

Los Angeles City Council, Journal/Council Proceedings  
Tuesday, August 16, 2005  
John Ferraro Council Chamber, Room 340, City Hall - 10 am

ALL ITEMS TRANSMITTED FORTHWITH

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

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

SALUTE TO THE FLAG BY THE NISEI WEEK QUEEN

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF AUGUST 10, 2005

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - NONE

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

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

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Items Noticed for Public Hearing - Items 1-9

Roll Call #1 - Motion (Greuel - Smith) Adopted to Continue, Unanimous Vote (11);  
Absent: Reyes and Weiss (2)  
(Item Nos. 1-8)

ITEM NO. (1) - PUBLIC HEARING HELD - HEARING CONTINUED TO AND ORDINANCE TO BE PRESENTED ON SEPTEMBER 13, 2005

04-2531

CD 6 HEARING PROTESTS against the proposed improvement and maintenance of the LORNE STREET AND LEDGE AVENUE LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Lorne Street and Ledge 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 June 14, 2005 - Continue hearing and present Ordinance on SEPTEMBER 13, 2005 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (2) - PUBLIC HEARING HELD - HEARING CONTINUED TO AND ORDINANCE TO BE PRESENTED ON SEPTEMBER 13, 2005

04-2638

CD 12 HEARING PROTESTS against the proposed improvement and maintenance of the DE SOTO AVENUE AND SAN JOSE STREET LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of De Soto Avenue and San Jose 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 June 14, 2005 - Continue hearing and present Ordinance on SEPTEMBER 13, 2005 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (3) - PUBLIC HEARING HELD - HEARING CONTINUED TO AND ORDINANCE TO BE PRESENTED ON SEPTEMBER 13, 2005

04-2639

CD 6 HEARING PROTESTS against the proposed improvement and maintenance of the LAUREL CANYON BOULEVARD AND SHELDON STREET LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Laurel Canyon Boulevard and Sheldon 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 June 14, 2005 - Continue hearing and present Ordinance on SEPTEMBER 13, 2005 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (4) - PUBLIC HEARING HELD - HEARING CONTINUED TO AND ORDINANCE TO BE PRESENTED ON SEPTEMBER 13, 2005

04-2640

CD 3 HEARING PROTESTS against the proposed improvement and maintenance of the SATICOY AND KESWICK STREETS LIGHTING DISTRICT.

Recommendation for Council action:

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

(Ordinance of Intention adopted on June 14, 2005 - Continue hearing and present Ordinance on SEPTEMBER 13, 2005 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (5) - PUBLIC HEARING HELD - HEARING CONTINUED TO AND ORDINANCE TO BE PRESENTED ON SEPTEMBER 13, 2005

04-2641

CD 6 HEARING PROTESTS against the proposed improvement and maintenance of the VAN NUYS BOULEVARD PARK AND RIDE LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Van Nuys Boulevard Park and Ride Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on June 14, 2005 - Continue hearing and present Ordinance on SEPTEMBER 13, 2005 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (6) - PUBLIC HEARING HELD - HEARING CONTINUED TO AND ORDINANCE TO BE PRESENTED ON SEPTEMBER 13, 2005

04-2662

CD 9 HEARING PROTESTS against the proposed improvement and maintenance of the FIRST AND LOS ANGELES STREETS LIGHTING DISTRICT.

Recommendation for Council action:

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

(Ordinance of Intention adopted on June 14, 2005 - Continue hearing and present Ordinance on SEPTEMBER 13, 2005 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (7) - PUBLIC HEARING HELD - HEARING CONTINUED TO AND ORDINANCE TO BE PRESENTED ON SEPTEMBER 13, 2005

04-2663

CD 3 HEARING PROTESTS against the proposed improvement and maintenance of the CORBIN AVENUE AND WELLS DRIVE LIGHTING DISTRICT.

Recommendation for Council action:

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

(Ordinance of Intention adopted on June 14, 2005 - Continue hearing and present Ordinance on SEPTEMBER 13, 2005 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (8) - PUBLIC HEARING HELD - HEARING CONTINUED TO AND ORDINANCE TO BE PRESENTED ON SEPTEMBER 13, 2005

04-2664

CD 2

HEARING PROTESTS against the proposed improvement and maintenance of the MORELLA AVENUE AND WELBY WAY LIGHTING DISTRICT.

Recommendation for Council action:

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

(Ordinance of Intention adopted on June 14, 2005 - Continue hearing and present Ordinance on SEPTEMBER 13, 2005 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (9) - PUBLIC HEARING CLOSED - ADOPTED - ORDINANCE OVER TO SEPTEMBER 6, 2005

Roll Call #7 - Motion (Parks - Perry) Adopted, Ayes (11); Absent: Reyes and Weiss (2)

05-0600-S27

PUBLIC SAFETY COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to increasing the Advanced and Basic Life Support Services Response Call fees.

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

PRESENT and ADOPT the accompanying ORDINANCE amending Section 22.210.2 of the Los Angeles Administrative Code, Schedule of Charges for Emergency Services, to increase the Advanced and Basic Life Support Services Response Call fees.

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.

## Items for Which Public Hearings Have Been Held - Items 10-17

ITEM NO. (10) - ADOPTED - ORDINANCE OVER TO SEPTEMBER 6, 2005

Roll Call #9 - Motion (Garcetti - Greuel) Adopted, Ayes (10); Absent: Hahn, Reyes and Weiss (3)

04-0178-S1

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT and AUDITS AND GOVERNMENTAL EFFICIENCY COMMITTEES' REPORTS and ORDINANCE FIRST CONSIDERATION relative to establishing a Transitional Job Opportunities Program.

### A. HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT

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

1. PRESENT and ADOPT the accompanying ORDINANCE adding Article 5 to Division 10 of the Los Angeles Administrative Code to establish a contracting preference for organizations who provide transitional jobs to the long-term unemployed in the execution of their work under a contract with the City of Los Angeles.
2. REQUEST that the Small Local Business Advisory Committee review City contracting procedures to determine how a bid preference for firms providing Transitional Job Opportunities Programs can be included in other contracts awarded by the City.

### B. AUDITS AND GOVERNMENTAL EFFICIENCY COMMITTEE REPORT

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

PRESENT and ADOPT the accompanying ORDINANCE adding Article 5 to Division 10 of the Los Angeles Administrative Code to establish a contracting preference for organizations who provide transitional jobs to the long-term unemployed in the execution of their work under a contract with the City of Los Angeles.

Fiscal Impact Statement: The City Administrative Officer reports that the bid preference would be applied to contracts of \$100,000 or less. Total contract costs could increase by \$25,000 annually assuming that certified Transitional Job Opportunities Program firms are awarded five contracts annually and the differential by applying the bid preference results in a \$5,000 higher cost for each contract. The new program would be in compliance with the City's Financial Policies in that existing funds would be available to fund the relatively minimal increased contract costs.

ITEM NO. (11) - CONTINUED TO AUGUST 17, 2005

Roll Call #2 - Motion (LaBonge - Cardenas) Adopted to Continue, Unanimous Vote (11);  
Absent: Reyes and Weiss (2)

05-0002-S109

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

Recommendation for Council action, as initiated by Resolution (LaBonge - Garcetti),  
SUBJECT TO THE CONCURRENCE OF THE MAYOR:

ADOPT the accompanying RESOLUTION establishing a position of SUPPORT in the City's 2005-06 Legislative Program for legislation and/or administrative action to secure FEMA assistance to ensure that the Frank Lloyd Wright 1924 Ennis House, an important historic site, is adequately funded to enable repair of its 1994 Northridge Earthquake damage and that additional time be granted to enable the execution of proper rehabilitation of this site as provided for in the Secretary of State's guidelines for historic preservation.

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

(Continued from Council meeting of August 2, 2005)

Roll Call #3 - Motion (Parks - Cardenas) Adopted, Ayes (11); Absent: Reyes and Weiss (2)  
(Item Nos. 12-15)

ITEM NO. (12) - ADOPTED

05-1582

BUDGET AND FINANCE COMMITTEE REPORT relative to a refund claim filed by Chicago Title Company for overpayment of property documentary transfer tax.

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

1. APPROVE the refund claim filed by Chicago Title Company, for the amount of \$112,140.24, for overpayment of property documentary transfer tax.
2. AUTHORIZE reimbursement from the General Fund to the Real Property Transfer Tax Account No. 3131, for the amount of the refund claim.

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

ITEM NO. (13) - ADOPTED

05-1584

BUDGET AND FINANCE COMMITTEE REPORT relative to refund claim filed by Bankcard USA Merchant Services, Inc.

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

1. APPROVE the refund claim filed by Bankcard USA Merchant Services, Inc., for overpayment of business taxes in the amount of \$165,532.81.
2. AUTHORIZE reimbursement from the General Fund to the Business Tax Account No. 3121, for the amount of the refund.

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

ITEM NO. (14) - ADOPTED

05-1505

COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to a proposed Agreement with Levi, Ray and Shoup, Incorporated (LRS) to provide hardware and related services for the upgrade of an enterprise mainframe server at the Department of Water and Power (DWP).

Recommendation for Council action:

CONCUR with Resolution No. 006-004 as adopted by the Board of Water and Power Commissioners' (Board) on July 12, 2005, APPROVE Resolution No. 006-004 and AUTHORIZE the Board President or General Manager of the DWP and the Board Secretary to execute Agreement No. 47439-5 with LRS for the purchase of a new mainframe server and to provide services for hardware installation, software configuration, training, hardware maintenance and support for a term of five years and expenditures not to exceed \$930,867.

Fiscal Impact Statement: The Board reports that expenditures associated with Agreement No. 47439-5 shall not exceed \$930,867. Funding for this Agreement will be made payable from the Water and Power Revenue Fund and is included in the current five-year budget.

TIME LIMIT FILE - SEPTEMBER 17, 2005

(LAST DAY FOR COUNCIL ACTION - SEPTEMBER 16, 2005)

ITEM NO. (15) - ADOPTED

05-1397

CD 7

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the proposed development of four surplus City-owned parcels in Sylmar for the Mixed-Income Homeownership Project.

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

1. AUTHORIZE the Limited Transfer of Jurisdiction of Control of four City-owned parcels located in Sylmar (APNs 2506-034-900, 901, and 902, and APN 2506-035-900) from the Department of General Services to the Los Angeles Housing Department (LAHD), for the purpose of issuing a Request for Proposals (RFP) to develop the “for-sale” Mixed-Income Homeownership Project at this site.
2. INSTRUCT the General Manager, LAHD, or designee to:
  - a. Release an RFP for the development and potential sale of the City-owned parcels described above, substantially as shown in the draft ordinance included with the LAHD report to the Mayor dated June 27, 2005 (attached to the Council file), subject to the approval of the City Attorney as to form and legality.
  - b. Report to the Mayor and Council with an assessment of RFP proposals that includes the recommended selection for the sole developer of said parcels, with approval to proceed with the development project subject to a determination by the City Administrative Officer (CAO) as to the feasibility of the proposed site access remedy.
  - c. Prepare Controller instructions and any necessary technical adjustments that are consistent with this action, subject to the approval of the CAO; and, authorize the Controller to implement the instructions.

Fiscal Impact Statement: The CAO reports that the issuance of an RFP for the development of the four City-owned parcels in Sylmar is in compliance with City financial policies in that the developer ultimately selected through this process will be responsible for obtaining all project financing, inclusive of conventional lending, private sources, and public funds. Any financing provided from City funds would be available from on-going special funds sources, such as Consolidated Plan funding, or dedicated sources to the Affordable Housing Trust Fund. The RFP solicitation does not create any potential funding obligations against the General Fund other than that which has been identified as a dedicated source to the Affordable Housing Trust Fund (\$8 million in 2005-06). The CAO goes on to report that the Department of General Services is currently in the process of determining the funding source(s) used to purchase the parcels. Assuming that no restrictions exist based on the original purchase by the City, net proceeds from the sale of the property estimated in the amount of \$1.25 million would be equally distributed to the General Fund and the Council District Seven Real Property Trust Fund.



ITEM NO. (16) - CONTINUED TO AUGUST 17, 2005

Roll Call #2 - Motion (LaBonge - Cardenas) Adopted to Continue, Unanimous Vote (11);  
Absent: Reyes and Weiss (2)

05-0002-S154

RULES AND ELECTIONS COMMITTEE REPORT relative to the City's position on Assembly Bill 1234 (Salinas) requiring ethics training for local agencies.

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

RESOLVE that the City include in its legislative program, SUPPORT of AB 1234 (Salinas), IF AMENDED to include the following provisions:

- a. Amend Section 53234 (c)(1)(2) from "legislative body" to "governing body" (as defined under Section 53232) to ensure the Council has the authority to designate additional City employees for ethics training.
- b. Add language to specify that the Attorney General's Office and Fair Political Practices Commission shall not preclude a local agency from incorporating local laws.

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

ITEM NO. (17) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT AND COMMUNICATION RECOMMENDATIONS

Roll Call #3 - Motion (Parks - Cardenas) Adopted, Ayes (11); Absent: Reyes and Weiss (2)

02-1820

BUDGET AND FINANCE COMMITTEE REPORT and COMMUNICATION FROM CHAIR, AUDITS AND GOVERNMENTAL EFFICIENCY COMMITTEE relative to the Victim Assistance Program 26th year funding application.

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

1. AUTHORIZE the City Attorney to submit a grant application in the amount of \$855,871 to the County of Los Angeles (County) for the 26th year continuation funding of the Victim Assistance Program (VAP).
2. APPROVE the proposed contract between the City and the County for the VAP in the amount of \$855,871 for the period of July 1, 2005 through June 30, 2006, subject to City Attorney approval as to form and legality and AUTHORIZE the City Attorney to execute the contract upon verification by the City Administrative Officer (CAO) that all City contracting requirements have been met.

3. AUTHORIZE the City Attorney, or designee, to accept the grant award.
4. APPROVE the City match in the amount of \$102,419 for the period of July 1, 2005 through June 30, 2006.
5. APPROVE a Reserve Fund advance of \$10,800 and AUTHORIZE the Controller to TRANSFER said amount from the Reserve Fund to the Unappropriated Balance and APPROPRIATE therefrom to the following account in Fund 368, City Attorney Grant Fund, Department 12, to be reimbursed to the Reserve Fund upon Receipt of grant funds from the County as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
Y303	Operating Expenses	\$10,800

6. AUTHORIZE the Controller to establish new appropriation accounts within Fund 368, City Attorney Grant Fund, Department 12 as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
Y301	Personnel Expenses	\$800,321
Y302	Employee Benefits	\$ 44,750

7. REQUEST the City Attorney to submit invoices to the County on a monthly basis to ensure that the Reserve Fund is reimbursed in a timely manner.
8. REQUEST the City Attorney to transfer amounts from Fund 368, City Attorney Grant Fund, Accounts Y301 and Y302, as appropriate throughout the fiscal year to City Attorney Departmental Receipts, Department 12, Reserve Source Code 4610 upon receipt of said grant funds from the State to reimburse the General Fund.
9. AUTHORIZE the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the CAO, and AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: The CAO reports that the total cost to the General Fund for this program is \$159,412 in employee benefits costs; \$102,419 of this amount represents the City's in-kind match, required to receive grant funds for the City Attorney's VAP. A reserve Fund advance of \$10,800 is required to partially fund the VAP on an interim basis. This amount will be reimbursed from grant Funds. Full payment from the grant of the City's Fiscal Year 2005-06 program costs is anticipated by the second quarter of 2006-07. These recommendations are in compliance with the City's Financial Policies.

Items for Which Public Hearings Have Not Been Held - Items 18-31  
(10 Votes Required for Consideration)

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

Roll Call #4 - Motion (Smith - Perry) Adopted to Continue, Unanimous Vote (11);  
Absent: Reyes and Weiss (2)

05-1135

CD 12 CONTINUED CONSIDERATION OF COMMUNICATION FROM CHAIR, PUBLIC WORKS COMMITTEE relative to developing an "Adopt-A-Street" pilot program in Council District 12.

Recommendation for Council action, pursuant to Motion (Smith - Parks):

DIRECT the Bureau of Street Services to report on the feasibility of developing an "Adopt-A-Street" pilot program in Council District 12, to allow community groups, residents, and businesses to participate in street beautification projects by donating resources to the City.

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

(Continued from Council meeting of August 2, 2005)

ITEM NO. (19) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

Roll Call #5 - Motion (Smith - Rosendahl) Adopted, Ayes (11); Absent: Reyes and Weiss (2)

98-1483

CD 5 COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION TO VACATE relative to Bel-Air Place from Bel-Air Road to its southwesterly terminus - VAC-E1400622.

Recommendations for Council action:

1. REAFFIRM the FINDINGS of February 15, 2000, that this vacation is in substantial conformance with the General Plan, pursuant to Section 556 of the Los Angeles City Charter (subject to the conditions contained therein).
2. ADOPT the accompanying RESOLUTION TO VACATE No. 05-1400622 for Bel-Air Place from Bel-Air Road to its southwesterly terminus.
3. APPROVE the City Engineer report dated July 27, 2005 for the vacation.

4. FIND that there is a public benefit to this street vacation, and RELIEVE the City, upon vacation of the street, of its ongoing obligation to maintain the street and of any potential liability that might result from continued ownership of the involved street easements.
5. INSTRUCT the Department of Public Works, Bureau of Engineering, Land Development Group, to record the Resolution with the Los Angeles County Recorder.

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

ENVIRONMENTAL WORK COMPLETED FOR THIS PROJECT

10 VOTES REQUIRED

ITEM NO. (20) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

Roll Call #10 - Motion (Garcetti - Smith) Adopted, Ayes (10); Absent: Hahn, Reyes and Weiss (3)

03-1897

CD 13 COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION TO VACATE relative to Vista Del Mar Avenue northerly of Yucca Street to its terminus at the Hollywood Freeway - VAC-E1400882.

Recommendations for Council action:

1. REAFFIRM the FINDINGS of July 23, 2004, that this vacation is in substantial conformance with the General Plan, pursuant to Section 556 of the Los Angeles City Charter (subject to the conditions contained therein).
2. ADOPT the accompanying RESOLUTION TO VACATE No. 05-1400882 for Vista Del Mar Avenue northerly of Yucca Street to its terminus at the Hollywood Freeway.
3. APPROVE the City Engineer report dated July 22, 2005 for the vacation.
4. FIND that there is a public benefit to this street vacation, and RELIEVE the City, upon vacation of the street, of its ongoing obligation to maintain the street and of any potential liability that might result from continued ownership of the involved street easements.
5. INSTRUCT the Department of Public Works, Bureau of Engineering, Land Development Group, to record the Resolution with the Los Angeles County Recorder.

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

#### ENVIRONMENTAL WORK COMPLETED FOR THIS PROJECT

Roll Call #5 - Motion (Smith - Rosendahl) Adopted, Ayes (11); Absent: Reyes and Weiss (2)  
(Item Nos. 21-28)

ITEM NO. (21) - ADOPTED, AS AMENDED - SEE FOLLOWING

[04-1769](#)

CD 2 MOTION (GREUEL - LABONGE) relative to declaring the Third Annual Wendy Greuel Community Picnic and Celebration on September 10, 2005 a Special Event (fees and costs absorbed by the City = \$998).

Recommendation for Council action:

DECLARE the Third Annual Wendy Greuel Community Picnic and Celebration, sponsored by Council District Two on September 10, 2005, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) AND insurance EXCEPT application requirements.

ADOPTED

AMENDING MOTION (GREUEL - GARCETTI)

Recommendation for Council action:

AMEND Motion (Greuel - LaBonge) to indicate that the event will take place at Sunland Park not Valley Plaza - all other details remain unchanged.

ITEM NO. (22) - ADOPTED

[01-0674](#)

CD 12 MOTION (SMITH - ROSENDAHL) relative to declaring the Fifth Annual Granada Hills Street Faire on October 1, 2005 a Special Event (fees and costs absorbed by the City = \$5,282).

Recommendation for Council action:

DECLARE the Fifth Annual Granada Hills Street Faire, sponsored by the Granada Hills Business Improvement District and the Granada Hills Chamber of Commerce on October 1, 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. (23) - ADOPTED

05-1648

CD 11 MOTION (ROSENDAHL - SMITH) relative to declaring the Keeshen Drive Block Party on August 13, 2005 a Special Event (fees and costs absorbed by the City = \$1,226).

Recommendation for Council action:

DECLARE the Keeshen Drive Block Party, sponsored by the residents of Keeshen Drive on August 13, 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. (24) - ADOPTED

02-1638

CD 9 MOTION (PERRY - HAHN) relative to declaring the Back to School Clothing Giveaway on September 29, 2005 a Special Event (fees and costs absorbed by the City = \$3,584).

Recommendation for Council action:

DECLARE the Back to School Clothing Giveaway, sponsored by the Fred Jordan Mission on September 29, 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. (25) - ADOPTED

05-1647

CD 9 MOTION (PERRY - HAHN) relative to declaring the Cuauhtemoc Ceremony on August 13, 2005 a Special Event (fees and costs absorbed by the City = \$1,005).

Recommendation for Council action:

DECLARE the Cuauhtemoc Ceremony, sponsored by the Danza Azteca Cuauhtemoc on August 13, 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. (26) - ADOPTED

03-1583

CD 9 MOTION (PERRY - PARKS) relative to declaring the Sixth Annual Labor Day Gala on September 5, 2005 a Special Event (fees and costs absorbed by the City = \$4,751).

Recommendation for Council action:

DECLARE the Sixth Annual Labor Day Gala, sponsored by the LA CAN on September 5, 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. (27) - ADOPTED

05-1649

CD 9 MOTION (PERRY - PARKS) relative to declaring the Back to School Youth Explosion on August 20, 2005 a Special Event (fees and costs absorbed by the City = \$1,015).

Recommendation for Council action:

DECLARE the Back to School Youth Explosion, sponsored by Christ Gospel on August 20, 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. (28) - ADOPTED

05-1650

CD 15 MOTION (HAHN - LABONGE) relative to declaring the Averill Avenue Block Party on August 13, 2005 a Special Event (fees and costs absorbed by the City = \$1,226).

Recommendation for Council action:

DECLARE the Averill Avenue Block Party, sponsored by the residents of Averill Avenue on August 13, 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. (29) - ADOPTED

Roll Call #8 - Motion (Smith - Rosendahl) Adopted, Ayes (11); Absent: Reyes and Weiss (2)

05-0010-S37

MOTION (PERRY - PARKS) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the freeway shootings in the Los Angeles area between March and August 2005.

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

1. PROVIDE an offer of reward in the amount of \$50,000 for information leading to the identification, apprehension, and conviction of the person(s) responsible for the freeway shootings in the Los Angeles area between March and August 2005.

2. FIND that the subject reward complies with the provisions of Chapter 12, Article 1, Division 19, of the Los Angeles Administrative Code.
3. DIRECT the City Clerk to publish the required notices and/or advertisements to effectuate this reward.

Roll Call #5 - Motion (Smith - Rosendahl) Adopted, Ayes (11); Absent: Reyes and Weiss (2)  
(Item Nos. 30-31)

ITEM NO. (30) - ADOPTED

05-1652

MOTION (WEISS - ROSENDAHL) relative to transferring funds for services in connection with a reception for Rabbi Chaim Kolodny and Hatzolah, in the City Hall Tom Bradley Room on August 1, 2005, hosted by Council District Five.

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

TRANSFER \$285 from the Reserve Fund to the Unappropriated Balance Fund No. 100-58 and APPROPRIATE therefrom to the General Services Fund No. 100-40 as follows: \$81 to Account No. 1070 (Salaries - As Needed) and \$204 to Account No. 1090 (Salaries - Overtime), for services in connection with the August 1, 2005 reception for Rabbi Chaim Kolodny and Hatzolah, in the City Hall Tom Bradley Room - said funds to be reimbursed to the General Fund by Hatzolah.

ITEM NO. (31) - ADOPTED

05-1073-S28

CD 5 CATEGORICAL EXEMPTION and MOTION (WEISS - ROSENDAHL) relative to funding from the Council District Five portion of the Street Furniture Revenue Fund for the design and installation of street lighting in front of Canfield Elementary School.

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

1. FIND that this project is categorically exempt from the preparation of an environmental document under Article VII, Section 1c, Class 3(10) of the City of Los Angeles Guidelines for the Implementation of the California Environmental Quality Act of 1970.
2. AUTHORIZE the Board of Public Works, Office of Accounting, to issue payment in the amount of \$30,000 from the Council District Five portion of the Street Furniture Revenue Fund to Fund 100, Bureau of Street Lighting Department 84, Account 1090 (Salaries-Overtime, \$20,000) and Account 8780 (Street Lighting-Supplies, \$10,000).
3. INSTRUCT the Bureau of Street Lighting to prepare plans, conduct Proposition 218 street lighting maintenance proceedings, and install ornamental street lighting on the north side of Airdrome Street between Canfield Avenue and Oakhurst Drive.



## Items for Which Public Hearings Have Been Held - Items 32-33

Roll Call #6 - Motion (LaBonge - Garcetti) Adopted, Ayes (11); Absent: Reyes and Weiss (2)  
(Item Nos. 32-33)

ITEM NO. (32) - ADOPTED

05-1281

CD 2 ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to a proposed Use Agreement and a No-Build Covenant concerning Woodbridge Park.

Recommendations for Council action:

1. APPROVE the Use Agreement between the Department of Recreation and Parks and the Oakwood School for Woodbridge Park substantially as submitted in the Board of Recreation and Park Commissioners (Board) report dated June 6, 2005 (attached to the Council file), subject to the review of the City Attorney as to form and legality.
2. APPROVE the No-Build Covenant concerning a 50-foot wide zone of Woodbridge Park adjacent to the elementary campus of the Oakwood School substantially as submitted in the Board report dated July 29, 2005 (attached to the Council file), subject to the review of the City Attorney as to form and legality.

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

ITEM NO. (33) - COMMITTEE REPORTS ADOPTED, AS AMENDED - SEE FOLLOWING

05-0577

ARTS, PARKS, HEALTH AND AGING and BUDGET AND FINANCE COMMITTEES' REPORTS relative to proposed capital improvements to El Pueblo de Los Angeles Historical Monument (El Pueblo).

A. ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT

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

APPROVE the recommendations of the Chief Legislative Analyst (CLA), as submitted in its report dated July 15, 2005, attached to the file.

B. BUDGET AND FINANCE COMMITTEE REPORT

Recommendations for Council action:

1. CONCUR with the recommendations of the Arts, Parks, Health and Aging Committee relative to proposed El Pueblo capital improvements.
2. INSTRUCT El Pueblo and the City Administrative Officer to report back to the Budget and Finance Committee in 90 days relative to the status of El Pueblo lease negotiations.

Fiscal Impact Statement: The CLA reports that the \$12 million in Municipal Improvement Corporation of Los Angeles (MICLA) bond funds for El Pueblo improvements has been authorized by the Council. The MICLA funds will have an impact to the General Fund as MICLA debt is payable directly from the General Fund. Additional source of funds to be used include grant funds from the State's California Arts Council, the Getty Foundation, and funds from a Metropolitan Transportation Authority Call for Projects. These funds will not impact the General Fund.

ADOPTED

AMENDING MOTION (PARKS - LABONGE)

Recommendation for Council action:

INSTRUCT the Bureau of Engineering (BOE) to prepare the necessary environmental studies for the renovation work on Olvera Street, as proposed under the El Pueblo Capital Improvement plan, and that BOE staff report back to Council with the results and appropriate actions prior to allocating funding for the renovation work.

### Item for Which Public Hearing Has Not Been Held - Item 34 (10 Votes Required for Consideration)

ITEM NO. (34) - MOTION ADOPTED TO APPROVE COMMUNICATION FROM THE BOARD OF RECREATION AND PARK COMMISSIONERS, \*AS AMENDED - SEE FOLLOWING

Roll Call #11 - Motion (LaBonge - Cardenas) to Adopt as Amended, Ayes (10);  
Absent: Hahn, Reyes and Weiss (3)

05-0181

CDs 6, 9 & 13 INITIAL STUDY AND MITIGATED NEGATIVE DECLARATIONS (IS/MND), GROUND LEASE AGREEMENT, GROUND SUB-LEASE AGREEMENT, MAINTENANCE AND OPERATION AGREEMENT AND MASTER ACCOUNT AGREEMENT and COMMUNICATION FROM THE BOARD OF RECREATION AND PARK COMMISSIONERS (BOARD) relative to the Anna H. Bing Living Trust.

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

1. FIND that the IS/MNDs for the projects listed in the General Manager's Report (adopted by the Board on August 9, 2005) indicate that there is no substantial evidence that the projects will have a significant effect on the environment, and that all potentially significant environmental effects of the project have been properly disclosed and evaluated in compliance with the California Environmental Quality Act (CEQA) and the State and City CEQA Guidelines and reflects the Council's independent judgement and analysis.

2. APPROVE the Ground Lease Agreement, as submitted in the General Manager's Report (adopted by the Board on August 9, 2005), subject to the approval of the City Attorney as to form and legality.
3. APPROVE the Ground Sub-Lease Agreement, as submitted in the General Manager's Report (adopted by the Board on August 9, 2005), subject to the approval of the City Attorney as to form and legality.
4. APPROVE the Maintenance and Operation Agreement, as submitted in the General Manager's Report (adopted by the Board on August 9, 2005), subject to the approval of the City Attorney as to form and legality.
5. APPROVE the Master Account Agreement, as submitted in the General Manager's Report (adopted by the Board on August 9, 2005), subject to the approval of the City Attorney as to form and legality.
- \*6. DIRECT the Department of General Services (GSD) to transfer the jurisdiction of the property at 15262 West Marson Street from the GSD to the Department of Recreation and Parks for the development of a pocket park.

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

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

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

05-1738

MOTION (LABONGE - GARCETTI) relative to declaring the Wilshire Vista Heights Block Party on August 27, 2005 a Special Event (fees and costs absorbed by the City = \$1,226).

03-1574

MOTION (GREUEL - GARCETTI) relative to declaring the Longridge Avenue Block Party on August 20, 2005 a Special Event (fees and costs absorbed by the City = \$1,226).

05-1740

MOTION (PARKS - PERRY) relative to declaring the Ray Charles Post Office Renaming Ceremony on August 24, 2005 a Special Event (fees and costs absorbed by the City = \$1,226).

05-1741

MOTION (GREUEL - ZINE) relative to declaring the Best Friends Dog Daze South Los Angeles on August 20, 2005 a Special Event (fees and costs absorbed by the City = \$1,226).

05-1742

MOTION (HAHN - GARCETTI) relative to declaring the First Annual Fiesta de las Patrias on September 17-18, 2005 a Special Event (fees and costs absorbed by the City = \$4,731).

05-1743

MOTION (PARKS - PERRY) relative to declaring the 5K Walk-a-Thon for Health on September 17, 2005 a Special Event (fees and costs absorbed by the City = \$1,000).

05-1745

MOTION (PADILLA - LABONGE) relative to declaring the Hansen Dam Spirit Triathlon on August 13, 2005 a Special Event (fees and costs absorbed by the City = \$2,822).

05-1746

MOTION (GREUEL for WEISS - ZINE) relative to declaring the Torah Procession on August 28, 2005 a Special Event (fees and costs absorbed by the City = \$2,510).

02-1939

MOTION (GREUEL for WEISS - ZINE) relative to declaring the Benefit for the Bravest 2005 on September 24, 2005 a Special Event (fees and costs absorbed by the City = \$1,188).

04-1660

MOTION (HAHN - LABONGE) relative to declaring the Seventh Annual Port of Los Angeles Lobster Festival on September 16-18, 2005 a Special Event (fees and costs absorbed by the City = \$5,620).

03-1705

MOTION (HAHN - LABONGE) relative to declaring the 14th Annual Festival of Philippine Arts and Culture on September 10-11, 2005 a Special Event (fees and costs absorbed by the City = \$5,260).

05-1739

MOTION (GARCETTI - LABONGE) relative to declaring the Five O's Cabana Club Event on August 23, 2005 a Special Event (event sponsor to reimburse the City for all fees and costs incurred).

05-1744

MOTION (PERRY - PARKS) relative to a request for an exemption from the Convention Center fee waiver policy for the Internal Affairs Training Session of the Los Angeles Police Department on August 19, 2005 and October 25, 2005.

05-0010-S34

MOTION (PERRY - PARKS) relative to amending a previous Council action for providing a reward for information relating to a hit-and-run fatality in South Los Angeles.

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

05-1403 - Samuel Salas

(LaBonge - All Councilmembers)

Ayes, Cardenas, Garcetti, Greuel, LaBonge, Parks, Perry, Rosendahl, Smith, Zine and President Padilla (10); Absent: Hahn, Reyes and Weiss (3); Vacant: Council District 10 and Council District 14.

Whereupon the Council did adjourn.

ATTEST: Frank T. Martinez, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL