

Los Angeles City Council, Journal/Council Proceedings  
Tuesday, May 16, 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: Cardenas, Greuel, Hahn, Huizar, LaBonge, Padilla, Parks, Reyes, Rosendahl, Smith, Weiss, Wesson and President Garcetti (13); Absent: Perry and Zine (2).

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF  
MAY 10, 2006

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 13

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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 - Padilla) Adopted, Ayes (14); Absent: Zine (1)  
(Item Nos. 1-9)

ITEM NO. (1) - PUBLIC HEARING CLOSED - ORDINANCE ADOPTED

[04-2296](#)

CD 11 CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST  
CONSIDERATION relative to the improvement and maintenance of PICO BOULEVARD  
AND PURDUE AVENUE (REBALLOT) LIGHTING DISTRICT.

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

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing held April 25, 2006)

ITEM NO. (2) - PUBLIC HEARING CLOSED - ORDINANCE ADOPTED

05-2691

CD 3 CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of ARMINTA STREET AND YOLANDA AVENUE LIGHTING DISTRICT.

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

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing held April 25, 2006)

ITEM NO. (3) - PUBLIC HEARING CLOSED - ORDINANCE ADOPTED

05-2692

CD 5 CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of NATIONAL BOULEVARD AND VINTON AVENUE LIGHTING DISTRICT.

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

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing held April 25, 2006)

ITEM NO. (4) - PUBLIC HEARING CLOSED - ORDINANCE ADOPTED

05-2693

CD 6 CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of WHEATLAND AVENUE AND CANTARA STREET LIGHTING DISTRICT.

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

1. DENY the protests and confirm the assessments.

2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing held April 25, 2006)

ITEM NO. (5) - PUBLIC HEARING CLOSED - ORDINANCE ADOPTED

05-0275-S1

CD 2 CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of ARMINTA STREET AND NAGLE AVENUE NO. 2 LIGHTING DISTRICT.

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

1. FIND that a majority protest exist in the Street Lighting Maintenance Assessment District and therefore the proposed assessment cannot be enacted.
2. PRESENT and ADOPT the accompanying ORDINANCE abandoning all proceedings relating to the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).
3. INSTRUCT the Director, Bureau of Street Lighting, to assure that the streetlight(s) are not installed or are removed from service if previously installed.

(Public Hearing held April 25, 2006)

ITEM NO. (6) - PUBLIC HEARING CLOSED - ORDINANCE ADOPTED

05-2644

CD 2 CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of SAMOAAVENUE AND SUMMITROSE STREET LIGHTING DISTRICT.

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

1. FIND that a majority protest exist in the Street Lighting Maintenance Assessment District and therefore the proposed assessment cannot be enacted.
2. PRESENT and ADOPT the accompanying ORDINANCE abandoning all proceedings relating to the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

3. INSTRUCT the Director, Bureau of Street Lighting, to assure that the streetlight(s) are not installed or are removed from service if previously installed.

(Public Hearing held April 25, 2006)

ITEM NO. (7) - PUBLIC HEARING CLOSED - ORDINANCE ADOPTED

05-2645

CD 7

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of NOBLE AVENUE AND NORDHOFF STREET NO. 1 LIGHTING DISTRICT.

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

1. FIND that a majority protest exist in the Street Lighting Maintenance Assessment District and therefore the proposed assessment cannot be enacted.
2. PRESENT and ADOPT the accompanying ORDINANCE abandoning all proceedings relating to the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).
3. INSTRUCT the Director, Bureau of Street Lighting, to assure that the streetlight(s) are not installed or are removed from service if previously installed.

(Public Hearing held April 25, 2006)

ITEM NO. (8) - PUBLIC HEARING CLOSED - ORDINANCE ADOPTED

05-2646

CD 13

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of MYRA AVENUE AND EFFIE STREET LIGHTING DISTRICT.

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

1. FIND that a majority protest exist in the Street Lighting Maintenance Assessment District and therefore the proposed assessment cannot be enacted.
2. PRESENT and ADOPT the accompanying ORDINANCE abandoning all proceedings relating to the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).
3. INSTRUCT the Director, Bureau of Street Lighting, to assure that the streetlight(s) are not installed or are removed from service if previously installed.

(Public Hearing held April 25, 2006)

ITEM NO. (9) - PUBLIC HEARING CLOSED - ORDINANCE ADOPTED

05-2647

CD 7

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of KESTER AVENUE AND PARTHENIA STREET LIGHTING DISTRICT.

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

1. FIND that a majority protest exist in the Street Lighting Maintenance Assessment District and therefore the proposed assessment cannot be enacted.
2. PRESENT and ADOPT the accompanying ORDINANCE abandoning all proceedings relating to the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).
3. INSTRUCT the Director, Bureau of Street Lighting, to assure that the streetlight(s) are not installed or are removed from service if previously installed.

(Public Hearing held April 25, 2006)

Items for Which Public Hearings Have Been Held - Items 10-11

ITEM NO. (10) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATION  
- SEE FOLLOWING

Roll Call #2 - Motion (Greuel - Wesson) Adopted, Ayes (14); Absent: Zine (1)

06-1057

MOTION (GREUEL - HAHN - SMITH), COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to amending Chapter VIII, Section 80.73.2 of the Los Angeles Municipal Code regarding parking of vehicles on City streets for longer than 72 consecutive hours.

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

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

ADOPTED

TRANSPORTATION COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to amending Chapter VIII, Section 80.73.2 of the Los Angeles Municipal Code (LAMC) concerning the parking of vehicles on City streets for longer than 72 consecutive hours.

Recommendation for Council action, pursuant to Motion (Greuel - Hahn - Smith), SUBJECT TO THE APPROVAL OF THE MAYOR:

PRESENT and ADOPT the accompanying ORDINANCE amending LAMC Section 80.73.2 to prohibit the parking of vehicles on City streets for 72 consecutive hours or longer.

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

ITEM NO. (11) - SUBSTITUTE MOTION ADOPTED IN LIEU OF COMMUNICATION RECOMMENDATIONS - SEE FOLLOWING - TO THE MAYOR FORTHWITH

Roll Call #9 - Motion (Padilla - Wesson) Adopted, Ayes (14); Absent: Zine (1)

04-0068

CD 7

COMMUNICATION FROM THE CHIEF EXECUTIVE OFFICER, COMMUNITY REDEVELOPMENT AGENCY relative to the issuance of tax-exempt bonds in an amount not to exceed \$10 million, converting an Acquisition and Pre-development Loan into a Construction and Permanent Loan Agreement in an amount not to exceed \$2,400,000 with Decro Osborne Apartments, LP, for the development of a 51-unit affordable family apartment complex at 12360 Osborne Street; a contract with the Law Offices of Sidley Austin, LLP, in an amount not to exceed \$35,000 for bond counsel services; and, related action.

(Housing, Community and Economic Development Committee report to be submitted in Council. If a public hearing is not held in Committee, an opportunity for public comments will be provided.)

(For copies of related, staff-generated reports for this matter, please contact the Legislative Assistant for the Housing, Community and Economic Development Committee at 213-978-1080.)

ADOPTED

SUBSTITUTE MOTION (PADILLA - WESSON)

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

1. ADOPT the Tax Equity and Fiscal Responsibility Act (TEFRA) Resolution, attached to the file, and authorize the issuance of \$10 million of Multifamily Housing Revenue Bonds for an affordable housing project located at 12360 Osborne Street, subject to the TEFRA hearing scheduled for May 16, 2006, and to subsequent Community Redevelopment Agency (CRA) and Council review and approval of the finalized bond financing documents.
2. AUTHORIZE the Chief Executive Officer, CRA, or designee, to execute:
  - a. A First Amendment to Agreement Number 872515 with Decro Osborne Apartments, L.P. (Developer) by converting the remaining balance of an existing Acquisition and Redevelopment Loan Agreement into a Construction and Permanent Loan Agreement for an amount not to exceed \$2,400,000, and execute related loan documents for the project, subject to the approval of both the City Attorney as to form and legality, and the Department of Public Works, Bureau of Contract Administration for compliance with certain CRA contracting requirements as approved by Council.
  - b. A bond purchase fee agreement between US Bank and the Developer wherein the Developer will pay the bond purchase fee to US Bank and US Bank will purchase bonds from the CRA at par.
3. INSTRUCT the Chief Executive Officer, CRA, or designee, to report back to the Council within 60 days on:
  - a. The final contract with the Law Offices of Sidley Austin LLP, along with complete contract terms including allowable expenses.
  - b. The total amount of Developer funds received by the CRA for bond counsel services.

Items for Which Public Hearings Have Not Been Held - Items 12-19  
(10 Votes Required for Consideration)

ITEM NO. (12) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS -  
SET FOR HEARING JULY 18, 2006

Roll Call #3 - Motion (Parks - Padilla) Adopted, Ayes (14); Absent: Zine (1)

04-2663

CD 3 COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the CORBIN AVENUE AND WELLS DRIVE 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 March 15, 2006.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of JULY 18, 2006 as the hearing date for the maintenance of the Corbin Avenue and Wells Drive Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$136.65 will be collected annually starting with tax year 2006-07 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: July 11, 2006)

Roll Call #4 - Motion (Rosendahl - Parks) Adopted, Ayes (14); Absent: Zine (1)  
(Item Nos. 13-16)

ITEM NO. (13) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS -  
SET FOR HEARING JULY 18, 2006

06-0585

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 WENTWORTH AND MCBROOM STREETS 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 March 15, 2006.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of JULY 18, 2006 as the hearing date for the maintenance of the Wentworth and McBroom Streets Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.



Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$2,161.73 will be collected annually starting with tax year 2006-07 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: July 11, 2006)

ITEM NO. (14) - ADOPTED

02-0065

CD 3 MOTION (WESSON for ZINE - REYES) relative to declaring the 18th Annual Canoga Park Memorial Day Parade on May 29, 2006 a Special Event (fees and costs absorbed by the City = \$14,989).

Recommendation for Council action:

DECLARE the 18th Annual Canoga Park Memorial Day Parade, sponsored by the Canoga Park/West Hills Chamber of Commerce on May 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. (15) - ADOPTED

06-1075

CD 3 MOTION (WESSON for ZINE - REYES) relative to declaring the Third Annual Jordan Avenue Interfaith Potluck on May 21, 2006 a Special Event (fees and costs absorbed by the City = \$1,490).

Recommendation for Council action:

DECLARE the Third Annual Jordan Avenue Interfaith Potluck, sponsored by the Emerson Unitarian Universalist Church on May 21, 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. (16) - ADOPTED

06-1076

CD 8 MOTION (PARKS - GREUEL) relative to declaring the Community Block Party on May 20, 2006 a Special Event (fees and costs absorbed by the City = \$312).

Recommendation for Council action:

DECLARE the Community Block Party, sponsored by the Faith In Christ Missionary Baptist Church on May 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.

ITEM NO. (17) - ADOPTED

Roll Call #5 - Motion (Rosendahl - Smith) Adopted, Ayes (14); Absent: Zine (1)

06-1078

CD 15 MOTION (HAHN - PARKS) relative to declaring the Educational and Informational Community Outreach on May 20, 2006 a Special Event (fees and costs absorbed by the City = \$1,226).

Recommendation for Council action:

DECLARE the Educational and Informational Community Outreach, sponsored by the Pathway to Progress on May 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.

ITEM NO. (18) - ADOPTED

Roll Call #6 - Motion (Parks - Greuel) Adopted, Ayes (14); Absent: Zine (1)

06-0010-S14

MOTION (PARKS - GREUEL) relative to an offer of reward for information leading to the identification, apprehension and conviction of the person(s) responsible for the deaths of Patrick Hemingway and Michael Taylor on April 22, 2006.

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

1. PROVIDE an offer of reward in the amount of \$75,000 for information leading to the identification, apprehension and conviction of the person(s) responsible for the deaths of Patrick Hemingway and Michael Taylor on April 22, 2006.
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.

ITEM NO. (19) - ADOPTED

Roll Call #4 - Motion (Rosendahl - Parks) Adopted, Ayes (14); Absent: Zine (1)

06-1077

RESOLUTION (LABONGE - HUIZAR) relative to declaring May 2006 as Amyotrophic Lateral Sclerosis (ALS) Awareness Month in the City of Los Angeles.

Recommendation for Council action:

RESOLVE to DECLARE, with the support of the MAYOR, May 2006 as ALS Awareness Month in the City of Los Angeles.

MOTION ADOPTED UPON FINDINGS BY COUNCIL THAT THE NEED TO TAKE ACTION AROSE SUBSEQUENT TO THE POSTING OF THE COUNCIL AGENDA FOR DAY, DATE, PURSUANT TO GOVERNMENT CODE SECTION 54954.2(b)(2) AND COUNCIL RULE 23

ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #7 - Motion (Hahn - Garcetti) Findings on Need to Act - Adopted, Ayes (14);

Absent: Zine (1)

Roll Call #8 - Motion (Hahn - Garcetti) Adopted, Ayes (14);

Absent: Zine (1)

06-1140

RESOLUTION (HAHN - ROSENDAHL - GARCETTI) relative to urging the Hilton Los Angeles Airport Hotel to work together with its employees to resolve the labor dispute over the suspension of its 75 employees in a fair and equitable manner to all parties.

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

URGE the LAX Hilton to work together with its employees to resolve this situation in a fair and equitable manner to all parties, in order to allow employees to return to work, and avoid future conflict by improving working conditions and strengthening the vitality of the City's tourism industry.

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

03-1011

MOTION (GARCETTI - GREUEL) relative to declaring the 11th Annual Cuban American Music Festival on May 21, 2006 a Special Event (fees and costs absorbed by the City = \$59,000).

06-1141

MOTION (PARKS - REYES) relative to declaring the 24th Annual "Walk for Education" Walk-a-thon on May 20, 2006 a Special Event (fees and costs absorbed by the City = \$4,000).

04-2125

MOTION (PARKS - REYES) relative to declaring the Irishfest on November 25, 2006 a Special Event (fees and costs absorbed by the City = \$5,000).

03-0466

MOTION (REYES - ROSENDAHL) relative to declaring the Sacred Heart Church Fiesta on May 21, 2006 a Special Event (fees and costs absorbed by the City = \$1,500).

05-0960

MOTION (LABONGE - HUIZAR) relative to declaring the Third Annual Juneteenth Neighborhood Street Festival on June 17, 2006 a Special Event (fees and costs absorbed by the City = \$6,668).

04-1062

MOTION (LABONGE - HUIZAR) relative to declaring the 2006 Beastly Ball on June 17, 2006 a Special Event (fees and costs absorbed by the City = \$500).

06-1148

MOTION (LABONGE - HUIZAR) relative to declaring the Hope Walk-A-Thon/Hands For Hope/Hope Walk on June 10, 2006 a Special Event (fees and costs absorbed by the City = \$4,846).

06-1142

MOTION (SMITH - CARDENAS) relative to repairing that portion of Hayvenhurst Avenue damaged by a water blow-out.

06-1147

MOTION (GREUEL - ROSENDAHL) relative to designing a street lighting project that will add pedestrian street lighting poles along Commerce Avenue in Council District Two.

## COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Motion (Garcetti - Rosendahl) unanimously adopted to excuse Councilmember Parks from the Council session of May 23, 2006 due to City business.

Motion (Parks - Perry) unanimously adopted to excuse Councilmember Garcetti to leave at 11.30 a.m. from Council sessions of May 19 & 31, 2006 due to City business; and upon his request, and without objections, Councilmember Garcetti was excused from Council session of Tuesday, May 30, 2006, due to personal business.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

06-0777 - Louis C. Gysin

(Greuel - Rosendahl)

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

06-0776 - Lenna McCarbery

(Hahn)

Cal Burke

(LaBonge - All Councilmembers)

Vicky Stanford

(Parks - All Councilmembers)

Sue Kunitomi Embrey

(Perry - LaBonge - All Councilmembers)

Ayes, Cardenas, Greuel, Hahn, Huizar, LaBonge, Padilla, Parks, Perry, Reyes, Wesson and President Garcetti (11); Absent: Rosendahl, Smith, Weiss and Zine (4).

Whereupon the Council did adjourn.

ATTEST: Frank T. Martinez, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL