Los Angeles City Council, Journal/Council Proceedings  
Tuesday, June 21, 2005  
John Ferraro Council Chamber, Room 340, City Hall - 10 am

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

ROLL CALL - Members present: Cardenas, Garcetti, Greuel, Hahn, LaBonge, Miscikowski, Parks, Perry, Smith, Weiss, Zine and President Padilla (12); Absent: Ludlow, Reyes and Villaraigosa (3).

SALUTE TO THE FLAG

MOMENT OF INSPIRATION BY CARDINAL ROGER MAHONEY REPRESENTING THE ROMAN CATHOLIC ARCHDIOCESE OF LOS ANGELES

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF JUNE 15, 2005

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 29

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

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

Items for Which Public Hearings Have Been Held - Items 1-31

Roll Call #1 - Motion (Miscikowski - Parks) Adopted, Ayes (12); Absent: Ludlow, Reyes and Villaraigosa (3)  
(Item Nos. 1-21)

ITEM NO. (1) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT AND COMMUNICATION RECOMMENDATIONS - FORTHWITH

04-2350

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT and COMMUNICATION FROM THE EXECUTIVE EMPLOYEE RELATIONS COMMITTEE relative to the appointment of Mr. Rushmore Cervantes as permanent General Manager, El Pueblo de Los Angeles Historical Monument (El Pueblo).
ADOPTED

A. ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT

Recommendation for Council action:

RESOLVE that the Mayor’s appointment of Mr. Cervantes as permanent General Manager of El Pueblo is APPROVED and CONFIRMED. (Interim appointment expires on June 21, 2005).

Ethics Commission Review: Pending

TIME LIMIT FILE - JULY 10, 2005

(LAST DAY FOR COUNCIL ACTION - JULY 8, 2005)

ADOPTED

B. COMMUNICATION FROM THE EXECUTIVE EMPLOYEE RELATIONS COMMITTEE

Recommendation for Council action:

RESOLVE that the salary rate of pay for the position of permanent General Manager, El Pueblo, shall BE ESTABLISHED, as recommended by the Mayor and approved by the Executive Employee Relations Committee.

(Council may recess to Closed Session, pursuant to Government Code 54957.6, relative to the above salary recommendation)

ITEM NO. (2) - ADOPTED - TO THE MAYOR FORTHWHITH

05-0446

ORDINANCE SECOND CONSIDERATION ordering confirmation, levy and collection of annual assessments for Fiscal Year (FY) 2005-06 for City of Los Angeles Landscaping and Lighting District 96-1, pursuant to provisions of the Landscaping and Lighting Act of 1972 (Division 15, Part 2, Streets and Highways Code, State of California) and approving the assessment diagram for FY 2005-06.

(Recommendations of L.A. for Kids Steering Committee adopted as amended on June 14, 2005)

ITEM NO. (3) - ADOPTED

04-1911

CD 11

ORDINANCE SECOND CONSIDERATION levying the assessments and ordering the maintenance of the Armacost Avenue and Wilshire 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. (4) - ADOPTED 04-1954 CD 2 ORDINANCE SECOND CONSIDERATION abandoning all proceedings relating to the MTA-Chandler Boulevard and Colfax 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. (5) - ADOPTED 04-1955 CD 2 ORDINANCE SECOND CONSIDERATION abandoning all proceedings relating to the MTA-Chandler Boulevard and Laurel Canyon Boulevard-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 04-1956 CD 2 ORDINANCE SECOND CONSIDERATION abandoning all proceedings relating to the MTA-Chandler Boulevard and Whitsett 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. (7) - ADOPTED 04-1973 CD 4 ORDINANCE SECOND CONSIDERATION abandoning all proceedings relating to the Fair Avenue and Chandler 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. (8) - ADOPTED 04-1974 CD 2 ORDINANCE SECOND CONSIDERATION abandoning all proceedings relating to the Tuxford Place and Sunland 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. (9) - ADOPTED 04-1975 CD 6 ORDINANCE SECOND CONSIDERATION abandoning all proceedings relating to the Troost Avenue and Cantara 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

04-2531
CD 6  ORDINANCE OF INTENTION SECOND CONSIDERATION setting AUGUST 16, 2005 as the hearing date for the maintenance of Lorne Street and Ledge Avenue Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID of the California Constitution and Government Code Section 53753.

(Communication from the Bureau of Street Lighting adopted on June 14, 2005)

ITEM NO. (11) - ADOPTED

04-2638
CD 12  ORDINANCE OF INTENTION SECOND CONSIDERATION setting AUGUST 16, 2005 as the hearing date for the maintenance of De Soto Avenue and San Jose Street Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID of the California Constitution and Government Code Section 53753.

(Communication from the Bureau of Street Lighting adopted on June 14, 2005)

ITEM NO. (12) - ADOPTED

04-2639
CD 6  ORDINANCE OF INTENTION SECOND CONSIDERATION setting AUGUST 16, 2005 as the hearing date for the maintenance of Laurel Canyon Boulevard and Sheldon Street Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID of the California Constitution and Government Code Section 53753.

(Communication from the Bureau of Street Lighting adopted on June 14, 2005)

ITEM NO. (13) - ADOPTED

04-2640
CD 3  ORDINANCE OF INTENTION SECOND CONSIDERATION setting AUGUST 16, 2005 as the hearing date for the maintenance of Saticoy and Keswick Streets Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID of the California Constitution and Government Code Section 53753.

(Communication from the Bureau of Street Lighting adopted on June 14, 2005)

ITEM NO. (14) - ADOPTED

04-2641
CD 6  ORDINANCE OF INTENTION SECOND CONSIDERATION setting AUGUST 16, 2005 as the hearing date for the maintenance of Van Nuys Boulevard Park and Ride Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID of the California Constitution and Government Code Section 53753.

(Communication from the Bureau of Street Lighting adopted on June 14, 2005)
ITEM NO. (15) - ADOPTED

04-2662
CD 9 ORDNANCE OF INTENTION SECOND CONSIDERATION setting AUGUST 16, 2005 as the hearing date for the maintenance of First and Los Angeles Streets Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID of the California Constitution and Government Code Section 53753.

(Communication from the Bureau of Street Lighting adopted on June 14, 2005)

ITEM NO. (16) - ADOPTED

04-2663
CD 3 ORDNANCE OF INTENTION SECOND CONSIDERATION setting AUGUST 16, 2005 as the hearing date for the maintenance of Corbin Avenue and Wells Drive Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID of the California Constitution and Government Code Section 53753.

(Communication from the Bureau of Street Lighting adopted on June 14, 2005)

ITEM NO. (17) - ADOPTED

04-2664
CD 2 ORDNANCE OF INTENTION SECOND CONSIDERATION setting AUGUST 16, 2005 as the hearing date for the maintenance of Morella Avenue and Welby Way Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID of the California Constitution and Government Code Section 53753.

(Communication from the Bureau of Street Lighting adopted on June 14, 2005)

ITEM NO. (18) - ADOPTED

04-0600-S51 BUDGET AND FINANCE COMMITTEE REPORT relative to the status of liability claims accounts for the month ending April 30, 2005.

Recommendation for Council action:

NOTE and FILE the City Attorney report relative to the status of liability claims accounts for the month ending April 30, 2005, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

(The City Council may recess to Closed Session, pursuant to Government Code Section 54956.9(a) and/or (b), to confer with its legal council relative to the above matter.)
ITEM NO. (19) - ADOPTED

05-0718  CD 2  BUDGET AND FINANCE COMMITTEE REPORT relative to establishing a Sherman Oaks Library Square Traffic Management Trust Fund.

Recommendation for Council action, pursuant to Motion (Greuel - Weiss):

REQUEST the City Attorney to prepare and present an ordinance establishing a Sherman Oaks Library Square Traffic Management Trust Fund for the receipt of contributions from the Best Buy developer, as well as other sources, for the development of traffic management and related measures to benefit the Library Square neighborhood in Sherman Oaks, and for expenditure of such funds to be authorized by the Councilmember of the Second District with the community input.

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

ITEM NO. (20) - ADOPTED

05-0988  BUDGET AND FINANCE COMMITTEE REPORT relative to annual Reserve Fund loan review.

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

1. INSTRUCT the departments with loans that appear in the City Administrative Officer (CAO) report Attachment 1, attached to the Committee report, under the category of “Loans to be Repaid by June 30, 2005,” to work with the Controller to reimburse the Reserve Fund before June 30, 2005.

2. APPROVE the write-off of $2,927,385 in Reserve Fund loans and advances listed in CAO Attachment 1.

3. INSTRUCT departments with pending billings to work with the special fund administrators and report back to the CAO in 60 days on the status of the $1,387,419 in loans listed on CAO Attachment 1 as requiring further analysis.

4. INSTRUCT departments to continue to submit invoices as soon as possible to the appropriate City department(s) in order to recover Reserve Fund loans made for special fund expenditures.

Fiscal Impact Statement: None submitted by the CAO. The Chief Legislative Analyst has not completed a financial analysis of this report.

ITEM NO. (21) - ADOPTED

05-1114  BUDGET AND FINANCE COMMITTEE REPORT relative to a request for waiver of penalty filed by J.P. Morgan Securities, Inc.
Recommendation for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

APPROVE the request for waiver of penalty filed by J.P. Morgan Securities, Inc., in the amount of $154,194.33.

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

ITEM NO. (22) - ADOPTED - ADDITIONAL MOTION ADOPTED - SEE FOLLOWING

Roll Call #7 - Motion (Cardenas - Garcetti) Adopted, Ayes (10 ); Noes: Hahn (1); Absent: Ludlow, Reyes, Villaraigosa and Weiss (4)

05-1090

COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to Gas Acquisition and Operating Agency Agreement No. 47433-5 with the Southern California Public Power Authority (SCPPA) for developing and operating natural gas fields.

Recommendation for Council action:

CONCUR with Resolution No. 005-264 as adopted by the Board of Water and Power Commissioners (Board) on May 23, 2005, APPROVE Gas Acquisition and Operating Agency Agreement No. 47433-5 and AUTHORIZE the President of the Board or the General Manager of the Department of Water and Power (DWP) and the Board Secretary to execute Agreement No. 47433-5 with the SCPPA to provide those administrative and operational resources and requirements as shall be necessary to develop, operate, and carry forth the DWP’s interests and objectives in any physical natural gas field acquisition.

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

ADOPTED

MOTION (MISCIKOWSKI - LABONGE)

Recommendation for Council action:

REQUEST the Department of Water and Power to report periodically through the Commerce, Energy and Natural Resources Committee on the status of the agreement with the Southern California Public Power Authority, and any acquisition of property in connection with developing and operating natural gas fields.
Roll Call #1 - Motion (Miscikowski - Parks) Adopted, Ayes (12); Absent: Ludlow, Reyes and Villaraigosa (3) (Item Nos. 23-31)

ITEM NO. (23) - ADOPTED

05-1186

PERSONNEL COMMITTEE REPORT relative to exempting one position of Assistant Director Bureau of Sanitation from the Civil Service provisions of the City Charter.

Recommendation for Council action:

APPROVE the exemption of one position of Assistant Director Bureau of Sanitation, Code 7225, from the Civil Service provisions of the City Charter, pursuant to City Charter Section 1001(b). This position was previously exempted on February 19, 1999 (Council file No. 98-0575) and will function in the reorganized Bureau of Sanitation as Treatment Plant Manager over four treatment plants.

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

TIME LIMIT FILE - JULY 5, 2005

(LAST DAY FOR COUNCIL ACTION - JULY 5, 2005)

ITEM NO. (24) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS - TO THE MAYOR FORTHWITH - SEE FOLLOWING

04-2499-S1

COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER relative to the proposed agreement with RCC Consultants, Inc. for a Regional Radio Interoperability Study.

(Public Safety and Budget and Finance Committees' reports to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comments will be provided. Information Technology and General Services Committee waived consideration of the above matter.)

(For background reports and materials related to this matter, contact the Legislative Assistant for the Public Safety Committee at 213-978-1073)

ADOPTED

PUBLIC SAFETY COMMITTEE REPORT relative to proposed agreement with RCC Consultants, Inc. for a Regional Radio Interoperability Study.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:
1. AUTHORIZE the Fire Chief to negotiate and execute a contract with RCC Consultants, Inc. for the Radio Interoperability Study in an amount not to exceed $538,000, with concurrence of the Chief Legislative Analyst (CLA), the City Administrative Officer (CAO), and the City Attorney, as substantially outlined in the pro forma contract attached to the CAO report dated June 20, 2005, attached to the Council file.

2. DIRECT the Los Angeles Fire Department (LAFD), CLA, CAO and City Attorney to expeditiously work to resolve all outstanding contract issues.

3. AUTHORIZE the Mayor’s Criminal Justice Planning Office (MCJPO) to expend homeland security grant funds from the Fiscal Year 2004 Urban Area Security Initiative (FY ‘04 UASI) grant program in the amount of $398,000 for the RCC Radio Interoperability study.

4. APPROVE a loan from the Reserve Fund in the amount of $140,000 to the Homeland Security Assistance Fund, No. 47N, for the Los Angeles County-related portion of the RCC Radio Interoperability Study and AUTHORIZE the MCJPO to expend these funds for this purpose, such loan to be repaid with grant reimbursements from the County of Los Angeles (County).

5. INSTRUCT the LAFD to submit grant reimbursement requests to the County in the cumulative amount of $140,000 for the RCC Radio Interoperability Study contract.

6. AUTHORIZE the MCJPO to establish a receivable in the amount of $140,000 in the Homeland Security Assistance Fund No. 47N (Fund), for grant reimbursements from the County for the RCC Radio Interoperability Study; create an appropriation account for these funds, such account number to be determined by the MCJPO; deposit the grant reimbursements from the County of Los Angeles in to the Fund; and transfer these grant reimbursements to the Reserve Fund to repay the $140,000 Reserve Fund loan.

7. AUTHORIZE the MCJPO to prepare technical adjustments to the Controller’s instructions if necessary, subject to the review and approval of the CAO.

Fiscal Impact Statement:  The CAO reports that the $538,000 contract with RCC Consultants, Inc. for a public safety radio communications interoperability study will be paid with Fiscal Year (FY) 2004 Urban Area Security Initiative (FY ‘04 UASI) grant funds in the amount of $398,000 and grant reimbursements from County’s portion of the 2005 State Homeland Security Grant (FY ’05 SHSGP) in the amount of $140,000. There is no local match required for this grant-funded project. This transaction complies with the City’s Financial Policies.

(Information Technology and General Services and Budget and Finance Committees waived consideration of the above matter.)

ITEM NO. (25) - ADOPTED, *AS AMENDED - SEE FOLLOWING

03-0618 CD 9 CONTINUED CONSIDERATION OF MITIGATED NEGATIVE DECLARATION and PUBLIC WORKS COMMITTEE REPORT relative to vacating Banning Street from Vignes Street to approximately 400 feet westerly.
Recommendations for Council action:

1. FIND that Mitigated Negative Declaration No. ENV 2002-5755-MND issued by the City Planning Department Environmental Staff Advisory Committee under ZA 2002-5754(CU), pursuant to the City of Los Angeles Environmental Guidelines complies with the California Environmental Quality Act of 1970 for said vacation.

2. ADOPT the FINDINGS of the revised City Engineer dated April 1, 2005, as the Findings of the Council.

3. ADOPT the accompanying revised City Engineer report dated April 1, 2005 to approve the vacation.

4. INSTRUCT the City Clerk to set a public hearing date for JULY 6, 2005 *AUGUST 3, 2005. *(Smith - LaBonge)

Fiscal Impact Statement: The City Engineer reports that the petitioner has paid $6,540 for the investigation of this request pursuant to Section 7.42 of the Los Angeles Administrative Code (LAAC). Any deficit fee to recover the cost pursuant to Section 7.44 of the LAAC will be required of the petitioner.

(Continued from Council meeting of June 7, 2005)

ITEM NO. (26) - ADOPTED, *AS AMENDED - SEE FOLLOWING

03-1183 CD 1 MITIGATED NEGATIVE DECLARATION and PUBLIC WORKS COMMITTEE REPORT relative to vacating Boston Street and Bunker Hill Avenue lying southeasterly of Figueroa Street and southwesterly of Cesar E. Chavez Avenue.

Recommendations for Council action:

1. FIND that Mitigated Negative Declaration No. ENV 2003-7521-MND-REC filed with the Los Angeles County Clerk on January 7, 2005, pursuant to the City of Los Angeles Environmental Guidelines complies with the California Environmental Quality Act of 1970 for the vacation of Boston Street and Bunker Hill Avenue lying southeasterly of Figueroa Street and southwesterly of Cesar E. Chavez Avenue. Said document (No. PI 242-04 filed on October 21, 2004) is located in Council file No. 03-1183 in the custody of the City Clerk.

2. ADOPT the FINDINGS of the City Engineer dated February 18, 2005, as the Findings of the Council.

3. ADOPT the accompanying City Engineer report dated February 18, 2005 to approve the vacation of Boston Street and Bunker Hill Avenue lying southeasterly of Figueroa Street and southwesterly of Cesar E. Chavez Avenue, shown colored blue in Exhibit B of said report.

4. DENY the vacation of the areas colored orange in Exhibit B in the City Engineer report dated February 18, 2005.
5. AMEND Condition No. 13 in the City Engineer report dated February 18, 2005 to read:

That arrangements be made with the Los Angeles County Metropolitan Transportation Authority (MTA) for the guarantee of the relocation of the existing five-bus layover zone, during construction of the project and permanently, to a location close to the current bus layover zone (on Bunker Hill Avenue) in a manner that meets the requirements of the MTA. Before submitting proposed plans to the City for the relocation of MTA’s existing five-bus layover zone, during construction of the project and permanently, the petitioner shall obtain the MTA’s written concurrence that the proposed relocation meets the MTA’s operational requirements. The new layover zone shall include a unisex restroom, to be maintained by the petitioner, within 625 feet of the southernmost bus-space in the layover zone.

6. INSTRUCT the City Clerk to set a public hearing date for AUGUST 3, 2005 *JULY 26, 2005.

*(Smith - LaBonge)

Fiscal Impact Statement: The City Engineer reports that the petitioner has paid $6,540 for the investigation of this request pursuant to Section 7.42 of the Los Angeles Administrative Code (LAAC). Any deficit fee to recover the cost pursuant to Section 7.44 of the LAAC will be required of the petitioner. Maintenance of the public easement by City forces will be eliminated.

ITEM NO. (27) - ADOPTED, *AS AMENDED - SEE FOLLOWING

03-2106
CD 7

PUBLIC WORKS COMMITTEE REPORT relative to a fund transfer for providing asphalt for the Lakeview Terrace Green Recycling Facility construction project (Project).

Recommendations for Council action, pursuant to Motion (Cardenas - Padilla), SUBJECT TO THE APPROVAL OF THE MAYOR:

1. INSTRUCT the Bureau of Street Services (BOSS) to provide asphalt and emulsified asphalt to the Bureau of Sanitation (BOS) for the construction of Lakeview Terrace Green Recycling Facility located at the Lopez Canyon Landfill.

2. APPROPRIATE $154,350 from the Department of Public Works Fund No. 46P/50, Appropriation Account No. T311 to the BOSS Fund No. 100/86, Account No. 3030, Construction Expense

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

TRANSFER $154,350 from the Public Works Fund No. 46P/50 Appropriation Account No. T311, to the Street Services Fund No. 100-86, Account No. 3030 (Construction Expense), for the Lakeview Terrace Green Recycling Facility construction project.
3. REQUEST the Controller to reimburse the General Fund on an as-needed basis upon receipt of proper documentation from the Department of Public Works.

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

**ITEM NO. (28) - ADOPTED**

**04-0613 CD 14**  CATEGORICAL EXEMPTION and PUBLIC WORKS COMMITTEE REPORT relative to vacating the alley northeasterly of Cesar E. Chavez Avenue between State Street and the Golden State Freeway.

**Recommendations for Council action:**

1. FIND that the vacation is categorically exempt from the California Environmental Quality Act of 1970, pursuant to Article VII, Class 5(3) of the City of Los Angeles Environmental Guidelines.

2. ADOPT the FINDINGS of the City Engineer dated September 28, 2004, as the Findings of the Council.

3. ADOPT the accompanying City Engineer report dated September 28, 2004 to approve the vacation.

4. INSTRUCT the City Clerk to set a public hearing date for AUGUST 10, 2005.

**Fiscal Impact Statement:** The City Engineer reports that the petitioner has paid $6,5470 for the investigation of this request pursuant to Section 7.42 of the Los Angeles Administrative Code (LAAC). Any deficit fee to recover the cost pursuant to Section 7.44 of the LAAC will be required of the petitioner. Maintenance of the public easement by City forces will be eliminated.

**ITEM NO. (29) - ADOPTED**

**04-1774 CD 12**  CATEGORICAL EXEMPTION and PUBLIC WORKS COMMITTEE REPORT relative to vacating Zelzah Avenue (portion of westerly side) from approximately 945 feet to 1610 feet northerly of Rexbon Road.

**Recommendations for Council action:**

1. FIND that the vacation is categorically exempt from the California Environmental Quality Act of 1970, pursuant to Article VII, Class 5(3) of the City of Los Angeles Environmental Guidelines.

2. ADOPT the FINDINGS of the City Engineer dated March 15, 2005, as the Findings of the Council.
3. ADOPT the accompanying City Engineer report dated March 15, 2005 to approve the vacation.

4. INSTRUCT the City Clerk to set a public hearing date for AUGUST 10, 2005.

**Fiscal Impact Statement:** The City Engineer reports that on March 25, 2003, the City Council adopted the Motion (Bernson - Padilla) granting a no-fee vacation to Farzin Halavy for said vacation request (Council file No. 03-0505). The City Engineer states that to date an estimated $2,732.76 has been expended in the investigation and processing of said vacation request. Approximately $10,000 will be required from the General Fund to complete said proceedings. Maintenance of the public easement by City forces will be eliminated.

**ITEM NO. (30) - ADOPTED**

05-0942

CD 15  PUBLIC WORKS COMMITTEE REPORT relative to a fund transfer for paving repair work for Fries Avenue in Wilmington.

Recommendations for Council action, pursuant to Motion (Hahn - Miscikowski), SUBJECT TO THE APPROVAL OF THE MAYOR:

1. INSTRUCT the Bureau of Street Services (BOSS) to perform paving repair work for Fries Avenue in Wilmington.

2. TRANSFER and APPROPRIATE $133,863 from the Harbor Department Revenue Fund No. 702 to the Department of Public Works, BOSS Fund No. 100/86, Account No. 1090, Overtime Salaries.

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

**ITEM NO. (31) - ADOPTED**

04-2151

TRANSPORTATION COMMITTEE REPORT relative to a month-to-month contract extension with Safe Moves to continue the School Bicycle Safety and Transit Education Program.

Recommendation for Council action, as initiated by Motion (Villaraigosa - Perry):

AUTHORIZE the General Manager, Department of Transportation (DOT), to execute a month-to-month extension of the current contract until a new contract is executed, but not to exceed six months following the expiration of the current contract.

**Fiscal Impact Statement:** The DOT reports that there is no fiscal impact to the City General Fund. Proposition C Local Transportation Assistance funds are used to pay the contractor.
Items for Which Public Hearings Have Not Been Held - Items 32-53
(10 Votes Required for Consideration)

ITEM NO. (32) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION
- ORDINANCE OVER TO JUNE 28, 2005

Roll Call #7 - Motion (Cardenas - Garcetti) Adopted, Ayes (10); Noes: Hahn (1); Absent: Ludlow, Reyes, Villaraigosa and Weiss (4)

05-1090

COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to approving the Natural Gas Project Gas Acquisition and Operating Agency Agreement (Project C) with the Southern California Public Power Authority (SCPPA).

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

PRESENT and ADOPT the accompanying ORDINANCE approving the Natural Gas Acquisition and Operating Agreement (Project C) between the Southern California Public Power Authority and the City of Los Angeles acting by and through the Department of Water and Power, Agreement No. 47433-5 pursuant to Charter Section 674(a).

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

(Commerce, Energy and Natural Resources Committee waived consideration of the above matter)

Roll Call #2 - Motion (Cardenas - Perry) Adopted, Ayes (12); Absent: Ludlow, Reyes and Villaraigosa (3)
(Item Nos. 33-43)

ITEM NO. (33) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

04-2013-S1
CD 7

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of GLENOAKS BOULEVARD AND ROXFORD STREET NO. 1 LIGHTING DISTRICT.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated January 26, 2005.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of SEPTEMBER 6, 2005 as the hearing date for the maintenance of Glenoaks Boulevard and Roxford Street No. 1 Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID of the California Constitution and Government Code Section 53753.
Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $277.20 will be collected annually starting with tax year 2005-06 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: August 29, 2005)

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

05-0141
CD 9
COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of SAN PEDRO AND THIRD STREETS LIGHTING DISTRICT.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated January 21, 2005.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of SEPTEMBER 6, 2005 as the hearing date for the maintenance of San Pedro and Third Streets Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $30.23 will be collected annually starting with tax year 2005-06 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: August 29, 2005)

ITEM NO. (35) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

05-0142
CD 6
COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of ENADIA WAY AND BURNET AVENUE LIGHTING DISTRICT.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated January 21, 2005.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of SEPTEMBER 6, 2005 as the hearing date for the maintenance of Enadia Way and Burnet Avenue Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID of the California Constitution and Government Code Section 53753.
**Fiscal Impact Statement:** The Bureau of Street Lighting reports that if adopted, $189.33 will be collected annually starting with tax year 2005-06 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: August 29, 2005)

**ITEM NO. (36) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS**

**05-0272 CD 3**

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

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated February 11, 2005.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of SEPTEMBER 6, 2005 as the hearing date for the maintenance of Linnet Street and Mecca Avenue Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID of the California Constitution and Government Code Section 53753.

**Fiscal Impact Statement:** The Bureau of Street Lighting reports that if adopted, $524.78 will be collected annually starting with tax year 2005-06 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: August 29, 2005)

**ITEM NO. (37) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS**

**05-0273 CD 3**

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

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated February 11, 2005.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of SEPTEMBER 6, 2005 as the hearing date for the maintenance of Hatteras Street and Yolanda Avenue Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID of the California Constitution and Government Code Section 53753.
Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $1,553.68 will be collected annually starting with tax year 2005-06 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: August 29, 2005)

ITEM NO. (38) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

05-0274 CD 5

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

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated February 11, 2005.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of SEPTEMBER 6, 2005 as the hearing date for the maintenance of Densmore Avenue and Morrison Street Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $489.60 will be collected annually starting with tax year 2005-06 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: August 29, 2005)

ITEM NO. (39) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

05-0275 CD 2

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

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated February 11, 2005.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of SEPTEMBER 6, 2005 as the hearing date for the maintenance of Arminta Street and Nagle Avenue Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID of the California Constitution and Government Code Section 53753.
Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $812.81 will be collected annually starting with tax year 2005-06 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: August 29, 2005)

ITEM NO. (40) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

05-0763 CD 13 CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for 5445-51 West Sunset Boulevard.

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970, pursuant to Article VII, Class 5(5) of the City's Environmental Guidelines.

2. FIND that this acceptance of the irrevocable offer of dedication is in substantial conformance with the General Plan, pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.

3. ADOPT the City Engineer report dated March 4, 2005, and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 5445-51 West Sunset Boulevard.

4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of $1,807.23 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of $1,689 and a seven percent surcharge in the amount of $118.23 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.

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

05-0784 CD 6 CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for 8045 North Woodley Avenue.

Recommendations for Council action:
1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970, pursuant to Article VII, Class 5(5) of the City's Environmental Guidelines.

2. FIND that this acceptance of the irrevocable offer of dedication of land is in substantial conformance with the General Plan, pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.

3. ADOPT the City Engineer report dated March 3, 2005, and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 8045 North Woodley Avenue.

4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of $1,807.23 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of $1,689 and a seven percent surcharge in the amount of $118.23 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.

ITEM NO. (42) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for 7230 North Tujunga Avenue.

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970, pursuant to Article VII, Class 5(5) of the City's Environmental Guidelines.

2. FIND that this acceptance of the irrevocable offer of dedication of land is in substantial conformance with the General Plan, pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.

3. ADOPT the City Engineer report dated March 3, 2005, and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 7230 North Tujunga Avenue.

4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.
Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of $1,807.23 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of $1,689 and a seven percent surcharge in the amount of $118.23 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.

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

05-0786
CD 6

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for 7234 North Woodley Avenue.

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970, pursuant to Article VII, Class 5(5) of the City's Environmental Guidelines.

2. FIND that this acceptance of the irrevocable offer of dedication of land is in substantial conformance with the General Plan, pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.

3. ADOPT the City Engineer report dated March 3, 2005, and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 7234 North Woodley Avenue.

4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of $1,807.23 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of $1,689 and a seven percent surcharge in the amount of $118.23 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.

ITEM NO. (44) - ADOPTED

Roll Call #8 - Motion (Perry - Parks) Adopted, Ayes (11); Absent: Ludlow, Reyes, Villaraigosa and Weiss (4)

05-0731

CONSIDERATION OF MOTION (PERRY - PADILLA - HAHN - PARKS) relative to the need to establish mechanisms to address school violence and to develop prevention programs.
Recommendations for Council action:

1. DIRECT the Human Relations Commission, the City Attorney (Dispute Resolution), and the Community Development Department (LA Bridges II) to report with recommendations for establishing a response to major school violence incidents.

2. DIRECT the Human Relations Commission to report on establishing a program with the Los Angeles Unified School District (LAUSD) to bring resources together, including community and other non-profit organizations, to develop a comprehensive program to address school violence including prevention programs.

3. DIRECT the Chief Legislative Analyst and the City Administrative Officer to report with recommendations to establish a cooperative effort including possibly a Memorandum of Understanding or other mechanism between the City Council, the LAUSD, and the Superintendent of Schools which would address the problem of school violence incidents on a long-term basis, including the development of classes and training sessions for students on human relations issues, as well as on mechanisms for dispute resolution.

(Education and Neighborhoods Committee waived consideration of the above matter)

Roll Call #2 - Motion (Cardenas - Perry) Adopted, Ayes (12); Absent: Ludlow, Reyes and Villaraigosa (3)
(Item Nos. 45-50)

ITEM NO. (45) - ADOPTED

04-1231 CD 7
MOTION (PADILLA - GREUEL) relative to declaring the American Heroes Air Show on June 25, 2005 a Special Event (fees and costs absorbed by the City = $7,000).

Recommendation for Council action:

DECLARE the American Heroes Air Show, sponsored by the Offices of Councilmembers Padilla and Greuel on June 25, 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 fees and costs that may be associated with the use of facilities under the jurisdiction of the Board of Recreation and Park Commissioners.

ITEM NO. (46) - ADOPTED

05-1220 CD 7
MOTION (PADILLA - GREUEL) relative to declaring the Council District Seven Community Cleanup on June 18, 2005 a Special Event (fees and costs absorbed by the City = $3,800).

Recommendation for Council action:
DECLARE the Council District Seven Community Cleanup, sponsored by the Office of Council District Seven on June 18, 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. (47) - ADOPTED

05-1221 CD 13  MOTION (GARCETTI - GREUEL) relative to declaring the premier of Herbie Fully Loaded on June 19, 2005 a Special Event (event sponsor to reimburse the City for all fees and cost incurred).

Recommendation for Council action:

DECLARE the premier of Herbie Fully Loaded, sponsored by Buena Vista Theatres, Inc., and Walt Disney Pictures on June 19, 2005, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion.

ITEM NO. (48) - ADOPTED

03-1226 CD 9  MOTION (REYES for PERRY - GREUEL) relative to declaring the X Games 11 Ticket Sales Kickoff on June 15, 2005 a Special Event (event sponsor to reimburse the City for all fees and cost incurred).

Recommendation for Council action:

DECLARE the X Games 11 Ticket Sales Kickoff, sponsored by the ESPN X Games 11 on June 15, 2005, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion.

ITEM NO. (49) - ADOPTED

05-1222 CD 13  MOTION (SMITH - GARCETTI) relative to initiating street vacation proceedings for a portion of the of the southerly side of Temple Street from Smilax Street to approximately 215 feet westerly 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 southerly side of Temple Street from Smilax Street to approximately 215 feet westerly 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. (50) - ADOPTED

04-0863

MOTION (REYES - WEISS) relative to Request For Proposals (RFP) for the planning, financing, producing and staging of the 2005 El Grito event.

Recommendations for Council action:

1. INSTRUCT the Department of General Services (GSD), with assistance and support from the Cultural Affairs Department and the participation of the Office of the Mayor, the Chief Legislative Analyst and the Office of Council District One, to prepare and issue a RFP for the planning, financing, producing and staging of El Grito, as detailed in the Motion.

2. INSTRUCT and AUTHORIZE the General Manager, GSD, to release the RFP as expeditiously as possible, and to select, execute, negotiate and award the contract to produce the 2005 El Grito event.

ITEM NO. (51) - MAP APPROVED - CITY ENGINEER REPORT ADOPTED

Roll Call #6 - Motion (Smith - Parks) Adopted, Ayes (12); Absent: Ludlow, Reyes and Villaraigosa (3)

05-1211

CD 14 FINAL MAP OF TRACT NO. 60066 lying southerly of First Street and easterly of Utah Street.
(ADOPT City Engineer Report)
(Quimby Fee: $259,350)
Applicants: Housing Authority of the City of Los Angeles
 Ron Martin & Associates

Roll Call #2 - Motion (Cardenas - Perry) Adopted, Ayes (12); Absent: Ludlow, Reyes and Villaraigosa (3)
(Item Nos. 52-53)

ITEM NO. (52) - MAP APPROVED - CITY ENGINEER REPORT ADOPTED

05-1253

CD 2 FINAL MAP OF TRACT NO. 54396 lying northerly of Guerin Street and westerly of Radford Avenue.
(Approve Subdivision Improvement Agreement and Contract with attached security documents)
(ADOPT City Engineer Report)
(ADOPT Bond No. C-108054)
(Quimby Fee: $70,525)
(Less Dwelling Unit Construction Tax: $6,200)
Applicants: Studio Villas, LLC
 Gary Safronoff
ITEM NO. (53) - MAP APPROVED - CITY ENGINEER REPORT ADOPTED

05-1252
CD 11 PARCEL MAP L.A. NO. 2002-4187 lying southerly of Galleon Street and easterly of Pacific Avenue.
(Approve Subdivision Improvement Agreement and Contract with attached security documents)
(ADOPT City Engineer Report)
(ADOPT Bond No. C-108053)
(Quimby Fee: $11,304)
Applicants: Robert Shultz
Reynaldo E. De Leon, R.C.E.

Closed Sessions - Items 54-55

ITEM NO. (54) - MEETING HELD - ACTION TAKEN IN CLOSED SESSION

The City Council shall recess to Closed Session, pursuant to Government Code Section 54957.6, to consider recommendations of the Executive Employee Relations Committee concerning further bargaining instructions to the City Administrative Officer, and other issues involving employee wages and benefits with respect to the following:

a. Department of Water and Power Bargaining Instructions

b. Police Consent Decree Meet and Confer Issues
United States of America v. City of Los Angeles, etc., et al., United Stated District Court Case No. CV 00-11796 GAF (RcX) Conference with Legal Counsel - Existing Litigation, California Government Code Section 54956.9(a)

ITEM NO. (55) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING - TO THE MAYOR FORTHWITH

Roll Call #9 - Motion (Miscikowski - Parks) Adopted in Open Session, Ayes (10); Absent: Hahn, Ludlow, Reyes, Villaraigosa and Weiss (5)

05-1214
The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to settlement in the case entitled Friends of Ballona Wetlands v. the Coastal Commission, City of Los Angeles, et al., Real Parties in Interest, Superior Court Case No. C 525 826.

(Planning and Land Use Management Committee waived consideration of the above matter)
ADOPTED IN OPEN SESSION

MOTION (MISCIKOWSKI - PARKS)

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

AUTHORIZE the City Attorney to enter into a stipulation for entry of judgment on behalf of the City, as summarized below:

a. The Developer agrees not to seek any new or modified approvals that would have an impact materially more adverse than that permitted by the development currently approved, and agrees, as a contractual matter, that it will not complete the final phase of the development until it has completed all the required traffic and ecological improvements.

b. The Developer agrees to pay an additional $750,000, for a total amount of $1,375,000 to achieve various interim restoration measures benefitting the Ballona Wetlands.

c. The Developer agrees to designate a 1.7 acre site within the First Phase area for an outdoor wetlands interpretive center, and, along with the Friends, to partially fund that center. The Developer’s minimum contribution will be $1,400,000.

d. The Developer agrees to maintain the Freshwater Wetlands System and provide financial assurances with respect to that obligation.

Items for Which Public Hearings Have Not Been Held - Item 56-57
(10 Votes Required for Consideration)

Roll Call #3 - Motion (Weiss - Zine) Adopted, Ayes (12); Absent: Ludlow, Reyes and Villaraigosa (3)
(Item Nos. 56-57)

ITEM NO. (56) - ADOPTED

05-1275

MOTION (WEISS - ZINE) relative to approving a personal services contract with Stephen Ross to provide supplementary and independent expertise on cable franchising, and to serve as the lead negotiator on cable franchise renewal and transfer negotiations.

Recommendations for Council action:

1. APPROVE the personal services contract with Mr. Stephen Ross to provide supplementary and independent expertise on cable franchise renewal and transfer negotiations, as set forth in the contract, attached to the Council file.
2. AUTHORIZE the Chief Legislative Analyst to execute the contract on behalf of the City; and further, AUTHORIZE and INSTRUCT the City Clerk and Information and Technology Agency to encumber the necessary funds against the Telecommunications Development Account, Fund 342, Account 014W to pay for the invoiced services, pursuant to the terms and conditions of the contract.

ITEM NO. (57) - ADOPTED - TO THE MAYOR FORTHWITH

04-0046-S10
CD 7  MOTION (PADILLA - GARCETTI) relative to authorizing expansion of the scope of work for the Pacoima Revitalization Center project, and related matters.

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

1. AUTHORIZE the scope of work for the Pacoima Revitalization Center project previously approved (Council file No. 04-0046-S10) to be expanded to include site improvements, renovation of the existing building, project soft costs, and other related costs necessary for the completion of the project in order to work more efficiently with the other funding sources.

2. AUTHORIZE the Controller to expend funds in an amount not to exceed $150,000 from Account W723 Pacoima Revitalization within the Community Development Trust Fund No. 424.

3. 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 approval of the City Administrative Officer and AUTHORIZE the Controller to implement these instructions.

RECONSIDERATION OF ITEM NOS. (51) & (52) FROM FRIDAY, JUNE 17, 2005

Roll Call #4 - Motion (Miscikowski - Parks) Adopted to Reconsider, Ayes (12); Absent: Ludlow, Reyes and Villaraigosa (3)
Roll Call #5 - Motion (Miscikowski - Parks) Adopted, Ayes (12); Absent: Ludlow, Reyes and Villaraigosa (3)
(I Item Nos. 51-52)

ITEM NO. (51) - ADOPTED - TO THE MAYOR FORTHWITH

05-1019
CD 14  ORDINANCE FIRST CONSIDERATION and RESOLUTION TO BE SUBMITTED BY THE CITY ATTORNEY relative to calling and ordering a Special Election for the member of 14th Council District on November 8, 2005, and requesting the County to consolidate the Special Election with the Statewide Special Election to be held on the same date.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:
1. ADOPT AN ORDINANCE TO BE SUBMITTED by the City Attorney relative to calling and ordering a Special Election for the member of the 14th Council District.

2. ADOPT A RESOLUTION TO BE SUBMITTED by the City Attorney requesting the County to consolidate the Special Election for the member of the 14th Council District to be held on November 8, 2005, with the Statewide Special Election to be held on the same date.

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

(Pursuant to Council action of June 15, 2005)

ITEM NO. (52) - ADOPTED - TO THE MAYOR FORTHWITH

05-1164 CD 10 ORDINANCE FIRST CONSIDERATION and RESOLUTION TO BE SUBMITTED BY THE CITY ATTORNEY relative to calling and ordering a Special Election for the member of Tenth Council District on November 8, 2005, and requesting the County to consolidate the Special Election with the Statewide Special Election to be held on the same date.

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

1. ADOPT AN ORDINANCE TO BE SUBMITTED by the City Attorney relative to calling and ordering a Special Election for the member of the Tenth Council District.

2. ADOPT A RESOLUTION TO BE SUBMITTED by the City Attorney requesting the County to consolidate the Special Election for the member of the Tenth Council District to be held on November 8, 2005, with the Statewide Special Election to be held on the same date.

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

(Pursuant to Council action of June 15, 2005)

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

05-1316 MOTION (GARCETTI - LABONGE) relative to declaring the Thai Health Festival on June 26, 2005 a Special Event (fees and costs absorbed by the City = $180).

05-1315 MOTION (GARCETTI - GREUEL) relative to declaring the Dream Center Event on June 20-23, 2005 a Special Event (fees and costs absorbed by the City = $484).
MOTION (GARCETTI - GREUEL) relative to declaring the St. Anne’s Dedication on June 23, 2005 a Special Event (fees and costs absorbed by the City = $484).

MOTION (PARKS - SMITH) relative to declaring the Fourth of July Block Party on July 4, 2005 a Special Event (fees and costs absorbed by the City = $312).

MOTION (PARKS - SMITH) relative to declaring the Fourth of July Block Party on July 4, 2005 a Special Event (fees and costs absorbed by the City = $312).

MOTION (LABONGE - HAHN) relative to declaring the Larchmont Village Neighborhood Association Block Party on July 16, 2005 a Special Event (fees and costs absorbed by the City = $1,188).

MOTION (PADILLA - MISCIKOWSKI) relative to declaring the Mayoral Gala on June 30, 2005 a Special Event (fees and costs absorbed by the City = $3,000).

MOTION (GREUEL - WEISS) relative to declaring the 19th Annual Matilija Block Party 2005 on July 4, 2005 a Special Event (fees and costs absorbed by the City = $1,226).

MOTION (PERRY - PARKS) relative to declaring the Downtown Farmers’ Market on Wednesdays August 3, 2005 through October 3, 2005 a Special Event (fees and costs absorbed by the City = $7,188).

MOTION (WEISS - ZINE) relative to declaring the Ayres Avenue Block Party on July 4, 2005 a Special Event (fees and costs absorbed by the City = $1,188).

MOTION (PERRY - PARKS) relative to declaring the 2005 Nisei Week celebration on August 13-21, 2005 a Special Event (fees and costs absorbed by the City = $4,700).

MOTION (PERRY - PARKS) relative to declaring the Community Swearing-in Celebration on June 23, 2005 a Special Event (fees and costs absorbed by the City = $1,123).

MOTION (CARDENAS - HAHN) relative to declaring the Saint Bridget of Sweden’s Annual Fall Festival on September 23-25, 2005 a Special Event (fees and costs absorbed by the City = $100).

MOTION (HAHN - LABONGE) relative to declaring the “R” Street Block Party on July 4, 2005 a Special Event (fees and costs absorbed by the City = $1,226).
05-1323
MOTION (HAHN - LABONGE) relative to declaring the Eastman Place Block Party on July 4, 2005 a Special Event (fees and costs absorbed by the City = $1,226).

04-0988
MOTION (HAHN - CARDENAS) relative to declaring the Bloomwood Road Block Party on July 4, 2005 a Special Event (fees and costs absorbed by the City = $1,226).

05-1330
MOTION (PADILLA - CARDENAS) relative to funding for construction costs of the Children's Museum of Los Angeles (CMLA) being built in the Hansen Dam area.

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

05-1325
RESOLUTION (GREUEL - LABONGE) relative to declaring June 24 through June 28, 2005 as “HIV Counseling and Testing Days.”

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Motion (Smith - Parks) unanimously adopted to excuse Councilmember Zine to arrive at 10:40 a.m. to Council session of Wednesday, June 22, 2005 due to City business.

Upon his request, and without objections, Councilmember Zine was excused from Council sessions of Tuesday, August 9, 2005, Wednesday, August 10, 2005 and Friday, August 12, 2005 and Motion (Cardenas - Smith) was unanimously adopted to excuse Councilmember Zine from Council session of Tuesday, August 16, 2005 due to personal business.

Upon his request, and without objections, Councilmember LaBonge was excused from the Council session of Tuesday, July 5, 2005 due to personal business.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

05-0574 - Deputy Chief Ronald W. Bergmann (Greuel - Padilla)
Roger Ebert (Garcetti - LaBonge)
Big Mur (Miscikowski - Weiss)
Navasartian Games 30th Anniversary (Greuel - Garcetti)
At the conclusion of this day's Council Session
ADJOURNING MOTIONS WERE ADOPTED in tribute to the memory of:

05-0573 - Lazare F. Bernhard (Greuel - Miscikowski)
   Roy J. Harmon (Parks)
   Henry Luster Hall (Perry)
   John Maximillian Stiegler (Zine - All Councilmembers)
   Michael E. Smith (Zine)
   Arthur (Arty) Mata Martinez (Padilla - All Councilmembers)

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

Whereupon the Council did adjourn.

ATTEST: Frank T. Martinez, CITY CLERK

By

Council Clerk PRESIDENT OF THE CITY COUNCIL