

Los Angeles City Council, **Journal/Council Proceedings**
Wednesday, **January 24, 2007**
John Ferraro Council Chamber, Room 340, City Hall - 10 am

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

ROLL CALL - Members present: Cardenas, Greuel, Huizar, Parks, Reyes, Rosendahl, Smith, Wesson, Zine and President Garcetti (10); Absent: Hahn, LaBonge, Perry and Weiss (4). Council District Seven Vacant.

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
JANUARY 20, 2007

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

Item Noticed for Public Hearing - Item 1

ITEM NO. (1) - Motion Required - **Applicant consents to a continuance to February 21, 2007**

Roll Call #4 - Motion (Reyes - Huizar) Adopted to Continue, Unanimous Vote (12); Absent: LaBonge and Weiss (2)

[06-2476](#)

CD 11 APPEAL filed by James Murez from the entire determination of the West Los Angeles Area Planning Commission (WLAAPC) in overturning the decision of the Zoning Administrator's to deny in part/to grant in part zone variances, and thereby approving a zone variance to permit the required parking through lease rather than recorded covenant; and approving a zone variance to park more than 750 feet away to permit required parking spaces through lease in a C2-1 Zone for property at 796 Main Street, subject to Conditions of Approval. (WLAAPC also approved the Coastal Development Permit; plans to permit sale of alcohol; and Specific Plan Permit for this project.)

Applicant: Amuse Café Partners, LP

ZA 2005-2021 CDP ZV PAB SPP

TIME LIMIT FILE - FEBRUARY 15, 2007

(LAST DAY FOR COUNCIL ACTION - FEBRUARY 14, 2007)

Items for Which Public Hearings Have Been Held - Items 2-32

Roll Call #5 - Motion (Perry - Greuel) Adopted, Ayes (12); Absent: LaBonge and Weiss (2)
(Item Nos. 2-4)

ITEM NO. (2) - ADOPTED

06-2833

ENERGY AND ENVIRONMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a proposed Mutual Assistance Agreement with the Western Energy Institute to allow the Department of Water and Power (LADWP) to request and receive assistance following natural or man-made disasters.

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

1. CONCUR with the Board of Water and Power Commissioners (Board) action on November 7, 2006, Resolution No. 007-072, approving Mutual Assistance Agreement No. 47475-6 with the Western Energy Institute, to provide the procedures under which members of the Western Energy Institute, including the LADWP, may request and receive assistance from another party in the restoration of electrical service following natural or man-made disasters or emergencies.
2. PRESENT and ADOPT the accompanying ORDINANCE approving Mutual Assistance Agreement No. 47475-6 with the Western Energy Institute.
3. REQUEST the LADWP to follow the Federal Emergency Management Agency accounting guidelines in tracking all costs and charges in connection with requesting and receiving assistance pursuant to Mutual Assistance Agreement No. 47475-6.

Fiscal Impact Statement: The Board reports that there is a potential fiscal impact if an emergency or disaster occurs. If the LADWP were to request assistance from the other Parties or if the LADWP were to respond with assistance to another Party, the provisions of the Agreement would then be invoked.

ITEM NO. (3) - ADOPTED

06-2834

ENERGY AND ENVIRONMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a proposed Mutual Assistance Agreement with the California Utilities Emergency Association (CUEA) to allow the Department of Water and Power (LADWP) to request and receive assistance following natural or man-made disasters.

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

1. CONCUR with the Board of Water and Power Commissioners (Board) action on November 7, 2006, Resolution No. 007-073, approving Mutual Assistance Agreement No. 47519-6 with the CUEA, to provide the procedures under which members of the CUEA, including the LADWP, may request and receive assistance from another party in the restoration of electrical service following natural or man-made disasters or emergencies.

2. PRESENT and ADOPT the accompanying ORDINANCE approving Mutual Assistance Agreement No. 47519-6 with the CUEA.
3. REQUEST the LADWP to follow the Federal Emergency Management Agency accounting guidelines in computing all costs and charges in connection with requesting and receiving assistance pursuant to Mutual Assistance Agreement No. 47419-6.

Fiscal Impact Statement: The Board reports that there is a potential impact if an emergency or disaster occurs. If the LADWP were to request assistance from other Parties or if the LADWP were to respond with assistance to another Party, the provisions of the Agreement would then be invoked.

ITEM NO. (4) - ADOPTED

06-3241

PERSONNEL COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to the amendment of the salary and bonus note for Airport Police Chief and the establishment of a salary range and bonus note for the new class of Airport Assistant Police Chief.

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

PRESENT and ADOPT the accompanying ORDINANCE to establish:

- a. A salary range for Airport Police Chief with a maximum salary of \$150,962.
- b. A salary range for Airport Assistant Police Chief with a maximum salary of \$142,903.
- c. Up to a five percent education bonus, with three percent for a Bachelor's degree, an additional one percent for a Master's degree, and/or one percent for relevant continuing education for these classes.

Fiscal Impact Statement: The City Administrative Officer reports that there is no impact on the General Fund as these positions are funded entirely out of Los Angeles World Airports funds.

ITEM NO. (5) - ADOPTED, *AS AMENDED - SEE FOLLOWING

Roll Call #7 - Motion (Reyes - Parks) Adopted, Ayes (13); Absent: Weiss (1)

06-1848

GENERAL EXEMPTION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION amending various sections of the Los Angeles Municipal Code (LAMC) to review the establishment of automotive uses through the conditional use process.

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 December 8, 2006 FINDINGS of the Director of Planning Commission as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE, disapproved by the Director of Planning, relative to amendments to the LAMC to add provisions for reviewing the establishment of automotive uses through the conditional use process. Provisions include operational and development standards which would allow most automotive uses to locate by-right. If the provisions could not be met, the applicant would apply for a conditional use permit for the review of the request by a Zoning Administrator.

CPC 2006-1953 CA

- *4. **INSTRUCT the Planning Department to prepare a report one year after the effective date of the Ordinance, that evaluates whether any amendments are needed to the Ordinance.**
***(Reyes - Parks)**

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

ADOPTED

AMENDING MOTION (SMITH - PARKS)

Recommendation for Council action:

ADD the following to New Subdivision 28 (C) in the proposed Ordinance:

- (3) Any reuse of an existing structure that is required to go through a CUP process shall have all standards established by the Zoning Administrator.

Roll Call #5 - Motion (Perry - Greuel) Adopted, Ayes (12); Absent: LaBonge and Weiss (2)
(Item Nos. 6-12)

ITEM NO. (6) - ADOPTED

06-2626

CD 7

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCES FIRST CONSIDERATION relative to a zone change and building line removal at 10915 Laurel Canyon Boulevard.

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

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the lead agency in the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 06-2626 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV 2005-2110 MND] filed on May 11, 2005.

2. ADOPT the FINDINGS of the North Valley Area Planning Commission (NVAPC) as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCES, approved by the NVAPC, effecting a zone change, incident to subdivision, from RA-1-O to (T)(Q)RD1.5-1-O, and a Building Line Removal of a 45-foot building line on the southwest side of Laurel Canyon Boulevard, established by Ordinance No. 101,256, for the proposed one-lot subdivision for a maximum 12-unit residential condominium on a 0.43 net acre site located at 10915 Laurel Canyon Boulevard, subject to Conditions of Approval.

Applicant: Amir Ladjevardi

APCNV 2005-3443 ZC BL

Said rezoning shall be subject to the "Q" Qualified classification zone limitations substantially as shown on the sheet(s) attached to the Committee report.

4. REMOVE the (T) Tentative classification as described in detail on the sheet(s) attached to the Committee report.
5. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.
6. ADVISE the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
7. ADVISE the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination filing.

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

TIME LIMIT FILE - JANUARY 25, 2007

(LAST DAY FOR COUNCIL ACTION - JANUARY 24, 2007)

ITEM NO. (7) - ADOPTED

06-2631

CD 7

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCES FIRST CONSIDERATION relative to a zone change and building line removal at 10921 Laurel Canyon Boulevard.

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

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the lead agency in the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 06-2631 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV 2005-2108 MND] filed on May 27, 2005.
2. ADOPT the FINDINGS of the North Valley Area Planning Commission (NVAPC) as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCES, approved by the NVAPC, effecting a zone change, incident to subdivision, from RA-1-O to (T)(Q)RD1.5-1-O and a 45-foot building line removal on the southwest side of Laurel Canyon Boulevard, for the proposed one-lot subdivision for a maximum 12-unit residential condominium on a 0.44 net acre site located at 10921 Laurel Canyon Boulevard, subject to Conditions of Approval.

Applicant: Victoriana Brothers & Sons, Inc.

APCNV 2005-3437 ZC BL

Said rezoning shall be subject to the "Q" Qualified classification zone limitations substantially as shown on the sheet(s) attached to the Committee report.

4. REMOVE the (T) Tentative classification as described in detail on the sheet(s) attached to the Committee report.
5. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.
6. ADVISE the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
7. ADVISE the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination filing.

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

TIME LIMIT FILE - JANUARY 25, 2007

(LAST DAY FOR COUNCIL ACTION - JANUARY 24, 2007)

ITEM NO. (8) - ADOPTED

06-2756

CD 7

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change at 12818 North Telfair Avenue.

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

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the lead agency in the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 06-2756 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV 2006-0173 MND] filed on April 7, 2006.
2. ADOPT the FINDINGS of the North Valley Area Planning Commission (NVAPC) as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the NVAPC, effecting a zone change from RA-1 to (T)(Q)R1-1 for a proposed subdivision of a 27,221 square foot lot into a maximum of three lots with a minimum lot size of 7,500 square feet each, to allow for the development of a maximum of three single family dwelling units located at 12818 North Telfair Avenue, subject to Conditions of Approval.

Applicant: O. Sandoval

APCNV 2006-0172 ZC

Said rezoning shall be subject to the "Q" Qualified classification zone limitations substantially as shown on the sheet(s) attached to the Committee report.

4. REMOVE the (T) Tentative classification as described in detail on the sheet(s) attached to the Committee report.
5. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.
6. ADVISE the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
7. ADVISE the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination filing.

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

TIME LIMIT FILE - FEBRUARY 5, 2007

(LAST DAY FOR COUNCIL ACTION - FEBRUARY 2, 2007)

ITEM NO. (9) - ADOPTED

06-2774

CD 12

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change at 8343 North Variel Avenue.

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

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the lead agency in the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 06-2774 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV 2006-3063 MND] filed on June 5, 2006.
2. ADOPT the FINDINGS of the North Valley Area Planning Commission (NVAPC) as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the NVAPC, effecting a zone change from RA-1 to (T)(Q)R1-1, incident to subdivision, for a proposed three lot parcel map for three single family dwellings. The project site is 22,005 net square feet located at 8343 North Variel Avenue, and is subject to Conditions of Approval. (The NVAPC also approved a Yard Adjustment to permit a reduced mid-point lot width of 20-feet for two parcels.)

Applicant: Pamela Benson

APCNV 2006-3202 ZC

Said rezoning shall be subject to the "Q" Qualified classification zone limitations substantially as shown on the sheet(s) attached to the Committee report.

4. REMOVE the (T) Tentative classification as described in detail on the sheet(s) attached to the Committee report.
5. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.
6. ADVISE the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.

7. ADVISE the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination filing.

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

TIME LIMIT FILE - FEBRUARY 5, 2007

(LAST DAY FOR COUNCIL ACTION - FEBRUARY 2, 2007)

ITEM NO. (10) - ADOPTED

06-2801

CD 12

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change for property at 21310 West Community Street.

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

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the lead agency in the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 06-2801 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV 2005-6965 MND] filed on November 4, 2005.
2. ADOPT the FINDINGS of the North Valley Area Planning Commission (NVAPC) as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the NVAPC, effecting a zone change, incident to subdivision, from RA-1 to (T)(Q)R1-1 for the proposed construction of a maximum new two-parcel, single-family development on a 0.4 acre site located at 21310 West Community Street, subject to Conditions of Approval.

Applicant: Jose C. Moran, Owner

APCNV 2005-6960 ZC

Said rezoning shall be subject to the "Q" Qualified classification zone limitations substantially as shown on the sheet(s) attached to the Committee report.

4. REMOVE the (T) Tentative classification as described in detail on the sheet(s) attached to the Committee report.
5. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.

6. ADVISE the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
7. ADVISE the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination filing.

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

TIME LIMIT FILE - FEBRUARY 12, 2007

(LAST DAY FOR COUNCIL ACTION - FEBRUARY 9, 2007)

ITEM NO. (11) - ADOPTED

05-1484

ENERGY AND ENVIRONMENT COMMITTEE REPORT relative to authorizing the Bureau of Sanitation (BOS) to negotiate and execute a proposed Agreement for grant funding from the San Joaquin Valley Air Pollution Control District (SJVAPCD) under the Heavy-Duty Emission Reduction Incentive Program.

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

1. AUTHORIZE the Director, BOS, or designee, to apply for and accept grant funding; to conduct all negotiations; to provide additional information; and to execute and submit all documents, including, but not limited to, applications, agreements, or amendments subject to the approval of the City Attorney as to form and legality, which may be necessary to securing funding with respect to the purchase of low-emission engines through the SJVAPCD's Heavy-Duty Engine Emission Reduction Program Grant.
2. APPROVE the acceptance of grant funding by the BOS for the purchase of six heavy-duty low-emission engines to replace existing engines at the City's Green Acres Farm in the County of Kern, through June 30, 2013, in an amount not to exceed \$159,720.

Fiscal Impact Statement: The Board of Public Works reports that the BOS engine replacement project has been budgeted through the sewer Construction and Maintenance Fund (SCM). Acceptance of this funding would not impact the City's General Fund, as this is a reimbursement grant, and will replace funds that would otherwise been paid from the SCM.

ITEM NO. (12) - ADOPTED

06-0600-S56

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to amending the Community Redevelopment Agency's (CRA) Fiscal Year (FY) 2007 Budget and Work Program to include the FY 2006 Budget Carryover Resources.

Recommendation for Council action:

AUTHORIZE the CRA to amend the FY 2007 Budget and Work Program in the amount of \$36,894,618 for Encumbered FY 2006 Budget Carryover Resources as provided in the Attachment A of the accompanying October 5, 2006, CRA report.

Fiscal Impact Statement: The CRA reports that this action will have no fiscal impact on the City's General Fund.

ITEM NO. (13) - ADOPTED

Roll Call #8 - Motion (Parks - Wesson) Adopted, Ayes (13); Absent: Weiss (1)

06-2578

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to adoption of the Community Redevelopment Agency's (CRA) proposed Policy on Conditional Grants.

Recommendations for Council action:

1. APPROVE the CRA's new Policy on Conditional Grants (Attachment A to the accompanying Chief Legislative Analyst (CLA) report dated January 8, 2007), attached to Council file.
2. INSTRUCT the CRA to report on the process in which staff monitors each project with a conditional grant and/or service repayment agreement.
3. INSTRUCT the CRA to provide annual status reports for each project with a conditional grant and/or service repayment agreement, including those projects in default of the terms of the grant.
4. INSTRUCT the CRA to provide information relative to the developmental cost of converting loans to service repayment agreements.
5. INSTRUCT the CRA to obtain the approval of Council for any project that deviates from a Council-approved Conditional Grant Program.

Fiscal Impact Statement: The CLA reports that this action will have no fiscal impact on the City's General Fund.

**Roll Call #5 - Motion (Perry - Greuel) Adopted, Ayes (12); Absent: LaBonge and Weiss (2)
(Item Nos. 14-24)**

ITEM NO. (14) - ADOPTED

06-2867

CD 3 HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION relative to amending a contract with the Los Angeles Neighborhood Housing Services, Inc. (LANHS) to increase the funding by \$1,080,000 and amending the CRA's Fiscal Year 2006-07 Work Program and Budget to transfer funds from Response to Housing Opportunities Work Objective to the First Time Homebuyers' Program Work Objective.

Recommendations for Council action:

1. AUTHORIZE the CRA Acting Chief Executive Officer, or designee, to execute a second amendment to Contract No. 520523 with the LANHS and increase the amount by \$1,080,000 from \$2,240,000 to \$3,320,000 to provide \$1,000,000 for the Council District Three First Time Homebuyers' Program and \$80,000 to implement a new Community Pride Program, subject to the review and approval of the City Attorney as to form.
2. AUTHORIZE the CRA to amend its Fiscal Year 2006-07 Work Program and Budget to transfer \$1,080,000 from the Response to Housing Opportunities Work Objective (RP1990) to the First Time Homebuyers' Program Work Objective (RP1030).
3. ADOPT the FINDING OF BENEFITS RESOLUTION (attached to Chief Administrative Officer (CAO) report dated January 8, 2007) to allow the CRA to use up to \$2,000,000 in the Reseda-Canoga Park Low and Moderate-Income Housing Trust Funds outside the boundaries of the Reseda-Canoga Park Redevelopment Project Area.

Fiscal Impact Statement: The CAO reports that there is no impact on the General Fund. The CAO further reports that, the CRA is only bound by the City Debt Management Policies; the City Financial Policies are not applicable to the CRA; and the approval of the recommendations will result in the expenditure of \$1,080,000 of Reseda-Canoga Park Redevelopment Project Area Low and Moderate Income Housing Funds for the Council District Three First Time Homebuyers' Program.

ITEM NO. (15) - ADOPTED

07-0015

CD 3

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to authorizing the Community Redevelopment Agency (CRA) to expend \$25,000 for an updated financial analysis and engineering services for the Watts Cinema and Education Center.

Recommendation for Council action:

AUTHORIZE the Acting Chief Executive Officer, CRA, or designee, to:

- a. Expend an additional \$25,000 from Work Objective WC2120 Wattstar Theater in predevelopment funds for the continuation of activities by the Watts Cinema and Education Center as follows:
 - 1) An updated financial analysis and revenue projection to be conducted by CB Richard Ellis in the amount of \$9,000.
 - 2) Additional civil engineering services through Kimley-Horn and Associates in an amount up to \$16,000.
- b. Defer any future disbursement of funds associated with the Wattstar Theater Project until the CRA approves the financing plan for the total development costs.

Fiscal Impact Statement: The Chief Legislative Analyst reports that there is no impact on the City's General Fund as a result of this action.

ITEM NO. (16) - ADOPTED

04-0419

CDs 1, 8, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to 9, 13, 14 amending six Community Development Block Grant (CDBG) contracts to extend the time of & 15 performance for various projects in the Downtown, Hollywood, Central, and South Los Angeles Regions.

Recommendation for Council action:

RECEIVE and FILE the Community Redevelopment Agency report dated October 19, 2006, relative to amending six CDBG contracts to extend the time of performance for various projects in the Downtown, Hollywood, Central, and South Los Angeles Regions, inasmuch as this matter was previously addressed by Council in its actions taken regarding the 2006-07 Consolidated Plan Mid Year Reprogramming (Council file No. 06-0100-S12) on December 20, 2006, and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (17) - ADOPTED

05-0093-S3

CD 9 HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to providing \$117,000 financial assistance to the African American Firefighters Museum in South Los Angeles.

Recommendation for Council action:

RECEIVE and FILE Motion (Perry - Parks), relative to providing \$117,000 financial assistance to the African American Firefighters Museum in South Los Angeles, inasmuch as this matter was previously addressed by Council in its actions taken regarding the 2006-07 Consolidated Plan Mid Year Reprogramming (Council file No. 06-0100-S12) on December 20, 2006, and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (18) - ADOPTED

05-1374

CD 9 HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to providing \$50,000 financial assistance to the Personal Involvement Center, Inc. to continue providing childcare services in South Los Angeles.

Recommendation for Council action:

RECEIVE and FILE Motion (Perry - Parks), relative to providing \$50,000 financial assistance to the Personal Involvement Center, Inc. to continue providing childcare services in South Los Angeles, inasmuch as this matter was previously addressed by Council in its actions taken regarding the 2006-07 Consolidated Plan Mid Year Reprogramming (Council file No. 06-0100-S12) on December 20, 2006, and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (19) - ADOPTED

06-0100-S7

CD 14 HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to negotiating and executing a contract with El Centro de Ayuda for an amount not to exceed \$49,000 for youth services to be provided by Fuego Tech Fire Rangers.

Recommendation for Council action:

RECEIVE and FILE Motion (Huizar - Reyes), relative to negotiating and executing a contract with El Centro de Ayuda for an amount not to exceed \$49,000 for youth services to be provided by Fuego Tech Fire Rangers, inasmuch as this matter was previously addressed by Council in its actions taken regarding the 2006-07 Consolidated Plan Mid Year Reprogramming (Council file No. 06-0100-S12) on December 20, 2006, and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (20) - ADOPTED

06-1762

CD 7 HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to transferring \$161,768 of Community Development Block Grant (CDBG) funds to the Pacoima Revitalization Center Project.

Recommendation for Council action:

RECEIVE and FILE Motion (Padilla - Reyes), relative to transferring \$161,768 of CDBG funds to the Pacoima Revitalization Center Project, inasmuch as this matter was previously addressed by Council in its actions taken regarding the 2006-07 Consolidated Plan Mid Year Reprogramming (Council file No. 06-0100-S12) on December 20, 2006, and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (21) - ADOPTED

06-2153

CD 7 HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to providing \$350,000 of 32nd Year Community Development Block Grant (CDBG) funding to the Initiating Change In Our Neighborhoods Community Development Corporation for a scattered site mixed-use project on Van Nuys Boulevard in the Pacoima Town Center.

Recommendation for Council action:

RECEIVE and FILE Motion (Padilla - Reyes), relative to providing \$350,000 of 32nd Year CDBG funding to the Initiating Change In Our Neighborhoods Community Development Corporation for a scattered site mixed-use project on Van Nuys Boulevard in the Pacoima Town Center, inasmuch as this matter was previously addressed by Council in its actions taken regarding the 2006-07 Consolidated Plan Mid Year Reprogramming (Council file No. 06-0100-S12) on December 20, 2006, and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (22) - ADOPTED

06-2864

CDs 8, 9, 10 & 15 HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the reprogramming and expenditure of Community Development Block Grant (CDBG) funds to support various redevelopment projects in the South Los Angeles, Downtown, Hollywood, and Central Regions.

Recommendation for Council action:

RECEIVE and FILE the Community Redevelopment Agency report dated November 16, 2006, relative to the reprogramming and expenditure of CDBG funds to support various redevelopment projects in the South Los Angeles, Downtown, Hollywood, and Central Regions, inasmuch as this matter was previously addressed by Council in its actions taken regarding the 2006-07 Consolidated Plan Mid Year Reprogramming (Council file No. 06-0100-S12) on December 20, 2006, and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (23) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS - SEE FOLLOWING

06-3105

COMMUNICATION FROM THE MAYOR relative to a six-month extension of Mr. Ken Simmons' temporary appointment as the Interim General Manager of the Information Technology Agency.

Recommendation for Council action:

RESOLVE that the Mayor's six-month extension of the temporary appointment of Mr. Ken Simmons as the Interim General Manager of the Information Technology Agency, to July 24, 2007, is APPROVED and CONFIRMED.

TIME LIMIT FILE - JANUARY 24, 2007

(LAST DAY FOR COUNCIL ACTION - JANUARY 24, 2007)

(Information Technology and General Services Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comments will be provided.)

(For background reports and materials related to this matter, contact the Legislative Assistant for the Information Technology and General Services Committee at 213-978-1071.)

ADOPTED

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to a six-month extension of Mr. Ken Simmons' temporary appointment as the Interim General Manager of the Information Technology Agency.

Recommendation for Council action:

RESOLVE that the Mayor's six-month extension of the temporary appointment of Mr. Ken Simmons as the Interim General Manager of the Information Technology Agency, to July 24, 2007, is APPROVED and CONFIRMED.

ITEM NO. (24) - ADOPTED

06-3259

PERSONNEL COMMITTEE REPORT relative to Amendment No. 5 to the 2004-07 Management Employees Unit Memorandum of Understanding (MOU) to provide salary adjustments for the classes of Chief Port Pilot and Pilot Service Manager.

Recommendation for Council action:

APPROVE Amendment No. 5 to the 2004-07 Management Employees Unit MOU 36 to provide salary adjustments for the classes of Chief Port Pilot and Pilot Service Manager.

Fiscal Impact Statement: The City Administrative Officer reports that there is no General Fund impact. The cost of the salary increases and the incentive pay will be paid by the Harbor Department. The annual on-going cost is approximately \$192,780.

**Roll Call #1 - Motion (Rosendahl - Huizar) Adopted to Continue, Unanimous Vote (12); Absent: LaBonge and Weiss (2)
(Item Nos. 25-26)**

ITEM NO. (25) - CONTINUED TO JANUARY 31, 2007

05-0970-S1

CD 11 FINAL ENVIRONMENTAL IMPACT (FEIR) REPORT AND PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an appeal on Conditional Use Permit and Height Adjustment for property at 16100 West Mulholland Drive.

