MEETING CANCELED

ITEMS 1-11 SCHEDULED FOR COUNCIL MEETING OF SEPTEMBER 6, 2005

ITEMS 12-15 DEEMED APPROVED

- - - SPECIAL COUNCIL MEETING - - -

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

ROLL CALL - Members present: (0); Absent: Cardenas, Garcetti, Greuel, Hahn, LaBonge, Parks, Perry, Reyes, Rosendahl, Smith, Weiss, Zine and President Padilla (13). 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 1-10

ITEM NO. (1) - Motion Required - Two Reports and One Communication on One File

04-1405

ARTS, PARKS, HEALTH AND AGING and BUDGET AND FINANCE COMMITTEES’ REPORTS, COMMUNICATION FROM CHAIR, PERSONNEL COMMITTEE and ORDINANCE FIRST CONSIDERATION relative to establishing an annual Tobacco Retailer’s Permit Fee and potential uses of tobacco permit fee revenues.
A. ARTS, PARKS, HEALTH AND AGING COMMITTEE

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

1. PRESENT and ADOPT the accompanying ORDINANCE amending the Los Angeles Municipal Code (LAMC) to establish a Tobacco Retailer's Permit Fee, effective Fiscal Year 2005-06, of $208 and an additional 25 percent late penalty of $52, with annual adjustments to fully recover the cost for services.

2. RESOLVE that employment authority for the following positions in the Office of the City Attorney (City Attorney): one Deputy City Attorney (Code 0543); one City Attorney Administrative Coordinator (Code 0567); two City Attorney Investigators (Code 0549); one Legal Secretary (Code 0580), subject to allocation by the Civil Service Commission and pay grade determination by the Employee Relations Division, Office of the City Administrative Officer (CAO), for the period from October 1, 2005 through June 30, 2006, is APPROVED.

3. RESOLVE that employment authority in the Office of Finance (OOF) for two Senior Clerk Typist (Code 1368) positions, subject to allocation by the Civil Service Commission, for the period from October 1, 2005 through June 30, 2006, is APPROVED.

4. AUTHORIZE the Controller to:
   a. Transfer $187,000 from the Unappropriated Balance Fund No. 100/58, City Attorney - LAPD Expansion Support, Account No. 0168 to the City Attorney, Fund No.100/12, Contractual Services Account No. 3040.

5. REQUEST the City Attorney to report back to the Arts, Parks, Health and Aging Committee six months after implementation of the Tobacco Retailer’s Permit Fee regarding the status of the program, the number of additional retailers that have obtained a permit, recommendations for expansion of the program, and other issues as appropriate.

6. APPROVE, in concept, increasing the number of contract compliance investigations by the State of California Department of Health Services from 700 to 1200 in Fiscal Year 2006-07.

B. BUDGET AND FINANCE COMMITTEE

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

1. CONCUR with recommendations one through four, and recommendation six of the Arts, Parks Health and Aging Committee relative to establishing an annual Tobacco Retailers’ Permit Fee.
2. REQUEST the City Attorney to report back to the Arts, Parks, Health and Aging Committee six months after implementation of the Tobacco Retailers Permit Fee, and before moving forward to increase the number of contract compliance investigations by the State of California Department of Health Services from 700 to 1200 in Fiscal Year 2006-07, regarding the status of the program, the number of additional retailers that have obtained a permit, and with recommendations for expansion of the program.

C. COMMUNICATION FROM CHAIR, PERSONNEL COMMITTEE

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

CONCUR with recommendations of the Budget and Finance Committee relative to establishing an annual Tobacco Retailers' Permit Fee.

Fiscal Impact Statement: The CAO reports that the proposed fee of $208 would provide full cost recovery for the issuance of the Tobacco Retailer's Permit by the OOF, and the administration, inspection, and enforcement activities conducted by the City Attorney. The recommendations are in compliance with the City's Financial Policies in that new revenue will be used to support the proposed program.

ITEM NO. (2)

02-2579-S5
PERSONNEL and BUDGET AND FINANCE COMMITTEES’ REPORT and ORDINANCES FIRST CONSIDERATION relative to salary adjustments for non-represented City employees for Fiscal Year (FY) 2004-05 through 2006-07 and other technical adjustments to the Los Angeles Administrative Code (LAAC).

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

1. PRESENT and ADOPT the accompanying ORDINANCE amending LAAC Section 4.61 for 2004-05 to 2006-07 FY Salaries and Benefits for non-represented employees.

2. PRESENT and ADOPT the accompanying ORDINANCE amending LAAC Section 4.900.1 for the 2004-05 to 2006-07 FY salaries for Department of Water and Power non-represented employees.

3. PRESENT and ADOPT the accompanying ORDINANCE amending:

a. LAAC Section 5.344 pertaining to the administration of the City Employees Ridesharing Fund to provide that all monies received by the City from the employee parking and rideshare program be retained in the City Employees Ridesharing Fund.
b. LAAC Section 4.245.1 updating the list of employees eligible for vacation benefits in accordance with Section 4.245.1.

c. LAAC Section 4.245 deleting an obsolete reference to lump-sum vacation benefits now included in the vacation accrual table.

4. AUTHORIZE the Controller and City Administrative Officer (CAO) to correct any clerical errors, or, if approved by the City Attorney, any technical errors in the above Ordinances.

Fiscal Impact Statement: The CAO reports that funds are provided in the 2005-06 Budget to finance these non-represented salary costs. The cost, including pension, for FY 2005-06 is $1,731,612 exclusive of the Department of Water and Power. The annual ongoing cost upon full implementation of the salary recommendations is $5,524,623, including pensions.

ITEM NO. (3) - Motion Required

05-1686 CD 15 COMMUNICATION FROM THE BOARD OF HARBOR COMMISSIONERS and ORDINANCE FIRST CONSIDERATION relative to proposed Permanent Order No. 6822 to amend the Port of Los Angeles Tariff No. 4, Items 720, 700 (c) and 710 (1) to increase rates approximately five percent, reduce free time allowed and change in free time calculation.

(Commerce, Energy and Natural Resources Committee report to be submitted in Council. If a public hearing is not held in Committee, an opportunity for public comment will be provided.)

(For copies of related, staff-generated reports for this matter, please contact the Legislative Assistant for the Commerce, Energy and Natural Resources Committee at 213-978-1076.)

ITEM NO. (4) - Motion Required

02-1610 CD 15 COMMUNICATION FROM THE BOARD OF HARBOR COMMISSIONERS relative to proposed Amendment No. 1 to Agreement No. 2241 with Herzog Transit Services, Incorporated for operation of the Red Car Line.

(Commerce, Energy and Natural Resources Committee report to be submitted in Council. If a public hearing is not held in Committee, an opportunity for public comment will be provided.)
ITEM NO. (5) - Motion Required

COMMUNICATION FROM THE BOARD OF TAXICAB COMMISSIONERS and ORDINANCES FIRST CONSIDERATION relative to proposed revisions to taxi meter rates.

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

(For copies of related, staff-generated reports for this matter, please contact the Legislative Assistant for the Transportation Committee at 213-978-1076.)

ITEM NO. (6)

01-2069-S4

CD 8

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to a bridge loan for the Marlton Square Mixed-Use Development in the Santa Barbara Plaza.

Recommendations for Council action:

1. AUTHORIZE the Chief Executive Officer, Community Redevelopment Agency (CRA), or designee, to:
   a. Negotiate a commercial loan agreement in an amount not to exceed $7,000,000 million with Central Pacific Bank for the Marlton Square Mixed-Use Development in the Santa Barbara Plaza located near Marlton Avenue and Martin Luther King, Jr. Boulevard, subject to the approval of the City Attorney as to form and legality.
   b. Allocate up to 50 percent of future Bunker Hill Program Income receipts for a period of up to 10 years; such funds will be used to make debt service payments on the Central Pacific Bank loan.
   c. Amend the CRA’s Adopted 2005-06 Budget to reflect Central Pacific Bank loan receipts and to take other actions as may be necessary to carry-out the recommendations above, subject to the approval of the City Attorney as to form and legality.
d. Negotiate and execute a First Amendment to the Single Family Implementation Agreement to reflect changes in the Agency's financial options as expressed in this memorandum and the Board transmittal dated July 21, 2005, subject to the review of the City Administrative Officer and Chief Legislative Analyst (CLA), and further subject to the approval of the City Attorney as to form and legality.

2. AUTHORIZE the General Manager, Community Development Department, and the Chief Executive Officer, CRA, or designees, to negotiate and execute grant agreements for the use of $1,000,000 in Urban Development Action Grant funds as a reimbursement to the Single Family Developer for reimbursement of land acquisition costs associated with the Marlton Square Project, subject to the CRA providing to the City a guaranty relative to the use of such funds, and further subject to the approval of the City Attorney as to form and legality.

3. DIRECT the CRA to report to:
   a. The Housing, Community, and Economic Development Committee on a quarterly basis, with the assistance of the CLA, relative to the status of the use of the funds identified in this report as they relate to Bunker Hill Program Income, as well as the status of the loan negotiations.
   b. Council District Office Eight on a monthly basis with project updates, upcoming steps to be taken by the CRA and/or the project developer, and critical project task deadlines.

Fiscal Impact Statement: The CLA reports that this action will not impact the General Fund. Initially, the above actions would result in 100 percent of future unallocated Bunker Hill Program Income to be pledged to Central Pacific Bank debt service payments. However, it is anticipated that the pledge of Bunker Hill Program Income funds for the Marlton Square Single Family Development will be repaid in an accelerated fashion within 2 to 4 years.

ITEM NO. (7)

05-1003

AD HOC BUSINESS TAX REFORM and BUDGET AND FINANCE COMMITTEES' REPORT relative to a request to negotiate and execute a contract to establish a City Tax Discovery Program with contractor MBIA MuniServices Company (MBIA).

Recommendations for Council action:

1. AUTHORIZE the Director of the Office of Finance (OOF) to negotiate and execute a three-year contract, with two one-year extension options for a City Business Tax Discovery Program with MBIA to be paid on a contingency fee basis, subject to the approval of City Attorney review of the proposed contract as to form and legality.
2. AUTHORIZE the OOF Director to instead negotiate and execute a three-year contract, with two one-year extension options for a City Business Tax Discovery Program with Turrow/McParlane Associates Inc. to be paid on a contingency fee basis, subject to the approval of City Attorney of the proposed contract as to form and legality, if the OOF Director is unable to reach agreement with MBIA.

Fiscal Impact Statement: The City Administrative Officer reports that the funding for the proposed contract will be on a contingency fee basis. As a result of this contract, the General Fund is expected to have a net increase in revenue. The proposed contract complies with the City’s Financial Policy.

ITEM NO. (8) - Motion Required

01-0506

COMMUNICATIONS FROM THE DEPARTMENT OF TRANSPORTATION AND CITY ADMINISTRATIVE OFFICER relative to a proposed Amendment to Contract No. 101439 with the Integrated Systems Research Corporation for the purchase of additional Automated Vehicle Locator Systems.

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

(For copies of related, staff-generated reports for this matter, please contact the Legislative Assistant for the Transportation Committee at 213-978-1076.)

ITEM NO. (9) - Motion Required

05-1631

COMMUNICATION FROM THE CHIEF LEGISLATIVE ANALYST relative to consultant services to provide transportation policy assistance.

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

(For copies of related, staff-generated reports for this matter, please contact the Legislative Assistant for the Transportation Committee at 213-978-1076.)

ITEM NO. (10) - Motion Required

05-1661

COMMUNICATIONS FROM THE DEPARTMENT OF TRANSPORTATION AND CITY ADMINISTRATIVE OFFICER relative to a proposed Agreement with MyTransitPlus to coordinate and administer the Cityride Program.
(Transportation Committee report to be submitted in Council. If a public hearing is not held in Committee, an opportunity for public comment will be provided.)

(For copies of related, staff-generated reports for this matter, please contact the Legislative Assistant for the Transportation Committee at 213-978-1076.)

Items for Which Public Hearings Have Not Been Held - Items 11-15
(10 Votes Required for Consideration)

ITEM NO. (11) - Motion Required

05-1632

CONSIDERATION OF RESOLUTION (PARKS - PERRY - PADILLA) relative to declaring September 2005, as "5-A-Day Month" in the City and disseminating information relative to the "Get Healthy, Be Active Poster Campaign."

Recommendations for Council action, pursuant to Resolution (Parks - Perry - Padilla):

1. DECLARE September 2005, as "5-A-Day Month" in the City of Los Angeles and strongly urge all community stakeholders to "Energize and Mobilize - Eat Fruits, Vegetables, Be Active."

2. INSTRUCT the Department of General Services, with the assistance of the Commission for Children, Youth and their Families, the Department of Recreation and Parks, the Department of Water and Power, the Department of Airports, and the Harbor Department to disseminate information and place posters relative to the "Get Healthy, Be Active Poster Campaign" on all City-owned and leased properties.

(Arts, Parks, Health and Aging Committee waived consideration of the above matter)

ITEM NO. (12) - DEEMED APPROVED PURSUANT TO GOVERNMENT CODE SECTION 66458

05-1770

CD 3

PARCEL MAP L.A. NO. 2002-2343 and RESOLUTION OF ACCEPTANCE for property lying southerly of Saticoy Avenue westerly of Reseda Boulevard.

(Approve Subdivision Improvement Agreement and Contract with attached security documents)

(ADOPT City Engineer Report)

(ADOPT Bond No. C-108702)

(Quimby Fee: $1,880)

Applicants: Ginger Harrison Gentry Surveyors
ITEM NO. (13) - DEEMED APPROVED PURSUANT TO GOVERNMENT CODE SECTION 66458

05-1736
CD 9  FINAL MAP OF TRACT NO. 54309 for property lying easterly of Grand Avenue and southerly of 11th Street.
(Approve Subdivision Improvement Agreement and Contract with attached security documents)
(ADOPT City Engineer Report)
(ADOPT Bond No. C-108262)
(Quimby Fee: $147,319)
(Dwelling Unit Construction Tax: $13,200)
Applicants: Grand Avenue Lofts
Jerry Veluhakis

ITEM NO. (14) - DEEMED APPROVED PURSUANT TO GOVERNMENT CODE SECTION 66458

05-1737
CD 2  PARCEL MAP L.A. NO. 7184 and RESOLUTION OF ACCEPTANCE for property lying westerly of Fulton Avenue and southerly of Roscoe Boulevard.
(Approve Subdivision Improvement Agreement and Contract with attached security documents)
(ADOPT City Engineer Report)
(ADOPT Bond No. C-108263)
(Quimby Fee: $2,682)
Applicants: Stephen V. Ramirez
Joseph H. Cahn

ITEM NO. (15) - DEEMED APPROVED PURSUANT TO GOVERNMENT CODE SECTION 66458

05-1756
CD 3  PARCEL MAP L.A. NO. 2004-3845 for property lying westerly of Calvin Avenue and northerly of Ventura Freeway.
(Approve Subdivision Improvement Agreement and Contract with attached security documents)
(ADOPT City Engineer Report)
(Quimby Fee: $4,858)
Applicants: Satya & Revati Atluri
Jack Little Co.

Ayes,(0); Absent: Cardenas, Garcetti, Greuel, Hahn, LaBonge, Parks, Perry, Reyes, Rosendahl, Smith, Weiss, Zine and President Padilla (13). Council Districts 10 and 14 Vacant.

The Special Council meeting was canceled.
ATTEST: Frank T. Martinez, CITY CLERK

By

Council Clerk                     PRESIDENT OF THE CITY COUNCIL