

Los Angeles City Council, Journal/Council Proceedings
Friday, July 7, 2006
Van Nuys City Hall, 14410 Sylvan Street, Van Nuys, CA 91401 - 10 am

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

ROLL CALL - Members present: Greuel, Huizar, LaBonge, Parks, Perry, Reyes, Weiss, Wesson, Zine and President Garcetti (10); Absent: Cardenas, Hahn, Padilla, Rosendahl and Smith (5).

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
JULY 14, 2006

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 14

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 1-5

Roll Call #2 - Motion (Parks - Huizar) Adopted, Ayes (10); Absent: Cardenas, Hahn, Padilla,
Rosendahl and Smith (5)
(Item Nos. 1-4)

ITEM NO. (1) - ADOPTED

05-0017

TRANSFER OF FUNDS relative to the proposed acceptance of Federal Emergency Management Agency (FEMA) grant funds to continue the development and maintenance of National Urban Search and Rescue (US&R) Response System Resources.

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

AUTHORIZE the Controller to transfer \$257,750 from Fund 100/38, Account 1012 (Salaries, Sworn) to Fund 335/38 to provide the necessary funds (that will be reimbursed by the FEMA grant) to finance various US&R related administrative expenses, equipment, uniforms, supplies and training.

(Pursuant to Council action of June 30, 2006)

ITEM NO. (2) - ADOPTED

06-1380

TRANSFER OF FUNDS relative to the Learn and Earn Summer Youth Employment Program for the 2006 summer season.

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

1. AUTHORIZE the Controller to:

a. Transfer \$2,000,000 cash from the Unappropriated Balance, Account "Learn and Earn," to Fund No. 551/22, General Fund - Various Programs Fund.

b. Establish new accounts and appropriate within Fund No. 551/22, General Fund - Various Programs Funds, as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
A122	Community Development Department	\$ 180,000
A313	Learn and Earn Summer Youth Program	<u>1,820,000</u>
	Total	\$2,000,000

c. Increase appropriations within Fund 100/22, as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1010	Salaries, General	\$116,882
6010	Office and Administrative	15,000
6020	Operating Supplies	44,160
6030	Leasing	<u>3,958</u>
	Total	\$ 180,000

d. Expend funds upon presentation of documentation and proper demand of the General Manager, Community Development Department (CDD), or designee.

2. AUTHORIZE the General Manager, CDD, or designee, to prepare Controller instructions for any necessary technical adjustments that are consistent with the Council action on this matter, subject to the approval of the City Administrative Officer, and AUTHORIZE the Controller to implement the instructions.

(Pursuant to Council action of June 30, 2006)

ITEM NO. (3) - ADOPTED

04-1512-S1

BUDGET AND FINANCE COMMITTEE REPORT relative to funding to support the International Visitors Council of Los Angeles (IVCLA) for Fiscal Year (FY) 2006-07.

Recommendation for Council action:

RECEIVE and FILE the Mayor's transmittal relative to funding to support the IVCLA for FY 2006-07, inasmuch as funding for the IVCLA for 2006-07 was continued in FY 2006-07 as part of the General City Purposes and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (4) - ADOPTED

06-0600-S1

BUDGET AND FINANCE COMMITTEE REPORT relative to mechanisms to earmark the General Fund savings generated through the increased trash collection fee solely and exclusively for public safety and for hiring additional police officers.

Recommendation for Council action:

RECEIVE and FILE the Motion (Greuel - Garcetti - Weiss - Parks, et al.) relative to mechanisms that could be used to earmark the General Fund savings generated through the increased trash collection fee solely and exclusively for public safety and for hiring additional police officers, inasmuch as the 2006-07 Adopted Budget includes a new Financial Policy on Police Hiring that affirms that the City's highest funding priority will be to provide sufficient resources in direct support of expanding the Los Angeles Police Department (LAPD) to the level of 10,000 officers by Fiscal Year 2010-11, and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: On April 20, 2006, the Historic Highland Park Neighborhood Council voted to adamantly and vigorously oppose the Mayor's proposed trash collection hike of 100 percent (from \$11 to \$22), especially after an 83 percent hike in two states last year (first from \$6 per month to \$10 and then to \$11). This is not a proper way to tax and to raise funding for police, and in fact is far and away more than is needed to put 1,000 new police on the streets. It is an attempt to get completely discretionary funds for the City. LAPD can't even fill its current training slots at the academy and increased funding is not going to improve that situation.

ITEM NO. (5) - CONTINUED TO JULY 25, 2006

Roll Call #4 - Motion (Zine - Parks) Adopted to Continue, Unanimous Vote (11);
Absent: Cardenas, Padilla, Rosendahl and Smith (4)

06-0423

PERSONNEL COMMITTEE REPORT relative to the five-year extension of the Deferred Retirement Option Plan for police officers, firefighters and Harbor police officers.

Recommendations for Council action:

1. APPROVE the Letters of Agreement with the Los Angeles Police Protective League, United Firefighters of Los Angeles City and the Los Angeles Port Police Association, attached to the Council file.
2. REQUEST the City Attorney to draft an ordinance to implement the changes contained in the Letters of Agreement and two technical changes to:
 - a. Provide options for spousal continuances inadvertently omitted from the ordinance implementing Tier 5.
 - b. Incorporate state-mandated changes in domestic partner benefits.

Fiscal Impact Statement: The City Administrative Officer reports that the actuary for the Fire and Police Pension System has provided the required letter identifying the fiscal impact. There should be no impact on the General Fund because the Charter requires the program to remain cost neutral, and the ordinance extending the program provides a mechanism for making necessary changes to comply with this requirement.

Items for Which Public Hearings Have Not Been Held - Item 6-24 (10 Votes Required for Consideration)

ITEM NO. (6) - CONTINUED TO JULY 25, 2006

Roll Call #5 - Motion (Zine - Parks) Adopted to Continue, Unanimous Vote (11);
Absent: Cardenas, Padilla, Rosendahl and Smith (4)

06-0423

ORDINANCE FIRST CONSIDERATION relative to the extension of the Deferred Retirement Option Program (DROP) for certain members of the Fire and Police Pension Plan.

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

PRESENT the accompanying ORDINANCE amending Sections 4.2100, 4.2101, 4.2103, 4.2008.5 and 4.1160 of the Los Angeles Administrative Code to authorize the extension of the DROP for certain members of the Fire and Police Pension Plan and to make other technical changes to the plan.

Fiscal Impact Statement: The City Administrative Officer reports that the actuary for the Fire and Police Pension System has provided the required letter identifying the fiscal impact. There should be no impact on the General Fund because the Charter requires the program to remain cost neutral, and the ordinance extending the program provides a mechanism for making necessary changes to comply with this requirement.

[Pursuant to Charter Section 1618 (b), final adoption cannot occur until at least thirty days after its first presentation to the Council]

(10 VOTES REQUIRED)

(Personnel Committee waived consideration of the above matter)

ITEM NO. (7) - SUBSTITUTE MOTION ADOPTED IN LIEU OF ORIGINAL MOTION -
SEE FOLLOWING

Roll Call #7 - Motion (Parks - Perry) Substitute Motion adopted, Ayes (11);
Absent: Cardenas, Padilla, Rosendahl and Smith (4)

05-2624-S1

CD 8 MOTION (PARKS - GREUEL) relative to declaring the Homer F. Broome, Jr. Southwest Division Police Station Dedication on July 13, 2006 a Special Event (fees and costs absorbed by the City = \$1,000).

Recommendation for Council action:

DECLARE the Homer F. Broome, Jr. Southwest Division Police Station Dedication, sponsored by the Office of Councilmember Parks and the Los Angeles Police Department, Southwest Division on July 13, 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.

ADOPTED

SUBSTITUTE MOTION (PARKS - GREUEL)

Recommendation for Council action:

DECLARE the Homer F. Broome, Jr. Southwest Division Police Station Dedication, sponsored by the Office of Councilmember Parks and the Los Angeles Police Department, Southwest Division on July 13, 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.

Roll Call #3 - Motion (Reyes - Wesson) Adopted, Ayes (10); Absent: Cardenas, Hahn, Padilla, Rosendahl and Smith (5)
(Item Nos. 8-15)

ITEM NO. (8) - ADOPTED

05-1558

CD 7 MOTION (PADILLA - PARKS) relative to declaring the Council District Seven Community Clean up on July 15, 2006 a Special Event (fees and costs absorbed by the City = \$3,920).

Recommendation for Council action:

DECLARE the Council District Seven Community Clean up, sponsored by the Office of Council District Seven on July 15, 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, including insurance.

ITEM NO. (9) - ADOPTED

05-1848

CD 7 MOTION (PADILLA - PARKS) relative to declaring the Council District Seven Community Clean up on July 29, 2006 a Special Event (fees and costs absorbed by the City = \$3,800).

Recommendation for Council action:

DECLARE the Council District Seven Community Clean up, sponsored by the Office of Council District Seven on July 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, including insurance.

ITEM NO. (10) - ADOPTED

06-1540

CD 13 MOTION (GREUEL for GARCETTI - SMITH) relative to declaring the 2006 Visual Effects Society Festival on July 6, 2006 a Special Event (fees and costs absorbed by the City = \$8,659).

Recommendation for Council action:

DECLARE the 2006 Visual Effects Society Festival, sponsored by the Visual Effects Society on July 6, 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. (11) - ADOPTED

05-2070

CD 5 MOTION (WEISS - SMITH) relative to declaring the Run for Her event on November 12, 2006 a Special Event (fees and costs absorbed by the City = \$1,180).

Recommendation for Council action:

DECLARE the Run for Her event, sponsored by the Cedars-Sinai Medical Center on November 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.

ITEM NO. (12) - ADOPTED

06-1541

CD 5 MOTION (WEISS - SMITH) relative to declaring the Esther Avenue Block Party on September 3, 2006 a Special Event (fees and costs absorbed by the City = \$1,230).

Recommendation for Council action:

DECLARE the Esther Avenue Block Party, sponsored by the residents of Esther Avenue on September 3, 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. (13) - ADOPTED

05-1409

CD 1 MOTION (REYES - HUIZAR) relative to declaring the Kite Hill Second Annual Neighborhood Block Party on July 4, 2006 a Special Event (fees and costs absorbed by the City = \$2,000).

Recommendation for Council action:

DECLARE the Kite Hill Second Annual Neighborhood Block Party, sponsored by the Kite Hill residents on July 4, 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. (14) - ADOPTED

04-0856

CD 12 MOTION (SMITH - WESSON) relative to declaring the Fourth of July Spectacular on July 4, 2006 a Special Event (fees and costs absorbed by the City = \$8,389).

Recommendation for Council action:

DECLARE the Fourth of July Spectacular, sponsored by the Shephard of the Hills on July 4, 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

03-0688

CD 11 MOTION (SMITH for ROSENDAHL - HAHN) relative to declaring the Annual Fourth of July Parade and Will Rogers 5K/10K Race on July 4, 2006 a Special Event (fees and costs absorbed by the City = \$20,000).

Recommendation for Council action:

DECLARE the Annual Fourth of July Parade and Will Rogers 5K/10K Race, sponsored by the Palisades Americanism Parade Association on July 4, 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 and costs that may be associated with the use of facilities under the jurisdiction of the Board of Recreation and Park Commissioners.

ITEM NO. (16) - CONTINUED TO JULY 12, 2006

Roll Call #1 - Motion (Perry - Greuel) Adopted to Continue, Unanimous Vote (10);
Absent: Cardenas, Hahn, Padilla, Rosendahl and Smith (5)

06-1536

CD 9 MOTION (PERRY - PARKS) relative to declaring the Tent Revival on July 16-30, 2006 a Special Event (fees and costs absorbed by the City = \$638).

Recommendation for Council action:

DECLARE the Tent Revival, sponsored by the Victory Temple Apostolic Outreach Ministries on July 16-30, 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. (17) - ADOPTED

Roll Call #6 - Motion (Perry - Parks) Adopted, Ayes (11); Absent: Cardenas, Padilla, Rosendahl and Smith (4)

06-1537

CD 9 MOTION (PERRY - PARKS) relative to declaring the Shakespeare Festival - The Two Gentlemen of Verona on July 19-21, 2006 a Special Event (fees and costs absorbed by the City = \$1,271).

Recommendation for Council action:

DECLARE the Shakespeare Festival - The Two Gentlemen of Verona, sponsored by the Shakespeare Festival/LA and Council District Nine on July 19-21, 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, including insurance AND application requirements.

ITEM NO. (18) - SUBSTITUTE MOTION ADOPTED IN LIEU OF ORIGINAL MOTION -
SEE FOLLOWING

Roll Call #8 - Motion (Huizar - LaBonge) Substitute Motion adopted, Ayes (11);
Absent: Cardenas, Padilla, Rosendahl and Smith (4)

06-1538

CD 14 MOTION (HUIZAR - PADILLA) relative to declaring the 2006 NCLR Diabetes Dash on July 9, 2006 a Special Event (fees and costs absorbed by the City = \$6,000).

Recommendation for Council action:

DECLARE the 2006 NCLR Diabetes Dash , sponsored by the National Council De La Raza on July 9, 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.

ADOPTED

SUBSTITUTE MOTION (HUIZAR - LABONGE)

Recommendation for Council action:

DECLARE the 2006 NCLR Diabetes Dash , sponsored by the National Council De La Raza on July 9, 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. (19) - ADOPTED

Roll Call #3 - Motion (Reyes - Wesson) Adopted, Ayes (10); Absent: Cardenas, Hahn, Padilla, Rosendahl and Smith (5)

05-0010-S32

MOTION (PADILLA - PARKS) relative to reinstating the reward offer in the death of Ramiro Guardado for an additional 60 days.

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

REAFFIRM Council's findings and REINSTATE the reward offer relative to the death of Ramiro Guardado (Council action of July 26, 2005 CF 05-0010-S32) for an additional period of 60 days from the publication of the offer of reward by the Office of the City Clerk and, further, that the sum of \$50,000 shall be the aggregate maximum sum of any payment or payments of a City reward in this instance.

ITEM NO. (20) - ADOPTED

Roll Call #9 - Motion (Huizar - Hahn) Adopted, Ayes (11); Absent: Cardenas, Padilla, Rosendahl and Smith (4)

06-1543

MOTION (HAHN - PADILLA) relative to authorizing the City Clerk use of the Tom Bradley Room in the City Hall Tower.

Recommendation for Council action:

AUTHORIZE the City Clerk use of the Tom Bradley Room in the City Hall Tower for the inaugural meeting of the Neighborhood Council Review Commission on Thursday, July 13, 2006 from 5:00 p.m. to 8:00 p.m.

Roll Call #3 - Motion (Reyes - Wesson) Adopted, Ayes (10); Absent: Cardenas, Hahn, Padilla, Rosendahl and Smith (5)
(Item Nos. 21-24)

ITEM NO. (21) - ADOPTED

06-1542

CD 1 MOTION (REYES - WESSON) relative to deferring street improvements for the 10-foot roadway widening on Hoover Street in connection with a 20-unit condominium project at 1133-47 South Hoover Street in the Mid Cities area of the Wilshire Community Plan.

Recommendations for Council action:

1. INSTRUCT the Bureau of Engineering to defer the requirements for a ten-foot roadway widening on Hoover Street at this time and limit the street improvements along Hoover Street to the remaining requirements including the following: Repair and replacement of any broken or off-grade street improvements, and construction of meandering parkway with street trees, street lighting, additional sidewalk-landscaping over the areas to be dedicated and issuance of a Revocable Permit for any landscaping. The public right-of-way design not including the roadway shall be finalized in consultation with the Council Office.
2. DIRECT the City Engineer to collect a cash payment from the developer, sufficient for the cost of the widening improvement being deferred, before recordation of the Final Tract Map and DIRECT that such cash deposit be deposited into the Public Works Trust Fund.
3. REQUIRE that in the event that the widening is not possible within five years, the funds be allowed to be used for related street infrastructure improvement projects in the surrounding area within Council District One.

ITEM NO. (22) - MAP APPROVED - CITY ENGINEER REPORT ADOPTED

05-1875

CD 7

FINAL MAP OF TRACT NO. 62847 for property lying easterly of Burnet Avenue and northerly of Parthenia Street.

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

(ADOPT City Engineer Report)

(ADOPT Bond No. C-109913)

(Quimby Fee: \$58,416)

Applicants: Emery Schwartz
Rothman-Hahn

ITEM NO. (23) - MAP APPROVED - CITY ENGINEER REPORT ADOPTED

06-1545

CD 5

FINAL MAP OF TRACT NO. 53300 for property lying easterly of Beverly Glen Boulevard and northerly of Wilkins Avenue.

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

(ADOPT City Engineer Report)

(ADOPT Bond No. C-109914)

(Quimby Fee: \$32,240)

Applicants: Steve Torkian & Tritish, LLC
Jack Little

ITEM NO. (24) - MAP APPROVED - CITY ENGINEER REPORT ADOPTED

06-1544

CD 11 PARCEL MAP L.A. NO. 2003-1906 for property lying southerly of Mildred Avenue and easterly of Pacific Avenue.
(Approve Subdivision Improvement Agreement and Contract with attached security documents)
(ADOPT City Engineer Report)
(ADOPT Bond No. C-109915)
(Quimby Fee: \$7,302)
Applicants: Danny Kaplan
Grimes Surveying & Mapping, Inc.

RECONSIDERED ITEM NO. (5) - 06-0059 FROM THE COUNCIL MEETING OF WEDNESDAY, JULY 5, 2006 - RECEIVED AND FILED

Roll Call #4 - Motion (Reyes - Parks) Adopted to Receive and File, Ayes (10);
Absent: Cardenas, Hahn, Padilla, Rosendahl and Smith (5)

06-0059

CD 1 CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of FIGUEROA STREET AND SYCAMORE TERRACE LIGHTING DISTRICT.

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

PRESENT and ADOPT the accompanying ORDINANCE confirming assessment and ordering the work, if there was not a majority protest as a result of balloting, and if protests are denied, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing held June 13, 2006)

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

06-1575

MOTION (WESSON - WEISS) relative to declaring the Wilshire Community Police Carnival on July 7-10, 2006 a Special Event (fees and costs absorbed by the City = \$7,471).

05-2161

MOTION (WEISS - GREUEL) relative to declaring the Curtis School Fair on October 8, 2006 a Special Event (fees and costs absorbed by the City = \$500).

06-1574

MOTION (WEISS - GREUEL) relative to declaring the Round Valley Neighborhood Watch National Night Out on August 1, 2006 a Special Event (fees and costs absorbed by the City = \$1,226).

03-1237

MOTION (GREUEL - PERRY) relative to declaring the Annual Norwich Avenue Block Party on July 22, 2006 a Special Event (fees and costs absorbed by the City = \$1,086).

06-1573

MOTION (REYES - PERRY) relative to authorizing the Department of City Planning the use of the City Hall Tom Bradley Room on July 19, 2006.

05-1073-S58

MOTION (GARCETTI - LABONGE) relative to amending the existing contract with the LA/Hollywood Beautification Team.

06-1576

MOTION (LABONGE - GARCETTI) relative to revising and clarifying the provisions of Proposition F regarding the construction of regional fire stations.

06-0348

MOTION (WEISS - GREUEL) relative to having the Bureau of Sanitation present its report on the City's compliance with the Total Maximum Daily Load (TMDL) regulations.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Motion (Parks - LaBonge) unanimously adopted to excuse Councilmember Perry to arrive at 11:30 a.m. to the Council session of Tuesday, July 18, 2006 due to City business.

Motion (Hahn - Greuel) unanimously adopted to excuse Councilmember Padilla from the Council session of Wednesday, July 12, 2006 due to personal business; and Motion (Hahn - Greuel) unanimously adopted to excuse Councilmember Padilla from the Council session of Friday, July 14, 2006 due to City business.

Motion (Zine - Wesson) unanimously adopted to excuse Councilmember Huizar from the Council session of Wednesday, July 12, 2006 due to City business.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

06-1547 - Manuel H. Carrera

(Greuel - Perry)

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

Whereupon the Council did adjourn.

ATTEST: Frank T. Martinez, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL