

Los Angeles City Council, **Journal/Council Proceedings**

Friday, **April 13, 2007**

John Ferraro Council Chamber, Room 340, City Hall - 10:30 am

- - - SPECIAL COUNCIL MEETING - - -

10:30 A.M. OR AS SOON THEREAFTER
AS COUNCIL RECESSES ITS REGULAR MEETING

ROLL CALL - Members present: Alarcon, Hahn, Huizar, LaBonge, Parks, Perry, Rosendahl, Smith, Weiss, Wesson, Zine and President Garcetti (12); Absent: Cardenas, Greuel and Reyes (3).

ROLL CALL NUMBER (#) - INDICATES THE ORDER IN WHICH THE ITEMS WERE ACTED UPON DURING THE COUNCIL MEETING

Items for Which Public Hearings Have Been Held - Items 18-19

ITEM NO. (18) - ADOPTED

Roll Call #1 - Motion (LaBonge - Zine) Adopted, Ayes (12); Absent: Cardenas, Greuel and Reyes (3)

[07-0354-S1](#)

CD 4 CATEGORICAL EXEMPTION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to establishing the boundaries of the proposed Windsor Square Historic Preservation Overlay Zone (HPOZ).

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

1. FIND that this action is categorically exempt from the California Environmental Quality Act (CEQA), pursuant to Article 19, Section 15308 and 15331, Class 8 and 31 of the State's CEQA Guidelines.
2. ADOPT the FINDINGS of the City Planning Commission (CPC) as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE dated April 11, 2007, approved by the Director of Planning (acting on behalf of the CPC), relative to establishing the boundaries of the proposed Windsor Square HPOZ for an area generally bounded by Beverly Boulevard on the north, both sides of Van Ness Avenue on the east, the rear property lines of the commercially zoned properties along Wilshire Boulevard on the south, and both sides of Arden Boulevard on the west, but excluding commercially and multi-family-R-3 zoned lots, pursuant to Motion (LaBonge - Reyes).

Applicant: City of Los Angeles

CPC 2007-660 HPOZ MSC

4. NOT PRESENT and ORDER FILED the Ordinance signed by the CPC on March 22, 2007.

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

URGENCY CLAUSE - 12 VOTES REQUIRED

ITEM NO. (19) - ADOPTED - TO THE MAYOR FORTHWITH

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

07-0577

BUDGET AND FINANCE COMMITTEE REPORT relative to additional resources for pending litigation.

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

1. AUTHORIZE the Controller to unencumber \$428,667.03 in funds from prior-year contracts in Fund 100/12, Account Nos. 9301 and 3040 from the following contracts:

Liebert Cassidy and Whitmore (CO6096442A)	\$ 923.79
Albright Yee and Schmit (CO6104949A)	18,373.46
Horvitz and Levy (CO6104895A)	19,329.99
DLA Piper Rudnick (CO5042566M)	211,787.50
Jackson Lewis (CO5108233A)	72,593.37
Quinn Emanuel (CO5106032A)	94,287.35
Danning Gill (AE1101006M)	<u>11,371.57</u>
Total	\$428,667.03

2. REQUEST the City Attorney to review their accounts for any additional funds that can be unencumbered and appropriated for future Outside Counsel needs.
3. TRANSFER \$264,000 from the Liability Claims Fund 100/59, Account No. 9770, to City Attorney Fund 100/12, Account No. 9301, City Attorney Outside Counsel, for the law firm of Baker and Hostetler to assist with the case entitled Magnandonovan v. City of Los Angeles, Case No. BC 286908.
4. TRANSFER \$425,000 from the Liability Claims Fund 100/59, Account No. 9770, to City Attorney Fund 100/12, Account No. 9301, City Attorney Outside Counsel, for the law firm of Bannan, Green, Frank and Terzian to assist with the case entitled Grobesson v. City of Los Angeles, Los Angeles Superior Court (LASC) Case No. BC 150151.
5. TRANSFER \$140,000 from the Liability Claims Fund 100/59, Account No. 9770, to City Attorney Fund 100/12, Account No. 9301, City Attorney Outside Counsel, for the law firm of Colantuono, Levin and Rozell to assist with the cases entitled Ardon v. City of Los Angeles, BC 363959 and TracFone Wireless, Inc., v. City of Los Angeles, LASC Case No. BC 363735.

6. APPROPRIATE \$106,200 from the Unappropriated Balance, Fund No. 100/58, Account No. 0197, City Attorney Outside Counsel, to Fund No. 100/12, Account No. 9301, City Attorney Outside Counsel and TRANSFER \$17,550 from the Liability Claims Fund 100/59, Account No. 9770 to City Attorney Fund 100/12, Account No. 9301, for the law firm of Liebert, Cassidy and Whitmore to assist with the case entitled Alaniz v. City of Los Angeles, United States District Court (USDC) Case No. CV 04-8592.
7. TRANSFER \$142,500 from the Liability Claims Fund 100/59, Account No. 9770, to City Attorney Fund 100/12, Account No. 9301, City Attorney Outside Counsel, for the law firm of Liebert, Cassidy and Whitmore to assist with the case entitled James Nolan v. City of Los Angeles, USDC Case No. CV 03-2109.
8. TRANSFER \$63,750 from the Liability Claims Fund 100/59, Account No. 9770, to City Attorney Fund 100/12, Account No. 9301, City Attorney Outside Counsel, for the law firm of Liebert, Cassidy and Whitmore to assist with the cases entitled Vucinich et al., v. City of Los Angeles, LASC Case No. 344551 and Achan et al., v. City of Los Angeles, USDC Case No. CV 04-4334.
9. TRANSFER \$120,000 from the Liability Claims Fund 100/59, Account No. 9770, to City Attorney Fund 100/12, Account No. 9301, City Attorney Outside Counsel, for the law firm of Liebert, Cassidy and Whitmore to assist with the case entitled Haro v. City of Los Angeles, Case No. CV 02-9587.
10. TRANSFER \$117,000 from the Liability Claims Fund 100/59, Account No. 9770, to City Attorney Fund 100/12, Account No. 9301, City Attorney Outside Counsel, for the law firm of Albright Yee and Schmit to assist with the case entitled Nunez v. City of Los Angeles, Case No. CV 06-6390 ABC.
11. TRANSFER \$112,500 from the Liability Claims Fund 100/59, Account No. 9770, to City Attorney Fund 100/12, Account No. 9301, City Attorney Outside Counsel, for the law firm of Ivie, McNeill and Wyatt to assist with the case entitled Lee v. City of Los Angeles, Case No. BC 336783.
12. TRANSFER \$75,000 from the Liability Claims Fund 100/59, Account No. 9770, to City Attorney Fund 100/12, Account No. 9301, City Attorney Outside Counsel, for the law firm of Adorno Yoss to assist with the case entitled SVW De Vera v. City of Los Angeles, Case No. CV 06-8225 SVW.
13. TRANSFER \$75,000 from the Liability Claims Fund 100/59, Account No. 9770, to City Attorney Fund 100/12, Account No. 9301, City Attorney Outside Counsel, for the law firm of Lewis Brisbois to assist with the case entitled Burns and Stewart v. City of Los Angeles, Case No. BC 361142.
14. TRANSFER \$75,000 from the Liability Claims Fund 100/59, Account No. 9770, to City Attorney Fund 100/12, Account No. 9301, City Attorney Outside Counsel, for the law firm of Albright Yee and Schmit to assist with the case entitled Tso v. City of Los Angeles, Case No. BC 365396.
15. TRANSFER \$131,250 from the Liability Claims Fund 100/59, Account No. 9770, to City Attorney Fund 100/12, Account No. 9301, City Attorney Outside Counsel, for the law firm of Liebert, Cassidy and Whitmore to assist with the case entitled Gravina v. City of Los Angeles, Case No. BC 356014.

16. TRANSFER \$15,000 from the Liability Claims Fund 100/59, Account No. 9770, to City Attorney Fund 100/12, Account No. 9301, City Attorney Outside Counsel, for the law firm of Kauff, McClain and McGuire to assist with the case entitled Magnandonovan v. City of Los Angeles, Case No. BC 286908.
17. TRANSFER \$375,000 from the Liability Claims Fund 100/59, Account No. 9770, to City Attorney Fund 100/12, Account No. 9301, City Attorney Outside Counsel, for the law firm of Orrick Herrington to assist with the cases entitled Ardon v. City of Los Angeles, Case No. BC 363959 and TracFone Wireless, Inc., v. City of Los Angeles, Case No. BC 363735.
18. TRANSFER \$75,000 from the Liability Claims Fund 100/59, Account No. 9770, to City Attorney Fund 100/12, Account No. 9301, City Attorney Outside Counsel, for the law firm of Squire Sanders to assist with the case entitled Gray v. City of Los Angeles, Case No. BC 364899.
19. AUTHORIZE the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer (CAO), and AUTHORIZE the Controller to implement the instructions.
20. INSTRUCT the CAO to refer to the Executive Employee Relations Committee the group of cases involving employment law, including Fair Labor Standard Act cases, for discussion of the relevant larger issues.

Fiscal Impact Statement: The CAO reports that the recommended amount of \$2,329,750 will be funded from: 1) available funds in the Unappropriated Balance, City Attorney Outside Counsel Including Workers' Compensation line item (\$106,200); and 2) Liability Claims (\$2,223,550); \$428,667.03 in funds from prior-year contracts in Fund 100/12, Account Nos. 9301 and 3040 will be unencumbered and reverted to the Reserve Fund. These recommendations are in compliance with the City's Financial Policies.

(Council may recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to the above matter)

Item for Which Public Hearing Has Not Been Held - Item 20

(10 Votes Required for Consideration)

ITEM NO. (20) - ADOPTED

Roll Call #2 - Motion (Hahn - Parks) Adopted, Ayes (10); Absent: Cardenas, Greuel, Reyes, Smith and Wesson (5)

07-1112

CONSIDERATION OF RESOLUTION (HAHN - PARKS) relative to the grocery union labor dispute.

Recommendation for Council action:

RESOLVE that the City of Los Angeles City Council strongly endorse the efforts of both the grocery companies and the grocery workers union to reach a just and decent contract for all parties involved in this labor dispute.

(Housing, Community and Economic Development Committee waived consideration of the above matter)

Councilmember LaBonge moved, seconded by Councilmember Alarcon, that the Special Council meeting adjourn.

Ayes, Alarcon, Huizar, LaBonge, Parks, Perry, Rosendahl, Weiss, Wesson, Zine and President Garcetti (10); Absent: Cardenas, Greuel, Hahn, Reyes and Smith (5).

Whereupon the Special Council meeting did adjourn.

ATTEST: Frank T. Martinez, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL