Los Angeles City Council, Journal/Council Proceedings
Tuesday, February 21, 2006
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: LaBonge, Padilla, Parks, Perry, Reyes, Smith, Weiss, Wesson, Zine and President Garcetti (10); Absent: Cardenas, Greuel, Hahn, Huizar and Rosendahl (5).


COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 34

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 for Which Public Hearings Have Been Held - Items 1-14

Roll Call #2 - Motion (Weiss - LaBonge) Adopted, Ayes (10); Absent: Cardenas, Greuel, Hahn, Huizar and Rosendahl (5)
(Item Nos. 1-3)

ITEM NO. (1) - ADOPTED - ORDINANCE OVER TO FEBRUARY 28, 2006

05-0038 CD 5 INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to the proposed direct sale of surplus property for street vacation of Angelo Drive northwesterly of Davies Drive.

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

1. DETERMINE that the City-owned property at Angelo Drive, located northwesterly of Davies Drive from its northerly terminus to approximately 353 feet southerly thereof, APN 4357-004-012, is no longer required for City use and that the public interest is served by the direct sale of the property.

2. PRESENT and ADOPT the accompanying ORDINANCE providing for the sale of the subject property without calling for bids to Nathaniel T. Brown, Trustee, Philbert Trust, for $9,500.
3. INSTRUCT the Department of General Services (GSD) to complete the transactions as outlined in the Ordinance; process the necessary documentation to effectuate the sale; and deposit the proceeds, over and above the expenses, into the appropriate accounts as directed by the Los Angeles Administrative Code.

**Fiscal Impact Statement:** The City Administrative Officer reports that there will be a one-time increase of $9,500, less expenses, to the General Fund. The GSD will deposit the funds into the following accounts: (a) GSD Trust Account, Fund No. 843, Revenue Source 4886 (prior to payment of expenses); (b) General Fund, Fund No. 100, Department 40, Revenue Source 4540 (50 percent of net proceeds); and, (c) Council District 5 Real Property Trust Fund No. 14/687, (50 percent of net proceeds).

**ITEM NO. (2) - ADOPTED - ORDINANCE OVER TO FEBRUARY 28, 2006**

**05-2673**  
**CD 2**  
**INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION** relative to proposed direct sale of surplus City-owned property at Saticoy Street and the Hollywood Freeway.

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

1. DETERMINE that the surplus City-owned property at Saticoy Street and the Hollywood Freeway, APN 2305-025-900, is no longer required for City use and that the public interest is served by the direct sale of the property.

2. PRESENT and ADOPT the accompanying ORDINANCE providing for the sale of the surplus property, without calling for bids, to Salomon and Rita Lowi 1981 Revocable Trust for $25,000.

3. INSTRUCT the Department of General Services (GSD) to complete the transactions as outlined in the Ordinance process the necessary documentation effectuate the sale and deposit the proceeds, over and above the expenses, into the appropriate accounts as directed by the Los Angeles Administrative Code.

**Fiscal Impact Statement:** The City Administrative Officer reports that there will be a one-time increase of $25,000, less expenses, to the General Fund. The GSD will deposit the funds into the following accounts: (a) GSD Trust Account, Fund No. 843, Revenue Source 4886 (prior to payment of expenses); (b) General Fund, Fund No. 100, Department 40, Revenue Source 4540 (50 percent of balance of net proceeds); and, (c) Council District 2 Real Property Trust Fund No. 14/684 (50 percent of balance of net proceeds). The CAO also reports that the proposed transaction is in compliance with the Financial Policies of the City.

(Budget and Finance Committee waived consideration of the above matter)
ITEM NO. (3) - ADOPTED - ORDINANCE OVER TO FEBRUARY 28, 2006

06-0193
CD 2

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to proposal to sell surplus City-owned property behind 13957-14001 Sherman Way.

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

1. DETERMINE that the surplus City-owned property behind 13957-14001 Sherman Way, APN 2216-002-901, is no longer required for City use and that the public interest is served by the sale of the surplus property at a private auction to adjoining property owners.

2. PRESENT and ADOPT the accompanying ORDINANCE and Notice of Sale establishing the proposed minimum bid for the sale of the subject property.

3. INSTRUCT the Department of General Services (GSD) to complete the transactions as outlined in the Ordinance and Notice of Sale to effectuate the sale and deposit the proceeds, over and above the expenses, into the appropriate accounts as directed by the Los Angeles Administrative Code.

Fiscal Impact Statement: The GSD reports that there will be a one-time gross increase of $30,000, less expenses, to the General Fund. The GSD will deposit the net proceeds into appropriate accounts as provided by law.

ITEM NO. (4) - CONTINUED TO MARCH 1, 2006

Roll Call #1 - Motion (Reyes - Weiss) Adopted to Continue, Ayes (10); Absent: Cardenas, Greuel, Hahn, Huizar and Rosendahl (5)

97-2229-S1
CD 2

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to amending Section 12.04 of the Los Angeles Municipal Code (LAMC) by correcting the zoning and zoning map of Subarea 921 for property at 9945 Wheatland Avenue.

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

1. ADOPT the December 8, 2005, FINDINGS of the Interim Director of Planning as the Findings of the Council.

2. PRESENT and ADOPT the accompanying ORDINANCE, approved by the Interim Director of Planning, amending Section 12.04 of the LAMC thereby modifying Ordinance No. 172231, by correcting the zoning and zoning map of Subarea 921 to reflect the zoning of RA-1-K for property at 9945 Wheatland Avenue, which was
erroneously changed to RE40-1- K and previously included both Subarea 920 and Subarea 921 within the General Plan/Zoning Consistency Program for Sunland-Tujunga-Lake View Terrace-Shadow Hills-East La Tuna Canyon Plan Area.

CPC 25271 and CPC 25824

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. (5) - ADOPTED - FORTHWITH

Roll Call #5 - Motion (Zine - Weiss) Adopted, Ayes (10); Absent: Cardenas, Greuel, Hahn, Huizar and Rosendahl (5)

02-0815-S1

CD 8 PUBLIC SAFETY COMMITTEE REPORT relative to an alternative site for the South Los Angeles Animal Shelter (Project).

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

1. INSTRUCT the Proposition F Administrative Oversight Committee, with the assistance of the Bureau of Engineering, City Administrative Officer (CAO), and City Attorney, to take all actions necessary to suspend construction of the Project at the intersection of Western Avenue and 40th Street (Original Site) and to identify, and report to the Council within 30 days with its recommendations thereon, all actions that are necessary to relocate the Project from the Original Site to 6000 South St. Andrews Place, Los Angeles, CA 90047, APN 6001-017-901 (Alternative Site).

2. INSTRUCT the CAO, with the assistance of the Bureau of Engineering and the City Attorney, to report to the Proposition F Administrative Oversight Committee for its recommendation of necessary actions to the Council within 30 days with the following:

   a. A review of the Project budget.

   b. An analysis of all costs and financial impacts to the Project and to the Animal Facilities Bond Program (Program) associated with the relocation of the Project to the Alternative Site.

3. INSTRUCT the Bureau of Engineering to conduct the appropriate California Environmental Quality Act analysis within 30 days relative to the above described Project relocation, and a proposed direct sale of the Original Site of the Project.

4. INSTRUCT the Department of General Services to identify and report to the Proposition F Administrative Oversight Committee for its recommendation of actions to the City Council within 30 days, the steps needed to declare the Original Site as surplus and to effectuate its direct sale (including the steps set forth in the Los Angeles Administrative Code and the issuance of appropriate notices to specified agencies as required by the California Government Code).
5. INSTRUCT the Community Development Department, with the assistance of the Community Redevelopment Agency and the Planning Department, to identify and report to the Proposition F Administrative Oversight Committee and Council on the potential economic impacts provided at the Original Site with the expansion of commercial and light industrial uses including, but not limited to:

- Job creation from LA Design Center Expansion ("Project").
- Wage and benefit provided through the Project.
- Sales tax generated through the Project.
- Business tax generated through the Project.
- Utility tax generated through the Project.
- Property tax increment generated through the Project.
- Current and historic poverty levels in South Los Angeles and the Eighth Council District.
- Job loss trends, particularly in the manufacturing and light industry sectors, in South Los Angeles and the Eighth Council District.
- Future potential growth of the Project.

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

Roll Call #2 - Motion (Weiss - LaBonge) Adopted, Ayes (10); Absent: Cardenas, Greuel, Hahn, Huizar and Rosendahl (5)
(Item Nos. 6-14)

**ITEM NO. (6) - ADOPTED - TO THE MAYOR FORTHWITH**

**04-0600-S56**

PUBLIC WORKS COMMITTEE REPORT relative to authorizing the Bureau of Street Services (BOSS) to install a new sidewalk along Manchester Avenue from Central Avenue to Vermont Avenue.

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

1. AUTHORIZE the BOSS to perform the work associated with the installation of approximately 23,249 square feet of new sidewalk in Council District 8, and approximately 15,443 square feet of new sidewalk in Council District 9, located along Manchester Avenue from Central Avenue to Vermont Avenue.

2. AUTHORIZE the Controller to TRANSFER and APPROPRIATE funds from the Fund 100/54 Capital Improvement Expenditure Program "Manchester Boulevard Streetscape Project" to the Bureau of Street Services Fund 100, Department 86, into the following accounts:
### Account Title | Amount
--- | ---
1090 | Salaries - Overtime $100,000
3030 | Construction Materials 100,000
6020 | Operating Supplies 50,000

Total $250,000

3. AUTHORIZE the Controller, Chief Legislative Analyst (CLA), or designee, to make technical corrections, or clarifications, in order to facilitate said transfer.

**Fiscal Impact Statement:** Neither the City Administrative Officer nor the CLA has completed a financial analysis of this report.

**ITEM NO. (7) - ADOPTED**

**05-1073-S36 CD 4** PUBLIC WORKS COMMITTEE REPORT relative to authorizing the Bureau of Street Services (BOSS) to perform curb and gutter repairs along Fountain Avenue between June and Seward Streets.

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

1. DIRECT the BOSS to perform the additional curb and gutter repairs along Fountain Avenue between June and Seward Streets, adjacent to the pocket park located in Council District 4 (CD 4).

2. AUTHORIZE the Controller to TRANSFER and APPROPRIATE funds from the CD 4 portion of the Street Furniture Revenue Fund No. 43D, in the amount of $46,474, to Fund 100, Department 86 to the accounts specified as follows:

| Account | Title          | Amount |
--- | --- | --- |
1090 | Salaries - Overtime | $20,000 |
3030 | Construction Materials | 16,000 |
6020 | Operating Supplies | 10,474 |

Total $46,474

3. AUTHORIZE the Controller, Chief Legislative Analyst (CLA), or designee, to make technical corrections, or clarifications, in order to facilitate said transfer.

**Fiscal Impact Statement:** Neither the City Administrative Officer nor the CLA has completed a financial analysis of this report.
ITEM NO. (8) - ADOPTED

05-2591
CD 15  PUBLIC WORKS COMMITTEE REPORT relative to developer requirements in connection with Tentative Tract Map No. 60314 at 631-37 South Grand Avenue.

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

1. DIRECT the Bureau of Engineering (BOE) in connection with Tentative Tract Map No. 60314 at 631-37 South Grand Avenue to require the developer to dedicate a 15-foot wide strip of land along Seventh Street to complete a 45-foot wide half-street dedication in accordance with Secondary Highway Standards.

2. DIRECT the BOE to not require the developer to perform the street improvement in connection with Tentative Tract Map No. 60314.

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

ITEM NO. (9) - ADOPTED

06-0111
CD 11  PUBLIC WORKS COMMITTEE REPORT relative to implementing the designation of the “Mar Vista” neighborhood.

Recommendations for Council action, pursuant to Motion (Rosendahl - Greuel):

1. DESIGNATE “Mar Vista” as the area bounded by Santa Monica City border between the I-10 and Walgrove Avenue; Walgrove Avenue between the Santa Monica City border and Culver City border on the west; Culver City border between Walgrove Avenue and the I-405 on the south; the I-405 between the Culver City border and the I-10 on the east; and the I-10 between the Santa Monica City border and I-405 on the north.

2. DIRECT the Bureau of Engineering to implement the designation of “Mar Vista” as detailed above in Recommendation No. 1.

3. INSTRUCT the Department of Transportation (LADOT) to design and install signs at the following locations in order to identify “Mar Vista”:

   a. Venice Boulevard at Beethoven Street going east (facing west)
   b. Venice Boulevard at Sawtelle Boulevard going west (facing east)
c. Centinela Avenue at Mitchell Avenue going north (facing south)
d. Rose Avenue at Walgrove Avenue going east (facing west)
e. Barrington Avenue at National Boulevard going south (facing north)
f. Centinela Avenue at Airport Avenue going south (facing north)

4. INSTRUCT the LADOT to install signs with a blue background and white text and a City logo at the top, at the locations in order to identify “Mar Vista.”

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

**ITEM NO. (10) - NO ACTION TAKEN - PURSUANT TO COUNCIL RULE 77 CONTINUED TO FEBRUARY 28, 2006**

**03-1865-S1**

RULES AND ELECTIONS COMMITTEE REPORT relative to amending the Rules of the Los Angeles City Council to add Rule No. 17.

Recommendation for Council action:

APPROVE the addition of proposed Council Rule No. 17, as follows:

17. The Chair of a Committee, with the approval of the President, may waive consideration of any item pending in that Committee. Upon such waiver the item shall be placed on a Council Agenda to be posted for a regular or special meeting. When the item appears on the Agenda, it shall specifically note that a two-thirds vote of the entire Council is required for the item to be considered at the time. If the item fails to receive the required two-thirds vote in order to be considered, it shall then be referred by the presiding officer back to the Committee from which it was waived.

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

(Pursuant to Council Rule 77, each proposed Rule amendment shall be presented to the Council and then laid over one week before it can be adopted.)

10 VOTES REQUIRED

**ITEM NO. (11) - ADOPTED**

**04-2625**

RULES AND ELECTIONS COMMITTEE REPORT relative to establishing an Ad Hoc Committee on Gang Crisis Response to address the gang crisis in Los Angeles.
Recommendation for Council action:

RECEIVE and FILE Motion (Ludlow - Padilla) relative to establishing an Ad Hoc Committee on Gang Crisis Response to comprehensively address the gang crisis in Los Angeles, inasmuch as the Ad Hoc Committee on Gang Violence and Youth Development has been established, and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (12) - ADOPTED

05-1800

RULES AND ELECTIONS COMMITTEE REPORT relative to setting the run-off date for Council Districts Ten and 14 Special Election.

Recommendation for Council action:

RECEIVE and FILE communication from the City Clerk relative to setting the run-off date for Council Districts Ten and 14 Special Election, inasmuch as action was taken under Council files Nos. 05-1019 and 05-1164, and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (13) - ADOPTED

05-2207

RULES AND ELECTIONS COMMITTEE REPORT relative to establishing guidelines for Council presentation procedures.

Recommendation for Council action:

RECEIVE and FILE Motion (Weiss - Greuel for Smith - Parks - Garcetti) relative to establishing guidelines for Council presentation procedures, inasmuch as Council presentation guidelines have been established and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (14) - ADOPTED

05-0571

PUBLIC SAFETY, PERSONNEL and BUDGET AND FINANCE COMMITTEES’ REPORT relative to modifications to the Police Officer Recruitment Incentive Program (PORIP).

Recommendations for Council action:

1. AUTHORIZE the increase in the PORIP amount to $1,000 for current and retired City employees who refer a candidate that graduates from the Police Academy.
2. AUTHORIZE the increase in the PORIP amount to $1,000 for current and retired City employees and Reserve Officers who refer a Reserve Police Officer candidate that graduates from the Police Academy.

3. INSTRUCT the Personnel Department to report annually on the PORIP status.

Fiscal Impact Statement: The City Administrative Officer (CAO) reports that the estimated annual cost of these expanded programs is $25,000. The cost of the PORIP is funded as part of the Police Officer Recruit Budget. The CAO is not recommending an appropriation at this time but will monitor this account as the year progresses.

Items for Which Public Hearings Have Not Been Held - Items 15-42
(10 Votes Required for Consideration)

Roll Call #3 - Motion (Padilla - Zine) Adopted, Ayes (10); Absent: Cardenas, Greuel, Hahn, Huizar and Rosendahl (5)
(Item Nos. 15-37)

ITEM NO. (15) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS ORDINANCE OVER TO FEBRUARY 28, 2006

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the PICO BOULEVARD AND PURDUE AVENUE (REBALLOT) 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 November 30, 2005.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of APRIL 25, 2006 as the hearing date for the maintenance of the Pico Boulevard and Purdue Avenue (Reballot) Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $1,170.71 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: April 17, 2006)
ITEM NO. (16) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS
ORDINANCE OVER TO FEBRUARY 28, 2006

05-0275-S1
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 the ARMINTA STREET AND NAGLE AVENUE NO. 2 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 November 23, 2005.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of APRIL 25, 2006 as the hearing date for the maintenance of the Arminta Street and Nagle Avenue No. 2 Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $370.57 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: April 17, 2006)

ITEM NO. (17) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS
ORDINANCE OVER TO FEBRUARY 28, 2006

05-2644
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 the SAMOA AVENUE AND SUMMITROSE 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 November 23, 2005.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of APRIL 25, 2006 as the hearing date for the maintenance of the Samoa Avenue and Summitrose Street Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $267.75 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: April 17, 2006)
ITEM NO. (18) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS
ORDINANCE OVER TO FEBRUARY 28, 2006

05-2645
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 the NOBLE AVENUE AND NORDHOFF STREET 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 November 23, 2005.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the
date of APRIL 25, 2006 as the hearing date for the maintenance of the Noble Avenue
and Nordhoff Street No. 1 Lighting District, in accordance with Proposition 218, Articles
XIIIc and XIIIId of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $137.70
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: April 17, 2006)

ITEM NO. (19) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS
ORDINANCE OVER TO FEBRUARY 28, 2006

05-2646
CD 13

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF
INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the
maintenance of the MYRA AVENUE AND EFFIE 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 November 23, 2005.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the
date of APRIL 25, 2006 as the hearing date for the maintenance of the Myra Avenue
and Effie Street Lighting District, in accordance with Proposition 218, Articles XIIIc and
XIIIId of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $1,187.29
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: April 17, 2006)
COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the KESTER AVENUE AND PARTHENIA 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 November 23, 2005.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of APRIL 25, 2006 as the hearing date for the maintenance of the Kester Avenue and Parthenia Street Lighting District, in accordance with Proposition 218, Articles XIIIIC and XIIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $822.83 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: April 17, 2006)

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the ARMINTA STREET AND YOLANDA 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 November 30, 2005.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of APRIL 25, 2006 as the hearing date for the maintenance of the Armita Street and Yolanda Avenue Lighting District, in accordance with Proposition 218, Articles XIIIIC and XIIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $153 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: April 17, 2006)
ITEM NO. (22) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS
ORDINANCE OVER TO FEBRUARY 28, 2006

05-2692
CD 5

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF
INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the
maintenance of the NATIONAL BOULEVARD AND VINTON 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 November 30, 2005.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the
date of APRIL 25, 2006 as the hearing date for the maintenance of the National
Boulevard and Vinton Avenue Lighting District, in accordance with Proposition 218,
Articles XIIIC and XIIID of the California Constitution and Government Code Section
53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $1,194.45
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: April 17, 2006)

ITEM NO. (23) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS
ORDINANCE OVER TO FEBRUARY 28, 2006

05-2693
CD 6

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF
INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the
maintenance of the WHEATLAND AVENUE AND CANTARA 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 November 30, 2005.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the
date of APRIL 25, 2006 as the hearing date for the maintenance of the Wheatland
Avenue and Cantara Street Lighting District, in accordance with Proposition 218,
Articles XIIIC and XIIID of the California Constitution and Government Code Section
53753.
Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $157.90 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: April 17, 2006)

ITEM NO. (24) - ADOPTED

06-0005-S62  
CD 14  
RESOLUTION removing the property at 3513-15 East Atlantic Street from the Rent Escrow Account Program [REAP], (Case No. 6671), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance 173810, and ADOPT the Findings contained in the Los Angeles Housing Department’s report of February 14, 2006.

Assessor I.D. No. 5188-014-020  
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on August 14, 2003)

ITEM NO. (25) - ADOPTED

06-0005-S63  
CD 8  
RESOLUTION removing the property at 1575-77 West 50th Street from the Rent Escrow Account Program [REAP], (Case No. 6745), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance 173810, and ADOPT the Findings contained in the Los Angeles Housing Department’s report of February 14, 2006.

Assessor I.D. No. 5016-028-017  
Registration No. 9901299

(Notice of Acceptance into the REAP/Rent Reduction Program was released on August 21, 2003)
TEM NO. (26) - ADOPTED

06-0005-S64
CD 8
RESOLUTION removing the property at 1328-28 3/4 West Florence Avenue from the Rent Escrow Account Program [REAP], (Case No. 8259), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance 173810, and ADOPT the Findings contained in the Los Angeles Housing Department’s report of February 14, 2006.

Assessor I.D. No. 6019-001-008
Registration No. None

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

ITEM NO. (27) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

03-0983
COMMUNICATION FROM CHAIR, PERSONNEL COMMITTEE relative to Amendment 2 to Memorandum of Understanding (MOU) 3 to provide for salaries for the new class of Supply Management System (SMS) Payment Clerk.

Recommendation for Council action:

APPROVE Amendment 2 to MOU 3, Clerical and Support Services Unit, which provides for salaries for the new class of SMS Payment Clerk.

Fiscal Impact Statement: The City Administrative Officer reports that the proposed amendment to the MOU will have no impact on the General Fund because there is no change in the salary for the affected employees.

ITEM NO. (28) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

05-2502
CD 2
CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for 11477 West Victory Boulevard.

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 November 15, 2005 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 11477 West Victory Boulevard.

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. (29) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for 10240 North Commerce 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 November 16, 2005 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 10240 North Commerce 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. (30) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

05-2525
CD 14  CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for 2013 North Barnett 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 November 16, 2005 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 2013 North Barnett 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. (31) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

05-2526
CD 14  CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for 2009 North Barnett 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 November 16, 2005 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 2009 North Barnett 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. (32) - ADOPTED**

**04-0758 CD 6**

MOTION (CARDENAS - HUIZAR) relative to declaring the St. Elisabeth’s Community Festival and Fair on May 4-7, 2006 a Special Event (fees and costs absorbed by the City = $578).

Recommendation for Council action:

DECLARE the St. Elisabeth’s Community Festival and Fair, sponsored by St. Elisabeth’s Church on May 4-7, 2006, 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. (33) - ADOPTED**

**04-1357 CD 15**

MOTION (HAHN - HUIZAR) relative to declaring the Mary Star of the Sea Church Fiesta on March 19, 2006 a Special Event (fees and costs absorbed by the City = $1,226).

Recommendation for Council action:

DECLARE the Mary Star of the Sea Church Fiesta, sponsored by Mary Star of the Sea Catholic Church on March 19, 2006, 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. (34) - ADOPTED

06-0341 CD 15  MOTION (HAHN - LABONGE) relative to declaring the Warren Chapel CME Church Block Party on February 25, 2006 a Special Event (fees and costs absorbed by the City = $1,226).

Recommendation for Council action:

DECLARE the Warren Chapel CME Church Block Party, sponsored by the Warren Chapel CME Church on February 25, 2006, 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. (35) - ADOPTED

05-0396 CD 6  MOTION (CARDENAS - PADILLA) relative to declaring the Council District Six Community Cleanup on February 18, 2006 a Special Event (fees and costs absorbed by the City = $1,500).

Recommendation for Council action:

DECLARE the Council District Six Community Cleanup, sponsored by the Office of Council District Six on February 18, 2006, 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. (36) - ADOPTED

03-0503 CD 12  MOTION (SMITH - ZINE) relative to declaring the Ninth Annual Dog Faire and Pet Adoption on April 1, 2006 a Special Event (fees and costs absorbed by the City = $3,584).

Recommendation for Council action:

DECLARE the Ninth Annual Dog Faire and Pet Adoption, sponsored by the Sepulveda Basin Off-Leash Dog Park on April 1, 2006, 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. (37) - ADOPTED

05-1125
CD 10           MOTION (WESSON - GARCETTI) relative to declaring the Los Angeles High School Road Race on August 12, 2006 a Special Event (fees and costs absorbed by the City = $2,420).

Recommendation for Council action:

DECLARE the Los Angeles High School Road Race, sponsored by the Los Angeles High School on August 12, 2006, 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. (38) - ADOPTED

Roll Call #6 - Motion (Wesson - Parks) Adopted, Ayes (10); Absent: Cardenas, Greuel, Hahn, Huizar and Rosendahl (5)

06-0354
CD 10           MOTION (WESSON - GARCETTI) relative to declaring the Wilshire Los Angeles Police Department (LAPD) Carnival on February 18-20, 2006 a Special Event (fees and costs absorbed by the City = $7,842).

Recommendation for Council action:

DECLARE the Wilshire LAPD Carnival, sponsored by the Wilshire Division LAPD on February 18-20, 2006, 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.

Roll Call #3 - Motion (Padilla - Zine) Adopted, Ayes (10); Absent: Cardenas, Greuel, Hahn, Huizar and Rosendahl (5)
(Item Nos. 39-42)

ITEM NO. (39) - ADOPTED

04-0203
CD 6            MOTION (CARDENAS - REYES) relative to declaring the Council District Six Community Clean Up on March 18, 2006 a Special Event (fees and costs absorbed by the City = $708).

Recommendation for Council action:

DECLARE the Council District Six Community Clean Up, sponsored by the Office of Council District Six on March 18, 2006, 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. (40) - ADOPTED

06-0353 CD 9

MOTION (PERRY - ROSENDAHL) relative to declaring the National Infant Immunization Week (NIIW) Health Fair on April 29, 2006 a Special Event (fees and costs absorbed by the City = $1,226).

Recommendation for Council action:

DECLARE the NIIW Health Fair, sponsored by the Immunize L.A. Kids Coalition, South L.A. Health Projects - WIC Nutrition Program and First 5 LA on April 29, 2006, 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. (41) - ADOPTED

06-0352 CD 9

MOTION (PERRY - ROSENDAHL) relative to declaring the Community Celebration on March 11, 2006 a Special Event (fees and costs absorbed by the City = $2,078).

Recommendation for Council action:

DECLARE the Community Celebration, sponsored by the First Antioch Missionary Baptist Church on March 11, 2006, 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. (42) - ADOPTED

06-0010-S5

MOTION (GARCETTI - LABONGE) relative to an offer of reward for information leading to the identification, apprehension and conviction of the person(s) responsible for the November 5, 2005 injuries and subsequent death of Gloria Jean Balajadia on December 18, 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 death of Gloria Jean Balajadia.

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.
Closed Sessions - Items 43-52

ITEM NO. (43) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #9 - Motion (Parks - Smith) Adopted in Open Session, Ayes (10);
Absent: Cardenas, Greuel, Hahn, Huizar and Rosendahl (5)

04-0388-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 settlement in the case entitled City v. Davis, et al., Los Angeles Superior Court Case No. BC 318568. (This is an acquisition, by eminent domain, of real property located at 2033 North Marianna Avenue for construction of the Valley Boulevard Grade Separation Project.)

(Budget and Finance Committee considered the above matter in Closed Session on February 13, 2006)

ADOPTED IN OPEN SESSION

MOTION (PARKS - SMITH)

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

1. AUTHORIZE the City Attorney to expend $355,000 in total compensation, in settlement of the case entitled City v. Davis, et al., Los Angeles Superior Court Case No. BC 318568, from the Valley Boulevard Grade Separation Project Transportation Grant Fund Program, Fund No. 655, Department 94, Account No. T803.

2. AUTHORIZE the General Manager, Department of Transportation, or designee, to draw a demand in the amount of $211,000 which is the total of the settlement of $355,000, less $144,000 on deposit with the Court, payable to Sullivan, Workman and Dee, LLP, Client Trust Account No. 2.

3. INSTRUCT the General Manager, Department of Transportation, or designee, to forward said demand to the Office of the City Attorney, Attention: Scott Weible, Deputy City Attorney, Real Property/Environment Division, 200 N. Main Street, 700 City Hall East, Los Angeles, Ca., Mail Stop 140.

This matter was approved by the Budget and Finance Committee (Parks - Huizar voted “yes”) at its meeting of February 13, 2006, in Closed Session as permitted by Government Code Section 54956.9(a).
ITEM NO. (44) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #10 - Motion (Parks - Smith) Adopted in Open Session, Ayes (10);
   Absent: Cardenas, Greuel, Hahn, Huizar and Rosendahl (5)

04-0388-S2
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 City v. Viramontes, et al., Los Angeles Superior Court Case No. BC 318574. (This is an acquisition, by eminent domain, of real property located at 2049 North Marianna Avenue for construction of the Valley Boulevard Grade Separation Project.)

(Budget and Finance Committee considered the above matter in Closed Session on February 13, 2006.)

ADOPTED IN OPEN SESSION

MOTION (PARKS - SMITH)
Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. AUTHORIZE the City Attorney to expend a total of $500,000 in total compensation and relocation benefits, in settlement of the case entitled City v. Viramontes, et al., Los Angeles Superior Court Case No. BC 318574, from the Valley Boulevard Grade Separation Project Transportation Grant Fund Program, Fund No. 655, Department 94, Account No. T803.

2. AUTHORIZE the General Manager, Department of Transportation, or designee, to draw a demand thereon in said amount payable to Sullivan, Workman and Dee LLP, Client Trust Account.

3. INSTRUCT the General Manager, Department of Transportation, or designee, to forward said demand to the Office of the City Attorney, Attention: Scott Weible, Deputy City Attorney, Real Property/Environment Division, 200 N. Main Street, 700 City Hall East, Los Angeles, Ca., Mail Stop 140.

This matter was approved by the Budget and Finance Committee (Parks - Huizar voted “yes”) at its meeting of February 13, 2006, in Closed Session as permitted by Government Code Section 54956.9(a).
ITEM NO. (45) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #11 - Motion (Parks - Smith) Adopted in Open Session, Ayes (10); Absent: Cardenas, Greuel, Hahn, Huizar and Rosendahl (5)

04-0388-S3

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 City v. Davis, et al., Los Angeles Superior Court Case No. BC 318569. (This is an acquisition, by eminent domain, of real property located at 5000 Valley Boulevard and 2105-2137 North Marianna Avenue for construction of the Valley Boulevard Grade Separation Project.)

(Budget and Finance Committee considered the above matter in Closed Session on February 13, 2006.)

ADOPTED IN OPEN SESSION

MOTION (PARKS - SMITH)

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

1. AUTHORIZE the City Attorney to expend $2,341,985 in total compensation of the case entitled City v. Davis, et al., Los Angeles Superior Court Case No. BC 318569, from the Valley Boulevard Grade Separation Project Transportation Grant Fund Program, Fund No. 655, Department 94, Account No. T803.

2. AUTHORIZE the General Manager, Department of Transportation, or designee, to draw a demand thereon in the amount of $774,485, which is the total of the settlement of $2,341,985 less the $1,567,500 on deposit with the Court, payable to Sullivan, Workman and Dee LLP, Client Trust Account No. 2.

3. INSTRUCT the General Manager, Department of Transportation, or designee, to forward said demand to the Office of the City Attorney, Attention: Scott Weible, Deputy City Attorney, Real Property/Environment Division, 200 N. Main Street, 700 City Hall East, Los Angeles, CA., Mail Stop 140.

This matter was approved by the Budget and Finance Committee (Parks - Huizar voted “yes”) at its meeting of February 13, 2006, in Closed Session as permitted by Government Code Section 54956.9(a).
ITEM NO. (46) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #12 - Motion (Parks - Smith) Adopted in Open Session, Ayes (10); Absent: Cardenas, Greuel, Hahn, Huizar and Rosendahl (5)

06-0222

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 City of Los Angeles v. Ernest and Josephine Padilla, Los Angeles Superior Court Case No. BC 318604 (Valley Boulevard Grade Separation Project).

(Budget and Finance Committee considered the above matter in Closed Session on February 13, 2006)

ADOPTED IN OPEN SESSION

MOTION (PARKS - SMITH)

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

1. AUTHORIZE the City Attorney to expend $545,000, with statutory interest, in settlement of the case entitled City of Los Angeles v. Ernest and Josephine Padilla, Los Angeles Superior Court Case No. BC 318604, from the Department of Transportation Account No. V-803, Department 94, Fund 655.

2. AUTHORIZE the City Attorney and Controller to compute the amount of statutory interest due on the settlement amount through and including the date of payment, and include such interest in the amount to be tendered to Plaintiff.

3. AUTHORIZE the Controller to draw a demand thereon in said amount, to include statutory interest, payable to the Law Offices of Gary Byron Roach Client Trust Account.

This matter was approved by the Budget and Finance Committee (Parks - Huizar voted “yes”) at its meeting of February 13, 2006, in Closed Session as permitted by Government Code Section 54956.9(a).
ITEM NO. (47) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #13 - Motion (Parks - Smith) Adopted in Open Session, Ayes (10);
Absent: Cardenas, Greuel, Hahn, Huizar and Rosendahl (5)

05-1517
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 in the case entitled Stein v. City of Los Angeles, Claim No. C05-3778. (This is an inverse condemnation claim concerning 2669 Harlesden Court.)

(Budget and Finance Committee considered the above matter in Closed Session on February 13, 2006.)

ADOPTED IN OPEN SESSION

MOTION (PARKS - SMITH)

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

1. AUTHORIZE the City Attorney to execute a settlement agreement and all other documents necessary to implement the second phase of the settlement.

2. AUTHORIZE the City Attorney to expend $1,175,000 in settlement of the case entitled Stein v. City of Los Angeles, Claim No. C05-3778, from the Liability Claims Account No. 9770, Fund 100, Department 59.

3. AUTHORIZE the City Attorney to draw a demand thereon in said amount payable to Carrie Stein and the Law Offices of Knopfler, Smith and Pazos.

This matter was approved by the Budget and Finance Committee (Parks - Huizar voted “yes”) at its meeting of February 13, 2006, in Closed Session as permitted by Government Code Section 54956.9(b).

ITEM NO. (48) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #14 - Motion (Parks - Smith) Adopted in Open Session, Ayes (10);
Absent: Cardenas, Greuel, Hahn, Huizar and Rosendahl (5)

06-0065
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 in the case entitled Rosetta Morgenstern v. City of Los Angeles, Claim No. C06-1367. (This is an inverse condemnation claim concerning 3130 Oakshire Drive.)

(Budget and Finance Committee considered the above matter in Closed Session on February 13, 2006.)
ADOPTED IN OPEN SESSION

MOTION (PARKS - SMITH)

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

1. AUTHORIZE the City Attorney to execute a settlement agreement and all other documents necessary to implement the first phase of the settlement.

2. AUTHORIZE the City Attorney to draw the necessary demand in the amount of $152,826.98, from the Liability Claims Account No. 9770, Fund 100, Department 59, payable to Rosetta Morgenstern and the Law Offices of Mark S. Novak.

This matter was approved by the Budget and Finance Committee (Parks - Huizar voted "yes") at its meeting of February 13, 2006, in Closed Session as permitted by Government Code Section 54956.9(b).

ITEM NO. (49) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #15 - Motion (Parks - Smith) Adopted in Open Session, Ayes (10);
Absent: Cardenas, Greuel, Hahn, Huizar and Rosendahl (5)

06-0027

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 Michael Foster v. City of Los Angeles and William J. Bratton, Los Angeles Superior Court Case No. BS 090557. (This case arises out of a Petition for a Writ of Mandate challenging the discharge of a probationary Police Officer.)

(Budget and Finance Committee considered the above matter in Closed Session on February 13, 2006.)

ADOPTED IN OPEN SESSION

MOTION (PARKS - SMITH)

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

APPROVE the City Attorney’s proposed settlement agreement which would:

a. Reinstat e Plaintiff as a tenured Police Officer II with back pay from March 19, 2004 until the present.
b. Each party will bear its own attorney’s fees and costs.

c. Plaintiff will dismiss his writ petition, sign a general release and waive interest on back pay.

This matter was approved by the Budget and Finance Committee (Parks - Huizar voted “yes”) at its meeting of February 13, 2006, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (50) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #16 - Motion (Parks - Smith) Adopted in Open Session, Ayes (10);
Absent: Cardenas, Greuel, Hahn, Huizar and Rosendahl (5)

06-0197
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 Vanowen Dental Corporation v. City of Los Angeles, Los Angeles Superior Court Case No. BC 322195. (This action involves a Loss of Business Goodwill Claim by a displaced tenant.)

(Budget and Finance Committee considered the above matter in Closed Session on February 13, 2006)

ADOPTED IN OPEN SESSION

MOTION (PARKS - SMITH)

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

1. AUTHORIZE the City Attorney to expend $450,000, plus statutory interest, in settlement of the case entitled Vanowen Dental Corporation v. City of Los Angeles, Los Angeles Superior Court Case No. BC 322195, from the Proposition F Account No. V-301, Department 50, Fund 15-S.

2. AUTHORIZE the City Attorney and the Controller to compute the amount of statutory interest due on the settlement amount through and including the date of payment, and include such interest in the amount to be tendered to Plaintiff.

3. AUTHORIZE the Controller to draw a demand thereon in said amount, to include statutory interest, payable to the Law Offices of O’Neill, Huxtable and Abelson Client Trust Account.

This matter was approved by the Budget and Finance Committee (Parks - Huizar voted “yes”) at its meeting of February 13, 2006, in Closed Session as permitted by Government Code Section 54956.9(a).
ITEM NO. (51) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR
FORTHWITH - SEE FOLLOWING

Roll Call #17 - Motion (Parks - Smith) Adopted in Open Session, Ayes (10):
Absent: Cardenas, Greuel, Hahn, Huizar and Rosendahl (5)

06-0223

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 City of Los Angeles v. Maganda Corporation, et al., Los Angeles Superior Court Case No. BC 313425. (This action involves a Loss of Rights to Parking Agreement and Various Easements.)

(Budget and Finance Committee considered the above matter in Closed Session on February 13, 2006)

ADOPTED IN OPEN SESSION

MOTION (PARKS - SMITH)

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

1. AUTHORIZE the City Attorney to expend $437,500, plus statutory interest, in settlement of the case entitled City of Los Angeles v. Maganda Corporation, et al., Los Angeles Superior Court Case No. BC 313425, from the Proposition F Account No. V-301, Department 50, Fund 15-S.

2. AUTHORIZE the City Attorney and Controller to compute the amount of statutory interest due on the settlement amounts, through and including the date of payment, and include such interest in the amount to be tendered to Plaintiffs.

3. AUTHORIZE the Controller to draw demands on said account, plus statutory interest, as follows:
   a. $335,000 payable to the Law Offices of Farrar and Burrill LLP Client Trust Account, for Mario Simone;
   b. $50,000 payable to the Law Offices of Lang, Hanigan and Carvalho, for the Maganda Corporation;
   c. $40,000 payable to the Law Offices of H. John Khoukaz, for Terra 96;
   d. $10,000 payable to the Law Offices of Richard Moss, for 6851 Lennox LLC;
   e. $2,500 payable to Franklin-LaBrea LLP.

This matter was approved by the Budget and Finance Committee (Parks - Huizar voted “yes”) at its meeting of February 13, 2006, in Closed Session as permitted by Government Code Section 54956.9(a).
ITEM NO. (52) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #18 - Motion (Parks - Smith) Adopted in Open Session, Ayes (10);
Absent: Cardenas, Greuel, Hahn, Huizar and Rosendahl (5)

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 cases entitled Martha DeFoe v. City of Los Angeles, et al., Los Angeles Superior Court (LASC) Case No. BC 328823; Susan Hayes v. City of Los Angeles, et al., LASC Case No. BC 330303; Laura Cook v. City of Los Angeles, et al., LASC Case No. BC 330602. (These matters arise out of plaintiffs’ claims of sex discrimination, sex harassment, sexual orientation discrimination and retaliation.)

(Budget and Finance Committee considered the above matter in Closed Session on January 17, 2006)

(Continued from Council meeting of February 15, 2006)

ADOPTED IN OPEN SESSION

MOTION (PARKS - SMITH)

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

1. AUTHORIZE the City Attorney to expend $2,175,000 in settlement of the cases entitled Martha DeFoe v. City of Los Angeles, et al., Los Angeles Superior Court (LASC) Case No. BC 328823; Susan Hayes v. City of Los Angeles, et al., LASC Case No. BC 330303; Laura Cook v. City of Los Angeles, et al., LASC Case No. BC 330602, from the Liability Claims Account No. 9770, Fund 100, Department 59.

2. AUTHORIZE the City Attorney to draw demands thereon as follows:
   a. $725,000, payable to McNicholas and McNicholas, LLP and Martha DeFoe;
   b. $850,000, payable to McNicholas and McNicholas, LLP and Susan Hayes;
   c. $600,000, payable to McNicholas and McNicholas, LLP and Laura Cook.

This matter was approved by the Budget and Finance Committee (Parks - Cardenas - Smith - Greuel - Rosendahl “yes”) at its meeting on January 17, 2006, in Closed Session as permitted by Government Code Section 54956.9(a).
Items for Which Public Hearings Have Not Been Held - Items 53-56
(10 Votes Required for Consideration)

ITEM NO. (53) - ADOPTED

Roll Call #4 - Motion (Perry - Zine) Adopted, Ayes (10); Absent: Cardenas, Greuel, Hahn, Huizar and Rosendahl (5)

06-0346

CONSIDERATION OF MOTION (ROSENDAHL - ZINE) relative to installing street banners announcing “California Speedway Day in LA.”

Recommendations for Council:

1. APPROVE, in accordance with Los Angeles Municipal Code (LAMC) Section 62.132, the Street Banner program identifying “California Speedway Day in LA” as a City of Los Angeles Event Street Banner Program for the period beginning upon adoption of this Motion through February 28, 2006.

2. APPROVE the content of the street banners for the above City of Los Angeles Event banners as attached to the Council file.

3. APPROVE the continuation of the approvals in Recommendation Nos. 1 and 2 should unforeseen circumstances change the actual period of the Street Banner installation.

(Public Works Committee waived consideration of the above matter)

ITEM NO. (54) - ADOPTED - FORTHWITH

Roll Call #7 - Motion (Perry - Parks) Adopted, Ayes (10); Absent: Cardenas, Greuel, Hahn, Huizar and Rosendahl (5)

05-2165

CD 9

MOTION (PERRY - PARKS) and RESOLUTION relative to amending previous Council actions relative to the Amended and Restated Owner Participation Agreement (OPA) for the Metropolis Project.

Recommendations for Council action:

1. CONSIDER the 2005 Addendum to the 1989 Metropolis Mixed-Use Final Environmental Impact Report (FEIR), the 2000 Addendum to the FEIR, and the 1989 FEIR itself prepared by the Community Redevelopment Agency (CRA) copies of which are in the file.

2. ADOPT the accompanying RESOLUTION concurring with the CRA Board’s CEQA findings.
3. REAFFIRM Council’s December 21, 2005 actions relative to OPA for the Metropolis Project as follows:

   a. Approve the Amended and Restated OPA for the development of the Metropolis Mixed-Use Project comprised of a 6.3 acre site located between the Harbor Freeway, James M. Wood Boulevard, Francisco Street and Eighth Street, within the South Park portion of the Amended Central Business District Redevelopment Project Area.

   b. Authorize the CRA’s Chief Executive Officer or designee, to execute the Amended and Restated OPA for the development of the Metropolis Mixed-Use Project, subject to the approval of the City Attorney as to form and legality.

   c. Amend the “Public Benefits Plan” of the City Centre Development, Metropolis Project (Attachment 12 of the Amended and Restated OPA transmitted by the CRA) to allow the revenue that the City receives as a result of TFAR payments be allocated to the City’s Affordable Housing Trust Fund to be used for affordable housing purposes within the South Park Area of the Amended Central Business District Redevelopment Project Area.

4. INSTRUCT staff to prepare and file a Notice of Determination.

ITEM NO. (55) - ADOPTED

Roll Call #4 - Motion (Perry - Zine) Adopted, Ayes (10); Absent: Cardenas, Greuel, Hahn, Huizar and Rosendahl (5)

06-0358  
MOTION (PERRY - GARCETTI) relative to a contract with Pactech Data & Research for consultant services related to the Federal census and related issues.

Recommendation for Council action:

DIRECT the City Legislative Analyst (CLA), with the assistance of the City Attorney to negotiate and execute a contract for a term and amount determined necessary by the CLA to provide consultant services with Pactech Data & Research for the construction of databases and analysis of methodologies related to the Federal census and related issues due to their appropriate technical capabilities and support personnel.

ITEM NO. (56) - ADOPTED

Roll Call #8 - Motion (Garcetti - Reyes) Adopted, Ayes (10); Absent: Cardenas, Greuel, Hahn, Huizar and Rosendahl (5)

06-0363  CD 13  
MOTION (GARCETTI - REYES) relative to the Council asserting jurisdiction over the February 14, 2006 decision of the Central Area Planning Commission regarding the property at 5420 Harold Way.
Recommendations for Council action:

1. ASSERT jurisdiction over the Central Area Planning Commission's February 14, 2006 determination to grant the appeal of ZA 2005-4047 (ZV), deny the construction, use and maintenance of 18 dwelling units in lieu of 11 units permitted under the current zoning for property at 5420 Harold Way.

2. REFER this matter to the Planning and Land Use Committee for further action upon assertion of jurisdiction.

TIME LIMIT FILE - FEBRUARY 28, 2006

(LAST DAY FOR COUNCIL ACTION - FEBRUARY 28, 2006)

10 VOTES REQUIRED

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

05-1558

MOTION (PADILLA - PERRY) relative to declaring the Council District Seven Community Clean up on March 11, 2006 a Special Event (fees and costs absorbed by the City = $3,920).

COMMENDATORY RESOLUTION ADOPTED IN HONOR OF:

06-0050 - Diabetes Weekend (Padilla - Perry)

At the conclusion of this day's Council Session

ADJOURNING MOTIONS WERE ADOPTED in tribute to the memory of:

06-0049 - Curt Gowdy (LaBonge)

Margaret “Peggy” Auth (LaBonge - Reyes)

Shawnee Michelle Trujillo (Garcetti - Perry)

Ayes, LaBonge, Padilla, Parks, Perry, Reyes, Smith, Weiss, Wesson, Zine and President Garcetti (10); Absent: Cardenas, Greuel, Hahn, Huizar and Rosendahl (5).
Whereupon the Council did adjourn.

ATTEST: Frank T. Martinez, CITY CLERK

By

Council Clerk  PRESIDENT OF THE CITY COUNCIL