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

1. CERTIFY that the FEIR (ENV No. 2003-4563 FEIR; State Clearing House No. 2003101055) has been completed in compliance with the California Environmental Quality Act, the State Guidelines and the City Guidelines and that the City Council has reviewed the information contained therein and considered it along with other factors related to this project; that this determination reflects the independent judgment of the lead agency in the City of Los Angeles; and that the documents constituting the record of proceedings in this matter are located in Council file No. 05-0970-S1 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section.
2. ADOPT the FINDINGS of the City Planning Commission as the Findings of the Council.
3. ADVISE the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented throughout the life of the project, and that the City may require any necessary fees to cover the cost of such monitoring.
4. ADVISE the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or other Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination filing.
5. RESOLVE to DENY APPEAL filed by Bel Air Skycrest Property Owners Association (Linda Taheripour, Representative), from the entire decision of the City Planning Commission, and THEREBY APPROVE a Conditional Use Permit for the removal of an existing temporary structure and development of a new athletic field in connection with a private middle school in the RE40-1-H Zone, subject to Conditions of Approval, as modified by the Planning Commission, and as further modified by the Planning and Land Use Management Committee and attached to the Committee report. The Commission also approved Height Adjustment to permit a six foot high fence within the front yard in lieu of the maximum 42-inch height otherwise permitted and a ten-foot high fence in the rear and westerly side yard in lieu of the maximum six-foot height otherwise permitted, for property at 16100 West Mulholland Drive, subject to Conditions of Approval, as modified by the Planning Commission, and as further modified by the Planning and Land Use Management Committee and attached to the Committee report.

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

TIME LIMIT FILE - FEBRUARY 5, 2007

(LAST DAY FOR COUNCIL ACTION - FEBRUARY 2, 2007)

ITEM NO. (26) - CONTINUED TO JANUARY 31, 2007

05-0970-S2

CD 5 FINAL ENVIRONMENTAL IMPACT (FEIR) REPORT AND PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an appeal on Conditional Use Permit and Height Adjustment for property at 15900 West Mulholland Drive.

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

1. CERTIFY that the FEIR (ENV No. 2003-4563 FEIR; State Clearing House No. 2003101055) has been completed in compliance with the California Environmental Quality Act, the State Guidelines and the City Guidelines and that the City Council has reviewed the information contained therein and considered it along with other factors related to this project; that this determination reflects the independent judgment of the lead agency in the City of Los Angeles; and that the documents constituting the record of proceedings in this matter are located in Council file No. 05-0970-S2 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section.
2. ADOPT the FINDINGS of the City Planning Commission as the Findings of the Council.
3. ADVISE the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented throughout the life of the project, and that the City may require any necessary fees to cover the cost of such monitoring.
4. ADVISE the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or other Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination filing.
5. RESOLVE to DENY APPEAL filed by Bel Air Skycrest Property Owners Association (Linda Taheripour, Representative), from the entire decision of the City Planning Commission, and THEREBY APPROVE a Conditional Use Permit for a private middle and high school in the RE40-1-H Zone, for the proposed consolidation of the Stephen S. Wise Middle School and Milken Community High School by relocating the middle school from its current location at 16190 West

Mulholland Drive to a permanent location on the high school site at 15900 West Mulholland Drive, subject to Conditions of Approval, as modified by the Planning Commission, and as further modified by the Planning and Land Use Management Committee and attached to the Committee report. The Planning Commission also approved a Height Adjustment for this project to permit a retaining wall varying in height from zero to 20 feet in the required rear yard along Sepulveda Boulevard in lieu of the maximum eight foot wall which is otherwise permitted, subject to Conditions of Approval, and as further modified by the Planning and Land Use Management Committee, and attached to the Committee report. Development of the middle school would consist of construction of 30,000 square feet of classroom and ancillary space in four single-story, maximum 18 ½ foot buildings. The project proposes improvements to the existing high school structure by enclosing three balconies and adding a canopy to the school entrance and along walkways. In addition, the project will provide 42 parking spaces on a 196,020 square foot irregular shape lot. The consolidated middle school and high school would serve approximately 890 students, grades seven through twelve, with regular school hours from 7:30 a.m. to 2:30 p.m.

Applicant: Stephen S. Wise Temple

CPC 2006-1527 CU ZAA

6. INSTRUCT the Department of Transportation to prepare a study relative to determine if a guardrail is needed at the blind curve near the end of Mulholland Drive, and REQUIRE that if a guardrail is needed, that the applicant will fund the project.

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

TIME LIMIT FILE - FEBRUARY 5, 2007

(LAST DAY FOR COUNCIL ACTION - FEBRUARY 2, 2007)

ITEM NO. (27) - ADOPTED

Roll Call #5 - Motion (Perry - Greuel) Adopted, Ayes (12); Absent: LaBonge and Weiss (2)

06-1373

CD 5 MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an appeal on a haul route for the export of 5,500 cubic yards of soil for property at 8538-50 West Lookout Mountain Avenue.

Recommendations for Council action:

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the lead agency in the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 06-1373 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV 2006-6085 MND] filed on September 8, 2006.

2. ADOPT the FINDINGS of the Board of Building and Safety Commissioners as the Findings of the Council.
3. RESOLVE TO DENY APPEAL filed by Hillside Federation/Lookout Mountain Alliance (Jim and Randi Moore, Representatives) and Michael Bykov, Applicant (Silvia Saucedo, Greenberg, Glusker Fields, Claman & Machtinger LLP, Representative) from part of the determination of the Board of Building and Safety Commissioners, THEREBY APPROVE an application to export 5,500 cubic yards of soil from property at 8538-8550 West Lookout Mountain Avenue, subject to Conditions of Approval.

Applicant: Michael Bykov

BF 060141

4. INSTRUCT the Department of Building and Safety to report back to the Planning and Land Use Management Committee within 30 days relative to the applicant's compliance with the Conditions of Approval.
5. ADVISE the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination filing.

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

TIME LIMIT FILE - JANUARY 29, 2007

(LAST DAY FOR COUNCIL ACTION - JANUARY 26, 2007)

ITEM NO. (28) - CONTINUED TO FEBRUARY 21, 2007

Roll Call #2 - Motion (Greuel - Reyes) Adopted to Continue, Unanimous Vote (12); Absent: LaBonge and Weiss (2)

06-3051

CD 2

SPECIFIC PLAN EXCEPTION APPEAL filed by Commerce Owners and Business Restoration Associates (COBRA), Inc. (Elaine Brown/ Vice President, Representative), from the entire determination of the North Valley Area Planning Commission in approving: (1) a Specific Plan Exception to permit the location of a wireless telecommunication facility along a designated Scenic

Highway within the Foothill Corridor Specific Plan; (2) a Specific Plan Exception to permit a wireless telecommunication monopine structure, having a maximum height of 51 feet; and (3) a Project Permit Compliance with the Foothill Corridor Specific Plan, all for property at 10189 North Tujunga Canyon Boulevard, subject to Conditions of Approval.

(Planning and Land Use Management Committee report to be submitted in Council. If a public hearing is not held in Committee, an opportunity for public comment will be provided.)

(For copies of related, staff-generated reports for this matter, please contact the Legislative Assistant for the Planning and Land Use Management Committee at 213-978-1068.)

TIME LIMIT FILE - JANUARY 29, 2007

(LAST DAY FOR COUNCIL ACTION - JANUARY 26, 2007)

**Roll Call #5 - Motion (Perry - Greuel) Adopted, Ayes (12); Absent: LaBonge and Weiss (2)
(Item Nos. 29-32)**

ITEM NO. (29) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATION

06-1248-S2

PUBLIC SAFETY COMMITTEE REPORT relative to the Supplemental Police Account quarterly report for July 2006 through September 2006.

Recommendation for Council action:

NOTE and FILE the Los Angeles Police Commission report relative to the Supplemental Police Account quarterly report for July 2006 through September 2006, inasmuch as the report was submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (30) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATION

06-3065

PUBLIC SAFETY COMMITTEE REPORT relative to the Public Safety Systems Project status report for April 18, 2006 through November 30, 2006.

Recommendation for Council action:

NOTE and FILE the Public Safety Systems Project status report for April 18, 2006 through November 30, 2006, inasmuch as the report was submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (31) - ADOPTED

06-0100-S6

ARTS, PARKS, HEALTH AND AGING and BUDGET AND FINANCE COMMITTEES' REPORT relative to amending current Community Based Development Organization funded contracts to reflect recent allocation of Urban Development Action Grant (UDAG) and general funds.

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

APPROVE the recommendations of the City Administrative Officer (CAO), as shown in the CAO report to the Mayor and Council dated November 17, 2006, attached to the Committee report, relative to amending current Community Based Development Organization funded contracts to reflect recent allocation of UDAG and general funds.

Fiscal Impact Statement: The CAO reports that the adoption of the recommendations will have no additional impact on the General Fund. The report recommendations comply with City Financial Policies in that a combined total of \$2.7 million in City General Fund, Older American Act, UDAG and Community Development Block Grant (CDBG) monies will fully fund the Legal Services and Adult Day Support Center service contracts, administered by the Department of Aging (AGE).

In accordance with prior Council action taken in this matter (Council files Nos. 06-0100-S6 and 06-0100-S9), a total of \$1.19 million in CDBG monies awarded through the 32nd Program Year Consolidated Plan will be replaced with \$932,141 in UDAG monies and \$262,665 in City General Funds. Provided that additional AGE service providers obtain certification, the impact to the General Fund would be reduced by an amount not yet determined.

ITEM NO. (32) - ADOPTED

06-2921

CD 15

NEGATIVE DECLARATION AND ENERGY AND ENVIRONMENT and PUBLIC WORKS COMMITTEES' REPORT relative to the Terminal Island Renewable Energy (TIRE) Project.

Recommendations for Council action:

1. FIND that the Negative Declaration for the TIRE Project (State Clearing House No. 2006081100) located at the Terminal Island Wastewater Treatment Plant, 445 Ferry Street, San Pedro, California 90731 (BE 649-06) prepared by the City of Los Angeles/Bureau of Engineering's Environmental Management Group complies with the California Environmental Quality Act of 1970, pursuant to the City of Los Angeles Environmental Guidelines and further FIND that on the basis of the whole record, that there is no substantial evidence that the Project will have a significant effect on the environment filed on July 26, 2006.
2. FIND that the Negative Declaration as detailed above in Recommendation No. 1 and attached to the Council file reflects the City's independent judgement and analysis.
3. ADOPT the Negative Declaration as described above in Recommendation No. 1 and attached to the Council file.

4. APPROVE the TIRE Project as described by the Initial Study dated October 16, 2006 and attached to the Council file.

Fiscal Impact Statement: The Board of Public Works reports that funding for the TIRE Project including contingencies totals \$3,036,000. Funds may be drawn from the Sewer Capital Fund 761, the WW System Commercial Paper A Construction Fund 70W, or any future funds established as a result of commercial paper or bond sales, at the discretion of the Director of the Bureau of Sanitation or designee. The funding amount and sources are as stated in the TIRE Project Board Report adopted by the Board on March 13, 2006 and attached to the Council file.

Items for Which Public Hearings Have Not Been Held - Items 33-36

(10 Votes Required for Consideration)

ITEM NO. (33) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

Roll Call #6 - Motion (Reyes - Garcetti) Adopted, Ayes (12); Absent: LaBonge and Weiss (2)

06-2593

CD 13

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of SANTA MONICA BOULEVARD AND HELIOTROPE DRIVE LIGHTING DISTRICT.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated October 24, 2006.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of MARCH 28, 2007, as the hearing date for the maintenance of Santa Monica Boulevard and Heliotrope Drive Lighting District, in accordance with Proposition 218, Articles XIII C and XIII D of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$26,997.22 will be collected annually starting with tax year 2007-08 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: March 19, 2007)

ITEM NO. (34) - CONTINUED TO JANUARY 26, 2007

Roll Call #3 - Motion (Garcetti - Zine) Adopted to Continue, Unanimous Vote (12); Absent: LaBonge and Weiss (2)

06-0362-S2

CONTINUED CONSIDERATION OF COMMUNICATION FROM THE CITY CLERK, CERTIFICATION OF SUFFICIENCY OF REFERENDUM PETITION, RESOLUTIONS and ORDINANCES FIRST CONSIDERATION relative to petition to repeal Ordinance No. 178082 relating to requiring LAX-area hotels to pay certain hotel service workers a living wage.

Recommendation for Council action:

That the Council take ONE of the following two actions:

1. PRESENT and ADOPT the accompanying ORDINANCE, SUBJECT TO THE APPROVAL OF THE MAYOR, repealing Ordinance No. 178082.

OR

2. ADOPT the following recommendations in connection with submitting Ordinance No. 178082 to the voters at the City's regularly scheduled election on May 15, 2007:

- a. ADOPT the accompanying RESOLUTION, providing in response to a referendary petition, Ordinance No. 178082 relating to living wage requirements at LAX-area hotels, be submitted to the qualified voters of the City of Los Angeles at a Special Election to be called on May 15, 2007, and consolidated with the General Municipal Election to be held on the same date.

- b. ADOPT the accompanying BALLOT TITLE RESOLUTION:

REFERENDUM UPON ESTABLISHING A LIVING WAGE FOR CERTAIN HOTEL WORKERS IN LAX-AREA HOTELS.
REFERENDUM ORDINANCE ____.

Shall an ordinance amending Chapter XVIII of the Los Angeles Municipal Code and adding Article 2 to Chapter XVIII of the Los Angeles Municipal Code to require LAX-area hotels to pay certain hotel service workers a living wage be adopted?

- c. PRESENT and ADOPT the accompanying ORDINANCE, SUBJECT TO THE APPROVAL OF THE MAYOR, calling a Special Election to be held on Tuesday, May 15, 2007, for the purpose of submitting to the qualified voters of the City of Los Angeles a certain ordinance, and to consolidate this Special Election with the City's regularly scheduled General Municipal Election to be held on the same date.

Fiscal Impact Statement: The City Clerk reports that the City will incur a cost of approximately \$3,000,000 if the Council chooses to put Ordinance No. 178082 to a referendum vote at the May 15, 2007 General Municipal Election. The exact cost will depend on which, if any, run-off races are left on the ballot after the Primary Nominating Election of March 6, 2007.

TIME LIMIT FILE - PURSUANT TO CHARTER SECTION 462

Council must take one of the above actions within 20 days of presentation of the Certificate of Sufficiency of the Referendum Petition

LAST DAY FOR COUNCIL ACTION - JANUARY 31, 2007

(Continued from Council meeting of January 19, 2007)

ITEM NO. (35) - ADOPTED

Roll Call #9 - Motion (Perry - Huizar) Adopted, Ayes (13); Absent: Weiss (1)

07-0005-S45

et al. RESOLUTIONS relative to removing various properties from the Rent Escrow Account Program.

Recommendation for Council action:

ADOPT the accompanying RESOLUTIONS removing the following properties from the Rent Escrow Account Program (REAP), inasmuch as the owner(s) have 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 January 17, 2007:

07-0005-S45

CD 9 a. Property at 5013 South Wall Street (Case No. 6303).
Assessor I.D. No. 5109-004-035

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 27, 2006)

07-0005-S46

CD 14 b. Property at 309 North Newland Street (Case No. 19151).
Assessor I.D. No. 5493-001-013

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 18, 2006)

07-0005-S47

CD 9 c. Property at 147 East 78th Street (Case No. 22060).
Assessor I.D. No. 6022-007-028

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 14, 2006)

07-0005-S48

CD 10 d. Property at 2426 South Cochran Avenue (Case No. 27789).
Assessor I.D. No. 5063-008-088

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on December 19, 2006)

07-0005-S49

CD 8 e. Property at 144 East 97th Street (Case No. 45935).
Assessor I.D. No. 6052-003-017

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on December 6, 2006)

07-0005-S50

CD 2 f. Property at 13334 West Vanowen Street (Case No. 75297).
Assessor I.D. No. 2329-020-023

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on September 13, 2006)

ITEM NO. (36) - MOTION ADOPTED TO APPROVE COMMUNICATIONS RECOMMENDATION

Roll Call #10 - Motion (Smith - Zine) Adopted, Ayes (12); Absent: Parks and Weiss (2)

06-2789

COMMUNICATION FROM VICE CHAIR AND MEMBER, BUDGET AND FINANCE COMMITTEE and COMMUNICATION FROM CHAIR, PERSONNEL COMMITTEE relative to codifying the practice of the Fire and Police Pension System (FPPS) to reimburse Medicare Part B premiums and to address changes in the Medicare Program that went into effect on January 1, 2007.

Recommendation for Council action:

REQUEST the City Attorney to prepare the necessary ordinances authorizing Medicare Part B basic premium reimbursement for FPPS retirees and clarifying the definition of Medicare Part B basic premium for all Los Angeles City Employees Retirement System and FPPS retirees.

Fiscal Impact Statement: None submitted by the City Administrative Officer. The Chief Legislative Analyst has not completed a financial analysis of this report.

Items Called Special

Motions for Posting and Referral

Councilmembers' Requests for Excuse from Attendance at Council Meetings

Closed Sessions - Items 37-39

ITEM NO. (37) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #11 - Motion (Greuel - LaBonge) Adopted in Open Session, Ayes (11); Absent: Huizar, Parks and Reyes (3)

06-1565

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to settlement in the case entitled Jim Tatreau, Richard Bonneau, and Richard Wemmer v. City of Los Angeles, Los Angeles Police Department, and Bernard C. Parks, United States District Court Case No. CV 02-06436 ER(PJW)(Ctx) (plaintiffs' allege that they were wrongly passed over for Commander on a promotional list).

(Budget and Finance Committee considered the above matter in Closed Session on January 8, 2007)

(Continued from Council meeting of January 19, 2007)

ADOPTED

MOTION (GREUEL - LABONGE)

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

- 1. AUTHORIZE the City Attorney to expend \$650,000 in partial settlement of the case entitled Jim Tatreau, Richard Bonneau, and Richard Wemmer v. City of Los Angeles, Los Angeles Police Department, and Bernard C. Parks, United States District Court Case No. CV 02-06436 ER(PJW)(Ctx) from City Attorney Fund 100, Department 59, Account No. 9770.**
- 2. AUTHORIZE the City Attorney to draw the necessary demand thereon in said amount payable to Hadsell and Stormer, LLP and Jim Tatreau.**

This matter was approved by the Budget and Finance Committee (Greuel - Smith - Huizar "yes"; Rosendahl "no"; Parks recused himself) at its meeting of January 8, 2007, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (38) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #12 - Motion (Parks - Greuel) Adopted in Open Session, Ayes (9); Noes: Rosendahl, Smith and Zine (3); Absent: Huizar and Reyes (3)

06-3050

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to settlement in the case entitled Joseph Lankau v. City of Los Angeles, Workers' Compensation Appeals Board Case Nos. VNO405722, et al., Claim Nos. 9003-1999-0689, et al. (plaintiff alleges personal injuries sustained during the course and scope of employment with the Los Angeles Fire Department).

(Budget and Finance Committee considered the above matter in Closed Session on January 8, 2007)

(Continued from Council meeting of January 19, 2007)

ADOPTED

MOTION (PARKS - GREUEL)

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

1. **AUTHORIZE the City Attorney to enter into a settlement in the case entitled Joseph Lankau v. City of Los Angeles, Workers' Compensation Appeals Board Case Nos. VNO405722, et al., Claim Nos. 9003-1999-0689, et al. through a Stipulated Award for 87 percent (%) permanent disability or \$133,285.00, plus a life pension thereafter of \$101,479.00 payable at \$104.36 per week.**
2. **AUTHORIZE the City Attorney to execute the Stipulated Award with all appropriate parties for submission to the Workers' Compensation Appeals Board for its award of payment.**

This matter was approved by the Budget and Finance Committee (Parks - Greuel - Smith - Huizar - "yes") at its meeting of January 8, 2007, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (39) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #13 - Motion (Smith - Greuel) Adopted in Open Session, Ayes (10); Absent: Huizar, Parks, Reyes and Zine (4)

06-3255

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to judgements and settlements in the cases entitled Baltimore Construction, Inc., et al., v. City of Los Angeles, et al., Los Angeles Superior Court Case Nos. BC 262394, et al. (involves construction disputes at the Denker Recreation Center New Community Building and the Ross Snyder Recreation Center New Community Building).

(Budget and Finance Committee considered the above matter in Closed Session on January 8, 2007)

(Continued from Council meeting of January 19, 2007)

ADOPTED

MOTION (SMITH - GREUEL)

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

1. **AUTHORIZE the City Attorney to expend \$217,960.52 in judgements and settlements of the cases entitled Baltimore Construction Inc., et al., v. City of Los Angeles, et al., Los Angeles Superior Court (LASC) Case Nos. BC 262394, et al., from:**
 - a. **Proposition K Fund 43K, Account R241** **\$108,840.95**
 - b. **Proposition K Fund 43K, Account S239** **\$34,781.31**
 - c. **City Attorney Fund No. 100, Department 59, Account** **\$74,338.26**

2. **AUTHORIZE the City Attorney to draw the necessary demands thereon in the following amounts payable to:**
 - a. **Magnum Plumbing, Inc, LASC No. BC 262394** **\$29,219.91**
 - b. **Tower Steel Corp., LASC No. BC 262394** **\$36,750.00**
 - c. **JP Construction & Electric, LASC No. BC 262394** **\$85,000.00**
 - d. **Associated Ready Mixed Concrete, Inc., LASC No.** **\$10,293.93**
 - e. **A&A Ready Mixed Concrete, Inc., LASC No. 02K04909** **\$1,324.68**
 - f. **Angelus Block Co., Inc., LASC No. BC269831** **\$20,372.00**
 - g. **Star-Wes Roofing, Inc., LASC No. BC 268969** **\$35,000.00**

3. **AUTHORIZE the City Attorney, on behalf of the City, to accept Baltimore's offer of mutual dismissals in Baltimore Construction, Inc., LASC No. BC 262394.**

4. **AUTHORIZE the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer, and AUTHORIZE the Controller to implement those instructions.**

This matter was approved by the Budget and Finance Committee (Parks - Greuel - Smith "yes") at its meeting of January 8, 2007, in Closed Session as permitted by Government Code Section 54956.9(a).

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

07-0192

MOTION (PARKS - LABONGE) relative to declaring the dedication of the Dr. Cecil L. "Chip" Murray Circle on January 28, 2007 a Special Event (fees and costs absorbed by the City = \$2,890).

07-0191

MOTION (SMITH - REYES) relative to declaring the American Cancer Society, Relay for Life on June 2-3, 2007 a Special Event (fees and costs absorbed by the City = \$1,542).

05-0852

MOTION (REYES - PERRY) relative to declaring the Sidewalk Sale in Lincoln Heights on February 2-4, 2007 a Special Event (fees and costs absorbed by the City = \$4,500).

07-0190

MOTION (PERRY - LABONGE) relative to declaring the Music Center Speaker Series on January 29, 2007 a Special Event (event sponsor to reimburse the City for all fees and costs incurred).

06-0010-S26

MOTION (HUIZAR - PARKS) relative to reinstating the reward offer in the death of Emmery Muñoz for an additional 60 days.

05-0010-S61

MOTION (WESSON - WEISS) relative to reinstating the reward offer in the death of Demariya Grant for an additional 60 days.

07-0010-S1

MOTION (PARKS - HUIZAR) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Anthony Fountain, Jr., on May 15, 2006.

04-0977

MOTION (ROSENDAHL - PERRY) relative to initiating street vacation proceedings for the vacation of the First Street and Main Street Vacation District (Air Space Vacation).

07-0188

MOTION (ROSENDAHL - WEISS) relative to initiating street vacation proceedings for a portion of the northwesterly side of Camino de la Cumbre from approximately 150 feet southwesterly thereof.

07-0189

MOTION (ROSENDAHL - ZINE) relative to initiating street vacation proceedings for the East-West alley easterly of Balboa Boulevard and northerly of Vanowen Street.

07-0187

MOTION (ROSENDAHL - ZINE) relative to initiating street vacation proceedings for a portion of the northwesterly side of St. Paul Avenue between Wilshire Boulevard and Sixth Street.

07-0186

MOTION (ROSENDAHL - ZINE) relative to initiating street vacation proceedings for a portion of the easterly side of Canoga Avenue from Wyandotte Street to approximately 285 feet northerly thereof.

07-0185

MOTION (ROSENDAHL - ZINE) relative to initiating street vacation proceedings for a portion of the southeasterly side of St. Paul Avenue between Wilshire Boulevard and Sixth Street.

07-0011-S2

MOTION (GARCETTI - LABONGE) relative to the installation of security cameras in several locations throughout Council District 13.

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

07-0018 - Amy Weiss

(Hahn)

Ayes, Cardenas, Greuel, Hahn, LaBonge, Parks, Perry, Rosendahl, Smith, Weiss, Wesson, Zine and President Garcetti (12); Absent: Huizar and Reyes (2). Council District Seven Vacant.

Whereupon the Council did adjourn.

ATTEST: Frank T. Martinez, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL