Los Angeles City Council, Journal/Council Proceedings
Wednesday, June 29, 2005
John Ferraro Council Chamber, Room 340, City Hall - 10 am

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

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

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF JUNE 22, 2005

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 37

ALL ITEMS SENT FORTHWITH

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

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

Items Noticed for Public Hearing - Items 1-3

Roll Call #1 - Motion (Greuel - LaBonge) Adopted, Ayes (12); Absent: Cardenas, Ludlow and Villaraigosa (3)

(Item Nos. 1-3)

ITEM NO. (1) - PUBLIC HEARING CLOSED - ADOPTED, *AS AMENDED - SEE FOLLOWING

02-2139 CD 2 CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the installation, improvement and maintenance of MORELLA AVENUE AND ERWIN STREET LIGHTING DISTRICT.

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

1. FIND that a majority protest exists in the Street Lighting Maintenance Assessment District and therefore the proposed assessment cannot be enacted.
2. PRESENT and ADOPT the accompanying ORDINANCE abandoning all proceedings relating to the above lighting district, in accordance with Sections 6.1-6.15 and 6.95-6.127 of the Los Angeles Administrative Code, Municipal Improvement Act of 1913 and Government Code Section 53753 (Proposition 218).

3. INSTRUCT the Director, Bureau of Street Lighting, to assure that the streetlights are not installed or are removed from service if previously installed.

*2. INSTRUCT the Bureau of Street Lighting to prepare and present an ordinance abandoning all proceedings to the above lighting district. *(Greuel - LaBonge)

(Public Hearing held June 8, 2005)

ITEM NO. (2) - PUBLIC HEARING CLOSED - ADOPTED

04-2007

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of BROMONT AVENUE AND SHELDON STREET LIGHTING DISTRICT.

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

1. FIND that a majority protest exists in the Street Lighting Maintenance Assessment District and therefore the proposed assessment cannot be enacted.

2. PRESENT and ADOPT the accompanying ORDINANCE abandoning all proceedings relating to the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

3. INSTRUCT the Director, Bureau of Street Lighting, to assure that the streetlights are not installed or are removed from service if previously installed.

(Public Hearing held June 8, 2005)

ITEM NO. (3) - PUBLIC HEARING CLOSED - ADOPTED

04-1976

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of DISCOVERY AND CELEDON CREEKS (P.V.) LIGHTING DISTRICT.

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

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

(Public Hearing held June 8, 2005)

Items for Which Public Hearings Have Been Held - Items 4-32

ITEM NO. (4) - ADOPTED

Roll Call #9 - Motion (LaBonge - Hahn) Adopted, Ayes (12); Absent: Cardenas, Ludlow and Villaraigosa (3)

05-0911

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to the appointment of Mr. Rudy Ortega, Jr. to the Native American Indian Commission.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. Ortega to the Native American Indian Commission, for the term ending October 7, 2008, to fill the vacancy created by the resignation of Dr. Antony Stately, is APPROVED and CONFIRMED. Mr. Ortega resides in Council District Seven. (Current Commission gender composition: M=1; F=2)

Ethics Commission Review: Pending

ITEM NO. (5) - ADOPTED

Roll Call #2 - Motion (Miscikowski - Parks) Adopted, Ayes (12); Absent: Cardenas, Ludlow and Villaraigosa (3)

04-1184

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to changing the hours which constitute loitering around public libraries.

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

PRESENT and ADOPT the accompanying ORDINANCE amending Section 63.93(h) of the Los Angeles Municipal Code to change the hours which constitute loitering around any public library.

Fiscal Impact Statement: None submitted by the City Attorney. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.
ITEM NO. (6) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS, AS AMENDED - SEE FOLLOWING

Roll Call #11 - Motion (Perry - Miscikowski) to Adopt as Amended, Ayes (12); Absent: Cardenas, Ludlow and Villaraigosa (3)

05-0379
COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to regulating ice cream trucks selling unpermitted items.

(Public Safety Committee report to be submitted in Council. If a public hearing is not held in Committee, an opportunity for public comment will be provided.)

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

ADOPTED

COMMUNICATION FROM CHAIR and MEMBER, PUBLIC SAFETY COMMITTEE and ORDINANCE FIRST CONSIDERATION relative to the regulating ice cream trucks selling unpermitted items.

Recommendations for Council action, as initiated by Motion (Perry - Hahn), SUBJECT TO THE APPROVAL OF THE MAYOR:

1. PRESENT and ADOPT the accompanying ORDINANCE adding Section 42.00.1 of the Los Angeles Municipal Code to regulating ice cream trucks selling unpermitted items.

2. REQUEST the Chief Legislative Analyst (CLA) report back with recommendations to sponsor State legislation to limit the sale of imitation firearms to minors.

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

ADOPTED

AMENDING MOTION (MISCIKOWSKI - PERRY)

Recommendation for Council action:

REQUEST the Chief Legislative Analyst, with the assistance of the City Attorney to seek State legislation requiring background checks, including fingerprinting for ice cream truck operators.
Roll Call #2 - Motion (Miscikowski - Parks) Adopted, Ayes (12); Absent: Cardenas, Ludlow and Villaraigosa (3)
(Item Nos. 7-15)

ITEM NO. (7) - ADOPTED

05-0269 ORDINANCE SECOND CONSIDERATION levying the assessments and ordering the maintenance of Ventura Boulevard and Crebs 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

05-0972 ORDINANCE, SECOND CONSIDERATION, approved by the North Valley Area Planning Commission, effecting the zone change from A-1 and A1-1-K to (T)(Q)R1-1 zone for 13159 Wheeler Avenue and to (T)(Q)R1-1-K zone for 13140 Gladstone Avenue for the proposed development of 39 single-family dwellings on 39 proposed single family lots, with one and two-story homes, on 7.19 acres of vacant land, subject to Conditions of Approval.

(Planning and Land Use Management Committee Report adopted on June 22, 2005)

ITEM NO. (9) - ADOPTED

05-1012 ORDINANCE SECOND CONSIDERATION, approved by the North Valley Area Planning Commission, effecting the zone change from RA-1 and R3-1 to (T)(Q)R3-1 zone for the proposed construction of 28 apartment units (22 by-right and six density bonus units), including 12 market-rate and 16 “set aside” affordable units, 3 stories, 4 feet, 3 inches high, with 38 at-grade parking spaces, on an approximately 17,995 square foot parcel located at 8715 Tobias Avenue, subject to the Conditions of Approval.

(Planning and Land Use Management Committee Report on June 22, 2005)

ITEM NO. (10) - ADOPTED

01-1172 ORDINANCE OF INTENTION SECOND CONSIDERATION setting the date of JULY 22, 2005 as the hearing date for the maintenance of the annual assessment of the Proposition 218 Confirmed Street Lighting Maintenance Assessment District and Preliminary Report for 2005-06.

(Communication from the Bureau of Street Lighting adopted on June 22, 2005)
ITEM NO. (11) - ADOPTED

01-1172-S1
ORDINANCE OF INTENTIO\N SECOND CONSIDERATION setting the date of JULY 22, 2005 as the hearing date for the maintenance of the annual assessment of the 1996/97 Z-Series Street Lighting Maintenance Assessment Districts and Preliminary Report for 2005-06.

(Communication from the Bureau of Street Lighting adopted on June 22, 2005)

ITEM NO. (12) - ADOPTED

01-1172-S2
ORDINANCE OF INTENTIO\N SECOND CONSIDERATION setting the date of JULY 22, 2005 as the hearing date for the maintenance of the annual assessment of the Los Angeles City Street Lighting Maintenance Assessment District and Preliminary Report for 2005-06.

(Communication from the Bureau of Street Lighting adopted on June 22, 2005)

ITEM NO. (13) - ADOPTED

01-2181
ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to the status of the Anti-Smoking Trust Fund.

Recommendation for Council action:

NOTE and FILE the City Clerk report dated September 30, 2004, relative to the status of the Anti-Smoking Trust Fund No. 41Z, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (14) - ADOPTED

05-0002-S94
ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to establishing a City position on legislation which would provide for the preservation of historic confinement sites where Japanese Americans were detained during World War II.
Recommendation for Council action, pursuant to Resolution (Perry - Reyes), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

RESOLVE that the City establish a position of SUPPORT in its 2005-06 Legislative Program for House of Representatives Bill (HR) 1492 (Thomas) which would provide for the preservation of historic confinement sites where Japanese Americans were detained during World War II so that present and future generations may learn and gain inspiration from these sites.

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

ITEM NO. (15) - ADOPTED

05-0002-S103
ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to establishing a City position on legislation pertaining to childhood obesity.

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

RESOLVE that the City establish a position of SUPPORT in its 2005-06 Legislative Program for Senate Bill (S) 799 (Kennedy) which would provide for the coordination of Federal Government policies and activities to prevent obesity in childhood; provide for State childhood obesity prevention and control; and, establish grant programs to prevent childhood obesity within homes, schools, and communities.

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

ITEM NO. (16) - CONTINUED TO JULY 29, 2005

Roll Call #3 - Motion (Hahn - LaBonge) Adopted to Continue, Unanimous Vote (12); Absent: Cardenas, Ludlow and Villaraigosa (3)

05-0002-S109 CD 4
ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT and RESOLUTION relative to securing Federal Emergency Management Agency (FEMA) assistance for the repair of the Frank Lloyd Wright 1924 Ennis House.

Recommendation for Council action, as initiated by Resolution (LaBonge - Garcetti), SUBJECT TO THE CONCURRENCE OF THE MAYOR:
ADOPT the accompanying RESOLUTION establishing a position of SUPPORT in the City’s 2005-06 Legislative Program for legislation and/or administrative action to secure FEMA assistance to ensure that the Frank Lloyd Wright 1924 Ennis House, an important historic site, is adequately funded to enable repair of its 1994 Northridge Earthquake damage and that additional time be granted to enable the execution of proper rehabilitation of this site as provided for in the Secretary of State’s guidelines for historic preservation.

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

ITEM NO. (17) - ADOPTED

Roll Call #2 - Motion (Miscikowski - Parks) Adopted, Ayes (12); Absent: Cardenas, Ludlow and Villaraigosa (3)

05-0363

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to a proposed contract with Trilogy Integrated Resources, LLC (Trilogy), for an internet-based health and human services database service.

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

1. AUTHORIZE the General Manager, Department of Aging (Aging), or designee, to:
   a. Negotiate and execute a Professional Services Agreement with Trilogy for an amount not to exceed $47,000, effective from the date of execution through June 30, 2006, subject to the following:
      1) Availability of federal Older American Act (OAA) Grant funds.
      2) Review and approval of the City Attorney as to form and legality.
      3) Review and approval by the Department of Public Works, Bureau of Contract Administration, as to compliance with City and federal contract requirements.
   b. Prepare Controller documents and make any technical adjustments as needed and consistent with the actions pertaining to the execution of a Professional Services Agreement with Trilogy, subject to the approval of the City Administrative Officer (CAO).

2. AUTHORIZE the Controller to implement the instructions and disburse funds for payment to Trilogy, upon presentation of documentation and proper demand of the General Manager, Aging, or designee.
Fiscal Impact Statement: The CAO reports that there is no impact on the General Fund. Approval of the recommendations will authorize a Professional Services Agreement with Trilogy for an Internet-based health and human services database service utilizing up to $47,000 in OAA, Title III-E Family Caregiver Support funds to pay for maintenance costs. Future funding for this project is subject to the availability of federal OAA Grant funds.

ITEM NO. (18) - CONTINUED TO JULY 6, 2005

Roll Call #4 - Motion (Greuel - Miscikowski) Adopted to Continue, Unanimous Vote (12); Absent: Cardenas, Ludlow and Villaraigosa (3)

04-0590
COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to Amendment No. 5 to Agreement No. 47040 with Van Ness Feldman, PC (Van Ness) to provide the Department of Water and Power (DWP) with legal representation in the “California Refund Case.”

Recommendation for Council action:

CONCUR with Resolution No. 005-261 as adopted by the Board of Water and Power Commissioners (Board) on May 17, 2005. APPROVE Amendment No. 5 to Agreement No. 47040 and AUTHORIZE the Board President or General Manager of the DWP and the Board Secretary to execute Amendment No. 5 to Agreement No. 47040 with Van Ness to provide the DWP with legal representation before the Federal Energy Regulatory Commission (FERC) and Federal appellate courts in the ongoing “California Refund Case” FERC Docket No. EL00-95, several related dockets, and other proceedings before the FERC relating to generation, transmission and wholesale marketing issues.

Fiscal Impact Statement: The City Administrative Officer reports that the proposed Amendment No. 5 to Agreement No. 47040 will have no impact on the General Fund. The proposed Amendment will increase the current expenditure level of $6.55 million by a maximum of $1.25 million for one year, for a total of $7.8 million over the life of the Amendment and will be paid entirely by the Power Revenue Fund. Since the DWP is only bound by the City Debt Management Policies, and the proposed Amendment No. 5 will not impact the City General Fund, the City Financial Policies are not applicable.

TIME LIMIT FILE - JULY 19, 2005

(LAST DAY FOR COUNCIL ACTION - JULY 19, 2005)

ITEM NO. (19) - CONTINUED TO JULY 5, 2005

Roll Call #5 - Motion (Parks - Perry) Adopted to Continue, Unanimous Vote (12); Absent: Cardenas, Ludlow and Villaraigosa (3)

04-1645
CD 15 COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to the termination of Permit No. 263 with Amerigas Propane, LP (Amerigas).
Recommendations for Council action, as initiated by Motion (Hahn - Cardenas):

1. INSTRUCT the City Administrative Officer (CAO) and the Chief Legislative Analyst (CLA) to create a task force composed of representatives from the Harbor Department, the Port Community Advisory Committee, neighborhood councils in the affected areas, Amerigas, British Petroleum North America, and Valero for the purpose of developing and analyzing options for further action, to include a time line and detailed process for implementation, that will lead to the permanent relocation the Amerigas Terminal/storage tank facility and to report back to Council within 30 days.

2. REQUEST the Board of Harbor Commissioners to defer any and all action relative to Permit No. 263 for 30 days.

Fiscal Impact Statement: None submitted by the Harbor Department. Neither the CAO or the CLA has completed a financial analysis of this report.

Roll Call #2 - Motion (Miscikowski - Parks) Adopted, Ayes (12); Absent: Cardenas, Ludlow and Villaraigosa (3)

(Item Nos. 20-27)

ITEM NO. (20) - ADOPTED

04-1703

COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to Amendment No. 3 to Agreement No. 47058-2 with Princeton eCom Corporation (Princeton) to provide the Department of Water and Power (DWP) with electronic bill payment and debit services.

Recommendation for Council action:

CONCUR with Resolution No. 005-246 as adopted by the Board of Water and Power Commissioners (Board) on May 3, 2005, APPROVE Amendment No. 3 to Agreement No. 47058-2 and AUTHORIZE the Board President or General Manager of the DWP and the Board Secretary to execute Amendment No. 3 to Agreement No. 47058-2 with Princeton to provide the DWP with Direct Debit and Electronic Bill Payment services and increase the expenditure limit by $200,000.

Fiscal Impact Statement: The City Administrative Officer reports that there is no City General Fund impact, up to $200,000 will be provided by the Power Revenue Fund. Reimbursements from the Water Revenue Fund will be made as appropriate.

TIME LIMIT FILE - JULY 4, 2005

(LAST DAY FOR COUNCIL ACTION - JULY 1, 2005)
COMMERCe, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to Amendment No. 3 to Agreement No. 47238-3 with Patton Boggs, LLP (Patton Boggs) to assist the Department of Water and Power (DWP) in addressing legislative and regulatory matters relating to electric utility and water-related issues.

Recommendations for Council action:

1. CONCUR with Resolution No. 005-272 as adopted by the Board of Water and Power Commissioners (Board) on June 7, 2005, APPROVE Amendment No. 2 to Agreement No. 47238-3 and AUTHORIZE the Board President or General Manager of the DWP and the Board Secretary to execute Amendment No. 3 to Agreement No. 47239-3 with Patton Boggs to amend the scope of work to include assisting the DWP in the advocacy of funding opportunities for the DWP’s water security projects and for the funding of CalFed projects, extend the term through August 19, 2006, and increase the maximum expenditure by an additional $394,800.

2. DISAPPROVE Resolution No. 005-247 as adopted by the Board on May 3, 2005.

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

IME LIMIT FILE - JULY 4, 2005
(LAST DAY FOR COUNCIL ACTION - JULY 1, 2005)

COMMERCe, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to Amendment No. 2 to an Agreement with National Economic Research Associates to provide expert analysis and review of Cost of Service Studies for the Department of Water and Power (DWP).

Recommendation for Council action:

CONCUR with Resolution No. 005-245 as adopted by the Board of Water and Power Commissioners (Board) on May 3, 2005, APPROVE Amendment No. 2 to Agreement No. 47081-2 and AUTHORIZE the Board President or General Manager of the DWP and the Board Secretary to execute Amendment No. 2 to Agreement No. 47081-2 with National Economic Research Associates to review the Cost of Service Methodology employed by the DWP and provide expert analysis regarding Cost of Service Studies for the City Attorney relating to litigation in an electric rates and billing practices lawsuit.
Fiscal Impact Statement: The Board reports that the requested increase of $450,000 is included in the current approved budget for Fiscal Year 2005-06 and the budget forecasts for subsequent years.

TIME LIMIT FILE - JULY 12, 2005
(LAST DAY FOR COUNCIL ACTION - JULY 12, 2005)

ITEM NO. (23) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS

05-1113

COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to the Department of Water and Power’s (DWP) Renewables Portfolio Standard (RPS) Policy.

Recommendations for Council action:

1. CONCUR with Resolution No. 005-265 as amended by verbal motion and adopted by the Board of Water and Power Commissioners on May 23, 2005 and APPROVE Resolution No. 005-265, as amended, to adopt the City of Los Angeles DWP RPS Policy.

2. REQUEST the DWP to report back to Council in 60 days on the status of 40 bids currently under consideration from the June 30, 2004 RFP along with an estimate as to the timing and percentage amounts of the proposed RPS Policy and solar set aside surcharges.

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

ITEM NO. (24) - ADOPTED

04-0352

ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE REPORT relative to submitting a funding request form to the Department of Conservation (DOC) for the California Beverage Container Recycling and Litter Reduction Grant (Senate Bill 322).

Recommendations for Council action, pursuant to Resolution (Perry - Garcetti), SUBJECT TO THE APPROVAL OF THE MAYOR:

1. AUTHORIZE the Director, Bureau of Sanitation (BOS), or designee, to submit a funding application to the DOC for $1,069,230 for Funding Cycle 2005-06 under the California Beverage Container Recycling and Litter Reduction Grant to continue the Senate Bill 322 Program as specified.
2. AUTHORIZE the Director, BOS, or designee, to execute all necessary agreements, forms, contracts, and documents to receive funding to carry out the purposes specified in Section 14581(a)(4)(A) of the California Beverage Container Recycling and Litter Reduction Act, subject to the approval of the City Attorney as to form.

3. AUTHORIZE the Controller to TRANSFER funds from Fund No. 556/50, Account No. X500 to Fund No. 100/XX, Account Nos. 1070 and 1090, Salaries As-Needed and Salaries Overtime, respectively, to those departments awarded project funds in accordance to Senate Bill 332 project budgets, as approved by the Director of the BOS, or designee.

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

ITEM NO. (25) - ADOPTED

05-1216

ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE REPORT relative to wastewater service agreements with the City of La Canada Flintridge, Crescenta Valley Water District and Triunfo Sanitation District.

Recommendation for Council action:

AUTHORIZE the Mayor to execute wastewater service agreements with the City of La Canada Flintridge, Crescenta Valley Water District and Triunfo Sanitation District.

Fiscal Impact Statement: The City Administrative Officer reports that the approval of said agreements is in conformance with the City’s Financial Policies as they provide for full cost recovery for the services provided. All revenues will go to the Sewer Construction and Maintenance Fund. There is no impact on the General Fund.

ITEM NO. (26) - ADOPTED

04-0135

PERSONNEL COMMITTEE REPORT relative to the Commission for Children, Youth and Their Families (CCYF) executing an agreement for grant funds for the Safe Corridors Project.

Recommendations for Council action, as initiated by Motion (Greuel - LaBonge), SUBJECT TO THE APPROVAL OF THE MAYOR:

1. AUTHORIZE the Executive Director, CCYF, or designee, to:

   a. Accept the California Office of Traffic Safety (OTS) grant award in the amount of $464,000 to support the Safe Corridors Project for the period of June 20, 2005 through September 30, 2007.
b. Execute the Grant Award Agreement between the CCYF and the OTS relative to the receipt of the grant award and reporting requirements, subject to the approval of the City Attorney as to form and legality.

2. INSTRUCT the City Clerk, with the assistance of the CCYF, City Administrative Officer (CAO) and Controller, to place an item on the Council Agenda on or immediately after JULY 1, 2005, SUBJECT TO THE APPROVAL OF THE MAYOR:

   APPROPRIATE the balance of any unencumbered grant monies to the CCYF budgetary accounts.

3. AUTHORIZE the CAO to make technical corrections as necessary to the transactions included in this report to implement the Mayor and the Council instructions.

Fiscal Impact Statement: The CAO reports that the acceptance of this grant will have no fiscal impact on the General Fund and is in compliance with Financial Policies in that one-time revenue will be used to support this two-year Project.

(Arts, Parks, Health and Aging and Budget and Finance Committees waived consideration of the above matter)

ITEM NO. (27) - ADOPTED

00-2149 CD 3

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to a Plan Approval appeal for an increase in enrollment to a school known as Academy Just For Kids located at 6221 Fallbrook Avenue.

Recommendation for Council action:

RECEIVE and FILE the appeal filed by Eugene Selivanov from part of the decision of the Zoning Administrator, in part, in approving modified and added conditions relative to a request for Plan Approval to allow an increase in enrollment from 70 to 114 students for an existing preschool/day care/K-3 grade school and periodic temporary posting of a two by 12-foot banner on the Fallbrook Avenue side of the property, and installation of a two-foot addition to a six foot in height wall on the west side of the property, and erection of an eight-foot block wall on the south side adjoined the single family residences, for property located at 6221 Fallbrook Avenue, as the matter was inadvertently sent to the South Valley Area Planning Commission, and Council lost jurisdiction to consider the matter within the specified time limits contained in Los Angeles Municipal Code (LAMC) Section 12.24 I.4 (This LAMC Section provides that the failure of the appellate body to act within the applicable time period shall be deemed a denial of the appeal.)

Applicant: Academy Just For Kids ZA 2001-5482 PAD PA1

Fiscal Impact Statement: Not applicable.
ITEM NO. (28) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS, AS AMENDED - SEE FOLLOWING

Roll Call #16 - Motion (Reyes - Perry) to Adopt as Amended, Ayes (12); Absent: Cardenas, Ludlow and Villaraigosa (3)

04-0833 CD 10  
PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to Recorded Map appeal (RM No. 50346) regarding property at 620 South Gramercy Place.

Recommendations for Council action:

1. ADOPT the FINDINGS of the Deputy Advisory Agency as the FINDINGS of the Council.

2. FIND that the records reflect a full accounting of relocation assistance due to the tenant households at 620 South Gramercy Place, Recorded Map No. 50346.

3. GRANT APPEAL IN PART filed by Harvey L. Rochman, Esq., on behalf of GTS Property, Los Angeles, Inc., relative to the determination of the Deputy Advisory Agency on the relocation assistance dispute and the interpretation and application of Recorded Covenant Agreement for Recorded Map No. 50346 for a 164-unit condominium conversion located at 620 South Gramercy Place.

4. REQUEST GTS Property, Los Angeles, Inc., (subdivider), to provide proof of payment of all required relocation assistance to the Deputy Advisory Agency within 120 days of the final Council action on the matter.

5. REQUEST the subdivder to provide the Deputy Advisory Agency with copies of notices to tenants who moved in after the condominium conversion was filed.

6. REQUEST the Deputy Advisory Agency to amend Exhibits A and B, as shown in the attachment to this Committee report as provided by the Deputy Advisory Agency in a report dated May 31, 2005, based upon evidence presented to agency by Mr. David Kim, (Attorney), in a Communication to the City Attorney and relative to the identification of additional units with children, or persons age 62 or older.

Applicant: Sonny Astani, GTS Property, Los Angeles, Inc., RM No. 50346
Ellen Berkowitz, Representative

Fiscal Impact Statement: The Planning Department reports there in no General Fund impact.

TIME LIMIT FILE - JUNE 29, 2005
(LAST DAY FOR COUNCIL ACTION - JUNE 29, 2005)
ADOPTED

AMENDING MOTION (REYES - PERRY)

Recommendation for Council action:

MODIFY Recommendation No. 6 to replace Exhibits A and B with amended Exhibits A and B as attached to the communication dated June 22, 2005, from Mannatt, Phelps & Phillips, LLP.

ITEM NO. (29) - ADOPTED

Roll Call #2 - Motion (Miscikowski - Parks) Adopted, Ayes (12); Absent: Cardenas, Ludlow and Villaraigosa (3)

05-0849 CD 13 

MITIGATED NEGATIVE DECLARATION and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to a Zone Variance appeal for property at 411-35 North Rosenell Terrace.

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

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the lead agency, City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 05-0849 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV 2004-4942 MND] filed on September 3, 2004.

2. ADOPT the FINDINGS of the East Los Angeles Area Planning Commission as the Findings of the Council.

3. RESOLVE TO DENY APPEALS filed by Felipa Mangosing, Luz Garcia, Lin Khiang Chin, Lai Chu Wong Chin, and Roselle Cham (Fredric D. Woocher, Representative), from the entire determination of the East Los Angeles Area Planning Commission, THEREBY APPROVE a variance to permit a height of 77 feet in lieu of the 30 feet as required by [Q] Condition. No. 6 in Ordinance No. 169371, or limitation of 45 in the 1VL Zone; and, in deleting Condition No. 7 requiring an Approval of Plans Review, all in conjunction with the proposed construction, use and maintenance of a 52-unit affordable multi-family apartment project with subterranean garage for 65 parking spaces located at 411-35 North Rosenell Terrace. At the request of Council District 13, the Committee further revised Condition No. 16 as attached to the Committee report.
Applicant: Stephen O’Connell
(Joe Stalzer, Representative)

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

TIME LIMIT FILE - JULY 22, 2005

(LAST DAY FOR COUNCIL ACTION - JULY 22, 2005)

ITEM NO. (30) - ADOPTED

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

05-0909 CD 12

MITIGATED NEGATIVE DECLARATION and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to a Zone Variance appeal for property at 11056 De Soto Avenue.

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

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the lead agency, City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 05-0909 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV 2003-7079 MND] filed on December 5, 2003.

2. ADOPT the FINDINGS of the Zoning Administrator, as modified by the North Valley Area Planning Commission as the Findings of the Council.

3. RESOLVE TO DENY APPEALS filed by Teena Takata, Andre and Linda Van Der Valk, Gary & Maureen Levitt, and Jeannie Plumb from the entire determination of the North Valley Area Planning Commission, THEREBY APPROVING variances to permit the construction, use and maintenance of a two and a half story storage facility for household goods in the RA-1 Zone and allowing 21 on-site parking spaces in lieu of the Code required parking spaces, subject to the Conditions of Approval as modified by the Planning and Land Use Management Committee for property located at 11056 De Soto Avenue.
Avenue, subject to the Conditions of Approval as clarified by the Planning and Land Use Management Committee. (The North Valley Area Planning Commission also approved a Site Plan Review for two and a half level storage building for household goods; and an adjustment to permit the storage building with a 10-foot rear yard setback in lieu of the 25 feet required in the RA Zone.)

Applicant: Joe Diab, Mark Armbruster & Associates (Representative)
ZA 2003-7078 ZV YV ZAA SPR

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

TIME LIMIT FILE - JULY 27, 2005
(LAST DAY FOR COUNCIL ACTION - JULY 27, 2005)

ITEM NO. (31) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #12 - Motion (Reyes - Perry) to Adopt as Amended, Ayes (12); Absent: Cardenas, Ludlow and Villaraigosa (3)

05-0211

CDs 8 & 14 PLANNING AND LAND USE MANAGEMENT and PERSONNEL COMMITTEES' REPORT relative to Supplemental Fee Agreement with the University of Southern California (USC).

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

1. APPROVE and EXECUTE the proposed USC Supplemental Fee Agreement, for the recovery of actual costs associated with the processing of discretionary actions in connection with USC's development plans including update of the USC Master Plan, environmental clearance, zone changes, and project entitlements for its University Park Campus and its Health Science Campus, subject to City Attorney approval as to form and function.

2. APPROPRIATE and TRANSFER funds relating to the Supplemental Fee Agreement with USC, upon request of the Director of Planning, from the Major Projects Review Trust Fund No. 524 to the following Fund, Departments, and Accounts, subject to the approval of the City Administrative Officer (CAO):

   a. Planning Department's Fund 100, Department 68
      Account No. 1010 Salaries General
      Account No. 6010 Office and Administrative Expense
      Account No. 6020 Operating Expense
      Account No. 7300 Office and Technical Equipment
b. City Attorney, Fund 100/12  
   Account 1010 Salaries General

c. Department of Transportation, Fund 100/94  
   Account 1010 Salaries General

3. RESOLVE that Employment Authority, through June 30, 2005, in the Planning Department, for one position of City Planner, Code 7944, is APPROVED; and EXEMPT this position under the provisions of the Managed Employment Process.

4. AUTHORIZE the CAO to include the City Planner position in the 2005-06 Personnel Authority Resolution.

Fiscal Impact Statement: The Planning Department estimates that the total cost of the actions covered by the proposed Supplemental Fee Agreement will be approximately $1,123,000 over a three year period. This cost will be fully reimbursed by supplemental fees paid by USC into the Major Projects Review Trust Fund. There is no impact on the General Fund.

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

ADOPTED

AMENDING MOTION (REYES - PERRY)

Recommendation for Council action:

MODIFY Recommendation No. 2 to include “Account No. 1090 Overtime” which was inadvertently omitted from the report.

ITEM NO. (32) - ADOPTED

Roll Call #2 - Motion (Miscikowski - Parks) Adopted, Ayes (12); Absent: Cardenas, Ludlow and Villaraigosa (3)

05-0805

PUBLIC SAFETY and BUDGET AND FINANCE COMMITTEES’ REPORT relative to the Los Angeles Police Department’s (LAPD) Three Plus One grant Program.

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

1. AUTHORIZE the Chief of Police to accept the grant award of $2.4 million from the California Office of Traffic Safety (OTS) for the Three Plus One Program for the period of January 1, 2005 through December 31, 2006.

2. AUTHORIZE the Chief of Police to execute the Grant Agreement on behalf of the City, and submit all necessary documents relative to the grant award and to negotiate, execute and submit any other necessary agreements and documents relative to the grant, subject to the review and approval of the City Attorney as to form and legality.
3. AUTHORIZE the LAPD to reapply for OTS grants on behalf of the City, as they become available, subject to approval of grant acceptance by the Mayor and Council.

4. APPROVE a Reserve Fund advance of $646,000 and AUTHORIZE the Controller to TRANSFER said amount from the Reserve Fund to the Unappropriated Balance and APPROPRIATE this amount therefrom to Fund No. 339, Police Department Grant Fund, Account No W508, for the purchase of equipment, operating supplies and travel related to Three Plus One Grant Program training, to be reimbursed upon receipt of grant funds from the State.

5. AUTHORIZE the Controller to establish a Revenue Source Code in Fund No. 339, to receive and deposit reimbursement receipts from the grantor and reappropriate funds on an as needed basis to reimburse the General Fund and repay the Reserve Fund advance, as appropriate.

6. INSTRUCT the LAPD to transfer grant receipts for sworn overtime from Fund No. 339, Department No. 70, Account No. W508, to Fund No. 100, Department No. 70, Account No. 1092.

7. INSTRUCT the LAPD to transfer grant receipts for civilian overtime from Fund No. 339, Department No. 70, Account No. W508, to Fund No. 100, Department No. 70, Account No. 1090.

8. AUTHORIZE the LAPD to make technical corrections to the Controller instructions, subject to the approval of the City Administrative Officer (CAO) and REQUEST the Controller to implement the instructions.

**Fiscal Impact Statement:** The CAO reports that the Three Plus One Program costs are fully reimbursable from the OTS. A Reserve Fund advance of $646,000 is required to fund this program on an interim basis. Full repayment of the Reserve Fund Advance from the grant is anticipated by the third quarter of 2005-06. Except for the loan, there is no General Fund impact. These recommendations are in compliance with the City’s Financial Policies.

**Items for Which Public Hearings Have Not Been Held - Items 33-58**
(10 Votes Required for Consideration)

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

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

05-1163 CD 3 COMMUNICATION FROM CHAIR and MEMBER, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE, ORDINANCES FIRST CONSIDERATION and RESOLUTIONS relative to the issuance of tax-exempt Certificates of Participation by the City of Los Angeles to benefit the Kadima Hebrew Academy at 7011 Shoup Avenue.
Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. FIND that the issuance of $10 million in Series 2005A and Series 2005B Certificates of Participation by the City of Los Angeles, Industrial Development Authority on behalf of the Kadima Hebrew Academy, a 501 (c)3 nonprofit corporation is necessary and appropriate to accomplish City community and economic development objectives.

2. ADOPT the accompanying RESOLUTIONS relating to the authorization, execution, and delivery of the certificates of Participation and approving the execution and delivery of the Series 2005A Installment Purchase Agreement and the Series 2005B Installment Purchase Agreement in accordance with Section 147(f) of the Internal Revenue Code of 1986.

3. AUTHORIZE the General Manager, Community Development Department (CDD), or designee, to:

   a. Negotiate and execute all documents and agreements required for the execution and delivery of Series 2005A Certificates of Participation and Series 2005B Certificates of Participation, subject to the approval of the City Attorney as to form and legality.


4. PRESENT and ADOPT the accompanying ORDINANCES authorizing the purchase/sale of real property at 7011 Shoup Avenue, so that the Kadima Hebrew Academy may finance the acquisition, construction, renovation, and equipping of educational facilities and the refinancing of outstanding indebtedness.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. Approval of the recommendations authorizes the City of Los Angeles, Industrial Development Authority to issue $10 million in tax-exempt 2005A Certificates of Participation and Series 2005B Certificates of Participation on behalf of Kadima Hebrew Academy. Recommended funding for this project is in compliance with the financial policies inasmuch as no City funds are pledged to support the certificates and the City will bear no financial responsibility for the repayment of the Certificates in the event of a default. This transaction is structured as a true conduit financing.
ITEM NO. (34) - ADOPTED

05-0005-S192
CD 10 RESOLUTION removing the property at 1744-46 1/2 South Carmona Avenue from the Rent Escrow Account Program [REAP], (Case No. 7899), 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 173810, and ADOPT the Findings contained in the Los Angeles Housing Department’s report of June 22, 2005.

(Notice of Acceptance into the REAP/Rent Reduction Program was released on February 24, 2005)

ITEM NO. (35) - ADOPTED

05-0005-S193
CD 15 RESOLUTION removing the property at 714-16 North Mar Vista Avenue from the Rent Escrow Account Program [REAP], (Case No. 7972), 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 173810, and ADOPT the Findings contained in the Los Angeles Housing Department’s report of June 22, 2005.

(Notice of Acceptance into the REAP/Rent Reduction Program was released on May 12, 2005)

ITEM NO. (36) - ADOPTED

05-0005-S194
CD 8 RESOLUTION removing the property at 920-22 1/2 West 79th Street from the Rent Escrow Account Program [REAP], (Case No. 8108), 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 173810, and ADOPT the Findings contained in the Los Angeles Housing Department’s report of June 22, 2005.

(Notice of Acceptance into the REAP/Rent Reduction Program was released on February 23, 2005)
ITEM NO. (37) - ADOPTED

05-0005-S195
CD 1 RESOLUTION removing the property at 1826-28 West 11th Place from the Rent Escrow Account Program [REAP], (Case No.8118), 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 173810, and ADOPT the Findings contained in the Los Angeles Housing Department’s report of June 22, 2005. 
Assessor I.D. No. 5136-021-019
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on April 14, 2005)

ITEM NO. (38) - ADOPTED

05-0005-S196
CD 1 RESOLUTION removing the property at 1609-15 3/4 West Fourth Street from the Rent Escrow Account Program [REAP], (Case No.8176), 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 173810, and ADOPT the Findings contained in the Los Angeles Housing Department’s report of June 22, 2005. 
Assessor I.D. No. 5153-007-014
Registration No. None

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

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

01-0224 COMMUNICATION FROM CHAIR and MEMBER, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE relative to the status of Community Redevelopment Agency (CRA) investments for the quarter ending March 31, 2005.

Recommendation for Council action:

NOTE and FILE CRA report dated May 27, 2005 relative to the status of the CRA’s investments for the quarter ending March 31, 2005, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.
COMMUNICATION FROM CHAIR and MEMBER, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE, relative to the selection of recommended outside law firms and contract authority of $3.6 million for outside legal counsel services for the period 2005-08.

Recommendations for Council action:

1. AUTHORIZE the Chief Executive Officer, Community Redevelopment Agency (CRA), or designee, and the City Attorney’s Office (the Agency General Counsel), or designee, to negotiate and execute contracts with 22 private law firms (as listed on accompanying document, entitled “List of Law Firms,” attached to the Council file) for outside legal counsel to be used on an as-needed basis for a three-year period (2005-08), commencing upon execution of the contracts and subject to the availability and authorization of funds; and, 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 CRA contracting requirements.

2. AUTHORIZE the Chief Executive Officer, CRA, or designee, to expend an amount not to exceed $3.6 million for the above-mentioned legal services for the three-year period (2005-08), effective from the date of execution and subject to the availability and authorization of funds.

3. MAINTAIN the same provisions and guidelines for outside counsel established by the Council in its previous Authorization for Outside Counsel (March 1999, [Council file No. 96-0195-S1]) regarding the following: a) assignment of work; b) estimated budgets; c) quarterly reports to Council; and, d) returning to Council for additional funding and spending authority consistent with the Agency adopted and approved budgets for 2005-08.

4. DIRECT the CRA to report to Council relative to the 22 private law firms, indicating which firms are located in the city of Los Angeles, which firms are MBE/WBE, and which firms are used by the City Attorney for non-CRA outside counsel services.

Fiscal Impact Statement: The City Administrative Officer reports that this action will not impact the General Fund. The total estimated expenditure is $3.6 million for outside legal counsel contracts for a three-year period (2005-08), which will be financed by CRA funds from various sources. Since the CRA is only bound by the City Debt Management Policies, and the proposed contracts will not impact the City General Fund, the City financial policies are not applicable.
ITEM NO. (41) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION, *AS AMENDED - SEE FOLLOWING

03-1273
COMMUNICATION FROM CHAIR and MEMBER, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE relative to developing a new Request for Proposals (RFP) for L.A. Bridges II services in Council District 14, divided into two regions, and extending the term of the existing L.A. Bridges II contract with Public Health Foundation Enterprises, Inc., (PHFE).

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

INSTRUCT the General Manager, Community Development Department (CDD), to:

a. Develop a new RFP for L.A. Bridges II services in Council District 14 as divided into two regions to be defined by the RFP and the identification of one contractor for each region for the nine-month period of October 1, 2005 through June 30, 2006, subject to the approval of the City Attorney as to form and legality.

b. Extend the existing L.A. Bridges II contract with PHFE for a period of three months effective July 1, 2005 through September 30, 2005, for services provided within the service boundaries of the current contract, subject to the approval of the City Attorney as to form and legality.

c. Report to Council with the RFP, and the necessary budgetary and service area adjustments to the contract with PHFE to reflect the new Council District 14,*Council District 13 and Council District 10 service area for the nine-month period of October 1, 2005 through June 30, 2006. *(Garcetti - Miscikowski)

d. Report to the Housing, Community, and Economic Development Committee relative to any proposed contract term extensions for other L.A. Bridges II service-providers, and recommendations for developing an RFP to seek a second service-provider for Council District 13.

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

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

04-0681
COMMUNICATION FROM CHAIR and MEMBER, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE relative to amending the contract with Housing and Development Software, LLC, to provide a software package to support the development of a Loan Information Management System (LIMS).
Recommendation for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

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

a. Execute a second amendment to Contract No. 104873 with Housing and Development Software, LLC, or a replacement contract (as determined by the City Attorney), increasing the term of performance by 18 months for a total term of 36 months and a new expiration date of May 30, 2006, with no additional funds, to complete services related to LIMS, subject to verification of compliance with a Charter Section 1022 determination, and the approval of both the City Attorney as to form and legality, and the Department of Public Works, Bureau of Contracting Administration, as to compliance with City contracting requirements.

b. Prepare Controller instructions for any necessary technical adjustments consistent with this action in reference to existing funding for this project, subject to the approval of the City Administrative Officer (CAO); and, authorize the Controller to implement the instructions.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. The above recommendation complies with the financial policies of the City in that no additional funds are required in connection with the time extension for contract performance. The scope of work is one-time in nature and uses $1.2 million in grant special funding.

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

05-0930 CD 5 CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for 14951 Moorpark Street.

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 4, 2005, and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 14951 Moorpark Street.

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) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS**

05-0931 CD 5  
CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for 8555 West Cashio Street.

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 4, 2005, and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 8555 West Cashio Street.

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. (45) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS**

05-0932 CD 5  
CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for 2128 Cotner 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 2128 Cotner 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. (46) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

05-0933
CD 5  CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for 9847 West Yoakum Drive.

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 9847 West Yoakum Drive.

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. (47) - ADOPTED

Roll Call #10 - Motion (Parks - Perry) Adopted, Ayes (12); Absent: Cardenas, Ludlow and Villaraigosa (3)

05-1248 CD 8 CONSIDERATION OF MOTION (PARKS - PERRY) relative to Contract amendment for street improvement along Vermont Avenue.

Recommendation for Council Action:

AUTHORIZE the General Manager of the Department of Transportation to extend the term of the Contract (C-100760) with Land Images by six months, with a new termination date of December 31, 2005 and with all other terms and conditions of the Contract to remain in force, for street improvement along Vermont Avenue.

(Transportation Committee waived consideration of the above matter)

Roll Call #6 - Motion (Garcetti - Miscikowski) Adopted, Ayes (12); Absent: Cardenas, Ludlow and Villaraigosa (3)

(Item Nos. 48-51)

ITEM NO. (48) - ADOPTED

05-1332 CD 8 MOTION (PARKS - PERRY) relative to declaring the Community Day on June 26, 2005 a Special Event (fees and costs absorbed by the City = $1,000).

Recommendation for Council action:

DECLARE the Community Day, sponsored by the Ward AME Church on June 26, 2005, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance.
ITEM NO. (49) - ADOPTED

02-1318 CD13  MOTION (GARCETTI - LABONGE) relative to declaring the BET Annual Awards Show on June 28, 2005 a Special Event (Event Sponsor will reimburse the City for all costs associated with this event).

Recommendation for Council action:

DECLARE the BET Annual Awards Show, sponsored by the Black Entertainment Television on June 28, 2005, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, and that the Event Sponsor be directed to fulfill the insurance requirements.

ITEM NO. (50) - ADOPTED

01-1246 CD 4  MOTION (LABONGE - HAHN) relative to declaring the Masselin Avenue Fourth of July Party on July 4, 2005 a Special Event (fees and costs absorbed by the City = $1,226).

Recommendation for Council action:

DECLARE the Masselin Avenue Fourth of July Party, sponsored by the Masselin Avenue Residents Association on July 4, 2005, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance AND application requirements.

ITEM NO. (51) - ADOPTED

03-0726 CD 9  MOTION (PERRY - PARKS) relative to declaring the Obon Festival on July 9-10, 2005 a Special Event (fees and costs absorbed by the City = $5,676).

Recommendation for Council action:

DECLARE the Obon Festival, sponsored by the Los Angeles Hompa Hongwanji Buddhist Temple on July 9-10, 2005, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance AND application requirements.
ITEM NO. (52) - ADOPTED

05-1322
CD 4

MOTION (LABONGE - MISCIKOWSKI) relative to declaring the King Tut Exhibition on June 15, 2005 through November 16, 2005 a Special Event (fees and costs absorbed by the City = $120,338).

Recommendation for Council action:

DECLARE the King Tut Exhibition, sponsored by the Los Angeles County Museum of Art on June 15, 2005 through November 16, 2005, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance AND application requirements.

ITEM NO. (53) - ADOPTED

05-1320
CD 15

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

Recommendation for Council action:

DECLARE the Third Street Block Party, sponsored by the 1400 Third Street Neighborhood July 4, 2005, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance.

ITEM NO. (54) - ADOPTED

05-1319
CD 15

MOTION (HAHN - LABONGE) relative to declaring the Elberon Avenue Block Party on July 4, 2005 a Special Event (fees and costs absorbed by the City = $1,226).

Recommendation for Council action:

DECLARE the Elberon Avenue Block Party, sponsored by the Elberon Avenue Neighborhood on July 4, 2005, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance AND application requirements.
ITEM NO. (55) - ADOPTED

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

05-0010-S7
MOTION (PERRY - PARKS) relative to reinstating the reward offer in the death of Justin Jamar Guillory for an additional 60 days.

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

REAFFIRM Council’s findings and REINSTATE the reward offer relative to the death of Justin Jamar Guillory (Council action of March 15, 2005) for an additional period of 60 days from the publication of the offer of reward by the Office of the City Clerk and, further, that the sum of $50,000 shall be the aggregate maximum sum of any payment or payments of a City reward in this instance.

ITEM NO. (56) - ADOPTED

Roll Call #10 - Motion (Parks - Perry) Adopted, Ayes (12); Absent: Cardenas, Ludlow and Villaraigosa (3)

05-1321-C 11
MOTION (MISCIKOWSKI - CARDENAS) relative to the proposed installation of six historic signs on Windward Avenue and the Windward Circle in Venice.

Recommendation for Council action:

REQUEST the Department of Transportation, in consultation with the Venice Historical Society, to report with recommendations to install six “historic” signs at various locations on Windward Avenue and the Windward Circle in Venice.

Roll Call #6 - Motion (Garcetti - Miscikowski) Adopted, Ayes (12); Absent: Cardenas, Ludlow and Villaraigosa (3)  
(Item Nos. 57-58)

ITEM NO. (57) - ADOPTED

05-0445-C 11
MOTION (MISCIKOWSKI - CARDENAS) relative to funding for the City’s portion to help with the construction funding shortfall for the Sepulveda Boulevard at I-105 Westbound Off-Ramp Improvement Project.

Recommendation for Council action:
AUTHORIZE the Department of Transportation to negotiate and execute the necessary documentation to provide Caltrans with an additional payment of $500,000 from the Coastal Transportation Corridor Trust Fund No. 447, to fund the City's portion of the construction funding shortfall of $3.005 million for the Sepulveda Boulevard at I-105 Westbound Off-Ramp Improvement Project.

ITEM NO. (58) - MAP APPROVED - CITY ENGINEER REPORT ADOPTED

05-1342
CD 5 PARCEL MAP L.A. NO. 2001-5248 for property lying westerly of Swall Drive and northerly of Third Street.
(Approve Subdivision Improvement Agreement and Contract with attached security documents)
(ADOPT City Engineer Report)
(ADOPT Bond No. C-108248)
(Quimby Fee: $8,478)
Applicants: 109 Swall Properties, LLC
GM Engineering

Item for Which Public Hearing Has Been Held - Item 59

ITEM NO. (59) - AMENDING MOTION ADOPTED - CONTINUED TO JULY 20, 2005 - SEE FOLLOWING

Roll Call #7 - Motion (Smith - Padilla) To Adopt Amending Motion, Ayes (12); Absent: Cardenas, Ludlow and Villaraigosa (3)
Roll Call #8 - Motion (Smith - Padilla) Adopted to Continue, Unanimous Vote (12);
Absent: Cardenas, Ludlow and Villaraigosa (3)

05-1179
CONTINUED CONSIDERATION OF BUDGET AND FINANCE and ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEES’ REPORTS relative to Amendment No. 2 to contract with Browning-Ferris Industries of California, Inc. (BFI), for continued disposal services at BFI Sunshine Canyon Landfill for an additional five-year term starting July 1, 2006 and ending June 30, 2011.

CONTINUED

A. BUDGET AND FINANCE COMMITTEE REPORT

Recommendations for Council action:

1. AUTHORIZE the Bureau of Sanitation (BOS) to exercise a five-year renewal option to Contract Agreement No. C-93688, between the City and BFI, for disposal services for city solid waste, for an additional five year term starting July 1, 2006 and ending June 30, 2011.
2. INSTRUCT the BOS, in cooperation with the City Attorney, to bring forward a policy recommendation for the Council to adopt, that the City, working within the confines of the BFI contract, desires to divert from landfills as much solid waste as possible, to be used for alternative uses, i.e., green power, recycling, and reuse.

3. REQUEST the City Attorney to report back to the Budget and Finance Committee relative to recommendations on legal options the City may pursue during the five-year BFI contract extension and while abiding by the BFI contract, that will enable the City to develop more recyclables and to achieve greater diversion of solid waste from landfills to alternative uses.

4. INSTRUCT the BOS to report back to the Budget and Finance Committee every six months relative to the status of the development of options to divert more solid waste from landfills, goals for achieving greater diversion, new Request for Proposals, etc.

TIME LIMIT FILE - AUGUST 9, 2005
(LAST DAY FOR COUNCIL ACTION - JUNE 30, 2005)

CONTINUED

B. ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE REPORT

SUBMITS WITHOUT RECOMMENDATION the recommendations of the Bureau of Sanitation (BOS):

1. AUTHORIZE the BOS to exercise a second five-year renewal option to agreement No. C-93688 between the City and Browning-Ferris Industries of California, Inc. for disposal services for city waste.

2. AUTHORIZE the BOS to execute Amendment No. 2 of said agreement to extend the contract term from July 1, 2006 and ending June 30, 2011.

Fiscal Impact Statement: The Board of Public Works reports that funds currently budgeted for Fiscal Years 2004-05 and 2005-06 under Fund No. 100/82, Account No. 6020, Operating Supplies and Expense, for disposal fees will be utilized to pay for the continuation of disposal services at BFI Sunshine Canyon Landfill. The estimated monthly expenditure for disposal services at BFI Sunshine Canyon Landfill is approximately $1.9 million per month for Fiscal Year 2004-05. The tip fee for refuse disposal is $24.08 per ton for refuse collection vehicles and $23.56 per ton for transfer trailers.

TIME LIMIT FILE - AUGUST 9, 2005
(LAST DAY FOR COUNCIL ACTION - JUNE 30, 2005)

(Amending motion (Padilla - Smith - Zine - Greuel) adopted on June 28, 2005)
ADOPTED

AMENDING MOTION (SMITH - PADILLA)

Recommendation for Council action:

AUTHORIZE and INSTRUCT the Bureau of Sanitation with the assistance of the City Attorney to execute the necessary agreement between the City and Browning-Ferris Industries of California, Inc. to extend from June 30, 2005 to July 22, 2005 the period by which the City must decide to exercise its second five-year renewal option of the current disposal contract (C-93688).

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

04-1312
MOTION (GREUEL - GARCEITI) relative to declaring the 30th Annual Navasartian Games on June 30, 2005 through July 4, 2005 a Special Event (fees and costs absorbed by the City = $23,056).

04-1151
MOTION (GREUEL - PADILLA) relative to declaring the Sunland-Tujunga July Fourth Parade on July 4, 2005 a Special Event (fees and costs absorbed by the City = $5,780).

03-1280
MOTION (MISCIKOWSKI - LABONGE) relative to declaring the McCool Avenue Block Party on August 27, 2005 a Special Event (fees and costs absorbed by the City = $1,226).

05-1380
MOTION (MISCIKOWSKI - LABONGE) relative to declaring the Westchester Fourth of July Parade on July 4, 2005 a Special Event (fees and costs absorbed by the City = $8,334).

05-0222
MOTION (SMITH for VILLARAIGOSA - PARKS) relative to declaring the Eagle Rock Farmers’ Market on Fridays, July 1, 2005 through December 30, 2005 a Special Event (fees and costs absorbed by the City = $15,580).

02-1097
MOTION (SMITH for VILLARAIGOSA - PARKS) relative to declaring the L.A.’s First Independence Day Celebration on July 4, 2005 a Special Event (fees and costs absorbed by the City = $9,022).

02-1173
MOTION (PERRY - PARKS) relative to declaring the 59th Annual Grand Session on June 23, 2005 through July 24, 2005 a Special Event (fees and costs absorbed by the City = $1,008).
MOTION (MISCIKOWSKI - HAHN) relative to declaring the Goddard Avenue Block Party on July 4, 2005 a Special Event (fees and costs absorbed by the City = $1,226).

MOTION (MISCIKOWSKI - HAHN) relative to declaring the Venice Beach Showcase on July 9, 2005 a Special Event (fees and costs absorbed by the City = $9,010).

MOTION (PARKS - PERRY) relative to declaring the 91st Dalton Block Club’s Annual Fourth of July Block Party on July 4, 2005 a Special Event (fees and costs absorbed by the City = $312).

MOTION (PARKS - PERRY) relative to declaring the “Get To Know Your Neighbors” Block Party on July 2, 2005 a Special Event (fees and costs absorbed by the City = $312).

MOTION (HAHN - GARCETTI) relative to declaring the Stargazer Avenue Block Party on July 4, 2005 a Special Event (fees and costs absorbed by the City = $380).

MOTION (HAHN - GARCETTI) relative to declaring the Roseglen Avenue Block Party on July 4, 2005 a Special Event (fees and costs absorbed by the City = $1,226).

MOTION (HAHN - LABONGE) relative to declaring the Lakme Avenue Block Party on July 4, 2005 a Special Event (fees and costs absorbed by the City = $1,226).

MOTION (HAHN - LABONGE) relative to declaring the O’Farrell Street Block Party on July 4, 2005 a Special Event (fees and costs absorbed by the City = $1,226).

MOTION (WEISS - ZINE) relative to declaring the Bentley Avenue Block Party on July 3, 2005 a Special Event (fees and costs absorbed by the City = $1,188).

MOTION (MISCIKOWSKI - LABONGE) relative to declaring the Purina Pro Plan Rally to Rescue 5K Walk on July 23, 2005 a Special Event (event sponsor to reimburse the City for all fees and costs incurred AND meet the insurance and application requirements of the City.)

MOTION (PERRY - PARKS) relative to installing street banners to announce the 2005 Central Avenue Jazz Festival.

MOTION (VILLARAIGOSA - WEISS) relative to use of the Central Los Angeles Recycling and Transfer Station Community Amenities Trust Funds.
RESOLUTIONS PRESENTED PURSUANT TO RULE NO. 16 - TO BE PLACED ON THE NEXT AVAILABLE AGENDA

05-1700
RESOLUTION (PARKS - ZINE) relative to the Departmental Personnel Ordinances for 2005-06.

04-0991
RESOLUTION (WEISS - GREUEL) relative to extending the Melrose - Crescent Heights Interim Control Ordinance.

COUNCILMEMBER’S REQUEST FOR EXCUSE FROM COUNCIL MEETINGS

Motion (Zine - LaBonge) unanimously adopted to excuse Councilmember Garcetti to leave at 11:45 a.m. from Council session of Tuesday, July 5, 2005 due to City business.

COMMENDATORY RESOLUTION ADOPTED IN HONOR OF:

05-0574 - Trifone Joseph Nicassio (Zine - All Councilmembers)

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

05-0573 - Marshall Fernandez (Villaraigosa)

Ayes, Garcetti, Greuel, Hahn, LaBonge, Miscikowski, Parks, Perry, Reyes, Smith, Villaraigosa, Weiss, Zine and President Padilla (13); Absent: Cardenas and Ludlow (2).

Whereupon the Council did adjourn.

ATTEST: Frank T. Martinez, CITY CLERK

By

Council Clerk PRESIDENT OF THE CITY COUNCIL