

Los Angeles City Council, Journal/Council Proceedings
Tuesday, August 1, 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: Greuel, Hahn, LaBonge, Perry, Reyes, Rosendahl, Smith, Wesson, Zine and President Garcetti (10); Absent: Cardenas, Huizar, Padilla, Parks and Weiss (5).

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
JULY 26, 2006

SALUTE TO THE FLAG

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - NONE

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 Noticed for Public Hearing - Items 1-7

Roll Call #3 - Motion (Huizar - Hahn) Adopted, Ayes (12); Absent: Cardenas, Parks and Weiss (3)
(Item Nos. 1-2)

ITEM NO. (1) - PUBLIC HEARING CLOSED - ADOPTED - TO THE MAYOR FORTHWITH

[04-2566-S3](#)

ORDINANCE FIRST CONSIDERATION relative to formation of the Community Taxing District for the Convention Center Headquarters Hotel.

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

PRESENT and ADOPT the accompanying ORDINANCE calling for a Special Election for the City of Los Angeles Community Taxing District No. 1 (Convention Center Hotel).

(Pursuant to Council actions of May 9 and June 9, 2006)

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

06-0584

CD 15 CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of 259TH STREET AND FRAMPTON AVENUE LIGHTING DISTRICT.

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

1. FIND that a majority protests exists 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 streetlights are not installed or are removed from service if previously installed.

(Public Hearing held July 11, 2006)

ITEM NO. (3) - CONTINUED TO AUGUST 2, 2006

Roll Call #1 - Motion (Rosendahl - Reyes) Adopted to Continue, Unanimous Vote (11);
Absent: Cardenas, Padilla, Parks and Weiss (4)

06-1058

CD 11 CONTINUED CONSIDERATION OF ENVIRONMENTAL IMPACT REPORT and TRACT MAP APPEALS filed by Patricia Bell Hearst; Brentwood Hills Homeowners Association, John B. Murdock, Representative; Upper Mandeville Canyon Property Owners Association and Canyon Back Alliance, a non-profit, public benefit corporation, Thomas R. Freeman, Bird Marella and Robert Garcia, Esq. Representatives; Santa Monica Mountains Conservancy, Paul Edelman Representative; Betsey Landis on behalf of California Native Plant Society; and Save Our Mountains Inc., Eric F. Edmunds, Jr., Representative from the decision of the city Planning Commission in whole and in part, in sustaining the decision of the Deputy Advisory Agency approval of Vesting Tentative Tract Map No. 53072, for a maximum of 29 single-family lots, with Lot Averaging, and three open space lots located at 2050 Stoney Hill Road, subject to Conditions of Approval.

VTT 53072-2A

Applicant: Castle and Cooke California, Inc.

TIME LIMIT FILE - AUGUST 15, 2006

(LAST DAY FOR COUNCIL ACTION - AUGUST 15, 2006)

(Continued from Council meeting of July 12, 2006)

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

Roll Call #3 - Motion (Huizar - Hahn) Adopted, Ayes (12); Absent: Cardenas, Parks and Weiss (3)

06-0600-S21

BUDGET AND FINANCE COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to amending the Los Angeles Municipal Code (LAMC) to update the fees charged for preferential parking permits in the City of Los Angeles.

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

PRESENT and ADOPT the accompanying ORDINANCE amending the LAMC to update the fees charged for preferential parking permits in the City of Los Angeles.

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

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

Roll Call #5 - Motion (Greuel - Smith) Adopted, Ayes (12); Absent: Cardenas, Parks and Weiss (3)

06-0600-S26

BUDGET AND FINANCE COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to amending the Los Angeles Municipal Code (LAMC) to update the civil parking penalties applicable to parking violations in the City of Los Angeles.

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

PRESENT and ADOPT the accompanying ORDINANCE amending Chapter VIII, Section 89.60 of the LAMC to update the civil parking penalties applicable to parking violations in the City of Los Angeles.

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

(Transportation Committee waived consideration of the above matter)

ITEM NO. (6) - PUBLIC HEARING CLOSED - ADOPTED, *AS AMENDED - SEE FOLLOWING

Roll Call #9 - Motion (Parks - Reyes) to Adopt as Amended, Ayes (14); Absent: Weiss (1)

06-0600-S35

BUDGET AND FINANCE COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to amending the Los Angeles Administrative Code (LAAC) to increase fees for services and copies in the Office of the City Clerk.

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

PRESENT and ADOPT the accompanying ORDINANCE amending Sections 12.40(b), 20.51 and 20.51.1 of the LAAC to increase fees for services and copies in the Office of the City Clerk.

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

ADOPTED

AMENDING MOTION (PARKS - REYES)

Recommendation for Council action:

AMEND the Summary of the Budget and Finance Committee Report to read as follows:

At its meeting of July 10, 2006, the Budget and Finance Committee considered a City Attorney report and draft Ordinance relative to amending Sections 12.40(b), 20.51 and 20.51.1 of the LAAC to increase fees for services and copies in the Office of the City Clerk. The Committee recommended adoption of the Ordinance. At the request of the Committee Chair and subsequent to the Committee discussion, the CAO reported that this action will result in ~~a decrease~~ *an increase in General Fund revenue of approximately \$28,000. This matter is now forwarded to the Council for its consideration. *(Parks - Reyes)

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

Roll Call #3 - Motion (Huizar - Hahn) Adopted, Ayes (12); Absent: Cardenas, Parks and Weiss (3)

06-1432

BUDGET AND FINANCE COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to amending the Los Angeles Administrative Code (LAAC) to increase the Convention Center parking rates.

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

PRESENT and ADOPT the accompanying ORDINANCE amending Section 8.149.4 of the LAAC to increase the Convention Center parking rates from \$10.00 to \$12.00 per vehicle.

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

(Trade, Commerce and Tourism Committee waived consideration of the above matter)

Items for Which Public Hearings Have Been Held - Items 8-25

ITEM NO. (8) - ADOPTED

Roll Call #2 - Motion (Huizar - Greuel) Adopted, Ayes (12); Absent: Cardenas, Parks and Weiss (3)

05-1513

BUDGET AND FINANCE COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to establishing the 2006-07 assessment for Fire Safety Improvements Assessment District No. 1.

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

PRESENT and ADOPT the accompanying ORDINANCE establishing the 2006-07 assessment for Fire Safety Improvements Assessment District No. 1.

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

ITEM NO. (9) - ADOPTED, AS AMENDED - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #7 - Motion (LaBonge - Reyes) to Adopt as Amended, Ayes (14); Absent: Weiss (1)

04-1847

CDs 4&5 GENERAL EXEMPTION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to the establishment of the Hancock Park Historic Preservation Overlay Zone (HPOZ).

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

1. FIND that this action is generally exempt from California Environmental Quality Act (CEQA) pursuant to Article II, Section 2(m) of the City's Guidelines.
2. ADOPT the FINDINGS of the City Planning Commission as the Findings of the Council.
3. APPROVE the establishment of the Hancock Park HPOZ.

4. PRESENT and ADOPT the accompanying ORDINANCE, approved by the City Planning Commission, establishing the boundaries for the Hancock Park HPOZ, to include the area generally bounded by Melrose Avenue on the north, Wilshire Boulevard on the south, Rossmore Avenue on the east, and Highland Avenue on the west, excluding the commercially zoned properties along Melrose Avenue and Wilshire Boulevard and the multiple-family residential zones along Rossmore Avenue, north of Beverly Boulevard.
CPC 2002-230 HPOZ
5. REQUIRE that the Ordinance establishing the boundaries of the Hancock Park HPOZ not be implemented until which time a Preservation Plan is adopted by the City Planning Commission, so long as HPOZ Interim Regulations Procedures are in effect covering the properties within the proposed Hancock Park HPOZ boundaries.
6. INSTRUCT the Planning Department to implement Interim HPOZ Regulation Procedures for the processing of exterior work within Hancock Park, until the HPOZ takes effect and is implemented.
7. DIRECT the Director of Planning to include in the Preservation Plan Principles (as outlined in the City Planning Commission report dated June 8, 2006, and attached to Council file No. 04-1847), in any preservation plan prepared for the Hancock Park HPOZ.

Fiscal Impact Statement: The Planning Department reports that there is no General Fund impact, as administrative costs are recovered through fees.

Community Impact Statement: Greater Wilshire Neighborhood Council (GWNC) support the Historic Preservation Overlay Zone designation being sought by Hancock Park. Hancock Park residents have been actively pursuing the HPOZ designation for their area for the past six years. The GWNC Board is happy to support these efforts and with them speed in the process toward the much deserved HPOZ for their beautiful neighborhood.

ADOPTED

AMENDING MOTION (LABONGE - REYES)

Recommendation for Council action:

AMEND the Planning and Land Use Management Committee Report to include the following findings:

1. FIND that this action is generally exempt pursuant to Article II, Section 2 m of the City of Los Angeles CEQA Guidelines for the adoption of ordinances that do not result in impacts on the physical environment.
2. FIND that this action is categorically exempt pursuant to Article III, Class 5, Category 13 of the City of Los Angeles CEQA Guidelines for zone changes or variances that merely conform zoning to an existing use where the existing use was legally commenced.

ITEM NO. (10) - ADOPTED

Roll Call #8 - Motion (Zine - LaBonge) Adopted, Ayes (14); Absent: Weiss (1)

06-0142

TRANSPORTATION COMMITTEE REPORT and ORDINANCES FIRST CONSIDERATION relative to amending Los Angeles Municipal Code (LAMC) Sections 71.05(b) and 71.06.1 to provide for a bandit taxicab enforcement task force assessment fee and the associated Bandit Taxicab Enforcement Program (BTEP).

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

1. AUTHORIZE the Chief of Police, Los Angeles Police Department (LAPD), to execute the BTEP Memorandum of Agreement (MOA) in order to provide enhanced bandit taxicab enforcement, subject to the approval of the City as to form.
2. AUTHORIZE the LAPD to invoice the Department of Transportation (LADOT) for specialized police services provided related to the BTEP.
3. INSTRUCT the LADOT to TRANSFER funds to LAPD Fund 100, Department 70, Account 1092, Sworn Overtime and forward a copy of transfer documents to LAPD, c/o Fiscal Operations Division, within the first five business days of each month to pay for the BTEP.
4. INSTRUCT the LAPD and the LADOT to report back to the Mayor and Council within six months regarding the status of the BTEP, the availability of remaining funds, and any adjustments what may be necessary to maintain an appropriate level of bandit taxicab enforcement and provide necessary overtime funds for the LAPD.
5. WAIVE the City requirement for full cost recovery for the BTEP to LADOT and AUTHORIZE the LAPD to not charge the LADOT for vehicle usage costs.
6. CONCUR with Board Order No. 038 as adopted by the Board of Taxicab Commissioners (Board) on July 21, 2005 and ADOPT Board Order No. 038 to increase the flag drop rate from \$2.20 to \$2.40 for all taxicab trips originating in the City of Los Angeles, excluding flat-rate trips.
7. PRESENT and ADOPT the accompanying ORDINANCE amending Sections 71.05(b) and 71.06.1 of the LAMC to provide for a bandit enforcement task force assessment fee to taxicab operators based upon the number of taxicabs in City service.
8. PRESENT and ADOPT the accompanying ORDINANCE enacting a resolution of the Board of Taxicab Commissioners adopted on July 21, 2005 designated as Board Order No. 038, adjusting the rates and charges for taxicab service in the City of Los Angeles.
9. AUTHORIZE the City Administrative Officer (CAO) to make technical adjustments to comply with the intent of the Mayor and Council.

10. DIRECT the LADOT to report back to the Committee in three months in response to the issues as detailed in Section 6 of the March 13, 2006 CAO report (CAO file No. 0111-17290-0014) and attached to the Council file.

11. DIRECT the LADOT to report back to the Committee in regard to the issue of reciprocity for taxicab license holders between jurisdictions within Los Angeles County.

Fiscal Impact Statement: The CAO reports that the costs to the LAPD of providing Bandit Taxicab Enforcement Program services to the LADOT will be reimbursable up to \$750,000. These funds will be collected through a new, monthly assessment on all licensed taxicab operators of \$30 per month. This is anticipated to be passed along to taxicab riders through a \$.20 increase per trip. The MOA provides that reimbursement will cover police overtime, court time and some related administrative duties. It does not provide for reimbursement of police vehicle usage, thus there will be some impact to the General Fund, unknown at this time. The recommendations support the City's Financial Policies given that the proposed taxicab meter increase will generate the revenue required to support the proposed increased LAPD detail, with the exception of vehicle cost. Future reports on the program will address this issue.

ITEM NO. (11) - ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #6 - Motion (Huizar - LaBonge) Adopted, Ayes (13); Noes: Smith (1); Absent: Weiss (1)

06-0296

ORDINANCE SECOND CONSIDERATION amending Section 66.41 of the Los Angeles Municipal Code to increase the Solid Resources Fee.

(Public hearing closed on July 27, 2006)

ITEM NO. (12) - ADOPTED, *AS AMENDED - SEE FOLLOWING

Roll Call #10 - Motion (LaBonge - Parks) to Adopt as Amended, Ayes (14); Absent: Weiss (1)

04-1822-S5

BUDGET AND FINANCE COMMITTEE REPORT relative to amending the City Financial Policies to include a policy for establishing a new fund.

Recommendations for Council action:

1. AMEND the City's Financial Policies to include the following on the establishment of new special funds and trust funds:

- a. The City Council will only consider creation of a new fund if the Controller has had the opportunity to prepare a report and recommendation on the necessity of the new fund. Such report, however, would not require Council's concurrence in the recommendation of the Controller.

- b. In addition to any matters the Controller deems appropriate, a Controller report on the establishment of a new fund shall address the following criteria:
 - 1) Is the revenue source for the fund ongoing?
 - 2) Are the revenue and expenditure amounts material?
 - 3) Are the amounts specifically or specially designated?
 - 4) Is there another fund that can be used to account for the revenue source; could a new account be created in an existing fund?
 - 5) Does an account or a fund already exist which serves a similar function?
 - 6) Is the General Fund the primary source of revenue to the proposed new fund? Would creation of the proposed new fund shift General Fund money from one pocket to another?
 - 7) Are there other special circumstances that suggest the appropriateness of creation of a separate fund?
- c. All City offices and departments requesting establishment of a new fund shall first request a report and recommendation from the Controller on the necessity of the new fund and include the Controller's report with any communication to the City Council on the matter.
- d. Include a sunset clause as part of all newly created funds, providing a self-perpetuating evaluation of the fund.

2. REQUEST that the Controller:

- a. Respond to requests for creation of new funds within 30 to 60 days of the request.
- *b. Provide the Council with a breakdown of all special funds by category.
*(LaBonge - Parks)

3. INSTRUCT the City Administrative Officer (CAO) to:

- a. Using the proposed criteria for establishing a new fund, determine how many existing funds should remain in place and how many should be closed.
- b. Following completion of the CAO's evaluation of existing funds, add to the General Fund budget any funds not currently included in the budget.
- c. Create a process and timeline for the evaluation of newly created funds to determine whether they meet the criteria for which they were established.

Fiscal Impact Statement: The CAO and the Chief Legislative Analyst report that adoption of the recommended change in the City's Financial Policies would make the financial position of the General Fund more transparent and would likely reduce administrative and accounting costs associated with special funds.

Roll Call #2 - Motion (Huizar - Greuel) Adopted, Ayes (12); Absent: Cardenas, Parks and Weiss (3)
(Item Nos. 13-23)

ITEM NO. (13) - ADOPTED

05-0449-S8

BUDGET AND FINANCE COMMITTEE REPORT relative to the Investment and Cash Management Report for the month and quarter ending December 31, 2005.

Recommendation for Council action:

NOTE and FILE the City Treasurer's Investment and Cash Management Report for the month and quarter ending December 31, 2005, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (14) - ADOPTED

06-0895

BUDGET AND FINANCE COMMITTEE REPORT relative to the Investment and Cash Management Report for the month ending January 31, 2006.

Recommendation for Council action:

NOTE and FILE the City Treasurer's Investment and Cash Management Report for the month ending January 31, 2006, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (15) - ADOPTED

06-0895-S1

BUDGET AND FINANCE COMMITTEE REPORT relative to the Investment and Cash Management Report for the month ending February 28, 2006.

Recommendation for Council action:

NOTE and FILE the City Treasurer's Investment and Cash Management Report for the month ending February 28, 2006, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (16) - ADOPTED

06-0895-S2

BUDGET AND FINANCE COMMITTEE REPORT relative to the Investment and Cash Management Report for the month ending March 31, 2006.

Recommendation for Council action:

NOTE and FILE the City Treasurer's Investment and Cash Management Report for the month ending March 31, 2006, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (17) - ADOPTED

06-0445

BUDGET AND FINANCE COMMITTEE REPORT relative to additional actions concerning funding of the Memorandum of Understanding (MOU) between the City and the Los Angeles Region Imagery Acquisition Consortium.

Recommendation for Council action:

RECEIVE and FILE the Motion (Cardenas - Padilla) relative to additional actions concerning funding of the MOU between the City and the Los Angeles Region Imagery Acquisition Consortium inasmuch as the Information Technology Agency has the authority to deposit funding in the correct revenue source code and no further Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (18) - ADOPTED

06-1029-S4

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to Comcast equipment and installation rate adjustments.

Recommendation for Council action:

NOTE and FILE the Information Technology Agency report, dated June 8, 2006, relative to Comcast equipment and installation rate adjustments, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (19) - ADOPTED

06-1326

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and RESOLUTION relative to a request to destroy obsolete records from the Community Development Department, Economic Development Division for the period January 1, 1982 to May 15, 2000.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION to authorize destruction of certain obsolete records from the Community Development Department (CDD), Economic Development Division (CDD/71 - 86 boxes) for the period of January 1, 1982 to May 15, 2000.

Fiscal Impact Statement: The City Clerk reports that the retention of 86 boxes beyond the required retention time period, based on industry commercial standard rates, will continue to cost the City the equivalent of a minimum of \$13.42 per month, or \$161.04 per year.

[These records will be retained for a period of 60 days after the City Council's action to authorize their destruction to allow for public inspection. Contact the Records Management Division at (213) 485-8783 or via email at Todd.Gaydowski@lacity.org to arrange for inspection of records.]

ITEM NO. (20) - ADOPTED

06-1504

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and RESOLUTION relative to a request to destroy obsolete records from the Community Development Department, Insurance Division for the period January 1, 1977 to December 31, 1995.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION to authorize destruction of certain obsolete records from the Community Development Department (CDD), Insurance Division (CDD/01D - 25 boxes) for the period of January 1, 1977 to December 31, 1995.

Fiscal Impact Statement: The City Clerk reports that the retention of 25 boxes beyond the required retention time period, based on industry commercial standard rates, will continue to cost the City the equivalent of a minimum of \$3.90 per month, or \$46.80 per year.

[These records will be retained for a period of 60 days after the City Council's action to authorize their destruction to allow for public inspection. Contact the Records Management Division at (213) 485-8783 or via email at Todd.Gaydowski@lacity.org to arrange for inspection of records.]

ITEM NO. (21) - ADOPTED

06-1505

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and RESOLUTION relative to a request to destroy obsolete records from the Community Development Department, Workforce Development Division, Youth Employment Services for the period January 1, 1981 to June 30, 2000.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION to authorize destruction of certain obsolete records from the Community Development Department (CDD), Workforce Development Division, Youth Employment Services (CDD/51 - 517 boxes) for the period of January 1, 1981 to June 30, 2000.

Fiscal Impact Statement: The City Clerk reports that the retention of 517 boxes beyond the required retention time period, based on industry commercial standard rates, will continue to cost the City the equivalent of a minimum of \$80.65 per month, or \$967.80 per year.

[These records will be retained for a period of 60 days after the City Council's action to authorize their destruction to allow for public inspection. Contact the Records Management Division at (213) 485-8783 or via email at Todd.Gaydowski@lacity.org to arrange for inspection of records.]

ITEM NO. (22) - ADOPTED

06-1527

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and RESOLUTION relative to a request to destroy obsolete records from the Department of Building and Safety, Building Bureau, Building Inspection and Building Mech Inspection for the period January 1, 1994 to December 31, 2003.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION to authorize destruction of certain obsolete records from the Department of Building and Safety, Building Bureau, Building Inspection and Building Mech Inspection (BAS/31 - 226 boxes) for the period of January 1, 1994 to December 31, 2003.

Fiscal Impact Statement: The City Clerk reports that the retention of 226 boxes beyond the required retention time period, based on industry commercial standard rates, will continue to cost the City the equivalent of a minimum of \$35.26 per month, or \$423.12 per year.

[These records will be retained for a period of 60 days after the City Council's action to authorize their destruction to allow for public inspection. Contact the Records Management Division at (213) 485-8783 or via email at Todd.Gaydowski@lacity.org to arrange for inspection of records.]

ITEM NO. (23) - ADOPTED

04-0010-S9

PUBLIC SAFETY COMMITTEE REPORT relative to a reward payment to witnesses providing information instrumental in an arrest and conviction in the murder of victim Sergio Reyes.

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

1. APPROVE the \$15,000 payment to Claimant "A" who provided information instrumental in an arrest and conviction in the murder of victim Sergio Reyes.
2. APPROVE the \$10,000 payment to Claimant "B" who provided information instrumental in an arrest and conviction in the murder of victim Sergio Reyes.
3. INSTRUCT the City Clerk to TRANSFER \$25,000 from the Reserve Fund to the Unappropriated Balance and APPROPRIATE therefrom to the Special Reward Trust Fund No. 436/14.
4. DIRECT the City Clerk to TRANSFER \$25,000 from the Special Reward Trust Fund No. 436/14, Account No. XXXX to the Los Angeles Police Department (LAPD) Fund No. 100/70, Secret Service Account No. 4310 and DIRECT the LAPD to make the appropriate reward payments.

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

ITEM NO. (24) - CONTINUED TO AUGUST 4, 2006

Roll Call #11 - Motion (Parks - Zine) Adopted to Continue, Unanimous Vote (14);
Absent: Weiss (1)

06-1502

PUBLIC SAFETY COMMITTEE REPORT relative to Hearing Appeals against the assessment for the Los Angeles Fire Department Year 2005 Brush Clearance.

Recommendations for Council action:

1. CONFIRM the 2005 Brush Clearance Assessments, substantially as recommended by the Los Angeles Board of Fire Commissioners (Fire Commissioners) in their report dated June 21, 2006 (attached to the Council file), with the exception of the nine parcels identified by the Los Angeles Fire Department (LAFD) in its report dated July 13, 2006 (attached to the Council file),

2. CONFIRM the recommendations of the LAFD, relative to the 2005 Brush Clearance Assessment Appeals against the confirmation of assessments for the proposed Year 2005 Brush Clearance, as submitted in its report dated July 13, 2006 (attached to the Council file).

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

ITEM NO. (25) - MOTION ADOPTED TO APPROVE PERSONNEL AND TRANSPORTATION COMMITTEES' REPORTS RECOMMENDATIONS

Roll Call #2 - Motion (Huizar - Greuel) Adopted, Ayes (12); Absent: Cardenas, Parks and Weiss (3)

06-0720

PERSONNEL, TRANSPORTATION and PUBLIC SAFETY COMMITTEES' REPORTS relative to initiating the use of traffic signal control devices (aka the Transit Priority System) on Los Angeles Fire Department (LAFD) emergency response vehicles.

ADOPTED

A. TRANSPORTATION COMMITTEE REPORT

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

1. CONCUR with the Board of Fire Commissioners (Board) action on November 1, 2005, approving the participation of the LAFD in the Transit Priority System (TPS) currently operated by the Department of Transportation (LADOT) which is expected to reduce response times of LAFD emergency vehicles in the areas served by the TPS program.
2. NOTE that the LAFD will finance any costs associated with its participation in the LADOT TPS program within budgeted funds for Fiscal Year (FY) 2005-06 and subsequent fiscal years.
3. INSTRUCT the City Administrative Officer (CAO) to authorize a substitute authority Transportation Engineering Associate III position for the LADOT during FY 2006-07 to work on the TPS Program relative to the LAFD, subject to paygrade determination by the CAO, Employee Relations Division.
4. INSTRUCT the LAFD and the LADOT to report back jointly on a quarterly basis to the Public Safety Committee with a status report on LAFD response times relative to participating in the LADOT TPS program and any related matters including expenses, staffing needs, description of similar traffic signal control systems installed in other cities, and a historical overview of the expenditures made by the City for claims, lawsuits, and settlements relating to accidents involving emergency vehicles.

ADOPTED

B. PERSONNEL COMMITTEE REPORT

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

1. CONCUR with the Transportation Committee's actions reflected in the Committee's report, dated July 20, 2006, attached to the Council file.
2. INSTRUCT the Department of Transportation (LADOT) and the City Administrative Officer (CAO) to work with the Los Angeles Police Department (LAPD) to study the feasibility of including the LAPD, specifically when responding to "Code 3" calls, as a participant in the TPS currently operated by the LADOT and report back in 60 days with appropriate recommendations.

RECEIVED AND FILED

C. PUBLIC SAFETY COMMITTEE REPORT

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

1. CONCUR with the action taken by the Board of Fire Commissioners approving the participation of the Los Angeles Fire Department (LAFD) in the Transit Priority System (TPS) currently operated by the Department of Transportation (LADOT) which is expected to reduce response times of LAFD emergency vehicles in the areas served by the TPS program.
2. NOTE that the LAFD will finance any costs associated with its participation in the LADOT TPS program within budgeted funds for fiscal year 2005-06 and subsequent fiscal years.
3. INSTRUCT the LADOT to fill a vacant Transportation Engineering Associate (TEA) III regular position authority and assign the TEA III position to work on the TPS program relative to the LAFD.
4. INSTRUCT the LAFD and the LADOT to report back jointly on a quarterly basis to the Public Safety Committee with a status report on LAFD response times relative to participating in the LADOT TPS program and any related matters including expenses, staffing needs, description of similar traffic signal control systems installed in other cities, and a historical overview of the expenditures made by the City for claims, lawsuits, and settlements relating to accidents involving emergency vehicles.

Fiscal Impact Statement: The City Administrative Officer (CAO) reports that there will be no additional impact to the General Fund. The LAFD indicates that any costs associated with its participation in the LADOT TPS program will be financed within budgeted funds in fiscal year 2005-06 and subsequent fiscal years. LADOT costs will also be financed within budgeted funds in fiscal year 2005-06 and subsequent fiscal years (filling and maintaining a vacant budgeted position). This is consistent with the City's Financial Policies in that the LAFD and the LADOT will be able to provide enhanced services within budget funds.

(Budget and Finance Committee waived consideration of the above matter)

Items for Which Public Hearings Have Not Been Held - Items 26-54 (10 Votes Required for Consideration)

Roll Call #4 - Motion (Greuel - Reyes) Adopted, Ayes (12); Absent: Cardenas, Parks and Weiss (3)
(Item Nos. 26-31)

ITEM NO. (26) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

06-0984

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 BIG TUJUNGA CANYON ROAD AND MOUNT GLEASON 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 April 28, 2006.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of OCTOBER 3, 2006 as the hearing date for the maintenance of Big Tujunga Canyon Road and Mount Gleason Avenue 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, \$971.55 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: September 25, 2006)

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

06-0985

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 KESWICK AND WILBUR 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 April 28, 2006.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of OCTOBER 3, 2006 as the hearing date for the maintenance of Keswick Street and Wilbur Street 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, \$153 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: September 25, 2006)

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

06-0986

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 FULTON AVENUE AND SARAH 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 April 28, 2006.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of OCTOBER 3, 2006 as the hearing date for the maintenance of Fulton Avenue and Sarah Street 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, \$503.06 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: September 25, 2006)

ITEM NO. (29) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

06-0987

CD 1

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of AVENUE 33 AND MOSS 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 April 28, 2006.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of OCTOBER 3, 2006 as the hearing date for the maintenance of Avenue 33 and Moss Avenue 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, \$390.15 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: September 25, 2006)

ITEM NO. (30) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

06-1003

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 VISTA DEL MONTE AVENUE AND MOORPARK 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 May 2, 2006.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of OCTOBER 3, 2006 as the hearing date for the maintenance of Vista Del Monte Avenue and Moorpark Street 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, \$165.24 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: September 25, 2006)

ITEM NO. (31) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

06-1040

CD 11

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of BARRY AND LA GRANGE AVENUES 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 May 3, 2006.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of OCTOBER 3, 2006 as the hearing date for the maintenance of Barry and La Grange Avenues 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, \$202.57 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: September 25, 2006)

ITEM NO. (32) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS, AS AMENDED - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #15 - Motion (Parks - Cardenas) to Adopt as Amended, Ayes (13);
Absent: Greuel and Weiss (2)

06-0873-S1

CDs 8&9

STATUTORY EXEMPTION, COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to authorizing a Development Agreement between the City of Los Angeles and the Los Angeles Memorial Coliseum.

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

1. FIND that both the adoption of the Ordinance and the approval of the Development Agreement are exempt from additional environmental review under the California Environmental Quality Act (CEQA) pursuant to Article II, Section 2(1) of the City's Environmental Guidelines, and that no additional environmental clearance is required under State CEQA Guidelines Section 15162.
2. ADOPT the FINDINGS of the City Planning Commission as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE authorizing the execution of the Development Agreement between the City of Los Angeles and the Los Angeles Memorial Coliseum relative to vesting the rights of the Coliseum to zoning approvals required in order for the Coliseum to implement its plan to renovate and enhance the Coliseum for use by a professional football team.

(Ad Hoc Stadium Committee waived consideration of the above matter)

ADOPTED

AMENDING MOTION (PARKS - CARDENAS)

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

1. ADOPT the findings of the City Planning Commission as the findings of the Council.
2. FIND that both the adoption of the Ordinance and the approval of the Development Agreement are exempt from additional environmental review under the California Environmental Quality Act (CEQA) pursuant to Article II, Section 2(1) of the City's Environmental Guidelines, and that no additional environmental clearance is required under State CEQA Guidelines Section 15162.
3. PRESENT and ADOPT the accompanying ORDINANCE authorizing the execution of the Development Agreement dated August 1, 2006, attached to the Council file, between the City of Los Angeles and the Los Angeles Memorial Coliseum relative to vesting the rights of the Coliseum to zoning approvals required in order for the Coliseum to implement its plan to renovate and enhance the Coliseum for use by a professional football team.

(Ad Hoc Stadium Committee waived consideration of the above matter)

Roll Call #4 - Motion (Greuel - Reyes) Adopted, Ayes (12); Absent: Cardenas, Parks and Weiss (3)
(Item Nos. 33-42)

ITEM NO. (33) - ADOPTED

[06-0005-S234](#)

CD 9 RESOLUTION removing the property at 1130 West 48th Street from the Rent Escrow Account Program [REAP], (Case No. 8258), 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 July 25, 2006. Assessor I.D. No.5017-021-006
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 25, 2006)

ITEM NO. (34) - ADOPTED

06-0005-S235

CD 15 RESOLUTION removing the property at 417 West "G" Street from the Rent Escrow Account Program [REAP], (Case No. 5479), 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 July 25, 2006. Assessor I.D. No.7416-028-016
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 16, 2002)

ITEM NO. (35) - ADOPTED

06-0005-S236

CD 10 RESOLUTION removing the property at 2644-46 South Harcourt Avenue from the Rent Escrow Account Program [REAP], (Case No. 8601), 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 July 25, 2006. Assessor I.D. No.5057-012-003
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on September 20, 2005)

ITEM NO. (36) - ADOPTED

06-0005-S237

CD 8 RESOLUTION removing the property at 621 West 91st Street from the Rent Escrow Account Program [REAP], (Case No. 4791), 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 July 25, 2006. Assessor I.D. No.6038-008-045
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on December 14, 2001)

ITEM NO. (37) - ADOPTED

06-0005-S238

CD 15 RESOLUTION removing the property at 831 King Avenue from the Rent Escrow Account Program [REAP], (Case No. 7789), 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 July 25, 2006.
Assessor I.D. No. 7416-007-030
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 16, 2005)

ITEM NO. (38) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

05-1222

CD 13 COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION TO VACATE relative to Temple Street (portion of southerly side) from Smilax Street to approximately 215 feet westerly thereof - VAC-E1400939.

Recommendations for Council action:

1. REAFFIRM the FINDINGS of November 16, 2005, that this vacation is in substantial conformance with the General Plan, pursuant to Section 556 of the Los Angeles City Charter (subject to the conditions contained therein).
2. ADOPT the accompanying RESOLUTION TO VACATE No. 06-1400939 for Temple Street (portion of southerly side) from Smilax Street to approximately 215 feet westerly thereof.
3. APPROVE the City Engineer report dated June 9, 2006 for the vacation.
4. INSTRUCT the Department of Public Works, Bureau of Engineering, Land Development Group, to record the Resolution with the Los Angeles County Recorder.

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

ENVIRONMENTAL WORK COMPLETED FOR THIS PROJECT

ITEM NO. (39) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

06-1115

CD 12 CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for 9411 North Reseda Boulevard.

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970, pursuant to Article III, 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 April 26, 2006 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 9411 North Reseda 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. (40) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

06-1116

CD 9

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for 1000 East Olympic Boulevard.

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970, pursuant to Article III, 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 April 26, 2006 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 1000 East Olympic 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. (41) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

06-1117

CD 6

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for 6534 Balboa Boulevard.

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970, pursuant to Article III, 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 April 26, 2006 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 6534 Balboa 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. (42) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

06-1120

CD 6

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for 14655 Vanowen Street.

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970, pursuant to Article III, 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 April 26, 2006 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 14655 Vanowen Street.
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. (43) - ADOPTED

Roll Call #12 - Motion (Rosendahl - Parks) Adopted, Ayes (14); Absent: Weiss (1)

06-1633

CONSIDERATION OF MOTION (WEISS - ROSENDAHL) relative to the temporary loan of one reserve Type I Fire Ladder Truck apparatus to the Santa Monica Fire Department.

Recommendation for Council action:

AUTHORIZE the Chief, Los Angeles Fire Department to:

- a. Work with the City Attorney, Chief Legislative Analyst, and City Clerk to draft an agreement with the City of Santa Monica for the temporary loan of one reserve LAFD Type I Fire Ladder Truck for a term not to exceed one hundred and eighty (180) days and compensation in the amount of one dollar (\$1.00).
- b. Require that the agreement with the City of Santa Monica contain provisions for Automobile Liability Coverage not less than \$2,000,000; Workers' Compensation Employer's Liability Coverage not less than \$1,000,000; General Liability Coverage not less than \$1,000,000; and, Indemnification and Hold-Harmless provisions pursuant to California Government Code Sections 895.4 et seq. shall also be incorporated into the agreement.

- c. Require that the agreement contain the provision to immediately return the loaned apparatus to the LAFD if necessary.
- d. Execute the agreement with the City of Santa Monica upon fulfillment of the above requirements.

(Public Safety Committee waived consideration of the above matter)

Roll Call #4 - Motion (Greuel - Reyes) Adopted, Ayes (12); Absent: Cardenas, Parks and Weiss (3)
(Item Nos. 44-54)

ITEM NO. (44) - ADOPTED

04-1431

CD 4 MOTION (LABONGE - GARCETTI) relative to declaring the 13th Annual Angel Awards on August 5, 2006 a Special Event (fees and costs absorbed by the City = \$2,536).

Recommendation for Council action:

DECLARE the 13th Annual Angel Awards, sponsored by the Project Angelfood, Mac Aids Fund, Wells Fargo and others on August 5, 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. (45) - ADOPTED

06-1718

CD 14 MOTION (HUIZAR - GARCETTI) relative to declaring the Dia Del Abuelito - Day of the Grandparent on July 26, 2006 a Special Event (fees and costs absorbed by the City = \$3,720).

Recommendation for Council action:

DECLARE the Dia Del Abuelito - Day of the Grandparent, sponsored by Los Abuelitos de Boyle Heights on July 26, 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. (46) - ADOPTED

06-1709

CD 10 MOTION (WESSON - HUIZAR) relative to declaring the Night Out Against Crime on August 1, 2006 a Special Event (fees and costs absorbed by the City = \$4,619).

Recommendation for Council action:

DECLARE the Night Out Against Crime, sponsored by the Los Angeles Police Department, Southwest Division on August 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. (47) - ADOPTED

03-1552

CD 9 MOTION (PERRY - ZINE) relative to declaring the National Night Out on August 1, 2006 a Special Event (fees and costs absorbed by the City = \$3,856).

Recommendation for Council action:

DECLARE the National Night Out, sponsored by the 41st Street Block Club on August 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. (48) - ADOPTED

06-1735

CD 9 MOTION (PERRY - ZINE) relative to declaring the National Night Out on August 1, 2006 a Special Event (fees and costs absorbed by the City = \$2,035).

Recommendation for Council action:

DECLARE the National Night Out, sponsored by the Central Community Police Station on August 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.

ITEM NO. (49) - ADOPTED

05-1555

CD 9 MOTION (PERRY - ZINE) relative to declaring the National Night Out on August 1, 2006 a Special Event (fees and costs absorbed by the City = \$2,035).

Recommendation for Council action:

DECLARE the National Night Out, sponsored by the All People's Christian Center and the Los Angeles Police Department Newton Community Relations Department on August 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.

ITEM NO. (50) - ADOPTED

06-1734

CD 9 MOTION (PERRY - PADILLA) relative to declaring the Fitness Awareness and Expose Day on August 5, 2006 a Special Event (fees and costs absorbed by the City = \$1,856).

Recommendation for Council action:

DECLARE the Fitness Awareness and Expose Day, sponsored by the Freedom M. B Church on August 5, 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. (51) - ADOPTED

05-0634

MOTION (WESSON - HUIZAR) relative to a request for an exemption from the Convention Center fee waiver policy for the Senior Convention and Health Expo 2006 on August 17, 2006.

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

1. FIND that the Senior Convention and Health Expo 2006 event, sponsored by Council District Ten, serves a public purpose in that it provides education and information to seniors.
2. AUTHORIZE the General Manager, Convention Center, to make an exception to the Council's Convention Center waiver policy by waiving a maximum of \$6,000 in room rental fees for this event.

ITEM NO. (52) - ADOPTED

05-1927

MOTION (PERRY - PADILLA) relative to a request for an exemption from the Convention Center fee waiver policy for the Los Angeles Unified School District's (LAUSD) Superintendents Opening Session on August 23, 2006.

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

1. FIND that the LAUSD Superintendents Opening Session event, sponsored by the LAUSD serves a public purpose in that it will provide an opportunity for approximately 1,000 participants to gather and discuss the best education practices.
2. AUTHORIZE the General Manager, Convention Center, to make an exception to the Council's Convention Center waiver policy by waiving a maximum of \$6,000 in room rental fees for this event.

ITEM NO. (53) - ADOPTED

05-1073-S63

CD 12 MOTION (SMITH - ROSENDAHL) relative to providing additional funding for weed abatement service in Council District 12.

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

1. TRANSFER \$20,000 from the Council District 12 portion of the Street Furniture Revenue Fund No. 43D, Department 50 to the Department of Public Works Department 74, Fund 100, Account 3040 (contractual services) to fund additional weed abatement service solely for the benefit of Council District 12.
2. AUTHORIZE the Chief Legislative Analyst, or designee, to make technical changes to clarify and to implement the intent of this Motion.

ITEM NO. (54) - ADOPTED

05-1073-S62

CD 12 MOTION (SMITH - ROSENDAHL) relative to covering the costs of excavating work for the "Northridge Oasis" gateway signs in Council District 12.

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

1. TRANSFER \$6,000 from the Council District 12 portion of the Street Furniture Revenue Fund, No. 43D, Department 50, account Y12D to the Public Works Trust Fund, No. 834, Department 50, Revenue Source 4879 for the Bureau of Engineering Excavation Work Order costs of this project and to cover all permits required by the Department of Public Works.
2. AUTHORIZE the Chief Legislative Analyst, or designee, to make technical corrections or revisions as may be necessary to implement the intent of this motion.

Items for Which Public Hearings Have Been Held - Items 55-56

ITEM NO. (55) - RULE CHANGE PRESENTED, *AS AMENDED, OVER ONE WEEK TO AUGUST 8, 2006, PURSUANT TO COUNCIL RULE 77 - SEE FOLLOWING

06-1205

CONTINUED CONSIDERATION OF RULES AND ELECTIONS COMMITTEE REPORT relative to rules of decorum addressing public comment.

Recommendation for Council action, as initiated by Motion (Parks - Perry et al.):

1. AMEND the Rules of the Los Angeles City Council to adopt the following new rule under Chapter II, Public Notice, Attendance and Comment:

12. Rules of Decorum:

a. Rules of Decorum. During a meeting of the Los Angeles City Council, there is the need for civility and expedition in the carrying out of public business in order to ensure that the public has a full opportunity to be heard and that the deliberative process of the council is retained at all times. While any meeting of the City Council is in session, the following rules of decorum shall be observed. All remarks shall be addressed to the Council as a whole and not to any single member thereof, unless in response to a question from such member. ~~*No question may be asked of a member of the Council or of the City staff without permission of the presiding officer.~~ Persons addressing the Council shall not make personal, impertinent, unduly repetitive, slanderous or profane remarks to the Council, any member of the council, staff or general public, nor utter loud, threatening, personal or abusive language, nor engage in any other disorderly conduct that disrupts, disturbs or otherwise impedes the orderly conduct of any Council meeting. No person in the Audience at a Council meeting shall engage in disorderly or boisterous conduct, including the utterance of loud, threatening or abusive language, whistling, stamping of feet or other acts which disturb, disrupt or otherwise impede the orderly conduct of any Council meeting. Signs, placards banners, or similar items shall not be permitted at any time in the Council chamber. Unless addressing the Council or entering or leaving the Council Chambers, all persons in the audience shall remain sitting in the seats provided. No person shall stand or sit in the ~~*aisles~~ center isle ~~*or along the walls~~, nor shall the doorways be blocked.

*(Garcetti - Parks)

b. Enforcement of Decorum. The rules of decorum set forth above shall be enforced in the following manner. The presiding officer of the Council shall be responsible for maintaining the order and decorum of meetings. The presiding officer ~~shall~~ may request that a person who is violating the rules of decorum as set forth in Rule 12 a., comply immediately. If, after receiving a warning from the presiding officer, a person persists in violating the rules of decorum, the presiding officer shall order him or her to leave the Council meeting. Any person so ordered removed shall be excluded from further attendance at the meeting from which he or she has been removed, unless permission to attend is granted upon motion adopted by a majority vote of the Council. If such person does not remove himself or herself, the presiding officer may order the sergeant-at-arms of the Council to remove that person from the Council chambers. Any person who resists removal by the sergeant-at-arms shall be charged with a violation of Penal Code Section 403. The City reserves the right to seek further legal remedies should a member of the public engage in disruptive conduct during multiple meetings.

*(Garcetti - Parks)

2. INSTRUCT the City Clerk to:

a. Add warning language to public speaker comment cards advising that the Council's rules of decorum will be enforced, ~~*to be made available by the first meeting after Council's summer recess.~~

*(Parks - Garcetti)

b. Work with the Rules and Elections Committee to develop a page of public speaker guidelines which would be available to the public at all Council meetings.

*3. REQUEST the Council President to verbally state the warning language to the public at the beginning of each City Council meeting. *(Parks - Garcetti)

Fiscal Impact Statement: None submitted by the City Attorney. 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. (56) - ADOPTED

Roll Call #13 - Motion (Padilla - Zine) Adopted, Ayes (14); Absent: Weiss (1)

06-1514

CONTINUED CONSIDERATION OF RULES AND ELECTIONS COMMITTEE REPORT relative to revising the City Council's procedures for public comment during meetings.

Recommendation for Council action:

NOTE and FILE the Motion (Garcetti - Greuel - Smith, et al.) relative to revising the City Council's procedures for public comment during meetings, inasmuch as the matter is being addressed under Council file No. 06-1205, Motion (Parks - Perry, et al.), concerning terminating the practice of racist and abusive language during City Council public comment periods, and no Council action is necessary.

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

Item for Which Public Hearing Has Not Been Held - Item 57
(10 Votes Required for Consideration)

ITEM NO. (57) - FAILED OF ADOPTION - SEE FOLLOWING

Roll Call #14 - Motion (Huizar - Padilla) Failed of Adoption, Ayes (6); Noes: Hahn, LaBonge, Parks, Perry, Reyes, Wesson and Zine (7); Absent: Greuel and Weiss (2)

06-1800-S5

COMMUNICATION FROM THE CITY ATTORNEY, ORDINANCE FIRST CONSIDERATION and RESOLUTIONS relative to a proposed Charter Amendment to revise the provisions relating to the Los Angeles Unified School District (LAUSD) Board of Education, and calling a Special Election to be consolidated with the State General Election to be held on November 7, 2006.

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

- A. PRESENT and ADOPT the accompanying ORDINANCE calling a Special Election to be held on Tuesday, November 7, 2006, for the purpose of submitting to the qualified voters of the City of Los Angeles and qualified electors of the LAUSD a certain proposition, and to consolidate this Special Election with the State General Election to be held on the same date.
- B. BALLOT TITLE RESOLUTION for the above matter, BE ADOPTED.
- C. RESOLUTION providing that a certain proposal to amend the Charter of the City of Los Angeles be submitted to the qualified voters of the City of Los Angeles and qualified electors of the LAUSD, BE ADOPTED.
- D. RESOLUTION requesting authorization to consolidate a Special Election with the November 7, 2006, State of California General Election in order to place a Charter Amendment relative to revising aspects of the governance of the LAUSD Board of Education before the voters, BE ADOPTED.

FAILED OF ADOPTION

SUBSTITUTE MOTION (HUIZAR - PADILLA)

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

ADOPT the attached Special Election Ordinance, Resolution of Consolidation, Ballot Title Resolution, and Ballot Text Resolution in lieu of the Resolutions and Ordinance attached to the Council file.

RECONSIDERATION OF ITEM NO. 44 FROM COUNCIL MEETING OF FRIDAY, JULY 28, 2006

ITEM NO. (44) - RE-ADOPTED - TO THE MAYOR FORTHWITH

06-1697

MOTION (REYES for ROSENDAHL - LABONGE) relative to a transfer of funds to permit the Bureau of Street Services to continue clearing falling tree limbs.

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

AUTHORIZE the Controller to TRANSFER a total of \$850,000 from allotment period 12 to allotment period 1 within the Bureau of Street Services, Fund 100, Department 86, Salaries-Overtime Account, Account 1090.

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

06-1776

MOTION (REYES - ROSENDAHL) relative to declaring the Cathedral High School Gala Event on August 5, 2006 a Special Event (fees and costs absorbed by the City = \$1,500).

05-0396

MOTION (CARDENAS - PADILLA) relative to declaring the Community Clean Up on August 5, 2006 a Special Event (fees and costs absorbed by the City = \$1,500).

06-1775

MOTION (LABONGE - HAHN) relative to declaring the United Nation's Roots and Shoots Peace Day on September 30, 2006 a Special Event (fees and costs absorbed by the City = \$1,778).

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

06-1548 - Colonel J. George Cisneros	(Garcetti - Padilla - All Councilmembers)
Bud Furillo	(LaBonge - All Councilmembers)
David Dizon	(Zine - Rosendahl - All Councilmembers)
Angie Richardson	(Smith)

Ayes, Hahn, Huizar, LaBonge, Padilla, Parks, Perry, Reyes, Rosendahl, Smith, Wesson, Zine and President Garcetti (12); Absent: Cardenas, Greuel and Weiss (3).

Whereupon the Council did adjourn.

ATTEST: Frank T. Martinez, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL