Los Angeles City Council, Journal/Council Proceedings
Wednesday, July 27, 2005
John Ferraro Council Chamber, Room 340, City Hall - 10:30 am

- - - SPECIAL COUNCIL MEETING - - -

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

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

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

Items for Which Public Hearings Have Been Held - Items 1-6

Roll Call #1 - Motion (Rosendahl - Zine) Adopted, Ayes (11); Absent: Hahn and LaBonge (2) (Item Nos. 1-4)

ITEM NO. (1) - ADOPTED - ORDINANCE OVER ONE WEEK TO AUGUST 3, 2005

02-2153

PUBLIC SAFETY COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to standards for the care, maintenance, confinement, and tethering of dogs.

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

1. PRESENT and ADOPT the accompanying ORDINANCE adding Section 53.70 to the Los Angeles Municipal Code, establishing specific standards for the care, maintenance, confinement, and tethering of dogs.

2. REQUEST the City Attorney and the Animal Services Department, after receiving input from community rescue organizations, to report back on whether or not the exemption for non-profit organizations should remain or be removed.

Fiscal Impact Statement: None submitted by the City Attorney. Neither the Chief Legislative Analyst nor the City Administrative Officer has completed a financial analysis of this report.
ITEM NO. (2) - ADOPTED

04-0519
ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE REPORT relative to resolution of the dual-fuel refuse truck throttle problem.

Recommendation for Council action:

NOTE and FILE the joint communication from the General Services Department and the Bureau of Sanitation relative to resolution of the dual-fuel refuse truck throttle problem, inasmuch the vendor repaired the refuse trucks and reimbursed the City $675,058 for expenses incurred due to the throttle problem.

Fiscal Impact Statement: Not applicable.

(Information Technology and General Services Committee waived consideration of the above matter)

ITEM NO. (3) - ADOPTED

04-0810
PUBLIC SAFETY COMMITTEE REPORT relative to review of arrestee bed availability commensurate to a projected population increase.

Recommendation for Council action:

NOTE and FILE the Los Angeles Board of Police Commissioners’ report relative to a review of arrestee bed availability commensurate to a projected population increase, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (4) - ADOPTED

04-2360
PUBLIC SAFETY COMMITTEE REPORT relative to distribution of information on the safety of animals during an emergency or natural disaster.

Recommendation for Council action:

NOTE and FILE the Animal Services Department (ASD) report, submitted in response to Motion (Smith - Padilla), relative to the distribution of information related to animals during a disaster, and evaluating the feasibility of an animal hotline, inasmuch as the ASD is currently updating its information booklet, its Interactive Voice Recording System, and will continue to train its employees to aid the public with these issues.

Fiscal Impact Statement: Not applicable.
ITEM NO. (5) - ADOPTED, *AS AMENDED - SEE FOLLOWING

Roll Call #3 - Motion (Weiss - Parks) to Adopt as Amended, Ayes (11);
Absent: Hahn and LaBonge (2)

PUBLIC WORKS COMMITTEE REPORT relative to funding for 2005 storm damage repair to City infrastructure.

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

1. AUTHORIZE a $10,625,000 *$10,450,000 loan from the Public Works Trust Fund No. 834/50 to be repaid from federal and state agency reimbursements, and TRANSFER and APPROPRIATE to the Subventions and Grants Fund No. 305/50, Account No. XXXX, 2004-05 Storm Damage Repair. *(Weiss - Parks)

2. TRANSFER $10,625,000 *$10,450,000 from the Subventions and Grants Fund No. 305/50, Account No. XXXX, 2004-05 Storm Damage Repair to the following accounts:

<table>
<thead>
<tr>
<th>Account</th>
<th>Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>XXXX</td>
<td>SDR Tujunga Avenue Washout Project</td>
<td>$6,750,000</td>
</tr>
<tr>
<td>XXXX</td>
<td>Osborne Street Bridge Project</td>
<td>$3,700,000</td>
</tr>
<tr>
<td>*XXXX</td>
<td>Laurel Canyon K-Rails Project</td>
<td>$175,000</td>
</tr>
</tbody>
</table>

*(Weiss - Parks)

3. AUTHORIZE a $1,525,000 loan from the Disaster Assistance Trust Fund No. 872/10 to be repaid from federal and state agency reimbursements, TRANSFER and APPROPRIATE to the Department of Recreation and Parks (DRP) Fund No. 302/89, Account No. 941-00, 2004-05 Storm Damage Repairs.

4. AUTHORIZE the deposit of all grant reimbursements for the 2004-05 Storm Damage Repair program into the Disaster Trust Fund No. 872 and:

   a. Transfer therefrom to the Subventions and Grants Fund No. 305/50 up to $10,625,000 *$10,450,000 and therefrom to the Public Works Trust Fund for repayment of the loan for the street projects. *(Weiss - Parks)

   b. Repay the Disaster Assistance Trust Fund up to $1,525,000 for the loan to the DRP to commence the park rehabilitation projects.

5. DIRECT the Bureau of Engineering, the DRP, the Department of General Services, the Bureau of Street Services and any other City departments involved in storm repair work to:

   a. Document all storm repair and clean up costs to maximize reimbursement of all eligible costs so that loans and other City expenditures are repaid.
b. Not spend loan monies on work that is not clearly eligible for reimbursement by the Federal Emergency Management Agency (FEMA) or the Federal Highway Administration (FHWA).

6. INSTRUCT the City Administrative Officer (CAO) to report to Council if all or part of the loans cannot be repaid from FEMA and FHWA, so that the General Fund can repay the balance.

7. RECEIVE and FILE the Motion (Weiss - Villaraigosa - et al.) relative to establishing a Neighborhood Storm Damage Fund to pay for storm damage repair costs with $2.5 million from the Reserve Fund, inasmuch as storm damage repair work will be paid by loans from the Public Works Trust Fund and the Disaster Assistance Trust Fund to be repaid from federal and state agency reimbursements and no Council action is necessary.

8. AUTHORIZE the CAO to make technical adjustments to implement the Mayor and Council intentions.

Fiscal Impact Statement: The CAO reports that the loans from the Public Works Trust Fund and the Disaster Assistance Trust Fund will be repaid when reimbursements are received from the federal and state disaster assistance agencies. No impact on the General Fund is anticipated at this time.

(A Budget and Finance Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comments will be provided.)

ADOPTED

AMENDING MOTION (WEISS - PARKS)

Recommendation for Council action:

CONTINUE consideration of the Laurel Canyon K-Rails Project, in the amount of $175,000, to AUGUST 5, 2005, and in the interim REQUEST the City Administrative Office and Bureau of Engineering to work with Council Districts Four and Five to resolve the funding issue for this project.

ITEM NO. (6) - ADOPTED

Roll Call #1 - Motion (Rosendahl - Zine) Adopted, Ayes (11); Absent: Hahn and LaBonge (2)

04-2318

PUBLIC SAFETY and PERSONNEL COMMITTEES' REPORTS relative to transferring and/or consolidating Emergency Preparedness (EPD) positions Citywide.

A. PUBLIC SAFETY COMMITTEE REPORT

Recommendations for Council action:
1. RECEIVE and FILE the City Administrative Officer (CAO) report dated May 27, 2005, submitted in response to Motion (Zine - Greuel), relative to transferring and/or consolidating Emergency Preparedness positions Citywide, inasmuch as the EPD has indicated that the best emergency management approach is to continue to have EPD staff liaison directly with each departmental staff support member.

2. INSTRUCT the CAO to report back with a strategy to expand the number of Emergency Preparedness Coordinator positions in various City departments and to continue to seek funding for these positions.

Fiscal Impact Statement: The CAO reports that the total annual cost to add 12 new Emergency Preparedness Coordinator I positions to various City departments is approximately $885,000 (excluding related costs). While the need for these additional positions is important, funding would have to be taken from the Reserve Fund. Maintaining and increasing the size of the Reserve Fund is one of the highest priorities of the recently adopted Financial Policies.

B. PERSONNEL COMMITTEE REPORT

Recommendation for Council action:

RECEIVE and FILE the City Administrative Officer report dated May 27, 2005, submitted in response to Motion (Zine - Greuel), relative to transferring and/or consolidating EPD positions Citywide, inasmuch as the EPD has indicated that the best emergency management approach is to continue to have EPD staff liaison directly with each departmental staff support member.

Fiscal Impact Statement: Not applicable.

Item for Which Public Hearing Has Not Been Held - Item 7
(10 Votes Required for Consideration)

ITEM NO. (7) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

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

COMMUNICATION FROM CHAIR, ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE relative to the Heavy-Duty Engine Emission Reduction Incentive Program Grant.

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

AUTHORIZE the Director of the Bureau of Sanitation (BOS), or designee, to accept the Heavy-Duty Engine Emission Reduction Incentive Program Grant funds and to submit, negotiate and execute relevant grant documents, subject to the approval of the City Attorney as to form.
**Fiscal Impact Statement:** The BOS reports that its engine replacement project has been budgeted through the Sewer Construction and Maintenance (SC&M). The Heavy-Duty Engine Emission Reduction Incentive Program Grant is a reimbursement grant, as such the acceptance of grant funds would provide up to $175,000 from the SC&M for other projects. There will be no impact to the General Fund.

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

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

Whereupon the Special Council meeting did adjourn.

**ATTEST:** Frank T. Martinez, CITY CLERK

By

Council Clerk PRESIDENT OF THE CITY COUNCIL