

Los Angeles City Council, Journal/Council Proceedings
Wednesday, July 20, 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, Greuel, LaBonge, Parks, Perry, Reyes, Rosendahl, Smith, Weiss, Zine and President Padilla (11); Absent: Garcetti and Hahn (2). Council Districts 10 and 14 Vacant.

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

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 41

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 1-6

Roll Call #1 - Motion (Greuel - Cardenas) Adopted to Continue, Unanimous Vote (11);
Absent: Garcetti and Hahn (2)
(Item Nos. 1-6)

ITEM NO. (1) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE
PRESENTED AUGUST 10, 2005

04-2327

CD 12 HEARING PROTESTS against the proposed improvement and maintenance of the
ZELZAH AVENUE AND HALSTED STREET LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Zelzah Avenue
and Halsted Street Lighting District, in accordance with Sections 6.95-6.127 of the Los
Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on May 18, 2005 - Continue hearing and present Ordinance on AUGUST 10, 2005 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (2) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED AUGUST 10, 2005

04-2298

CD 15 HEARING PROTESTS against the proposed improvement and maintenance of the VREELAND AND SOUTHERLAND AVENUES LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Vreeland and Southerland Avenues Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on May 18, 2005 - Continue hearing and present Ordinance on AUGUST 10, 2005 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (3) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED AUGUST 10, 2005

04-2329

CD 11 HEARING PROTESTS against the proposed improvement and maintenance of the ARMACOST AND TEXAS AVENUES LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Armacost and Texas Avenues Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on May 18, 2005 - Continue hearing and present Ordinance on AUGUST 10, 2005 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (4) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED AUGUST 10, 2005

04-2330

CD 2 HEARING PROTESTS against the proposed improvement and maintenance of the WENTWORTH STREET AND SHERMAN GROVE AVENUE LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Wentworth Street and Sherman Grove Avenue Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on May 18, 2005 - Continue hearing and present Ordinance on AUGUST 10, 2005 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (5) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED AUGUST 10, 2005

04-2328

CD 2 HEARING PROTESTS against the proposed improvement and maintenance of the LAURELWOOD DRIVE AND CARPENTER AVENUE LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Laurelwood Drive and Carpenter Avenue Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on May 18, 2005 - Continue hearing and present Ordinance on AUGUST 10, 2005 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (6) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED AUGUST 10, 2005

04-2331

CD 6 HEARING PROTESTS against the proposed improvement and maintenance of the GLENOAKS BOULEVARD AND NETTLETON STREET NO. 4 LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Glenoaks Boulevard and Nettleton Street No. 4 Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on May 18, 2005 - Continue hearing and present Ordinance on AUGUST 10, 2005 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

Items for Which Public Hearings Have Been Held - Items 7-33

ITEM NO. (7) - ADOPTED - ORDINANCE OVER ONE WEEK TO JULY 27, 2005

Roll Call #5 - Motion (Perry - LaBonge) Adopted, Ayes (11); Absent: Garcetti and Hahn (2)

05-1303

CD9 TRANSPORTATION COMMITTEE REPORT AND ORDINANCE FIRST CONSIDERATION relative to removing the contra-flow lane designation on Spring Street and installation of new peak-period concurrent flow bus lanes on Spring and Main streets.

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

1. PRESENT and ADOPT the accompanying ORDINANCE amending Section 80.36.7 of the Los Angeles Municipal Code (LAMC) to change the contra-flow lane designation on Spring Street.
2. INSTRUCT the Los Angeles Department of Transportation (DOT) to remove the northbound contra-flow bus lane on Spring Street between First and Ninth Streets.
3. AUTHORIZE the DOT by Resolution to designate the southbound curb lane on Spring Street between Arcadia and Ninth Streets, and northbound curb lane on Main Street between First and Ninth Streets as a "Bus Only Lane" for the morning peak period between 7 AM and 9 AM, and evening peak period between 4 PM and 6 PM, Monday through Friday.
4. INSTRUCT the DOT to install the peak-period concurrent-flow "Bus Only Lanes" on Spring Street between Arcadia and Ninth Streets, and on Main Street between First and Ninth Streets.

Fiscal Impact Statement: The DOT reports that there is no fiscal impact on the City's General Fund. The implementation of this project will be funded with a grant from the Los Angeles County Metropolitan Transportation Authority.

Roll Call #2 - Motion (Perry - Smith) Adopted, Ayes (11); Absent: Garcetti and Hahn (2)
(Item Nos. 8-16)

ITEM NO. (8) - ADOPTED

03-0975

CD 7 ORDINANCE SECOND CONSIDERATION levying the assessments and ordering the maintenance of Encinitas Avenue and Larkspur Street 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 Closed July 13, 2005)

ITEM NO. (9) - ADOPTED

04-2014

CD 2 ORDINANCE SECOND CONSIDERATION abandoning all proceedings relating to Colfax Avenue and Moorpark Street lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218). 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 Closed July 13, 2005)

ITEM NO. (10) - ADOPTED

04-2015

CD 3 ORDINANCE SECOND CONSIDERATION levying the assessments and ordering the maintenance of Avenue San Luis and Legacy Court 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 Closed July 13, 2005)

ITEM NO. (11) - ADOPTED

04-2017

CD 11 ORDINANCE SECOND CONSIDERATION levying the assessments and ordering the maintenance of Barrington Avenue and Barrington Place 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 Closed July 13, 2005)

ITEM NO. (12) - ADOPTED

04-2060

CD 5 ORDINANCE SECOND CONSIDERATION levying the assessments and ordering the maintenance of Coldwater Canyon Avenue and Magnolia Boulevard 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 Closed July 13, 2005)

ITEM NO. (13) - ADOPTED

04-2064

CD 5 ORDINANCE SECOND CONSIDERATION levying the assessments and ordering the maintenance of Sunset and Laurel Canyon Boulevards 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 Closed July 13, 2005)

ITEM NO. (14) - ADOPTED - TO THE MAYOR FORTHWITH

05-1408

ORDINANCE SECOND CONSIDERATION providing for the issuance of the City of Los Angeles General Obligation Bonds, Series 2005-A and Refunding Series 2005-B, and creating related special funds.

(Motion was adopted to approve Budget and Finance Committee report recommendations and Resolution on July 13, 2005)

ITEM NO. (15) - ADOPTED - TO THE MAYOR FORTHWITH

05-1188

CD 11 ORDINANCE SECOND CONSIDERATION authorizing the Los Angeles World Airport to award contracts pursuant to a competitive sealed proposal method, to establish criteria, evaluate proposals, and conduct interviews relating to the procurement of construction contracts for the "Security Program - In-Line Baggage Screening Systems" and the "Tom Bradley International Terminal Interior Improvement and Baggage Screening Facilities" Projects at the Los Angeles International and the Ontario International Airports.

(Commerce, Energy and Natural Resources Committee report adopted and Administrative Exemption approved on July 13, 2005)

ITEM NO. (16) - ADOPTED

03-1791-S2

CD 12 ORDINANCE SECOND CONSIDERATION, approved by the Director of Planning, imposing interim regulations on the issuance of building permits in a portion of the Granada Hills-Knollwood Community Plan area, generally bounded by San Fernando Mission Road on the north, San Jose Street on the south, Zelzah Avenue on the west, and Amestoy Avenue on the east, with the exception of the corridor along Chatsworth Street from Zelzah Avenue on the west to Amestoy Avenue on the east.

(Planning and Land Use Management Committee report and Findings were adopted and Exemption was approved on July 13, 2005)

ITEM NO. (17) - ADOPTED

Roll Call #9 - Motion (Rosendahl - Parks) Adopted, Ayes (11); Absent: Garcetti and Hahn (2)

05-0242

ORDINANCE SECOND CONSIDERATION adding Section 80.54 to the Los Angeles Municipal Code to establish an Overnight Parking Program and adding Section 5.119.5 to the Los Angeles Administrative Code to establish an Overnight Parking Revenue Fund.

(Transportation Committee report adopted on July 13, 2005)

Roll Call #2 - Motion (Perry - Smith) Adopted, Ayes (11); Absent: Garcetti and Hahn (2)
(Item Nos. 18-32)

ITEM NO. (18) - ADOPTED

05-0540

CD 6 ORDINANCE OF INTENTION SECOND CONSIDERATION setting the date of SEPTEMBER 20, 2005 as the hearing date for the maintenance of Ventura Canyon Avenue and Strathern Street Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

(Communication from the Bureau of Street Lighting adopted on July 13, 2005)

ITEM NO. (19) - ADOPTED

05-0541

CD 12 ORDINANCE OF INTENTION SECOND CONSIDERATION setting the date of SEPTEMBER 20, 2005 as the hearing date for the maintenance of Remmet Avenue and Lassen Street Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

(Communication from the Bureau of Street Lighting adopted on July 13, 2005)

ITEM NO. (20) - ADOPTED

05-0542

CD 2 ORDINANCE OF INTENTION SECOND CONSIDERATION setting the date of SEPTEMBER 20, 2005 as the hearing date for the maintenance of Haines Canyon Avenue and Foothill Boulevard Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

(Communication from the Bureau of Street Lighting adopted on July 13, 2005)

ITEM NO. (21) - ADOPTED

05-0544

CD 7 ORDINANCE OF INTENTION SECOND CONSIDERATION setting the date of SEPTEMBER 20, 2005 as the hearing date for the maintenance of Beaver Street and Cranston Avenue Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

(Communication from the Bureau of Street Lighting adopted on July 13, 2005)

ITEM NO. (22) - ADOPTED

05-0545

CD 15 ORDINANCE OF INTENTION SECOND CONSIDERATION setting the date of SEPTEMBER 20, 2005 as the hearing date for the maintenance of Anaheim Street and Belle Porte Avenue Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

(Communication from the Bureau of Street Lighting adopted on July 13, 2005)

ITEM NO. (23) - ADOPTED

05-0603

CD 7 ORDINANCE OF INTENTION SECOND CONSIDERATION setting the date of SEPTEMBER 20, 2005 as the hearing date for the maintenance of Sepulveda Boulevard and Parthenia Street Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

(Communication from the Bureau of Street Lighting adopted on July 13, 2005)

ITEM NO. (24) - ADOPTED

05-0604

CD 3 ORDINANCE OF INTENTION SECOND CONSIDERATION setting the date of SEPTEMBER 20, 2005 as the hearing date for the maintenance of Stagg Street and Valley Circle Boulevard Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

(Communication from the Bureau of Street Lighting adopted on July 13, 2005)

ITEM NO. (25) - ADOPTED

05-1284

COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to proposed Agreement No. 47382-5 with the Microsoft Corporation (Microsoft) to provide technical support for Microsoft products used by the Los Angeles Department of Water and Power (DWP).

Recommendation for Council action:

CONCUR with Resolution No. 005-277 as adopted by the Board of Water and Power Commissioners (Board) on June 7, 2005, APPROVE Agreement No. 47382-5 with Microsoft and AUTHORIZE the Board President or General Manager of the DWP and the Board Secretary to execute Agreement No. 47382-5 with Microsoft to provide technical support of Microsoft products utilized by the DWP for a term of five years and a maximum expenditure amount of \$1,860,000.

Fiscal Impact Statement: The City Administrative Officer reports that approval of Agreement No. 47382-5 will not impact the City General Fund. The DWP Water and Power Revenue Funds will finance the proposed \$1,860,000 expenditure. Since the DWP is only bound by the City Debt Management Policies, and the proposed Agreement will not impact the City General Fund, the City Financial Policies are not applicable.

TIME LIMIT FILE - AUGUST 19, 2005

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

ITEM NO. (26) - ADOPTED

05-1346

COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to a proposed Modification of Lease with the County of Inyo to extend Lease BL-0972 for an additional 12 years for the Lone Pine Airport.

Recommendation for Council action:

CONCUR with Resolution No. 005-289 as adopted by the Board of Water and Power Commissioners (Board) on June 21, 2005, APPROVE the Modification of Lease to Lease BL-0972 and AUTHORIZE the Board President or General Manager of the Department of Water and Power (DWP) and the Board Secretary to execute the Modification of Lease for Lease BL-0972 with the County of Inyo for the Lone Pine Airport covering 65.74 acres located on the east side of US Highway 395, south of the town of Lone Pine, California and used as a runway and airport-related facilities for an additional 12 years with an expiration date of June 30, 2027.

Fiscal Impact Statement: The City Administrative Officer reports that there is no impact of the City General Fund. Approval of the proposed Modification of Lease BL-0972 will result in an additional \$4,320 (\$360 per year over 12 years, beginning in 2016) for the Water Revenue Fund. Since the DWP is only bound by the City Debt Management Policies, and the proposed Modification of Lease will not impact the City General Fund, the City Financial Policies are not applicable.

TIME LIMIT FILE - JULY 27, 2005

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

ITEM NO. (27) - ADOPTED

05-0006-S8

CD 6 PUBLIC SAFETY COMMITTEE REPORT relative to Graffiti Apprehension Reward payment.

Recommendation for Council action:

APPROVE Graffiti Apprehension Reward payment in the amount of \$1,000 to the applicant for an incident that occurred at the alley at 15032 Marlin Avenue.

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

ITEM NO. (28) - ADOPTED

05-1060

PUBLIC SAFETY COMMITTEE REPORT and RESOLUTION relative to the Juvenile Accountability Block Grant (JABG) Program 2005-06 grant award.

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

1. APPROVE the application for the JABG in the amount of \$275,323 (which includes matching funds) for a term of one year, from July 1, 2005 through June 30, 2006, subject to the review and approval of the City Attorney as to form and legality.
2. ADOPT the accompanying RESOLUTION, attached to the file, relative to a grant award from the California Board of Corrections (CBOC) for the JABG in the amount of \$247,791 for the period July 1, 2005 through June 30, 2006, subject to the review and approval of the City Attorney as to form and legality.

3. AUTHORIZE the Director, Mayor’s Criminal Justice Planning Office, or designee, to:
 - a. Execute and submit the Standard Agreement application package to the CBOC on behalf of the City, subject to the review and approval of the City Attorney as to form and legality.
 - b. Allocate \$6,194 in JABG grant award funds for one exempt Senior Project Coordinator, Code 1538, in the Community Development Department (CDD).
4. AUTHORIZE the General Manager, CDD, or designee, to allocate \$235,402 in JABG funds among 2005-06 LA Bridges II Program contractors, upon Council and Mayor approval of the CDD recommendation to negotiate and execute amendments for all existing LA Bridges contracts.
5. AUTHORIZE the Controller to:
 - a. Appropriate \$6,194 from JABG Fund No. 45X, Account No. Y122, to Fund No. 100/22, Account No. 1010, Salaries General.
 - b. Appropriate \$6,195 from JABG Fund No. 45X, Account No. Y146, to Fund No. 100/46, Account No. 1020, Salaries Grant Reimbursed.
 - c. Increase appropriation account Y200 (LA Bridges Program 2005-06) for \$235,402 within General Fund Various Program Fund No. 551, Department No. 22.
 - d. Transfer cash from JABG Fund No. 45X to Fund No. 551, Department No. 22, upon submission of invoices by CDD and approval by the Office of the Mayor, of such invoices for JABG-related expenditures.
 - e. Establish a receivable in the amount of \$247,791 and establish the following appropriation accounts within JABG Fund No. 45X, Department No. 46:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
Y200	LA Bridges Program 2005-06	\$235,402
Y122	Community Development Department	\$ 6,194
Y146	Mayor - Salaries	\$ 6,195

6. AUTHORIZE the Mayor, or designee, to prepare Controller instructions for any necessary technical adjustments, 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 General Funds in the amount of \$27,532 for the City cash match are provided from budgeted CDD funds. Funds in the amount of \$247,791 are provided from federal JABG funds through the CBOC. The total JABG project cost for the 2005-06 program year is \$275,323. These recommendations are in compliance with the Financial Policies in that ongoing revenue will be used to support the JABG program.

ITEM NO. (29) - ADOPTED

05-1001

CD 4 MITIGATED NEGATIVE DECLARATION and PUBLIC WORKS COMMITTEE REPORT relative to an initial study and environmental documents for the construction of the Nichols Canyon Easement Sewer Replacement Project (Project).

Recommendations for Council action:

1. CONSIDER and FIND that the Mitigated Negative Declaration with Initial Study, prepared in accordance with the California Environmental Quality Act of 1970, finds said Project with applied mitigation measures will not cause significant impacts to the environment. The Declaration (No. BE 151-05 filed on March 8, 2005) is located in Council file No. 05-1001 in the custody of the City Clerk.
2. ADOPT the Mitigated Negative Declaration and the Mitigation Plan.
3. APPROVE the Project as described in the Initial Study, attached to the Council file.

Fiscal Impact Statement: The Board of Public Works reports that funding for the Project is provided from wastewater program funds, specifically under the Consent Sewer Settlement Agreement. A total of \$286,540 has been budgeted from the Capital Improvement Program. (Project C252, Fiscal Year 2004-05)

ITEM NO. (30) - ADOPTED

03-0426

CD 11 GENERAL EXEMPTION, TRANSPORTATION COMMITTEE REPORT and RESOLUTION relative to the renewal of Temporary Preferential Parking District (PPD) No. 54 on the 4400 Block of Harding Avenue in the Mar Vista area.

Recommendations for Council action:

1. FIND that the renewal of Temporary PPD No. 54, pursuant to Los Angeles Municipal Code (LAMC) Section 80.58.d, is exempt from the California Environmental Quality Act (CEQA) requirements under the General Exemption (Article II, Section 1 of the 2002 Los Angeles City CEQA Guidelines).
2. FIND that parking problem that led to the establishment of Temporary PPD No. 54 on the 4400 Block of Harding Avenue in the Mar Vista area still exists and that no permanent solution has been found.
3. ADOPT the accompanying RESOLUTION renewing Temporary PPD No. 54 pursuant to Section 80.58.d of the LAMC for an additional 12 months.

4. DIRECT the Department of Transportation (DOT) to prepare a Notice of Exemption reflecting Council's actions under Recommendation No. 1 above and file such notice with the City and County Clerks within five working days of the City Council's action.

Fiscal Impact Statement: The DOT reports that there are over 100 preferential parking districts Citywide that require a staff of approximately 19 DOT employees to: 1) Process requests for new districts and modifications to existing districts; 2) install and maintain signs; and, 3) enforce the preferential parking restrictions. The total cost of the Preferential Parking Program during FY 2004-05 is estimated at \$2.5 million. Approximately \$1.2 million in General Fund revenue is anticipated to be received from the annual sale of over 192,000 Preferential Parking Permits, which will reimburse the City for only 48 percent of the cost of implementation, enforcement and administration of the Preferential Parking Program Citywide. A proposal to increase preferential parking permit fees to a level sufficient to fully recover the costs of operating the Preferential Parking Program will be presented in a separate report.

If the Council approves the DOT's proposed permit fee increases, the additional cost of implementing, enforcing and administering Preferential Parking District No. 54 will be covered by the revenue from the sale of permits for the District. Furthermore, the City may gain additional General Fund revenue from the issuance of parking citations to violators of the District's parking restrictions.

ITEM NO. (31) - ADOPTED

03-0427

CD 11

GENERAL EXEMPTION, TRANSPORTATION COMMITTEE REPORT and RESOLUTION relative to the renewal of Temporary Preferential Parking District (PPD) No. 58 on the 3800 Block of Keystone Avenue in the Palms area.

Recommendations for Council action:

1. FIND that the renewal of Temporary PPD No. 58, pursuant to Los Angeles Municipal Code (LAMC) Section 80.58.d, is exempt from the California Environmental Quality Act (CEQA) requirements under the General Exemption (Article II, Section 1 of the 2002 Los Angeles City CEQA Guidelines).
2. FIND that parking problem that led to the establishment of Temporary PPD No. 58 on the 3800 Block of Keystone Avenue in the Palms area still exists and that no permanent solution has been found.
3. ADOPT the accompanying RESOLUTION renewing Temporary PPD No. 58 pursuant to Section 80.58.d of the LAMC for an additional 12 months.
4. DIRECT the Department of Transportation (DOT) to prepare a Notice of Exemption reflecting Council's actions under Recommendation No. 1 above and file such notice with the City and County Clerks within five working days of the City Council's action.

Fiscal Impact Statement: The DOT reports that there are over 100 preferential parking districts Citywide that require a staff of approximately 19 DOT employees to: 1) Process requests for new districts and modifications to existing districts; 2) install and maintain signs; and, 3) enforce the preferential parking restrictions. The total cost of the Preferential Parking Program during Fiscal Year 2004-05 is estimated at \$2.5 million.

Approximately \$1.2 million in General Fund revenue is anticipated to be received from the annual sale of over 192,000 Preferential Parking Permits, which will reimburse the City for only 48 percent of the cost of implementation, enforcement and administration of the Preferential Parking Program Citywide. A proposal to increase preferential parking permit fees to a level sufficient to fully recover the costs of operating the Preferential Parking Program will be presented in a separate report.

If the Council approves the DOT's proposed permit fee increases, the additional cost of implementing, enforcing and administering Preferential Parking District No. 58 will be covered by the revenue from the sale of permits for the District. Furthermore, the City may gain additional General Fund revenue from the issuance of parking citations to violators of the District's parking restrictions.

ITEM NO. (32) - ADOPTED

04-1464

CD 13

GENERAL EXEMPTION, TRANSPORTATION COMMITTEE REPORT and RESOLUTION relative to the renewal of Temporary Preferential Parking District (PPD) No. 83 near the Children's Hospital-Kaiser Permanente-Vermont/Sunset Metrorail Station Complex.

Recommendations for Council action:

1. FIND that the renewal of Temporary PPD No. 83, pursuant to Los Angeles Municipal Code (LAMC) Section 80.58.d, is exempt from the California Environmental Quality Act (CEQA) requirements under the General Exemption (Article II, Section 1 of the 2002 Los Angeles City CEQA Guidelines).
2. FIND that parking problem that led to the establishment of Temporary PPD No. 83 near the Children's Hospital-Kaiser Permanente-Vermont/Sunset Metrorail Station Complex still exists and that no permanent solution has been found.
3. ADOPT the accompanying RESOLUTION renewing Temporary PPD No. 83 pursuant to Section 80.58.d of the LAMC for an additional 12 months.
4. DIRECT the Department of Transportation (DOT) to prepare a Notice of Exemption reflecting Council's actions under Recommendation No. 1 above and file such notice with the City and County Clerks within five working days of the City Council's action.

Fiscal Impact Statement: The DOT reports that there are over 100 preferential parking districts Citywide that require a staff of approximately 19 DOT employees to: 1) Process requests for new districts and modifications to existing districts; 2) install and maintain signs; and, 3) enforce the preferential parking restrictions. The total cost of the Preferential Parking Program during Fiscal Year 2004-05 is estimated at \$2.5 million. Approximately \$1.2 million in General Fund revenue is anticipated to be received from the annual sale of over 192,000 Preferential Parking Permits, which will reimburse the City for only 48 percent of the cost of implementation, enforcement and administration of the Preferential Parking Program Citywide. A proposal to increase preferential parking permit fees to a level sufficient to fully recover the costs of operating the Preferential Parking Program will be presented in a separate report.

If the Council approves the DOT's proposed permit fee increases, the additional cost of implementing, enforcing and administering Preferential Parking District No. 83 will be covered by the revenue from the sale of permits for the District. Furthermore, the City may gain additional General Fund revenue from the issuance of parking citations to violators of the District's parking restrictions.

ITEM NO. (33) - ADOPTED

Roll Call #6 - Motion (Cardenas - Zine) Adopted, Ayes (11); Absent: Garcetti and Hahn (2)

03-2529

CD 2, 6 & 7 ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT and PLANNING AND LAND USE MANAGEMENT COMMITTEES' REPORTS relative to designating a geographical area within the Sun Valley as the Sun Valley Environmental Justice Improvement Area (Area).

A. ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE REPORT

Recommendations for Council action, pursuant to Motion (Cardenas - Padilla - et al.):

1. DESIGNATE the geographic area within Sun Valley bounded by Glenoaks Boulevard to Sunland Boulevard/Vineland Avenue to Strathern Street to Lankershim Boulevard to Haddon Avenue to Montague Avenue to Glenoaks Boulevard as the Sun Valley Environmental Justice Improvement Area.
2. REQUEST the City Attorney to report in 60 days on the status of the multi-agency Sun Valley Environmental Task Force, including a description of inspections to date and pending enforcement actions.
3. DIRECT the Planning Department to refer to the Environmental Affairs Department (EAD), for review and comment, all pending and future land use applications relating to active or closed landfills, solid waste, auto-dismantling or recycling facilities within said Area; and INSTRUCT the EAD to report in 60 days on resources and funding that will be needed to perform said reviews.

4. INSTRUCT the Planning Department to refer to the Los Angeles Fire Department (LAFD), for review and comment, all pending and future land use applications for facilities proposing to use non-exempt quantities of listed hazardous materials within said Area. DIRECT the LAFD to report in 60 days on resources and funding that will be needed to perform said reviews.
5. DIRECT the Planning Department to post at the Sun Valley Public Library a copy of pending and future discretionary land use applications for industrial facilities within said Area, along with applicable dates for public hearings and time lines for receipt of written public comments.
6. INSTRUCT the Planning Department to complete a written study, including conducting three local public hearings in Sun Valley by May 31, 2004, that proposes design guidelines and standards for the establishment, expansion, continuation and reuse of industrial facilities within said Area. The Planning Department is to consult with local Neighborhood and Community Advisory Councils, residents, businesses, the Chamber of Commerce, and City departments.
7. DIRECT the Planning Department to report to the Planning and Land Use Management (PLUM) Committee within 90 days regarding its efforts to improve coordination of comprehensive planning efforts within said Area and to report within 60 days on funding requirements.
8. INSTRUCT the Department of Recreation and Parks to report to the PLUM Committee within 90 days on the existing inventory of parks and recreation centers within the Sun Valley.

B. PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT

Recommendations for Council action, pursuant to Motion (Cardenas - Padilla - et al.):

1. CONCUR with the recommendations of the Environmental Quality and Waste Management Committee report dated July 5, 2005, relative to designating the geographic area within Sun Valley bounded by Glenoaks Boulevard to Sunland Boulevard/Vineland Avenue to Strathern Street to Lankershim Boulevard to Haddon Avenue to Montague Avenue to Glenoaks Boulevard as the Sun Valley Environmental Justice Improvement Area.
2. INSTRUCT the Planning Department to add to the Sun Valley Environmental Justice Improvement Area boundaries to the west and northwest in Council District Seven, to the immediate west in Council District Six, and to the extreme southeast in Council District Two.
3. REFER the request in the Motion (Cardenas - Padilla - et al.), to the City Planning Department as lead, City Attorney, Environmental Affairs Department (EAD), Los Angeles Fire Department (LAFD), Community Development Department, and the Department of Recreation and Parks, along with the assistance of the Sun Valley Environmental Taskforce, and request a status update within 60 days.

4. REQUEST the LAFD, EAD, City Planning Department (and any other fiscally impacted City department) to report on the resources and funding that it will need to comply with the intent of Motion (Cardenas - Padilla - et al.).

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

Items for Which Public Hearings Have Not Been Held - Items 34-69 (10 Votes Required for Consideration)

Roll Call #3 - Motion (Parks - Weiss) Adopted, Ayes (11); Absent: Garcetti and Hahn (2)
(Item Nos. 34-54)

ITEM NO. (34) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION -
ORDINANCE OVER ONE WEEK TO JULY 27, 2005

05-0656

CD 11 COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of BEACH AND REDWOOD AVENUES 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 April 4, 2005.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of SEPTEMBER 27, 2005 as the hearing date for the maintenance of Beach and Redwood Avenues No. 1 Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$999.40 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: September 19, 2005)

ITEM NO. (35) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION -
ORDINANCE OVER ONE WEEK TO JULY 27, 2005

05-0602

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 RESEDA BOULEVARD AND OXNARD 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 April 1, 2005.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of SEPTEMBER 27, 2005 as the hearing date for the maintenance of Reseda Boulevard and Oxnard Street Lighting District, in accordance with Proposition 218, Articles XIII C and XIII D of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$4,726.69 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: September 19, 2005)

ITEM NO. (36) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION - ORDINANCE OVER ONE WEEK TO JULY 27, 2005

05-0601

CD 1

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of LUCAS AVENUE AND INGRAHAM 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 April 1, 2005.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of SEPTEMBER 27, 2005 as the hearing date for the maintenance of Lucas Avenue and Ingraham Street Lighting District, in accordance with Proposition 218, Articles XIII C and XIII D of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$9,628.96 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: September 19, 2005)

ITEM NO. (37) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION - ORDINANCE OVER ONE WEEK TO JULY 27, 2005

05-0599

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 FENWICK STREET AND WOODWARD 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 April 1, 2005.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of SEPTEMBER 27, 2005 as the hearing date for the maintenance of Fenwick Street and Woodward Avenue Lighting District, in accordance with Proposition 218, Articles XIII C and XIII D of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$606.51 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: September 19, 2005)

ITEM NO. (38) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION - ORDINANCE OVER ONE WEEK TO JULY 27, 2005

05-0598

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 FOOTHILL AND BALBOA BOULEVARDS 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 April 1, 2005.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of SEPTEMBER 27, 2005 as the hearing date for the maintenance of Foothill and Balboa Boulevards No. 1 Lighting District, in accordance with Proposition 218, Articles XIII C and XIII D of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$3,215.41 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: September 19, 2005)

ITEM NO. (39) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION - ORDINANCE OVER ONE WEEK TO JULY 27, 2005

05-0657

CD 11

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of BARRINGTON AND NEBRASKA AVENUES 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 April 4, 2005.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of SEPTEMBER 27, 2005 as the hearing date for the maintenance of Barrington and Nebraska Avenues Lighting District, in accordance with Proposition 218, Articles XIIIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$1,467.02 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: September 19, 2005)

ITEM NO. (40) - ADOPTED

[05-0005-S230](#)

CD 4 RESOLUTION removing the property at 1327-27 1/2 North Orange Drive from the Rent Escrow Account Program [REAP], (Case No. 8007), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No. 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of July 13, 2005. Assessor I.D. No. 5548-023-020
Registration No. 0063701

(Notice of Acceptance into the REAP/Rent Reduction Program was released on May 18, 2005)

ITEM NO. (41) - ADOPTED

[05-0005-S231](#)

CD 11 RESOLUTION removing the property at 7053 Trolleyway Street from the Rent Escrow Account Program [REAP], (Case No. 8030), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No. 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of July 13, 2005. Assessor I.D. No. 4116-033-053
Registration No. None

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

ITEM NO. (42) - ADOPTED

05-0005-S232

CD 1 RESOLUTION removing the property at 3507-09 1/2 Marmion Way from the Rent Escrow Account Program [REAP], (Case No. 8098), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No. 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of July 13, 2005. Assessor I.D. No. 5446-023-020
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on May 19, 2005)

ITEM NO. (43) - ADOPTED

05-0005-S233

CD 13 RESOLUTION removing the property at 3202-12 North Minneapolis Street from the Rent Escrow Account Program [REAP], (Case No. 8125), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No. 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of July 13, 2005. Assessor I.D. No. 5436-020-044
Registration No. 5068721

(Notice of Acceptance into the REAP/Rent Reduction Program was released on April 13, 2005)

ITEM NO. (44) - ADOPTED

05-0005-S234

CD 13 RESOLUTION removing the property at 231-33 North Reno Street from the Rent Escrow Account Program [REAP], (Case No. 8204), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No. 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of July 13, 2005. Assessor I.D. No. 5156-012-019
Registration No. 0528729

(Notice of Acceptance into the REAP/Rent Reduction Program was released on May 26, 2005)

ITEM NO. (45) - ADOPTED

05-0005-S235

CD 9 RESOLUTION removing the property at 1618-22 East Vernon Avenue from the Rent Escrow Account Program [REAP], (Case No. 8230), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No. 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of July 13, 2005. Assessor I.D. No. 5106-003-002
Registration No. 0478008

(Notice of Acceptance into the REAP/Rent Reduction Program was released on May 26, 2005)

ITEM NO. (46) - ADOPTED

05-0005-S236

CD10 RESOLUTION removing the property at 1363-65 1/2 Masselin Avenue from the Rent Escrow Account Program [REAP], (Case No. 8277), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No. 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of July 13, 2005. Assessor I.D. No. 5085-029-036
Registration No. 0116517

(Notice of Acceptance into the REAP/Rent Reduction Program was released on May 4, 2005)

ITEM NO. (47) - ADOPTED

05-0005-S237

CD 8 RESOLUTION removing the property at 813-15 1/2 West 65th Street from the Rent Escrow Account Program [REAP], (Case No. 8332), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No. 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of July 13, 2005. Assessor I.D. No.6013-014-024
Registration No. 5084413

(Notice of Acceptance into the REAP/Rent Reduction Program was released on June 23, 2005)

ITEM NO. (48) - ADOPTED

05-0005-S238

CD 15 RESOLUTION removing the property at 546 West 15th Street from the Rent Escrow Account Program [REAP], (Case No. 8335), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No. 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of July 13, 2005. Assessor I.D. No. 7454-027-017
Registration No. 0016188

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

ITEM NO. (49) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

01-0320-S4

CDs 4 COMMUNICATION FROM CHAIR AND MEMBER, HOUSING, COMMUNITY AND
& 13 ECONOMIC DEVELOPMENT COMMITTEE relative to the Community Redevelopment Agency (CRA) increasing the purchase order amount for the Law Firm of Kane, Ballmer, & Berkman.

Recommendation for Council action:

AUTHORIZE the Chief Executive Officer, CRA, or designee, to increase the purchase order issued under Contract No. 502411 with the Law Firm of Kane, Ballmer, & Berkman to increase it by \$40,000, from \$75,000 to \$115,000, to defend plaintiff's appeal to State Court of Appeals in the case entitled Robert B. Blue, et al. v. the City of Los Angeles and Community Redevelopment Agency, Los Angeles Superior Court Case No. BC299195.

Fiscal Impact Statement: The CRA reports that this action will not impact the General Fund.

ITEM NO. (50) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

01-2765-S10

CD 13 COMMUNICATION FROM CHAIR AND MEMBER, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE relative to amending the contract with Hamburger Home, Inc., to expand the scope of work to include various facility improvements, and to extend the contract term for an additional six months.

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

1. INSTRUCT and AUTHORIZE the General Manager, Community Development Department (CDD), to amend Contract No. 104268 with Hamburger Home Inc., (Aviva Family and Children's Services) to expand the scope of work for the facility at 7120 Franklin Avenue, to include the following: Replacement of an accordion door in the lunchroom; installation of shade awnings over the play area and glare reduction coating on the surface of the play area; upgrade the security access to the parking lot; and, to extend the term by an additional six months to a new termination date of January 12, 2006, using \$32,425.89 currently unexpended in the contract budget, subject to the approval of the City Attorney, as to form and legality.
2. AUTHORIZE CDD to prepare Controller instructions and/or make any technical adjustments that may be required and are consistent with this action, subject to the approval of the City Administrative Officer (CAO); and, AUTHORIZE the Controller to implement the instructions.

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

ITEM NO. (51) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

02-2600

COMMUNICATION FROM CHAIR AND MEMBER, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE relative to the proposed Fiscal Year (FY) 2005-06 Budget for the Industrial Development Authority of the City of Los Angeles (IDA), and related actions.

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

1. APPROVE the IDA's proposed budget for FY 2005-06, as outlined in the Attachment to the City Administrative Officer (CAO) report to the Mayor and Council dated July 8, 2005 (attached to the Council file).
2. AUTHORIZE the Controller to:
 - a. Decrease balances in prior year accounts within Fund 816 Industrial Development Authority after all 2004-05 expenditures are paid.
 - b. Establish a new Account Y122 Community Development and appropriate \$120,000 within Fund 816 Industrial Development Authority.
 - c. Appropriate \$120,000 from Fund 816 Industrial Development Authority Account Y122 as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
2120	Printing and Binding	\$ 6,000
2130	Travel	18,000
3040	Contractual Services	65,000
6010	Office and Administrative	29,000
7300	Furniture Office and Technical	2,000
		<u>\$120,000</u>

d. Expend funds, subject to availability, upon presentation of documentation and proper demand of the General Manager, Community Development Department (CDD), or designee.

3. AUTHORIZE the General Manager, CDD, or designee, to prepare Controller instructions for any necessary technical adjustments that may be required, subject to the approval of the CAO, and AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. Approval of the above recommendations will establish the 2005-06 IDA Budget and provide funding in the amount of \$120,000 to be derived from the Industrial Development Bond proceeds and transaction fees. There are sufficient resources in the IDA accounts. The City does not provide funds for the IDA. This action complies with the City financial policies in that ongoing revenue will be used to support this program.

ITEM NO. (52) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

03-0002-S113

COMMUNICATION FROM CHAIR AND MEMBER, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE relative to the equitable expenditure of Low-Income Home Energy Assistance Program (LIHEAP) funds in the city of Los Angeles service area.

Recommendation for Council action:

NOTE and FILE Community Development Department (CDD) report to the Mayor dated June 7, 2005 (attached to the Council file) relative to the equitable expenditure of LIHEAP funds in the City of Los Angeles service area.

Fiscal Impact Statement: Not applicable.

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

05-1310

COMMUNICATION FROM CHAIR AND MEMBER, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE relative to awarding contracts to five firms for general civil engineering services for various Community Redevelopment Agency (CRA) projects.

Recommendations for Council action:

1. AUTHORIZE the Chief Executive Officer, CRA, or designee, to award contracts to the following firms: 1) Mollenhauer Group; 2) Wheeler & Gray, Inc.; 3) David Evans & Associates, Inc.; 4) Psomas; and, 5) CBM Consulting, Inc. for a three-year period, effective from the date of execution, with two one-year renewal options for a combined total amount not to exceed \$2,500,000, with compensation for each contract not to exceed \$700,000, for general civil engineering services for various CRA projects, subject to the approval of both the City Attorney as to form and legality, and the Department of Public Works, Bureau of Contract Administration for compliance with CRA contracting requirements.
2. DIRECT the CRA to issue a new solicitation for engineering firms within one year of the date of this action to either expand this pool of existing firms available for general civil engineering services for various CRA projects, and/or to create a second pool of firms with three-year service agreement terms over-lapping this pool; said solicitation to include outreach to minority- and woman-owned engineering professional associations, and additional forms of outreach such as participating in job or business fairs.

Fiscal Impact Statement: The City Administrative Officer reports that this action will not impact the General Fund. The total estimated expenditure will not exceed \$2,500,000 for general civil engineering services contracts. Funding for the proposed contracts will be provided from CRA funds from individual project areas. Since the CRA is only bound by the City Debt Management Policies and the proposed contracts will not impact the General Fund, City financial policies are not applicable.

ITEM NO. (54) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

05-1311

COMMUNICATION FROM CHAIR AND MEMBER, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE relative to the Community Redevelopment Agency (CRA) amending its contract with Mary Hamilton for arts program consulting services.

Recommendation for Council action:

AUTHORIZE the Chief Executive Officer, CRA, or designee, to amend the contract with Mary Hamilton to increase the amount by \$57,466, for a total amount not to exceed \$81,466, and to increase term from four months to one year, for arts program consulting services.

Fiscal Impact Statement: The CRA reports that this action will not impact the General Fund.

ITEM NO. (55) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

Roll Call #7 - Motion (Perry - LaBonge) Adopted, Ayes (11); Absent: Garcetti and Hahn (2)

05-1312

CD 9

COMMUNICATION FROM CHAIR AND MEMBER, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE relative to the implementation plan for the development of two parcels owned by the Community Redevelopment Agency (CRA) and two parcels owned by the County of Los Angeles in the Bunker Hill Redevelopment Project Area and public park improvements in the Civic Center.

Recommendations for Council action:

1. CONCUR in the action of the CRA Board of Commissioners at its meeting held June 16, 2005 to approve the Grand Avenue Project Implementation Plan, as approved by the Grand Avenue Authority at its May 23, 2005 meeting for the development of two CRA-owned parcels and two County-owned parcels in the Bunker Hill Redevelopment Project Area including public park improvements in the Civic Center Mall area and streetscape improvements along the upper portions of Grand Avenue, subject to the inclusion of a Community Benefit Plan to be incorporated in the negotiated Disposition and Development Agreement between the CRA and Related Companies (developer), and to affirm the inclusion of the CRA policy on Labor-Peace Agreement.
2. URGE the project developer to meet with community advocates to form an advisory negotiating team comprised of representative of local community groups, with whom recommendations for the final Community Benefit Plan will be formulated.
3. DIRECT the CRA to meet with the Fire and Police Departments to determine if additional fire and life safety personnel and resources are needed as this project proceeds; and to coordinate the timeline for the completion of this project with the budget process for the Fire and Police Departments.

Fiscal Impact Statement: The Chief Legislative Analyst reports that this action will not impact the General Fund. CRA tax increment resources will be necessary to fund the proposed affordable housing units as well as certain public improvements. A contribution of City revenues may be negotiated to assist the hotel component of Phase 1.

Roll Call #3 - Motion (Parks - Weiss) Adopted, Ayes (11); Absent: Garcetti and Hahn (2)
(Item Nos. 56-69)

ITEM NO. (56) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

05-1355

CD 4

COMMUNICATION FROM CHAIR AND MEMBER, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE relative to the formation of a Historic Sunset Boulevard Business Improvement District (BID), and providing funding for related support services.

Recommendations for Council action, as initiated by Motion (LaBonge - Weiss):

1. REQUEST that the City Clerk and the City Attorney meet with Sunset Boulevard and La Brea Avenue property owners and provide the necessary assistance to begin the formation of a Historic Sunset Boulevard BID.
2. ALLOCATE up to \$40,000 from the Business Improvement District Trust Fund No. 659, or other source of funds, and subject to terms and conditions as described in the City's BID Policy documents to be used to hire a consultant to gather data, prepare necessary documents, attend meetings, and conduct other activities to determine BID feasibility; and, to coordinate the formal adoption process needed to establish the Historic Sunset Boulevard BID.

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

ITEM NO. (57) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

04-1848-S5

CD 4

COMMUNICATION FROM THE VICE-CHAIR, PLANNING AND LAND USE MANAGEMENT COMMITTEE relative to an application for a hardship exemption from provisions of the City's Windsor Square Interim Control Ordinance (ICO) for the property at 629 South Lucerne Boulevard.

Recommendations for Council action:

1. GRANT hardship exemption from the City's Windsor Square ICO (Ordinance No. 176229) as noted and as described in the application attached to Council file No. 04-1848-S5, for the proposed demolition and replacement of a detached garage with a two-story pool and pool house with storage at the first floor and a gym at the second floor, and a two-car carport attached to the structure, for property at 629 South Lucerne Boulevard.
2. ADVISE the applicant that this hardship exemption, if granted by the City Council, is not a permit or license and that any other approvals, permits and licenses required by law must be obtained from the proper agencies.

Applicant: Mayne Berke (Adrian Koffka, Representative)

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

ITEM NO. (58) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

05-0919

CD 2

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for 12745 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 12745 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. (59) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

05-0920

CD 2

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for 6700 Hazeltine 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 4, 2005, and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 6700 Hazeltine 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. (60) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

05-0921

CD 2

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for 6460 North Woodman 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 4, 2005, and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 6460 North Woodman 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. (61) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

05-0922

CD 2

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for 13823 West Sherman Way.

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 13823 West Sherman Way.
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. (62) - ADOPTED

05-1220

CD 7

MOTION (PADILLA - CARDENAS) relative to declaring the Council District Seven Community Cleanup on July 23, 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 July 23, 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. (63) - ADOPTED

05-1466

CD 3 MOTION (ZINE - PERRY) relative to declaring the San Fernando Valley CROP Hunger Walk and Concert to Prevent Hunger on July 17, 2005 a Special Event (fees and costs absorbed by the City = \$1,508).

Recommendation for Council action:

DECLARE the San Fernando Valley CROP Hunger Walk and Concert to Prevent Hunger, sponsored by the Valley Interfaith Council, Valley Cultural Center and the Church World Services on July 17, 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), EXCEPT fees and costs that may be associated with the use of facilities under the jurisdiction of the Board of Recreation and Park Commissioners. The event sponsor shall meet all application and insurance requirements of the City.

ITEM NO. (64) - ADOPTED

05-1468

CD 9 MOTION (PERRY - REYES) relative to declaring the Celebrity Basketball Games Street Festival on July 17, 2005 a Special Event (fees and costs absorbed by the City = \$8,002).

Recommendation for Council action:

DECLARE the Celebrity Basketball Games Street Festival, sponsored by the Magic Johnson Foundation on July 17, 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. (65) - ADOPTED

05-1469

CD 9 MOTION (PERRY - ROSENDAHL) relative to declaring the Taiko Ten on July 15, 2005 a Special Event (fees and costs absorbed by the City = \$1,428).

Recommendation for Council action:

DECLARE the Taiko Ten, sponsored by the Japanese American Cultural and Community Center on July 15, 2005, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance AND application requirements.

ITEM NO. (66) - ADOPTED

02-1573

CD 9 MOTION (PERRY - SMITH) relative to declaring the School Children Visit to the Los Angeles Sparks on July 19, 2005 a Special Event (fees and costs absorbed by the City = \$3,184).

Recommendation for Council action:

DECLARE the School Children Visit to the Los Angeles Sparks, sponsored by the Los Angeles Sparks on July 19, 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. (67) - ADOPTED

05-1470

CD 7 MOTION (PADILLA - GARCETTI) relative to declaring the Council District Seven Community Appreciation Breakfast on July 16, 2005 a Special Event (fees and costs absorbed by the City = none submitted).

Recommendation for Council action:

DECLARE the Council District Seven Community Appreciation Breakfast, sponsored by the Office of Council District Seven on July 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.

ITEM NO. (68) - ADOPTED

05-1467

CD 9 MOTION (PERRY - ROSENDAHL) relative to declaring the Ice Princess Release on July 19, 2005 a Special Event (event sponsor to reimburse the City for all fees and cost incurred AND meet all application and insurance requirements of the City).

Recommendation for Council action:

DECLARE the Ice Princess Release, sponsored by Disney on July 19, 2005, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion.

ITEM NO. (69) - ADOPTED

03-0350

CD 9 MOTION (PERRY - REYES) relative to declaring the Summer Gift and Home Furnishings Show on July 19-26, 2005 a Special Event (event sponsor to reimburse the City for all fees and cost incurred AND meet the application and insurance requirements of the City).

Recommendation for Council action:

DECLARE the Summer Gift and Home Furnishings Show, sponsored by the LA Mart on July 19-26, 2005, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion.

Closed Sessions - Items 70-75

ITEM NO. (70) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #10 - Motion (LaBonge - Parks) Adopted in Open Session, Ayes (11);
Absent: Garcetti and Hahn (2)

02-0774-S39

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to a discussion of the Adelphia Communications Corporation bankruptcy matter and funding for the law firm selected to assist in that matter.

(Information Technology and General Services Committee waived consideration of the above matter. The Budget and Finance Committee considered the above matter in Closed Session on July 12, 2005.)

ADOPTED

MOTION (LABONGE - PARKS)

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

APPROVE the third amendment to the existing Agreement with Manatt, Phelps & Phillips, LLP, increasing the Agreement in the amount of \$200,000, to be funded by the Information Technology Agency.

This matter was approved by the Budget and Finance Committee (Parks - Rosendahl - Cardenas - Garcetti - Smith "yes"), in Closed Session as permitted by Government Code Section 54956.9(a). Information Technology and General Services Committee waived consideration of the above matter.

ITEM NO. (71) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #11 - Motion (Greuel - Smith) Adopted in Open Session, Ayes (11);
Absent: Garcetti and Hahn (2)

05-0486-S1

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to proposed settlement of an eminent domain case entitled Los Angeles Unified School District (LAUSD) v. Valley Plaza Improvement Association et al., Los Angeles Superior Court Case No. BC296614. (The LAUSD seeks to acquire property for the construction of East Valley Middle School No. 1. This settlement concerns the disposition of the City interests in the property sought to be taken.)

(Public Works Committee considered the above matter in Closed Session on July 8, 2005)

ADOPTED

MOTION (GREUEL - SMITH)

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

1. AUTHORIZE the City Attorney to enter into and execute the settlement agreement consistent with the terms and conditions contained therein.
2. AUTHORIZE the City Attorney to execute on behalf of the City the disclaimers as discussed herein.

(Public Works Committee considered the above matter in Closed Session on July 8, 2005.)

ITEM NO. (72) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #12 - Motion (Parks - Reyes) Adopted in Open Session, Ayes (11);
Absent: Garcetti and Hahn (2)

05-1289

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(b), to confer with its legal counsel relative to settlement of pending litigation in the dispute regarding extension of fee credits pursuant to the Development Agreement pertaining to the Warner Ridge Project, located at 6200 DeSoto Avenue, Woodland Hills.

(Budget and Finance and Planning and Land Use Management Committees considered the above matter in Closed Session on June 28, 2005 and July 6, 2005 respectively)

ADOPTED

MOTION (PARKS - REYES)

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

1. APPROVE the settlement agreement consistent with the terms proposed by the current developer, Equity Residential (Equity), as follows:
 - a. Equity will limit the total amount of remaining fee credits to no more than \$750,000 based on its calculation of the potential remaining fees for the Project. Equity will also forego the \$73,000 in fees that it has already paid under protest pending the Council's determination regarding this proposed settlement.
 - b. Equity will limit the period during which it can receive the remaining fee credits to a maximum of three years from the date of the City's acceptance of this proposal. At the close of such three year period, Equity will be required to pay all applicable fees and exactions incurred for the remaining development of the Project.
 - c. The remaining fee credits must be applied exclusively to the completion of the Project and may not be transferred or assigned by Equity.
2. REQUEST the City Attorney to draft and execute a settlement agreement consistent with these proposed terms.
3. AUTHORIZE appropriate City Departments to reimburse fees paid under protest over and above the \$73,000 waived by Equity and extend remaining fee credits pursuant to the terms of the settlement agreement.

This matter was approved by the Budget and Finance Committee (Parks - Miscikowski - Garcetti) at its meeting of June 28, 2005, and by the Planning and Land Use Management Committee (Reyes - Weiss) at its meeting of July 6, 2005, in Closed Session as permitted by Government Code Section 54956.9(b).

ITEM NO. (73) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #13 - Motion (LaBonge - Parks) Adopted in Open Session, Ayes (11);
Absent: Garcetti and Hahn (2)

05-1334

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 Debra Hartswick v. City of Los Angeles, et al., United States District Court Case No. CV 04-10269 AHM (VBKx). (Plaintiff alleges a violation of civil rights and false arrest by the Los Angeles Police Department.)

(Budget and Finance Committee considered the above matter in Closed Session on July 12, 2005)

ADOPTED

MOTION (LABONGE - PARKS)

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

1. AUTHORIZE the City Attorney to expend \$425,000 in settlement of the case entitled Debra Hartswick v. City of Los Angeles, et al., United States District Court Case No. CV 04-10269 AHM (VBKx), from the Liability Claims Account No. 9770, Fund 100, Department 59.
2. AUTHORIZE the City Attorney to draw a demand thereon in said amount payable to the Law Offices of R. Samuel Paz; Sonia Mercado and Associates; and Debra Hartswick.

This matter was approved by the Budget and Finance Committee (Parks - Rosendahl - Garcetti- Cardenas - Smith "yes") in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (74) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #14 - Motion (Parks - Smith) Adopted in Open Session, Ayes (11);
Absent: Garcetti and Hahn (2)

05-1428

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 Ronald Hicks v. City of Los Angeles, Los Angeles Superior Court Case No. BC 327001. (Plaintiff alleges sexual orientation and racial discrimination, harassment, and retaliation.)

(Budget and Finance Committee considered the above matter in Closed Session on July 12, 2005)

ADOPTED

MOTION (PARKS - SMITH)

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

1. AUTHORIZE the City Attorney to expend \$310,000 in settlement of the case entitled Ronald Hicks v. City of Los Angeles, Los Angeles Superior Court Case No. BC 327001, from the Liability Claims Account No. 9770.

2. AUTHORIZE the City Attorney to draw a demand thereon in said amount payable to the Law Offices of Goldberg & Gage and Ronald Hicks.

This matter was approved by the Budget and Finance Committee (Parks - Rosendahl - Cardenas - Garcetti - Smith "yes"), in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (75) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #15 - Motion (Parks - Cardenas) Adopted in Open Session, Ayes (11);
Absent: Garcetti and Hahn (2)

05-1479

The City Council shall recess to Closed Session, pursuant to Government Code 54956.9(a), to confer with its legal counsel relative to settlement discussion in connection with Omega Chemical Superfund Site Matter. (This matter involves a settlement with the United States Environmental Protection Agency arising from the City's use of the Omega Chemical Superfund Site).

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

ADOPTED

MOTION (PARKS - CARDENAS)

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

1. AUTHORIZE the City Attorney to expend \$48,084.75, in settlement of the Omega Chemical Superfund Site matter, from the Liability Claims Account No. 9760.
2. AUTHORIZE the City Attorney to draw a demand thereon in said amount payable to the EPA Hazardous Substance Superfund.

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

Items for Which Public Hearings Have Been Held - Items 76-77

ITEM NO. (76) - RECEIVED AND FILED

Roll Call #4 - Motion (Greuel - Reyes) Adopted to Receive and File, Ayes (11);
Absent: Garcetti and Hahn (2)

05-0869

CD 2 CONTINUED CONSIDERATION OF PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the proposed Best Buy project at 4500 Van Nuys Boulevard.

Recommendation for Council action, as initiated by Motion (Greuel - Reyes):

1. APPROVE the May 24, 2005, Director of Planning report on the structure and height measurements procedures and methods used in the City.
2. APPROVE the Los Angeles Department of Building and Safety (LADBS) determination to issue the permit(s) for the proposed Best Buy project at 4500 Van Nuys Boulevard. LADBS reported that the project is now in compliance with the height limitation of 33 feet, as specified under the Ventura/Cahuenga Specific Plan.

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

ITEM NO. (77) - CONTINUED TO AUGUST 5, 2005

Roll Call #8 - Motion (Parks - Rosendahl) Adopted to Continue, Ayes (8); Noes: Perry, Smith and President Padilla (3); Absent: Garcetti and Hahn (2)

05-1179

CONTINUED CONSIDERATION OF BUDGET AND FINANCE and ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEES' REPORTS and COMMUNICATION FROM THE CITY ATTORNEY 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.

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.

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.

C. COMMUNICATION FROM THE CITY ATTORNEY

Recommendations for Council action:

1. AUTHORIZE the Bureau of Sanitation to issue a notification to BFI, Inc. of the City's intent to exercise a five-year renewal option to agreement C-93688 between the City and BFI, for disposal services of city waste, for the period starting July 1, 2006, and ending June 30, 2011.
2. AUTHORIZE the Board of Public Works to execute Amendment No. 2 to Contract Agreement C-93688, as amended by Council action.

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 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 - JULY 22, 2005)

[Pursuant to Council action of June 29, 2005 - Amending motion (Padilla - Smith - Zine - Greuel) adopted on June 28, 2005]

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

04-1196

MOTION (REYES - PERRY) relative to declaring the Pico Union Health Fair on July 29-31, 2005 a Special Event (fees and costs absorbed by the City = \$7,500).

05-0010-S32

MOTION (PADILLA - LABONGE) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Ramiro Guardado on June 29, 2005.

05-0010-S33

MOTION (SMITH - PARKS) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Ralph Blackwood on July 16, 2005.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Motion (Weiss - Smith) unanimously adopted to excuse Councilmember Parks from Council session of Wednesday, August 3, 2005 due to personal business.

Motion (Greuel - Cardenas) unanimously adopted to excuse President Padilla from Council sessions of Tuesday and Wednesday, August 9 and 10, 2005 due to personal business.

COMMENDATORY RESOLUTION ADOPTED IN HONOR OF:

05-1402 - Donald E. Swanstrom

(Zine - All Councilmembers)

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

05-1403 - Mellanee Newkirk - Harris

(Parks)

Nettie Mertens

(Smith)

Ayes, Cardenas, Greuel, LaBonge, Parks, Perry, Reyes, Rosendahl, Smith, Weiss, Zine and President Padilla (11); Absent: Garcetti and Hahn (2). Council Districts 10 and 14 Vacant.

Whereupon the Council did adjourn.

ATTEST: Frank T. Martinez, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL