Los Angeles City Council, Journal/Council Proceedings
Friday, June 17, 2005
John Ferraro Council Chamber, Room 340, City Hall - 10:30 am

- - - SPECIAL COUNCIL MEETING - - -

10:30 A.M. OR AS SOON THEREAFTER
AS COUNCIL RECESSES ITS REGULAR MEETING

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

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

Items for Which Public Hearings Have Been Held - Items 1-2

ITEM NO. (1) - ADOPTED - ORDINANCE OVER ONE WEEK TO JUNE 24, 2005

Roll Call #1 - Motion (Cardenas - Weiss) Adopted, Ayes (11); Absent: Greuel, Hahn, Reyes and Villaraigosa (4)

05-1052

EXEMPTION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to amending and repealing various sections of the Los Angeles Municipal Code (LAMC) to make local administrative changes and incorporate by reference portions of the 2004 Edition of the California Electrical Code.

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

1. FIND that this action is exempt from California Environmental Quality Act (CEQA) pursuant to Article II, Section 2(m) of the City's CEQA Guidelines.

2. ADOPT the FINDINGS and DETERMINATIONS of the Department of Building and Safety as the Findings and Determinations of the Council.
3. **PRESENT and ADOPT** the accompanying **ORDINANCE**, amending Sections 93.0107, 93.0108, 93.0115, 93.0117, 93.0202, 93.0206, 93.0207, 93.0216, 93.0242, 93.0402, 93.0700 and repealing Divisions 8 through 15 of the Article 3, Chapter IX of the LAMC to make local administrative changes and incorporate by reference portions of the 2004 Edition of the California Electrical Code.

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

(Budget and Finance Committee waived consideration of the above matter)

**ITEM NO. (2) - ADOPTED**

Roll Call #3 - Motion (Smith - Cardenas) Adopted, Ayes (11); Absent: Greuel, Hahn, Reyes and Villaraigosa (4)

**05-0548**

**COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT** relative to utilizing an independent rate review process for the review and analysis of proposed water rate increases by the Department of Water and Power (DWP).

**Recommendations for Council action:**

1. **APPROVE** the process for a DWP rate review for both water and power rates as detailed in the March 24, 2005 City Administrative Officer (CAO)/Chief Legislative Analyst (CLA) joint report (attached to the Council file).

2. **INSTRUCT** the CAO and CLA and **REQUEST** the DWP to ensure that all future water and power rate requests follow the process as detailed in the March 24, 2005 CAO/CLA joint report.

3. **APPROVE** the proposed content of the independent review as set forth in the March 24, 2005 CAO/CLA joint report and, subject to receipt of written confirmation from the DWP that an additional water rate increase beyond the 11 percent previously approved is still needed; and, **AUTHORIZE** the CAO and CLA to issue a Request for Proposal (RFP) for an independent review of the DWP’s proposed water rate increase.

4. **INSTRUCT** the CAO and CLA to report back to Council following the completion of a rate review performed in accordance with the steps set forth in the March 24, 2005 CAO/CLA joint report.

5. **REQUEST** the DWP to undergo an independent rate review on an annual basis for both water and power rates.

**Fiscal Impact Statement:** The CAO and CLA report that approval of the process and content of the independent review has no General Fund financial impact.
Closed Session - Item 3

ITEM NO. (3) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Roll Call #2 - Motion (Parks - Miscikowski) Adopted in Open Session, Ayes (11); Absent: Greuel, Hahn, Reyes and Villaraigosa (4)

04-0893-S1

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to retention of outside counsel in the case entitled Estate of Wallace v. City of Los Angeles. (This lawsuit arises out of a wrongful death suit that alleges that former police officer and convicted felon David Mack conspired to kill the well-known rap artist Christopher Wallace, aka Biggie Smalls.)

(Budget and Finance Committee waived consideration of the above matter)

ADOPTED IN OPEN SESSION

MOTION (PARKS - MISCIKOWSKI)

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

1. APPROVE retention of counsel to defend the trial phase that includes the defense of David Mack.

2. AUTHORIZE the City Administrative Officer, in consultation with the City Attorney’s Office, to select counsel with suitable expertise and experience to handle this matter.

(Budget and Finance Committee waived consideration of the above matter)

Councilmember LaBonge moved, seconded by Councilmember Weiss, that the Special Council meeting adjourn.

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

Whereupon the Special Council meeting did adjourn.

ATTEST: Frank T. Martinez, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL