.

(Personnel Committee report adopted on May 17, 2005)

ITEM NO. (20) - ADOPTED

05-0002-S84

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to establishing a City position on legislation which arranges for the presentation of a gold medal to the next of kin or other personal representatives of Cesar E. Chavez in recognition of his service to the nation.

Recommendation for Council action, pursuant to Resolution (Padilla - Cardenas), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

RESOLVE that the City establish a position of SUPPORT in its Legislative Program for House of Representatives Bill (HR) 1365 (Baca) which directs the Speaker of the House of Representatives and the President Pro Tempore of the Senate to arrange for the presentation, on behalf of Congress, of a gold medal to the next of kin or other personal representative of Cesar E. Chavez in recognition of his service to the nation.

Fiscal Impact Statement: The Chief Legislative Analyst reports that there is no impact on the General Fund.

ITEM NO. (21) - ADOPTED

04-2316

CD 11 COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to baggage handling policies at the Los Angeles International Airport (LAX).

Recommendation for Council action:

NOTE and FILE the December 2, 2004 Los Angeles World Airports (LAWA) report in response to Motion (Zine - Miscikowski - Padilla) relative to baggage handling policies at the LAX, inasmuch as the LAWA presented its baggage handling and security policies in its December 2, 2004 report and found no security breaches and that the LAWA informed all of the airline tenants at the LAX in regard to their security obligations as set forth in their operating permits.

Fiscal Impact Statement: Not applicable.

ITEM NO. (22) - ADOPTED

03-2459-S1

CD 9 INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to a proposed lease renewal for the continued use of office space at 210 West Temple Street by the City Attorney and the Los Angeles Police Department (LAPD).

Recommendation for Council action:

AUTHORIZE the Department of General Services (GSD) to negotiate and execute a lease renewal for the continued use of office space at the Clara Shortridge Foltz Criminal Justice Center, 210 West Temple Street, by the City Attorney and the LAPD, as detailed 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 under the proposed lease renewal, the rent will increase from \$12,000 per year to \$60,000 per year.

ITEM NO. (23) - ADOPTED

05-0592

CD 5 INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to a proposed lease for a Department of Building and Safety (LADBS) field office at 11111 Olympic Boulevard.

Recommendation for Council action:

AUTHORIZE the Department of General Services (GSD) to negotiate and execute a new lease for office space and parking for a LADBS field office at 11111 Olympic Boulevard, as detailed 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 there will be an Information Technology Agency communications installation cost of approximately \$50,000 to relocate this group to the proposed location. The increase in rental and parking costs from the old location to the proposed location is approximately \$4,660 per month for up to two months in the current fiscal year (FY), or \$9,320 more, offset by an increase of \$5,936 planned into the current budget in anticipation of a higher rental rate upon lease expiration. This will therefore be a direct cost of approximately \$54,000 the current FY. The GSD will use existing 6030 funds and will request a Financial Report Adjustment prior to year end.

The GSD further reports that it anticipated a large rental rate and parking expense increase in the new budget for this group in the amount of \$78,490. The annual cost of the new location will be \$96,300, or an additional \$17,810 per year over the FY 2005-06 budgeted amount.

ITEM NO. (24) - ADOPTED

05-0595

CD 11 INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to a proposed lease renewal with the Los Angeles Police Federal Credit Union for office space at 5651 Manchester Avenue.

Recommendation for Council action:

AUTHORIZE the Department of General Services (GSD) to negotiate and execute a lease renewal with the Los Angeles Police Federal Credit Union for office space at 5651 Manchester Avenue, as detailed 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 new negotiated rental rate of \$1.55 per square foot per month for the office space at 5651 Manchester Avenue is comparable to current rates at similar facilities in this area with the appropriate Consumer Price Index adjustments applied. The total annual income for this lease is \$33,108.

ITEM NO. (25) - ADOPTED

05-0855

CD 14 CATEGORICAL EXEMPTION and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an appeal of a haul route for the export of 3,500 cubic yards of soil from a project at 5488 Dahlia Drive.

Recommendations for Council action:

1. FIND that this action is categorically exempt from California Environmental Quality Act, pursuant to Article III, Section 1, Class 3(1) of the City's Guidelines.
2. ADOPT the FINDINGS of the Board of Building and Safety Commissioners as the Findings of the Council.
3. DENY APPEAL IN PART filed by Michele Markota from the determination of the Board of Building and Safety Commissioners, THEREBY SUSTAINING the decision of the Board of Building and Safety Commissioners in approving an application for a haul route to export 3,500 cubic yards of soil, subject to conditions and exceptions, and modified Item C.3, as shown in the attachment to the Committee report to require the following for property at 5488 Dahlia Drive.

“The staging shall be allowed at curbside on the east side of 5488 Dahlia Drive. One truck maximum shall be allowed to stage at a time. Trucks cannot arrive or stage at the site before 8:45 A.M.”

Applicant: Kevin Polin

BF 050024

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

TIME LIMIT FILE - MAY 31, 2005

(LAST DAY FOR COUNCIL ACTION - MAY 31, 2005)

ITEM NO. (26) - ADOPTED

02-1250-S120

PERSONNEL and BUDGET AND FINANCE COMMITTEES' REPORT relative to a blanket hiring freeze exemption request for the City Attorney.

Recommendation for Council action:

RECEIVE and FILE the City Administrative Officer report, dated August 8, 2002, relative to a blanket hiring freeze exemption request for the City Attorney, inasmuch as the Fiscal Year 2004-05 Budget Resolution governs the filling of City Attorney positions.

Fiscal Impact Statement: Not applicable.

ITEM NO. (27) - MOTION ADOPTED TO APPROVE BUDGET AND FINANCE COMMITTEE REPORT

03-1250-S19

BUDGET AND FINANCE and PERSONNEL COMMITTEES' REPORTS relative to a hiring freeze exemption request for one Senior Clerk Typist position in the Department of Animal Services, West Valley Animal Care and Control Center.

ADOPTED

A. BUDGET AND FINANCE COMMITTEE REPORT

Recommendation for Council action:

RECEIVE and FILE the City Administrative Officer report relative to a request to exempt from the hiring freeze one Senior Clerk Typist position in the Department of Animal Services, inasmuch as this position was unfrozen in the Fiscal Year 2004-05 Budget Resolution and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

RECEIVE AND FILE

B. PERSONNEL COMMITTEE REPORT

Recommendation for Council action:

EXEMPT one time from the hiring freeze one position of Senior Clerk Typist, Code 1368, in the Department of Animal Services.

Fiscal Impact Statement: The City Administrative Officer reports that the General Fund impact of exempting this position from the hiring freeze on an annual basis is \$51,950; \$41,572 in direct salary costs and \$10,378 in related costs.

ITEM NO. (28) - MOTION ADOPTED TO APPROVE BUDGET AND FINANCE COMMITTEE REPORT

03-1250-S24

BUDGET AND FINANCE and PERSONNEL COMMITTEES' REPORTS relative to hiring freeze exemption request for one position of Principal Accountant I in the Information Technology Agency (ITA).

ADOPTED

A. BUDGET AND FINANCE COMMITTEE REPORT

Recommendation for Council action:

RECEIVE and FILE the City Administrative Officer reports relative to a hiring freeze exemption request for one position of Principal Accountant I in the ITA, Accounting and Financial Systems Division, inasmuch as an in lieu position was unfrozen in the 2004-05 Budget Resolution and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

RECEIVE AND FILE

B. PERSONNEL COMMITTEE REPORT

Recommendation for Council action:

EXEMPT one time from the hiring freeze one position of Principal Accountant I, Code 1525-1, in the ITA, Accounting and Financial Systems Division.

Fiscal Impact Statement: The City Administrative Officer reports that the General Fund impact of exempting this position from the hiring freeze on an annual basis is \$89,383; \$75,580 in direct salary costs and \$13,803 in related costs.

ITEM NO. (29) - MOTION ADOPTED TO APPROVE BUDGET AND FINANCE COMMITTEE REPORT

03-1250-S25

BUDGET AND FINANCE and PERSONNEL COMMITTEES' REPORTS relative to a request to exempt 11 Detective III positions in the Los Angeles Police Department (LAPD) from the hiring freeze.

ADOPTED

A. BUDGET AND FINANCE COMMITTEE REPORT

Recommendation for Council action:

RECEIVE and FILE the City Administrative Officer report dated September 3, 2003, relative to a request to exempt from the hiring freeze 11 Detective III positions in the LAPD, inasmuch as these positions were exempted from the hiring freeze as part of the 2004-05 Budget Resolution and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

RECEIVE AND FILE

B. PERSONNEL COMMITTEE REPORT

Recommendation for Council action:

EXEMPT one time from the hiring freeze 13 positions of Police Detective III, Code 2223-3, in the LAPD. These positions will be assigned to the Divisions listed below.

<u>No.</u>	<u>Division</u>
2	Rampart
2	Newton
1	Central
1	Southeast
1	Foothill
1	Operations-South Bureau
1	Central Traffic
3	Wilshire
1	Van Nuys

Fiscal Impact Statement: The City Administrative Officer reports that the cost to exempt 13 positions of Police Detective III from the hiring freeze for the remainder of the fiscal year is approximately \$466,000; \$408,900 in direct salary costs and \$57,100 in related costs. This represents the maximum incremental cost because these positions will be filled by internal promotion.

## Items for Which Public Hearings Have Not Been Held - Items 30-50 (10 Votes Required for Consideration)

Roll Call #5 - Motion (Miscikowski - Garcetti) Adopted, Ayes (11); Absent: Hahn, LaBonge, Parks and Perry (4)  
(Item Nos. 30-40)

ITEM NO. (30) - ADOPTED - TO THE MAYOR FORTHWITH

05-0600

ANNUAL BUDGET RESOLUTION FOR FISCAL YEAR 2005-06, TO BE SUBMITTED BY THE CITY ATTORNEY, CITY ADMINISTRATIVE OFFICER AND CHIEF LEGISLATIVE ANALYST.

(Pursuant to Council action of May 16, 2005)

ITEM NO. (31) - ADOPTED

00-0005-S54

CD 8 RESOLUTION removing the property at 6313-17 1/2 Brynhurst Avenue from the Rent Escrow Account Program [REAP], (Case No. 2942), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No. 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of May 17, 2005. Assessor I.D. No. 4006-007-007  
Registration No. 8706376

(Notice of Acceptance into the REAP/Rent Reduction Program was released on June 9, 2000)

ITEM NO. (32) - ADOPTED

00-0005-S139

CD 15 RESOLUTION removing the property at 636 West 11th Street from the Rent Escrow Account Program [REAP], (Case No. 3204), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No. 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of May 17, 2005. Assessor I.D. No. 7454-013-016  
Registration No. 9103169

(Notice of Acceptance into the REAP/Rent Reduction Program was released on August 21, 2000)

ITEM NO. (33) - ADOPTED

05-0005-S120

CD 9 RESOLUTION removing the property at 1527-27 3/4 East 22nd Street from the Rent Escrow Account Program [REAP], (Case No. 4669), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No. 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of May 17, 2005. Assessor I.D. No. 5118-004-007  
Registration No. 7211576

(Notice of Acceptance into the REAP/Rent Reduction Program was released on December 12, 2002)

ITEM NO. (34) - ADOPTED

05-0005-S121

CD 1 RESOLUTION removing the property at 111-15 East Avenue 37 from the Rent Escrow Account Program [REAP], (Case No. 5277), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No. 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of May 17, 2005. Assessor I.D. No. 5451-004-020  
Registration No. 7207046

(Notice of Acceptance into the REAP/Rent Reduction Program was released on May 16, 2002)



ITEM NO. (35) - ADOPTED

05-0005-S122

CD 2 RESOLUTION removing the property at 11659 Haynes Street a.k.a. 6546 Troost Avenue from the Rent Escrow Account Program [REAP], (Case No. 5705), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No. 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of May 17, 2005. Assessor I.D. No. 2335-008-012  
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on August 20, 2002)

ITEM NO. (36) - ADOPTED

05-0005-S123

CD 9 RESOLUTION removing the property at 4618-20 South Compton Avenue a.k.a. 1523 East 47th Street from the Rent Escrow Account Program [REAP], (Case No. 6117), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No. 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of May 17, 2005. Assessor I.D. No. 5106-013-016  
Registration No. 0472712

(Notice of Acceptance into the REAP/Rent Reduction Program was released on January 7, 2003)

ITEM NO. (37) - ADOPTED

05-0005-S124

CD 13 RESOLUTION removing the property at 1130-34 3/4 North Kingsley Drive from the Rent Escrow Account Program [REAP], (Case No. 6324), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No. 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of May 17, 2005. Assessor I.D. No. 5537-015-009  
Registration No. 0297606

(Notice of Acceptance into the REAP/Rent Reduction Program was released on July 3, 2003)

ITEM NO. (38) - ADOPTED

05-0005-S125

CD 9 RESOLUTION removing the property at 2512-14 1/2 South Trinity Street from the Rent Escrow Account Program [REAP], (Case No. 6414), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No. 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of May 17, 2005. Assessor I.D. No. 5127-010-020  
Registration No. 5062377

(Notice of Acceptance into the REAP/Rent Reduction Program was released on August 14, 2003)

ITEM NO. (39) - ADOPTED

05-0005-S126

CD 4 RESOLUTION removing the property at 145 North Normandie Avenue from the Rent Escrow Account Program [REAP], (Case No. 6536), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No. 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of May 17, 2005. Assessor I.D. No. 5518-003-002  
Registration No. 0406884

(Notice of Acceptance into the REAP/Rent Reduction Program was released on May 6, 2003)

ITEM NO. (40) - ADOPTED

05-0005-S127

CD 6 RESOLUTION removing the property at 10940-42 1/2 Strathern Street from the Rent Escrow Account Program [REAP], (Case No. 6720), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No. 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of May 17, 2005. Assessor I.D. No. 2409-005-002  
Registration No. 9101916

(Notice of Acceptance into the REAP/Rent Reduction Program was released on July 8, 2003)

ITEM NO. (41) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

Roll Call #9 - Motion (Miscikowski - Cardenas) Adopted, Ayes (10); Absent: Garcetti, Hahn, LaBonge, Parks and Perry (5)

05-0873

COMMUNICATION FROM THE INTERIM EXECUTIVE DIRECTOR, HARBOR DEPARTMENT, relative to revised foreign travel request by Harbor Department Commissioners.

Recommendation for Council action:

RECEIVE and FILE the April 28, 2005, communication from the Interim Executive Director, Harbor Department, relative to a foreign travel approval request for Harbor Department Commissioners Nicholas Tonsich and Elwood Lui to Shanghai, China, inasmuch as Commissioner Tonsich will not be traveling and approval for travel on City business is not required for one commissioner, pursuant to the Los Angeles Administrative Code section 4.242.9.

Fiscal Impact Statement: Not applicable.

Roll Call #5 - Motion (Miscikowski - Garcetti) Adopted, Ayes (11); Absent: Hahn, LaBonge, Parks and Perry (4)  
(Item Nos. 42-49)

ITEM NO. (42) - ADOPTED

01-1031

CD 13 MOTION (GARCETTI - GREUEL) relative to declaring the Atwater Village Street Festival on June 12, 2005 a Special Event (fees and costs absorbed by the City = \$1,572).

Recommendation for Council action:

DECLARE the Atwater Village Street Festival, sponsored by the Atwater Village Residents Association and Council District 13 on June 12, 2005, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, INCLUDING insurance.

ITEM NO. (43) - ADOPTED

02-0464

CD 11 MOTION (MISCIKOWSKI - LABONGE) relative to declaring the Pacific Palisades Health Fair on May 15, 2005 a Special Event (fees and costs absorbed by the City = \$1,226).

Recommendation for Council action:

DECLARE the Pacific Palisades Health Fair, sponsored by the Pacific Palisades Chamber of Commerce on May 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. (44) - ADOPTED

05-0965

CD 11 MOTION (MISCIKOWSKI - LABONGE) relative to declaring the Berkeley Hall School Country Fair on May 14, 2005 a Special Event (fees and costs absorbed by the City = \$777).

Recommendation for Council action:

DECLARE the Berkeley Hall School Country Fair, sponsored by the Berkeley Hall School on May 14, 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. (45) - ADOPTED

02-0830

CD 5 MOTION (WEISS - SMITH) relative to declaring the Castle Heights Place Block Party on May 22, 2005 a Special Event (fees and costs absorbed by the City = \$1,188).

Recommendation for Council action:

DECLARE the Castle Heights Place Block Party, sponsored by the Castle Heights Neighborhood Association on May 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. (46) - ADOPTED

05-0966

CD 13 MOTION (SMITH - PERRY) relative to initiating street vacation proceedings for a portion of the northwesterly side of Park Drive southwesterly of Duane Street from approximately 118 feet to approximately 269 feet southwesterly thereof.

Recommendations for Council action:

1. INITIATE street vacation proceedings, pursuant to California Streets and Highways Code, Division 9, Part 3, Public Streets, Highways and Service Easements Vacation Law for a portion of the northwesterly side of Park Drive southwesterly of Duane Street from approximately 118 feet to approximately 269 feet southwesterly thereof.

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

ITEM NO. (47) - ADOPTED

05-0968

CD 1

MOTION (SMITH - PERRY) relative to initiating street vacation proceedings for a portion of the north-south alley easterly of Douglas Street from Colton Street to approximately 175 feet southerly thereof.

Recommendations for Council action:

1. INITIATE street vacation proceedings, pursuant to California Streets and Highways Code, Division 9, Part 3, Public Streets, Highways and Service Easements Vacation Law for a portion of the north-south alley easterly of Douglas Street from Colton Street to approximately 175 feet southerly thereof.
2. DIRECT the Bureau of Engineering to investigate the feasibility of this vacation request.
3. DIRECT the Bureau of Engineering to present its report regarding the feasibility of vacating the requested areas to the Public Works Committee.

ITEM NO. (48) - ADOPTED

02-0797

CD 1

MOTION (SMITH - PERRY) relative to initiating street vacation proceedings for Avenue 21 from North Main Street to its southerly terminus.

Recommendations for Council action:

1. INITIATE street vacation proceedings, pursuant to California Streets and Highways Code, Division 9, Part 3, Public Streets, Highways and Service Easements Vacation Law for Avenue 21 from North Main Street to its southerly terminus.
2. DIRECT the Bureau of Engineering to investigate the feasibility of this vacation request.
3. DIRECT the Bureau of Engineering to present its report regarding the feasibility of vacating the requested areas to the Public Works Committee.

ITEM NO. (49) - ADOPTED

05-1008

CD 13 MOTION (SMITH - PERRY) relative to initiating street vacation proceedings for a portion of the northwesterly side of Alvarado Street from approximately 50 feet to approximately 100 feet northeasterly of Baxter Street.

Recommendations for Council action:

1. INITIATE street vacation proceedings, pursuant to California Streets and Highways Code, Division 9, Part 3, Public Streets, Highways and Service Easements Vacation Law for a portion of the northwesterly side of Alvarado Street from approximately 50 feet to approximately 100 feet northeasterly of Baxter Street.
2. DIRECT the Bureau of Engineering to investigate the feasibility of this vacation request.
3. DIRECT the Bureau of Engineering to present its report regarding the feasibility of vacating the requested areas to the Public Works Committee.

ITEM NO. (50) - CONTINUED TO MAY 31, 2005, \*AS AMENDED - SEE FOLLOWING

Roll Call #10 - Motion (Miscikowski - Reyes) Adopted to Continue, Unanimous Vote (10);  
Absent: Garcetti, Hahn, LaBonge, Parks and Perry (5)

04-1250-S82

MOTION (PARKS - MISCIKOWSKI) relative to authorizing two Project Coordinator positions for the Human Relations Commission to provide training and intervention services to public middle and high schools in the City of Los Angeles.

Recommendations for Council action:

1. AUTHORIZE by resolution ~~two~~ \* three Project Coordinators (Class Code 1537) and exempt these positions from the Managed Employment Process to provide human relations training and intervention services to public middle and high schools in the City of Los Angeles. \*(Miscikowski - Zine)
2. INSTRUCT the Human Relations Commission and the Personnel Department, and REQUEST the Mayor's Office to expedite the Exemption from Civil Service process for the above specified positions to enable the filling of these positions as soon as possible.
3. INSTRUCT the City Administrative Officer to include funding for the positions in the upcoming 2004-05 Year End Financial Status Report, as necessary.

## Item Noticed for Public Hearing - Item 51

ITEM NO. (51) - PUBLIC HEARING CLOSED - ORDINANCE OVER ONE WEEK TO MAY 31, 2005

Roll Call #11 - Motion (Zine - Miscikowski) Adopted, Ayes (10); Absent: Garcetti, Hahn, LaBonge, Parks and Perry (5)

04-0522

CD 15 HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to levying the special assessment for the Downtown San Pedro Parking and Business Improvement District (District) for the District's Fiscal Year (FY) beginning on April 1, 2005 through March 31, 2006.

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

1. HEAR PROTESTS against the proposed levying of the special assessment for the District's 2005-06 FY, pursuant to Section 36524 of the California Streets and Highways Code.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the special assessment for the District's 2005-06 FY, if a majority protest, as defined by Section 36525 of the California Streets and Highways Code is found not to exist.
3. APPROVE the Downtown San Pedro Parking and Business Improvement District Advisory Board for the District's 2005-06 FY.
4. AUTHORIZE the City Clerk, subject to City Attorney approval, to prepare, execute and administer a contract between the City and the San Pedro Peninsula Chamber of Commerce, the nonprofit service provider for administration of the District, if the Ordinance levying the special assessment is adopted.
5. REQUEST the Controller to provide, if necessary and if available, an advance against the District's assessment revenue, in an amount not to exceed \$16,694.75 (representing 25 percent of the anticipated assessment revenue for the District's 2005-06 FY), to the San Pedro Peninsula Chamber of Commerce, if the Ordinance levying the special assessment is adopted.

Fiscal Impact Statement: The City Clerk reports that direct costs for Department administration of the District program for its 2005-06 FY will be recovered from the assessments collected. The amount of recoverable City costs to be charged to the District will be \$4,006.74, representing five percent of the District's anticipated assessment revenue for its 2005-06 FY, plus an additional one percent for Departmental costs associated with the direct billing of District stakeholders. There are no assessments to be paid for City-owned properties located within the boundaries of the District. Therefore, there is no impact on the General Fund.

(Pursuant to Council adoption of Ordinance No. 176639 on May 4, 2005 and Council adoption of Housing, Community and Economic Development Committee Report on April 27, 2005)

## Item for Which Public Hearing Has Been Held - Item 52

ITEM NO. (52) - CONTINUED TO MAY 27, 2005

Roll Call #6 - Motion (Garcetti - Greuel) Adopted to Continue, Unanimous Vote (11);  
Absent: Hahn, LaBonge, Parks and Perry (4)

04-1483

CONTINUED CONSIDERATION OF HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to a contract with JJM Services for Urgent Repair Construction Services for the City's Urgent Repair Program (URP).

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

AUTHORIZE the General Manager, Los Angeles Housing Department or designee, to:

- a. Execute a contract with JJM Services in the amount of \$400,000 from Community Development Block Grant (CDBG) funds (\$100,000 from 2004-05 and \$300,000 from 2005-06 Consolidated Plan allocations) to provide URP construction services, for a term of one year to commence upon contract execution, with an option to extend for two additional periods of up to one year each, for a total term not to exceed three years, subject to the approval of both the City Attorney as to form and legality, and the Department of Public Works, Bureau of Contract Administration, as to compliance with City contracting requirements.
- b. Prepare Controller instructions for any necessary technical adjustments consistent with this action, subject to the approval of the City Administrative Officer (CAO); and authorize the Controller to implement those instructions.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. CDBG funding in the amount of \$400,000 is available, comprised of direct allocations made to the URP in the 2004-05 (30th Year) and 2005-06 (31st Year) Consolidated Plan budgets. The above recommendation adheres to the financial policies of the City.

(Continued from Council meeting of May 20, 2005)



Items for Which Public Hearings Have Not Been Held - Items 53-55  
 (10 Votes Required for Consideration)

ITEM NO. (53) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

Roll Call #7 - Motion (Weiss - Smith) Adopted, Ayes (11); Absent: Hahn, LaBonge, Parks and Perry (4)

04-0489  
 02-2554  
 03-1148

COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER (CAO) relative to a proposed Agreement for the operation and maintenance of off-street parking lots at Mangrove Estates and Cathedral Place; and an Amendment to a Memorandum of Understanding (MOU) for the operation and maintenance of off-street parking facilities at the San Fernando Valley (formerly Van Nuys) Civic Center and Studio City.

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

1. AUTHORIZE the General Manager, Department of Transportation (DOT), to negotiate and execute an agreement with the Department of General Services (GSD) for the Mangrove Estates Parking Lots and the Cathedral Place Municipal Parking Lot, effective the date of execution, to operate and maintain the parking facilities for three years, with the option to renew up to two additional one-year periods, subject to the review of the City Attorney as to form and legality.
2. AUTHORIZE the General Manager, DOT, to amend the MOU with the GSD ©-106796) for the Broxton Lot Group to include the operation and maintenance of the San Fernando Valley Civic Center and Studio City parking structures.
3. AUTHORIZE the Controller to:
  - a. Transfer \$162,650 from the Special Parking Revenue Fund, Fund 363/94, Account No. 0050, to the following accounts in General Services Fund No. 100/40 for the Mangrove Estates Parking Lot:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1070	Salaries, As Needed	\$109,200
3040	Contractual Services	7,800
6020	Operating Supplies	28,585
4685	Revenue Source Code for Related Costs	<u>17,065</u>
	Total	\$162,650

- b. Transfer \$81,660 from the Special Parking Revenue Fund, Fund 363/94, Account No. W201, to the following accounts in General Services Fund No. 100/40 for the Cathedral Place Parking Lot:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1070	Salaries, As Needed	\$59,240
3040	Contractual Services	6,900
6020	Operating Supplies	6,120
4685	Revenue Source Code for Related Costs	<u>9,400</u>
	Total	\$81,660

- c. Transfer \$308,410 from the Special Parking Revenue Fund, Fund 363/94, Account No. W201, to the following accounts in General Services Fund No. 100/40 for the San Fernando Valley Civic Center and Studio City Parking Facilities:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1070	Salaries, As Needed	\$202,075
3040	Contractual Services	8,175
6020	Operating Supplies	15,160
7300	Office, Furniture & Equipment	3,600
7350	Furniture, Office & Technical Equipment	50,000
4685	Revenue Source Code for Related Costs	<u>29,400</u>
	Total	\$308,410

4. INSTRUCT the DOT to reimburse the General Fund with funds from the Special Parking Revenue Fund for appropriate related costs pursuant to the terms of the MOU, by June 30, 2005, and each year thereafter by the end of the fiscal year while the MOU is in effect.
5. AUTHORIZE expenditures by the GSD for As Needed staff and the purchase of equipment pursuant to the terms of the MOU.

Fiscal Impact Statement: The CAO reports that funding is available in the Special Parking Revenue Fund (SPRF) and will be included in the Fiscal Year 2005-06 Budget. Funding for subsequent contract years will also be provided by the SPRF. In 2005-06, the SPRF will reimburse the General Fund an estimated \$55,865 for related costs. The General Fund will continue to receive reimbursement for related costs throughout the terms of the Agreements, the amounts to be determined annually based on costs calculations established as part of the budget process.

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

ITEM NO. (54) - SUBSTITUTE MOTION ADOPTED IN LIEU OF ORIGINAL COMMUNICATION  
RECOMMENDATIONS - FORTHWITH - SEE FOLLOWING

Roll Call #8 - Motion (Garcetti - Greuel) to Adopt Substitute Motion, Ayes (11); Absent: Hahn,  
LaBonge, Parks and Perry (4)

05-0181

CDs 6, 9  
& 13 COMMUNICATION FROM THE BOARD OF RECREATION AND PARK COMMISSIONERS  
relative to the proposed Memorandum of Understanding (MOU) with the Anna H. Bing  
Living Trust (Bing Trust) agreeing to the terms and conditions of a \$4,000,000 bequest  
to the City for the acquisition of real property, development of three pocket parks, and  
performance of related future maintenance.

Recommendations for Council action:

1. APPROVE the MOU, substantially in the form on file in the Board Office, agreeing to the terms and conditions of a \$4,000,000 bequest to the City from the Bing Trust for the acquisition of real property, development of three pocket parks, and performance of related future maintenance.
2. APPROVE, preliminarily, the acquisition of two separate properties at 5207 South Broadway and 1644-48 Beverly Boulevard, each for the development of a pocket park with turf areas, a children's play area, picnic area(s), park benches, pathways, and a drinking fountain.
3. AUTHORIZE the Department of General Services (GSD), Asset Management Division, to act as the lead negotiator on behalf of the Department of Recreation and Parks (DRP) for the acquisition of said properties.
4. DIRECT staff, upon conclusion of negotiations, to prepare escrow instructions indicating a form of ground lease, a form of sublease, and such other documents as may be necessary to implement the actions contemplated by the MOU for the Board's final approval, authorizing the purchase of said properties.
5. APPROVE, preliminarily, the transfer of jurisdiction for the property at 15262 West Marson Street, from the GSD to the DRP for the development of a pocket park.
6. AUTHORIZE the DRP to enter into lease negotiations with the Los Angeles Neighborhood Land Trust (LANLT) for the future programming and maintenance of the three proposed pocket parks.
7. AUTHORIZE the Board President and Secretary to execute the MOU upon necessary approvals being obtained.

Fiscal Impact Statement: The Board reports that the acquisition and development of the three Bing Trust park sites should not have any financial impact on the DRP. The anticipated costs for the acquisition and development of the three projects are being funded through the Bing Trust's \$4,000,000 donation to the City. The City would only have to fund cost overruns for the development projects in the event there are any. The future maintenance for the three sites has been pledged by the LANLT to be provided by the Los Angeles Conservation Corps at no cost to the City.

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

ADOPTED

SUBSTITUTE MOTION (GARCETTI - CARDENAS)

Recommendations for Council action:

1. AUTHORIZE the Memorandum of Understanding (MOU), substantially in the form attached to the file, between the City (Department of Recreation and Parks) and the Anna H. Bing Living Trust (Bing Trust) agreeing to the terms and conditions of a \$4,000,000 bequest to the City from the Bing Trust relative to the acquisition of real property to be used as playgrounds in "underprivileged" areas of the City, development of three pocket parks, and performance of maintenance functions to specific standards after development of the pocket parks, subject to the approval of the City Attorney as for form and legality.
2. AUTHORIZE the President and the Secretary of the board of Recreation and Park Commissioners, on behalf of the City, to execute the MOU upon the necessary approvals being obtained.

ITEM NO. (55) - ADOPTED, \*AS AMENDED - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #12 - Motion (Weiss - Zine) to Adopt as Amended, Ayes (10); Absent: Garcetti, Hahn, LaBonge, Parks and Perry (5)

05-1034

RESOLUTION (PADILLA - MISCIKOWSKI) relative to authorizing acceptance of gifts for the purpose of financing the Mayor-elect's transition activities.

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

1. RESOLVE to AUTHORIZE and DIRECT the City of Los Angeles to solicit and accept gifts made to the City for purposes of financing the Mayor-elect's transition activities for any expenses incurred prior to August 30, 2005 and to deposit any such cash gifts in a public trust fund hereby established for such transition purposes in a cumulative amount not to exceed \$200,000 and with no gift from any one source to exceed \$10,000.

2. RESOLVE to ACCEPT any gifts made by the donors to the City for such purposes on behalf of the City.
3. RESOLVE to AUTHORIZE the Mayor-elect's transition organization to make expenditures out of the Fund for the sole purpose of paying the costs and expenses reasonably associated with Mayor-elect Villaraigosa's transition activities, such as paying for staff, acquiring equipment and supplies and funding the reasonable costs of inauguration events, and AUTHORIZE the Controller to deposit any unspent cash gifts on hand after payment of all the costs and expenses associated with Mayor-elect Villaraigosa's transition activities into the City's General Fund.
4. RESOLVE to REQUEST the Controller to process any requests for disbursements submitted to the Controller by a designated representative of Mayor-elect Villaraigosa's transition organization within 24 hours of receipt of such request for disbursement.
5. RESOLVE to AUTHORIZE and REQUEST the City Attorney to prepare any necessary agreements, documents or other instruments to memorialize and implement the foregoing; AUTHORIZE and DIRECT the President of the City Council to execute any such agreements, documents or other instruments on behalf of the City, subject to the approval of the City Attorney as to form and legality; and REQUEST and AUTHORIZE the Department of General Services to make available suitable office space on a temporary basis for the Mayor-elect's transition activities.
- \*6. RESOLVE to REQUEST the Controller to provide a report back to the Council no later than September 30, 2005 that discloses the names of all persons who provided gifts to the Fund totaling \$5,000 or more, to help promote transparency in all City activities. \*(Weiss - Zine)

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

05-1057

MOTION (REYES - SMITH) relative to declaring the Third Anniversary Certification Celebration and Coffee Conversation on May 28, 2005 a Special Event (fees and costs absorbed by the City = \$500).

05-1058

MOTION (REYES - SMITH) relative to declaring the Save Our Kids Event on May 27-29, 2005 a Special Event (fees and costs absorbed by the City = \$2,500).

03-1044

MOTION (REYES - SMITH) relative to declaring the Cypress Park Memorial Day Event on May 28, 2005 a Special Event (fees and costs absorbed by the City = \$850).

05-1059

MOTION (REYES for PARKS - ZINE) relative to declaring the 13th Annual Malcolm X Festival on May 21-22, 2005 a Special Event (fees and costs absorbed by the City = \$5,000).

05-1073-S13

MOTION (SMITH - REYES) relative to supplemental charter bus services for Council District 12.

04-2218-S1

MOTION (VILLARAIGOSA - LUDLOW) relative to additional funding and support of neighborhood and community services in Council District 14.

## COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon his request, and without objections, President Padilla was excused from Council session of Wednesday, June 1, 2005 due to personal business and from Council sessions of Friday, June 10, 2005 and Wednesday, June 22, 2005 due to City business.

Motion (Cardenas - Ludlow) unanimously adopted to excuse Councilmember Greuel to leave at 12:00 p.m. from Council session of Wednesday, May 25, 2005 due to City business.

Upon her request, and without objections, Councilmember Hahn was excused from Council session of Friday, June 17, 2005 due to City business.

Upon her request, and without objections, Councilmember Perry was excused from Council sessions of Wednesday, June 1, 2005, Tuesday, June 7, 2005 and Wednesday, June 8, 2005 due to City business and from Council sessions of Friday, June 10, 2005 and Tuesday, June 14, 2005 due to vacation.

Motion (Weiss - Greuel) unanimously adopted to excuse Councilmember Zine to leave at 11:45 a.m. from Council session of Friday, May 27, 2005 and from Council sessions of Friday, June 24, 2005 and Wednesdays, July 8 and 22, 2005 due to City business.

Motion (Ludlow - Weiss) unanimously adopted to revise a previous request to excused Councilmember Cardenas from Council session of Friday, May 27, 2005 due to City business.

## COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

05-0574 - Henry Alfaro

(Zine - All Councilmembers)

Detective II John M. Coyle

(Zine - All Councilmembers)

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

05-0573 - Warren "Win" Rainer

(Zine)

Manuel Cervantes Alvarado

(Padilla - Cardenas)

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

Whereupon the Council did adjourn.

ATTEST: Frank T. Martinez, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL