

Los Angeles City Council, Journal/Council Proceedings  
Tuesday, May 31, 2005  
John Ferraro Council Chamber, Room 340, City Hall - 10 am

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

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

SALUTE TO THE FLAG

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF  
MAY 25, 2005

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - NONE

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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 1-3

ITEM NO. (1) - PUBLIC HEARING CLOSED - APPEALS DENIED - ASSESSMENT CONFIRMED

Roll Call #6 - Motion (Ludlow - Smith) Adopted, Ayes (11); Absent: Hahn,  
Miscikowski, Reyes and Villaraigosa (4)

**04-1726**

CD 1 CONTINUED CONSIDERATION OF HEARING APPEALS OR OBJECTIONS to Building  
and Safety Department report and confirmation of assessment to cover the costs of  
demolition of the building(s), asbestos removal from the building(s), monitoring of the  
asbestos removal and the cleaning of the lot at 1072 East Montecito Drive.  
(Assessment: \$7,015.10)

(Continued from Council meeting of April 29, 2005)

ITEM NO. (2) - CONTINUED TO JUNE 14, 2005

Roll Call #2 - Motion (Ludlow - Smith) Adopted to Continue, Unanimous Vote (10);  
Absent: Hahn, Miscikowski, Parks, Reyes and Villaraigosa (5)

04-0833

CD 10 CONTINUED CONSIDERATION OF APPEAL filed by Harvey L. Rochman, Esq., on behalf of GTS Property, Los Angeles, Inc., to the City Council relative to the determination of the Advisory Agency regarding a relocation assistance dispute and the interpretation and application of Recorded Covenant Agreement for Recorded Map No. 50346 for a 164-unit condominium conversion at 620 South Gramercy Place.

Applicant: Sonny Astani,  
GTS Property, Los Angeles, Inc., Ellen Berkowitz, Representative

TIME LIMIT FILE - MAY 31, 2005

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

(Continued from Council meeting of May 20, 2005)

ITEM NO. (3) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #7 - Motion (Garcetti - Greuel) to Adopt as Amended, Ayes (11); Absent: Hahn, Miscikowski, Reyes and Villaraigosa (4)

03-2674

CD 13 HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to Amended and Restated Disposition and Development Agreements (DDA) with Legacy Partners 2480 LLC and HEI/GC Hollywood & Vine LLC for the development of a mixed-use project at, and adjacent to, the Metropolitan Transportation Authority (MTA) Hollywood/Vine Metro Rail Station, and related actions.

Recommendation for Council action:

AUTHORIZE the Chief Executive Officer, Community Redevelopment Agency (CRA), or designee to execute:

- a. The proposed DDA with Legacy Partners 2480 LLC for the construction of approximately 350 apartment units (including at least 20 percent or 74 units which will be affordable to very-low, low- and middle-income residents), retail space, grocery store area, parking, and related improvements, subject to the approval of both the City Attorney as to form and legality, and the Department of Public Works, Bureau of Contract Administration for compliance with the CRA contract requirements.

- b. The proposed DDA with HEI/GC Hollywood and Vine LLC (Gatehouse Capital and their equity partner, HEI Hospitality Fund Acquisition) for the construction of a 296-room four-star hotel, currently identified as a "W" hotel brand of Starwood Hotels and Resorts Worldwide, Inc., retail space, 145 condominium units, parking, and related improvements, subject to the approval of both the City Attorney as to form and legality, and the Department of Public Works, Bureau of Contract Administration for compliance with the CRA contract requirements.
- c. A First Amendment to CRA Purchase Order No. 040373 under Contract No. 502367 with Goldfarb and Lipman to increase compensation by \$50,000, from \$75,000 to \$125,000, for negotiation and document preparation services for the proposed Hollywood and Vine Project, subject to the approval of both the City Attorney as to form and legality, and the Department of Public Works, Bureau of Contract Administration for compliance with the CRA contract requirements.

Fiscal Impact Statement: The City Administrative Officer reports that this action will not impact the General Fund. The CRA proposes to use \$50,000 in Hollywood Project Tax Increment funds for the amendment to the Purchase Order and Hollywood Redevelopment Project Area Bond funds for land acquisition and relocation costs (minimum CRA assistance is \$500,000 and maximum is \$6.5 million). The annualized tax increment projection for the Hollywood and Vine Project is estimated at \$2.7 million in the first stabilized year (2010), of which \$0.7 million will be set aside for housing. The proposed Hollywood and Vine Trust Fund will use up to 50 percent (or \$1 million) of the project-generated discretionary site-specific tax increment funds (\$2.0 million).

ADOPTED

AMENDING MOTION (GARCETTI - LABONGE)

Recommendation for Council action:

ADOPT the environmental findings attached to this Motion.

## Items for Which Public Hearings Have Been Held - Items 4-26

Roll Call #3 - Motion (Perry - Smith) Adopted, Ayes (10); Absent: Hahn, Miscikowski, Parks, Reyes and Villaraigosa (4)  
(Item Nos. 4-15)

ITEM NO. (4) - ADOPTED

01-1490

CD 2 ORDINANCE SECOND CONSIDERATION abandoning all proceedings relating to the FOOTHILL BOULEVARD AND MC VINE AVENUE LIGHTING DISTRICT, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

ITEM NO. (5) - ADOPTED

04-1790

CD 5 ORDINANCE SECOND CONSIDERATION abandoning all proceedings relating to the MTA - CHANDLER BOULEVARD AND BELLAIRE AVENUE - G1 LIGHTING DISTRICT, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

ITEM NO. (6) - ADOPTED

04-1861

CD 13 ORDINANCE SECOND CONSIDERATION levying the assessments and ordering the maintenance of the GLENDALE BOULEVARD AND AARON STREET LIGHTING DISTRICT, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

ITEM NO. (7) - ADOPTED

04-1862

CD 13 ORDINANCE SECOND CONSIDERATION levying the assessments and ordering the maintenance of the GLENDALE BOULEVARD AND BERKELEY AVENUE LIGHTING DISTRICT, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

ITEM NO. (8) - ADOPTED

04-1863

CD 13 ORDINANCE SECOND CONSIDERATION levying the assessments and ordering the maintenance of the GLENDALE BOULEVARD AND MONTANA STREET LIGHTING DISTRICT, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

ITEM NO. (9) - ADOPTED

04-1869

CD 11 ORDINANCE SECOND CONSIDERATION abandoning all proceedings relating to the AVENIDA ORIENTE AND LINNET STREET LIGHTING DISTRICT, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

ITEM NO. (10) - ADOPTED

04-1870

CD 11 ORDINANCE SECOND CONSIDERATION levying the assessments and ordering the maintenance of the BUTLER AND MISSISSIPPI AVENUES LIGHTING DISTRICT, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

ITEM NO. (11) - ADOPTED

04-1871

CD 14 ORDINANCE SECOND CONSIDERATION abandoning all proceedings relating to the FIGUEROA STREET AND COLORADO BOULEVARD LIGHTING DISTRICT, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

ITEM NO. (12) - ADOPTED

04-1872

CD 6 ORDINANCE SECOND CONSIDERATION abandoning all proceedings relating to the WOODMAN AVENUE AND OSBORNE STREET LIGHTING DISTRICT, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

ITEM NO. (13) - ADOPTED

04-1876

CD 2 ORDINANCE SECOND CONSIDERATION levying the assessments and ordering the maintenance of the FOOTHILL BOULEVARD AND WOODWARD AVENUE LIGHTING DISTRICT, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

ITEM NO. (14) - ADOPTED

02-1508-S1

CD 11 ORDINANCES SECOND CONSIDERATION calling a Special Election for proposed changes to Community Facilities Districts (CFD) No. 5. and CFD No. 6.

ITEM NO. (15) - ADOPTED

04-0522

CD 15 ORDINANCE SECOND CONSIDERATION levying the special assessment for the Downtown San Pedro Parking and Business Improvement District for the District's Fiscal Year beginning on April 1, 2005 through March 31, 2006, if a majority protest, as defined by Section 36525 of the California Streets and Highways Code is found not to exist.

ITEM NO. (16) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #8 - Motion (LaBonge - Garcetti) Adopted, Ayes (11); Absent: Hahn, Miscikowski, Reyes and Villaraigosa (4)

01-0610-S4

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to extending the City's AIDS Prevention Program for the 2005-06 Program Year.

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

1. APPROVE the carryover of \$16,485 of 2004-05 AIDS Prevention Program contractual savings to be allocated to the 2005-06 AIDS Prevention Program.
2. AUTHORIZE the Executive Director, Department On Disability (DOD), or designee, to:
  - a. Amend and extend current AIDS Prevention contracts with the respective contractors identified in Exhibit I of the DOD report dated April 7, 2005, in the amounts specified therein, for total program funding in the amount of \$966,840, for a 12 month period, April 1, 2005, to March 31, 2006, subject to the review of the City Attorney as to form and legality.
  - b. Prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer, and authorize the Controller to implement said instructions.

Fiscal Impact Statement: The DOD reports that there is no fiscal impact on the City's General Fund. Funds allocated to the City's 2005-06 AIDS Prevention Program are Consolidated Plan grant funds.

ADOPTED

AMENDING MOTION (LABONGE - GARCETTI)

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

1. APPROVE the reprogramming of Community Development Block Grant funds in the amount of \$16,485 from 2004-05 AIDS Prevention Program contractual savings (Account No. V473) to the 2005-06 AIDS Prevention Program contractual services account (Account No. Y473).
2. AUTHORIZE the Community Development Department to prepare Controller instructions and/or make any technical adjustments that may be required and are consistent with this action subject to the approval of the City Administrative Officer and INSTRUCT the Controller to implement these instructions.

Roll Call #3 - Motion (Perry - Smith) Adopted, Ayes (10); Absent: Hahn, Miscikowski, Parks, Reyes and Villaraigosa (4)  
(Item Nos. 17-22)

ITEM NO. (17) - ADOPTED

05-0903

CD 7 COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to a proposed Lease Agreement for space from Mojdeh Daneshrad to be used as the Department of Water and Power (DWP) Mission Hills Customer Service Office.

Recommendations for Council action:

1. CONCUR with Resolution No. 005-248 as adopted by the Board of Water and Power Commissioners' (Board) on May 3, 2005, APPROVE Resolution No. 005-248 and AUTHORIZE the Board President or General Manager of the DWP and the Board Secretary to execute the Lease Agreement with Mojdeh Daneshrad covering office space located in Suites 3 and 4, 11100 Sepulveda Boulevard, Mission Hills for use as the DWP's Mission Hills Customer Service Office for a term of ten years.
2. REQUEST the City Attorney to submit a report to Council clarifying the lease and parking rates to be paid by the DWP, pursuant to the Lease Agreement with Mojdeh Daneshrad.

Fiscal Impact Statement: The Board reports that the Lease Agreement will require \$33,984 per year in the first year and three percent increases thereafter to be charged against the Power Revenue Fund over the ten-year period.

TIME LIMIT FILE - JUNE 4, 2005

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

ITEM NO. (18) - ADOPTED

05-0002-S44

ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE REPORT relative to establishing a City position on the Environmental Justice Act of 2005, HR 427 (Udall).

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

RESOLVE to include in the City's 2005-06 State Legislative Program SUPPORT for the Environmental Justice Act of 2005, HR 427 (Udall), that requires Federal agencies to develop and implement policies and practices to promote environmental justice that benefits all communities.

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. (19) - ADOPTED

05-0002-S97

ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE REPORT relative to establishing a City position on Assembly Constitutional Amendment No. 13 (ACA 13), which excludes flood control and stormwater project levies from compliance requirements for property-related fees.

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

RESOLVE to include in the City's 2005-06 State Legislative Program SUPPORT for ACA 13, which excludes flood control and stormwater project levies from compliance requirements for property-related fees.

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

ITEM NO. (20) - ADOPTED

02-0509

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to a proposed one year extension for seven contract programmer contracts.

Recommendations for Council action:

1. AUTHORIZE the General Manager, Information Technology Agency (ITA), to:
  - a. Execute contract amendments extending the terms of the following Citywide contract programming contracts by one year, beginning on July 1, 2005, subject to the review of the City Attorney as to form and legality:
    - 1) APR Consulting - Contract No. 103122
    - 2) Center for Resource Management - Contract No. 103197
    - 3) Commercial Programming Systems - Contract No. 102854
    - 4) ITC, Inc. - Contract No. 103123
    - 5) Modis - Contract No. 103140
    - 6) Rydek - Contract No. 103038
    - 7) Spectrum Telecom Systems - Contract No. 103187



- b. Increase the contract expenditure limits, for all seven contracts listed above, to provide for additional 2004-05 expenditures and projected 2005-06 expenditures as reflected on the City Administrative Officer (CAO) Addendum to its report dated May 20, 2005 (attached to the Council file).
2. DIRECT the CAO, with the assistance of the ITA, to report back to the Information Technology and General Services Committee within 45 days on the advisability of ITA continuing to provide centralized management of the contracts listed above as well as other similar Citywide contracts.

Fiscal Impact Statement: The CAO reports that there will be no impact on the General Fund since the departments are budgeted for these services in their 2004-05 and 2005-06 budgets. The estimated costs are in line with historical usage for these types of services.

ITEM NO. (21) - ADOPTED

05-0002-S71

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to establishing a City position on pending legislation regarding recording devices in movie theaters.

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

RESOLVE that the City establish a position of SUPPORT in its 2005-06 Federal Legislative Program for the Artists' Rights and Theft Prevention Act of 2005 (ART Act), contained within House of Representatives Bill (HR) 357 (Smith), which bans the use of camcorders and other recording devices in movie theaters.

Fiscal Impact Statement: The Chief Legislative Analyst has not completed a financial analysis of this report.

ITEM NO. (22) - ADOPTED

03-1250-S74

PERSONNEL COMMITTEE REPORT relative to a hiring freeze exemption request for State-mandated Child Care Associate II and Child Care Center Director positions in the Department of Recreation and Parks.

Recommendation for Council action:

RECEIVE and FILE the City Administrative Officer report, dated May 27, 2004, relative to a request to exempt from the hiring freeze State-mandated positions of Child Care Associate II, Code 2490-2, and Child Care Center Director, Code 2491, in the Department of Recreation and Parks, inasmuch as these positions were unfrozen in the Fiscal Year 2004-05 Budget Resolution, and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (23) - CONTINUED TO JUNE 3, 2005

Roll Call #1 - Motion (Weiss - Cardenas) Adopted to Continue, Unanimous Vote (10);  
Absent: Hahn, Miscikowski, Parks, Reyes and Villaraigosa (5)

05-0672

CD 11 ENVIRONMENTAL IMPACT REPORT, STATEMENT OF OVERRIDING CONSIDERATIONS, MITIGATION MONITORING AND REPORTING PROGRAM and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to appeals on Vesting Tentative Tract No. 52928 at 17331 and 17333 Tramonto Drive.

Recommendations for Council action:

1. CERTIFY that the Environmental Impact Report (ENV 2000-2696 EIR; State Clearing House No. 2002051086) 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. 05-0672 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 Planning Commission including the Subdivision Map Act Findings and Mello Act Findings, as well as all environmental findings and a Mitigation Monitoring and Reporting Program , and the Findings of the Planning and Land Use Management Committee as the Findings of the Council.
4. DENY APPEALS filed by Pacific Palisades Residents Association, Ms. Beagles, Mr. Congdon, Ms. Heidt, Mr. and Ms. Hirschman, Mr. and Mrs. Knotz, Mr. and Mrs. Mirkin, and Dr. Todd Sadow, Castellammare Mesa Homeowners and Pacific Palisades Community Council.
5. GRANT APPEAL filed by Lou Jacobs and Ken Kahan, Palisades Landmark, LLC, in part, THEREBY APPROVE the November 18, 2004, action of the City Planning Commission in sustaining the decision of the Advisory Agency in part, in approving Vesting Tentative Tract No. 52928 for the proposed construction, use and maintenance of an 82-unit condominium project located at 17331 and 17333 Tramonto Drive, subject to modified Conditions of Approval as approved by the Commission, and Conditions Nos. 117 and 118, as further modified by the Planning and Land Use Management Committee.

6. ADVISE the applicant that pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Exemption Fee is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination filing.
7. INSTRUCT the City Planning and Housing Departments to identify strategies for systematically conducting independent review of economic feasibility analyses when submitted pursuant to the Mello Act (California Government Code Section 65590 et seq.) and Interim Administrative Procedures (pursuant to Settlement Agreement, Venice Town Council, et al. v. City of Los Angeles), including but not limited to: creating in-house city staff positions with the appropriate financial expertise and skills; Department of City Planning or Los Angeles Housing Department retention of outside consultants; identifying potential revenue sources, such as appeal fees to off-set administrative costs and outside consultants costs; and to report back with recommendations within 60 days to the Planning and Land Use Management Committee.
8. INSTRUCT the City Clerk to notify as a part of the notification process, the Western Center on Law and Poverty and the Legal Aid Foundation of Los Angeles regarding the Council's action on this matter.

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 31, 2005

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

Roll Call #3 - Motion (Perry - Smith) Adopted, Ayes (10); Absent: Hahn, Miscikowski, Parks, Reyes and Villaraigosa (5)  
(Item Nos. 24-26)

ITEM NO. (24) - ADOPTED

04-1362

TRANSPORTATION COMMITTEE REPORT relative to extending an eight-month free metered parking pilot program for hybrid vehicles.

Recommendation for Council action:

DIRECT the Department of Transportation (DOT) to:

- a. Extend the eight-month pilot program enabling certain hybrid vehicles to park for free at City parking meters to a new termination date of June 30, 2006.

- b. Publicize the free metered parking for hybrid vehicles pilot program and monitor participation in the program.
- c. Report back to Council by May 1, 2006 with a report on the current number of hybrid vehicles registered statewide and an analysis of future cost and revenue impacts beyond the pilot period with recommendations whether and how to continue the program.

Fiscal Impact Statement: The DOT reports that only 217 eligible hybrid vehicles have been observed participating in the free metered parking pilot program resulting in an estimated annual revenue loss of between \$27,000 and \$54,000, or less than 0.25 percent of total annual meter revenue. In spite of the potential for increased levels of hybrid ownership, the recommended extension of the pilot program for an additional 13 months is expected to result in a negligible decrease in parking meter revenue to the Special parking Revenue Fund as well as some reduction in General Fund revenue from parking citations issued for parking meter violations.

ITEM NO. (25) - ADOPTED

04-1250-S50

PERSONNEL and BUDGET AND FINANCE COMMITTEES' REPORT relative to filling various positions, pursuant to the Managed Employment Process, in the Office of the City Attorney.

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

1. INSTRUCT the Chief Legislative Analyst (CLA) and the City Administrative Officer (CAO) to work with the City Attorney to identify the "break-even" point at which the continuation of all currently filled positions on the City Attorney's payroll will not create a year-end deficit; and further, AUTHORIZE the CAO and the CLA, after the "break-even" point is reached, to approve in the payroll system (PaySR) for each vacancy that occurs, the filling of one City Attorney position at the equivalent salary or a combination of positions within that salary amount, within the approved positions authorities for Fiscal Year 2004-05.
2. REQUEST the City Attorney and the CAO to report back on filled positions and positions employed 'in-lieu of' other position authorities in the City Attorney to maintain compliance with the City Attorney's Departmental Personnel Ordinance.
3. REQUEST the City Attorney to only fill positions for which vacancies occur in the appropriate or equivalent classification in compliance with the City Attorney's Departmental Personnel Ordinance.
4. REQUEST the City Attorney to move employees from substitute positions approved in previous fiscal years into regular position authorities as vacancies occur, prior to hiring any new employees in those classes.

5. AUTHORIZE the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustment, subject to the approval of the CAO; and AUTHORIZE the Controller to implement these instructions.

Fiscal Impact Statement: The CAO reports that the City Attorney's budget is already in a deficit condition and additional transfers or appropriations would be needed to fill additional positions in the City Attorney. Any additional transfers or appropriations to the City Attorney's budget will increase the Citywide General Fund shortfall for Fiscal Year 2004-05, requiring further reductions to other City departments and funds.

ITEM NO. (26) - MOTION ADOPTED TO APPROVE BUDGET AND FINANCE COMMITTEE REPORT

02-1250-S337

BUDGET AND FINANCE and PERSONNEL COMMITTEES' REPORTS relative to hiring freeze exemption for one position of Senior Management Analyst I in the Human Relations Commission.

ADOPTED

A. BUDGET AND FINANCE COMMITTEE REPORT

Recommendation for Council action:

RECEIVE and FILE the City Administrative Officer report relative to a request for hiring freeze exemption for one position of Senior Management Analyst I in the Human Relations Commission, inasmuch as the position was deleted from the Fiscal Year 2004-05 Budget and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

RECEIVED AND FILED

B. PERSONNEL COMMITTEE REPORT

Recommendation for Council action:

EXEMPT one time from the hiring freeze one position of Senior Management Analyst I, Code 9171-1, in the HRC.

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 \$84,969; \$74,460 in direct salary costs and \$10,509 in related costs.

Items for Which Public Hearings Have Not Been Held - Items 27-44  
(10 Votes Required for Consideration)

Roll Call #4 - Motion (Zine - Greuel) Adopted, Ayes (11); Absent: Hahn, Miscikowski, Reyes and Villaraigosa (4)  
(Item Nos. 27-38)

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

02-1092

CD 6

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING relative to establishing a hearing date for the annual confirmation of assessments for "VAN NUYS AND VICTORY BOULEVARDS (AND OTHER STREETS) SIDEWALK MAINTENANCE DISTRICT."  
W.O. EXX71822

Recommendations for Council action:

1. ADOPT the Bureau of Street Lighting Report.
2. APPROVE the future hearing date of JULY 12, 2005 for hearing appeals against the annual confirmation of assessments for the maintenance of the "Van Nuys and Victory Boulevards (and other streets) Sidewalk Maintenance District."

Fiscal Impact Statement: The maintenance district is funded by assessment of abutting property owners. The total assessable amount is \$62,000.00. The assessments will be collected on the 2005-06 property tax bills and deposited into Fund 304, Department 50, Account No. S002.

ITEM NO. (28) - ADOPTED

05-0005-S138

CD 3

RESOLUTION removing the property at 18646 Collins Street from the Rent Escrow Account Program [REAP], (Case No. 7170), 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 24, 2005.  
Assessor I.D. No. 2156-026-023  
Registration No. 0555201

(Notice of Acceptance into the REAP/Rent Reduction Program was released on February 19, 2004)

ITEM NO. (29) - ADOPTED

05-0005-S139

CD 1 RESOLUTION removing the property at 3325-27 1/2 Granada Street from the Rent Escrow Account Program [REAP], (Case No. 7923), 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 24, 2005. Assessor I.D. No. 5454-028-002  
Registration No. 9013095

(Notice of Acceptance into the REAP/Rent Reduction Program was released on February 3, 2005)

ITEM NO. (30) - ADOPTED

05-0005-S140

CD 15 RESOLUTION removing the property at 731-31 1/2 North Bandini Street from the Rent Escrow Account Program [REAP], (Case No. 7959), 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 24, 2005. Assessor I.D. No. 7446-017-009  
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on March 10, 2005)

ITEM NO. (31) - ADOPTED

05-0005-S141

CD 8 RESOLUTION removing the property at 623-25 3/4 West 76th Street from the Rent Escrow Account Program [REAP], (Case No. 8107), 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 24, 2005. Assessor I.D. No. 6020-021-027  
Registration No. 7216781

(Notice of Acceptance into the REAP/Rent Reduction Program was released on April 7, 2005)

ITEM NO. (32) - ADOPTED

05-0005-S142

CD 8 RESOLUTION removing the property at 1257 West 66th Street a.k.a. 6562 South Raymond Avenue from the Rent Escrow Account Program [REAP], (Case No. 8208), 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 24, 2005.  
Assessor I.D. No. 6014-010-016  
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on March 8, 2005)

ITEM NO. (33) - ADOPTED

05-0005-S143

CD 7 RESOLUTION removing the property at 9000 North Orion Avenue from the Rent Escrow Account Program [REAP], (Case No. 8218), 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 24, 2005.  
Assessor I.D. No. 2654-002-046  
Registration No. 0356477

(Notice of Acceptance into the REAP/Rent Reduction Program was released on March 17, 2005)

ITEM NO. (34) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

05-0790

COMMUNICATION FROM THE COMMUNITY DEVELOPMENT DEPARTMENT (CDD) relative to exempting 55 grant-funded positions from Civil Service provisions of the City Charter.

Recommendation for Council action:

RESOLVE that the following positions, in the CDD, BE EXEMPTED from the Civil Service provisions of the City Charter, pursuant to City Charter Section 1001(d)(4):



<u>No.</u>	<u>Code</u>	<u>Class</u>	<u>Program Title</u>
1	1577	Assistant Chief Grants Administrator	Workforce Investment Act
5	1550	Program Aide	Workforce Investment Act
3	1542	Project Assistant	Workforce Investment Act
1	1537	Project Coordinator	Youth & Family Centers
4	1537	Project Coordinator	Workforce Investment Act
38	1546	Senior Project Assistant	Workforce Investment Act
3	1538	Senior Project Coordinator	Workforce Investment Act

These positions are grant funded and are being extended for one additional year for a maximum exemption period of three years. (On March 24, 2005, the Board of Civil Service Commissioners approved the extension of the exemption.)

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

(Personnel Committee waived consideration of the above matter)

ITEM NO. (35) - ADOPTED

03-0591-S2

CD 5 CONSIDERATION OF MOTION (WEISS - PARKS) relative to fund transfer to the Department of Public Works (DPW) and the Department of Transportation (DOT) for traffic mitigation.

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

TRANSFER \$174,021 from the Century City Neighborhood Traffic Protection Trust Fund, Fund 47M, Department 50, Account No. V201, Constellation Place Neighborhood Traffic Mitigation Plan, to the following for the cost of work performed on the Century City Neighborhood Traffic Management Plan during the first quarter of the 2004-05 fiscal year:

a. Department of Transportation, Fund No. 100/94

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1010	Salaries	\$ 6,727
1090	Overtime	\$13,477
3350	Signal and Paint Material	\$ 2,052
3360	Signal Supplies	\$ 6,490
3090	Field Equipment	\$ 1,168
3180	Construction Materials	\$ 885
3040	Contractual Services	\$12,522

b. Department of Public Works, Bureau of Street Services, Fund No. 100/86

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1090	Overtime	\$110,000
3180	Construction Materials	\$ 10,000
3040	Contractual Services	\$ 10,000

c. Department of Public Works, Bureau of Street Lighting, Fund No. 100/84

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1090	Overtime	\$ 700

(Transportation Committee waived consideration of the above matter)

ITEM NO. (36) - ADOPTED

05-1057

CD 1 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).

Recommendation for Council action:

DECLARE the Third Anniversary Certification Celebration and Coffee Conversation, sponsored by the Historic Highland Park Neighborhood Council on May 28, 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. (37) - ADOPTED

05-1058

CD 1 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).

Recommendation for Council action:

DECLARE the Save Our Kids Event, sponsored by the People in Progress on May 27-29, 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. (38) - ADOPTED

03-1044

CD 1 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).

Recommendation for Council action:

DECLARE the Cypress Park Memorial Day Event, sponsored by the First Council District on May 28, 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. (39) - ADOPTED

Roll Call #6 - Motion (Ludlow - Smith) Adopted, Ayes (11); Absent: Hahn, Miscikowski, Reyes and Villaraigosa (4)

05-1059

CD 8 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).

Recommendation for Council action:

DECLARE the 13th Annual Malcolm X Festival, sponsored by FAML Inc., on May 21-22, 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.

Roll Call #4 - Motion (Zine - Greuel) Adopted, Ayes (11); Absent: Hahn, Miscikowski, Reyes and Villaraigosa (4)  
(Item Nos. 40-41)

ITEM NO. (40) - ADOPTED

05-1073-S13

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

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

1. APPROVE the expenditure of \$2,000 from the Council District 12 portion of the Street Furniture Revenue Fund to supplement charter bus services for Council District Twelve.

2. TRANSFER \$2,000 from the Council District 12 portion of the Street Furniture Revenue Fund No. 43D, Department 50 to the Proposition A Fund No. 385, Department 94, Account W266 to fund additional charter bus service solely for the benefit of Council District 12.
3. AUTHORIZE the Chief Legislative Analyst, or designee, to make technical changes to clarify and to implement the intent of this Motion.

ITEM NO. (41) - ADOPTED

04-2218-S1

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

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

TRANSFER \$10,000 in the Council District 14 Real Property Trust Fund, No. 696 to the General City Purposes Fund No. 100-56, Account No. 0714 (CD 14 Community Services) for additional funding and support of neighborhood and community services efforts in Council District Fourteen.

ITEM NO. (42) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #9 - Motion (Zine - Parks) to Adopt as Amended, Ayes (11); Absent: Hahn, Miscikowski, Reyes and Villaraigosa (4)

04-1250-S82

CONTINUED CONSIDERATION OF MOTION (PARKS - MISCIKOWSKI) and AMENDING MOTION (MISCIKOWSKI - ZINE) 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.

A. MOTION (PARKS - MISCIKOWSKI)

Recommendations for Council action:

1. AUTHORIZE by resolution two 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.
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.

B. AMENDING MOTION (MISCIKOWSKI - ZINE)

Recommendation for Council action:

AUTHORIZE by resolution 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.

(Continued from Council meeting of May 24, 2005)

ADOPTED

AMENDING MOTION (ZINE - SMITH)

Recommendation for Council action:

INSTRUCT the City Administrative Officer to report back to the Council within 30 days on the status of the Memorandum of Understanding, or other appropriate agreement, with the Los Angeles Unified School District with respect to providing training and intervention services to public middle and high schools in the City of Los Angeles; and further REQUEST the City Attorney to report back within 30 days on any liability, or other legal issues in connection with this matter.

Roll Call #4 - Motion (Zine - Greuel) Adopted, Ayes (11); Absent: Hahn, Miscikowski, Reyes and Villaraigosa (4)  
(Item Nos. 43-44)

ITEM NO. (43) - MAP APPROVED - CITY ENGINEER REPORT ADOPTED

05-1075

CD 6 FINAL MAP OF TRACT NO. 53970 lying northerly of Bassett Street and easterly of Woodley Avenue.

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

(ADOPT City Engineer Report)

(ADOPT Bond No. C-108048)

(Quimby Fee: \$3,760)

Applicants: Virgil Maravillas

A & A Surveying Company, Inc.

ITEM NO. (44) - MAP APPROVED - CITY ENGINEER REPORT ADOPTED

04-1305

CD 8 PARCEL MAP L.A. NO. 03-5067 lying northerly of Stocker Street and westerly of Santa Rosalia Drive.

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

(ADOPT City Engineer Report)

(ADOPT Bond No. C-108047)

(Quimby Fee: \$662,028)

Applicants: FR Ventures-Quarles Family Trust  
B & E Engineering

Mayor's Veto Message - Item 45

ITEM NO. (45) - NO ACTION TAKEN

05-0600

CONSIDERATION OF THE MAYOR'S VETO MESSAGE, upon receipt, pursuant to Charter Section 315. City Council has five days, excluding Saturdays, Sundays, and holidays, upon receipt of the Mayor's veto to overcome such action of the Mayor relative to any item or items of the budget.

(Mayor has until June 1, 2005 to submit his Veto Message to the City Council, pursuant to Charter Section 314)

Item for Which Public Hearing Has Been Held - Item 46

ITEM NO. (46) - CONTINUED TO JUNE 3, 2005

Roll Call #5 - Motion (Perry - Cardenas) Adopted to Continue, Unanimous Vote (11);  
Absent: Hahn, Miscikowski, Reyes and Villaraigosa (4)

04-1034-S1

CONTINUED CONSIDERATION OF ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT and BUDGET AND FINANCE COMMITTEES' REPORTS relative to Proposition O funding for the purchase and installation of catch basin inserts and coverings (Project).

A. ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE REPORT

Recommendations for Council action:

1. APPROVE the following interim criteria for the selection of said Project as eligible for Proposition O funding:

“Any project that uses any single device or series of devices that traps all particles retained by a 5 mm mesh screen and has a design treatment capacity of not less than the peak flow rate resulting from one-year, one-hour storm in the subdrainage area.”

2. FIND said Project eligible for Proposition O funding.
3. REQUEST the City Attorney to prepare the appropriate documents for the issuance of up to \$17 million in Proposition O general obligation bonds for said installation work and for the reimbursement from Proposition O bond proceeds for monies that were used to front fund said work.

## B. BUDGET AND FINANCE COMMITTEE REPORT

Recommendations for Council action:

1. APPROVE the following interim criteria for the selection of the purchase and installation of catch basin inserts and coverings project as eligible for Proposition O funding:

“Any project that uses any single device or series of devices that traps all particles retained by a 5 mm mesh screen and has a design treatment capacity of not less than the peak flow rate resulting from one-year, one-hour storm in the subdrainage area.”

2. FIND said Project eligible for Proposition O funding.
3. REQUEST the City Attorney to prepare the appropriate documents for the issuance of up to \$10.3 million in Proposition O general obligation bonds for said installation work and for the reimbursement from Proposition O bond proceeds for monies that were used to front fund said work.
4. APPROVE the use of \$6.7 of previously budgeted MICLA funds for said installation; and AUTHORIZE the City Administrative Officer (CAO) to make any technical corrections necessary to complete this action.

Fiscal Impact Statement: The CAO and the Chief Legislative Analyst report that the costs associated with said installation work will be paid through the issuance of up to \$17 million in general obligation bonds from Proposition O. There will be no cost to the General Fund for the installation of said devices.

(Continued from Council meeting of May 27, 2005)

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

01-1042

MOTION (GARCETTI - LABONGE) relative to declaring the Spring Graduation Ceremony on June 7, 2005 a Special Event (fees and costs absorbed by the City = \$914).

05-0010-S23

MOTION (LABONGE - GARCETTI) relative to an offer of reward for information leading to the identification, apprehension and conviction of the person(s) responsible for the death of Maria Louisa Johanna Hamilton on May 5, 2005.

05-0010-S24

MOTION (PERRY - PARKS) relative to an offer of reward for information leading to the identification, apprehension and conviction of the person(s) responsible for the death of Joseph Charles Winterer on May 21, 2005.

05-1078

MOTION (PADILLA for MISCIKOWSKI - LABONGE) relative to relocating a billboard in conjunction with the La Tijera Boulevard street widening project.

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

05-0573 - Jimmie G. Rivers

(Greuel)

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

**Whereupon the Council did adjourn.**

ATTEST: Frank T. Martinez, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL