

Los Angeles City Council, **Journal/Council Proceedings**
Tuesday, **May 29, 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: Alarcon, Cardenas, Hahn, Huizar, LaBonge, Parks, Perry, Reyes, Rosendahl, Smith, Wesson, Zine and President Garcetti (13); Absent: Greuel and Weiss (2).

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
MAY 23, 2007

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

Item Noticed for Public Hearing - Item 1

ITEM NO. (1) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

Roll Call #4 - Motion (Reyes - Huizar) Adopted, Ayes (14); Absent: Weiss (1)

[07-1205](#)

CD 1 CATEGORICAL EXEMPTION, COMMUNICATION FROM CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to authorizing acquisition of real property at 5601 North Figueroa Street for the "CONSTITUENT SERVICE CENTER."

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

1. FIND that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 15331.
2. FIND this project is in substantial conformance with the General Plan, pursuant to Section 556 of the City Charter.

3. PRESENT and ADOPT the accompanying ORDINANCE authorizing the condemnation of the property and improvements located at 5601 North Figueroa Street.
4. AUTHORIZE the City Attorney to take all actions necessary to authorize payment for the acquisition of the property and improvements located at 5601 North Figueroa Street from CIEP Fund Number 100/54.
5. AUTHORIZE the City Attorney to take all actions necessary to authorize payment for pre-acquisition costs including litigation guarantees for the acquisition of the property and improvements located at 5601 North Figueroa Street from CIEP Fund Number 100/54.
6. AUTHORIZE the City Attorney to make the necessary deposit of probable just compensation and see an order from the Court to obtain pre-judgment possession of the property.
7. AUTHORIZE the Department of General Services to continue attempting to acquire title to the property in fee simple absolute through a negotiated purchase and, if successful, to execute all documents necessary to accomplish the transfer of this interest to the City.

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.

(Public Works Committee waived consideration of the above matter)

Items for Which Public Hearings Have Been Held - Items 2-14

ITEM NO. (2) - ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #5 - Motion (LaBonge - Perry) Adopted, Ayes (14); Absent: Weiss (1)

07-1045

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT, RESOLUTION OF INTENTION and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to the proposed 2007-08 Proposition K assessment.

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

1. ADOPT the City Engineer's report for the 2007-08 Proposition K assessment (Attachment 10 of the L.A. for Kids Steering Committee [Steering Committee] report dated April 18, 2007 contained in Council file No. 07-1045).
2. ADOPT the accompanying RESOLUTION OF INTENTION to levy an assessment authorized by Proposition K, pursuant to the Landscaping and Lighting Act of 1972 (Attachment 11 of the Steering Committee report)

3. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION to levy an assessment authorized by Proposition K, pursuant to the Landscaping and Lighting Act of 1972 (Attachment 12).
4. INSTRUCT the City Clerk to publish notice by **JUNE 1, 2007** of a public hearing to take place on **JUNE 13, 2007** at 10:00 a.m. during the regular Council meeting.
5. INSTRUCT the City Clerk to set an agenda item for public hearing on the Council agenda for **JUNE 13, 2007** to include the following actions:
 - a. With respect to the projects in List 1 of Attachment 7:
 - 1) FIND that each of these projects is statutorily or categorically exempt from the California Environmental Quality Act (CEQA) under the particular State and City CEQA Guidelines.
 - 2) DIRECT the Department of Recreation and Parks (DRP) and/or Bureau of Engineering (BOE) to prepare Notice(s) of Exemption or Notice(s) of Determination reflecting Council's actions and file such notices with the City and County Clerks within five working days of the City Council's final action confirming the 2007-08 Assessment and Engineer's Report.
 - b. With respect to the projects in List 2 of Attachment 7:

FIND that these projects are exempt from the CEQA under State CEQA Guidelines section 15262 and Article II, section 2.d of the City CEQA Guidelines because the City Council's action is not subject to CEQA. The City Council's action is not an approval of a project which may cause a physical change in the environment, but instead is in the nature of a feasibility and planning study for a project which is not being approved at this time.
 - c. With respect to the projects in List 3 of Attachment 7:

ACKNOWLEDGE that the City Council's action is exempt from CEQA under Article II, section 2.I, because the underlying project has already been evaluated and processed in accordance with the City CEQA Guidelines.
 - d. With respect to the projects in List 4 of Attachment 7:
 - 1) REVIEW and CONSIDER the Negative Declaration/Mitigated Negative Declaration.
 - 2) CERTIFY that the Negative Declaration/Mitigated Negative Declaration has been prepared in accordance with CEQA, and adopt it.
 - 3) ADOPT all the mitigation measures described in the Mitigated Negative Declaration as part of the City Council's approval of the Proposition K assessment and ADOPT the mitigation monitoring program prepared to ensure that the mitigation measures will be implemented.

- 4) FIND that with imposition of the mitigation measure, there will remain no significant impacts.
 - 5) INSTRUCT the DRP and the BOE to prepare a Notice of Determination and file with the City and County Clerks within five working days of the City Council's approval.
- e. With respect to the projects in List 5 of Attachment 7:
- FIND that those are projects that may be considered for funding after CEQA compliance. No further action is required at this time.
- f. ADOPT the ordinance prepared and transmitted by the City Attorney, confirming the assessments and approving the assessment diagram for fiscal year 2007-08.
 - g. INSTRUCT the City Engineer to record a Notice of Assessment with the County Recorder.
 - h. INSTRUCT the Controller to set up accounts for the 2007-08 Proposition K assessment in the following funds pursuant to instructions to be provided by the City Administrative Officer: Proposition K Projects Fund No. 43K, Proposition K Maintenance Fund No. 43L, and Proposition K Administration Fund No. 43M.
 - i. APPROVE the 2007-08 Expenditure Plan and the Five Year Plan for the L.A. for Kids Program as set forth in Attachments 1, 2, 3, 4 and 6.
 - j. INSTRUCT the Information Technology Agency to prepare and transmit the necessary computer tape or compact disk, as appropriate, to the County containing the assessment levy information confirmed by the City Council for fiscal year 2007-08 for each parcel in the District.
 - k. AUTHORIZE the City Engineer to do the following:
 - 1) Negotiate and execute grant contracts with competitive grant applicants in the Five Year Plan for 2007-08, excluding projects from the DRP and Bureau of Street Lighting, subject to approval of the City Attorney.
 - 2) Negotiate and execute service and maintenance agreements with competitive grant applicants recommended for funding in the Five Year Plan for the term required in the L.A. for Kids Program Request for Proposals, excluding projects from the DRP and Cultural Affairs Department, subject to approval of the City Attorney.

Fiscal Impact Statement: The Steering Committee reports that adoption of an ordinance and resolution of intention to levy the Proposition K: LA for Kids Assessment for Fiscal Year 2007-08 indicates the Council's intention to levy assessments totaling \$25 million to acquire and construct park and recreational facilities. The assessment can only be used for capital improvements, acquisition of land, administration, and maintenance. Staff costs associated with recreational programming are to be provided from the annual operating budgets of City departments or other entities. The order of magnitude estimate of the annual cost to the General Fund for the additional staffing and maintenance associated with the Five Year Plan, as reported by DRP, is approximately \$12.1 million in 2007 dollars, once all projects come on line.

The Steering Committee also reports that it has been provided with construction budget estimates for all projects anticipated to be funded in Year 11 (2007-08) by the BOE. The BOE reports that Proposition K funds, in combination with other funds where available, are sufficient to complete construction and meet all Proposition K obligations, without having an impact on the General Fund for Fiscal Year 2007-08.

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

**Roll Call #1 - Motion (Huizar - Zine) Adopted, Ayes (13); Absent: Greuel and Weiss (2)
(Item Nos. 3-14)**

ITEM NO. (3) - ADOPTED

07-0692

CD 5

EXEMPTION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to authorizing the execution of an Amendment to the Development Agreement between the City of Los Angeles and Cedars Sinai Medical Center for the project at 8700 Beverly Boulevard.

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

1. FIND that this action is exempt from California Environmental Quality Act (CEQA), pursuant to Article II, Section 2(l) of the City'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 authorizing the execution of an Amendment to the Development Agreement between the City of Los Angeles and Cedars Sinai Medical Center, to extend the term of the Development Agreement dated August 12, 1993 to August 11, 2023, subject to the effective date of the Ordinance for the proposed development of 700,000 square feet of floor area for the modernization and expansion program of the Cedars-Sinai Medical Center for property at 8700 Beverly Boulevard. (The Development Agreement currently expires by its terms on August 11, 2008.)

Applicant: Cedars-Sinai Medical Center
Thomas M. Priselac, President and CEO

CPC 1992-534 (DA) (M1)

4. AUTHORIZE the Mayor to execute the Development Agreement on behalf of the City.
5. REQUEST the City Attorney, subject to the effective date of the Ordinance, to obtain all necessary signatures needed to process the Development Agreement.
6. ADVISE the applicant that, pursuant to Government Code Section 65868.5 that the Development Agreement is required to be filed with the County Clerk no later than ten days after the City has entered into the agreement.

7. 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.
8. 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 CPC reports that there is no General Fund impact as administrative costs are recovered through fees. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

(Environmental Impact Report certified by Council on June 23, 1993)

ITEM NO. (4) - ADOPTED

07-0352

AUDITS AND GOVERNMENTAL EFFICIENCY COMMITTEE REPORT relative to a Comprehensive Annual Financial Report on the basic financial statements of the City as of and for the year ended June 30, 2006.

Recommendation for Council action:

NOTE and FILE the Simpson and Simpson (Independent Auditors) report, dated January 12, 2007, relative to a Comprehensive Annual Financial Report on the basic financial statements of the City as of and for the year ended June 30, 2006, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (5) - ADOPTED

07-0365

AUDITS AND GOVERNMENTAL EFFICIENCY COMMITTEE REPORT relative to the Simpson and Simpson audit of the basic financial statements for the Municipal Improvement Corporation of Los Angeles (MICLA) as of June 30, 2006.

Recommendation for Council action:

NOTE and FILE the Simpson and Simpson (Certified Public Accountants) report, dated March 8, 2007, relative to an audit of the basic financial statements of the MICLA as of June 30, 2006, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (6) - ADOPTED

07-0366

AUDITS AND GOVERNMENTAL EFFICIENCY COMMITTEE REPORT relative to an Independent Accountant's Report on the Application of Agreed-upon Procedures Related to the Article XIII-B Appropriations Limit Calculation for the City for Fiscal Year (FY) ended June 30, 2006.

Recommendation for Council action:

NOTE and FILE the Simpson and Simpson (Independent Auditors) report, dated January 22, 2007, relative to an Independent Accountant's Report on the Application of Agreed-upon Procedures Related to the Article XIII-B Appropriations Limit Calculation for the City as of FY ended June 30, 2006, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (7) - ADOPTED

07-0445

AUDITS AND GOVERNMENTAL EFFICIENCY COMMITTEE REPORT relative to the Simpson and Simpson Management Letter for the City's Sewer Construction and Maintenance Fund for the Fiscal Year (FY) ended June 30, 2006.

Recommendation for Council action:

NOTE and FILE the Simpson and Simpson (Certified Public Accountants) report, dated March 8, 2007, relative to a Management Letter for the City's Sewer Construction and Maintenance Fund for the FY ended June 30, 2006, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (8) - ADOPTED

07-1134

AUDITS AND GOVERNMENTAL EFFICIENCY COMMITTEE REPORT relative to the Simpson and Simpson single audit reports for the City for the Fiscal Year (FY) ended June 30, 2006.

Recommendation for Council action:

NOTE and FILE the Simpson and Simpson (Certified Public Accountants) report, dated March 28, 2007, relative to the single audit reports for the City for the FY ended June 30, 2006, inasmuch as the report is for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (9) - ADOPTED

07-1230

CD 15 INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to a lease agreement with Congressperson Jane Harman for office space at the Wilmington Municipal Building.

Recommendation for Council action:

AUTHORIZE the Department of General Services (GSD) to negotiate and execute a lease with Congressperson Jane Harman for office space located at 544 North Avalon Boulevard, Room 307, Los Angeles, CA 90744, substantially as outlined in the GSD report attached to the Council file.

Fiscal Impact Statement: The GSD reports that the annual rent receipts from this lease are \$5,274.

ITEM NO. (10) - ADOPTED

07-1348

CD 15 INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to a lease agreement with the Los Angeles Unified School District (LAUSD) for property located at 930 East 111th Place.

Recommendations for Council action:

1. FIND that the proposed lease agreement, pursuant to Charter Section 371(e)(10), is exempt from the competitive bidding process inasmuch as the use of the competitive bidding process would be undesirable, impractical or impossible for the reasons described in the motion attached to the Council file.
2. AUTHORIZE the Department of General Services to negotiate and execute a lease agreement with the LAUSD for the property at 930 East 111th Place, consistent with the terms and conditions attached to the motion in the Council file.

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

ITEM NO. (11) - ADOPTED

05-0612

ADMINISTRATIVE EXEMPTION and TRADE, COMMERCE AND TOURISM COMMITTEE REPORT relative to 15 amendments to concession agreements to extend the terms to December 31, 2010, with a 30-day termination provision, and to modify the provisions regarding maintenance and utility payments at the Los Angeles International Airport (LAX).

Recommendations for Council action:

1. FIND that the proposed amendments with the following Concessionaires are administratively exempt from the requirements of the California Environmental Quality Act (CEQA), as provided by Article III, Class 18(c) of the Los Angeles City CEQA Guidelines:

<u>Concessionaire</u>	<u>Agreement/ Amendment No.</u>	<u>Council File No.</u>
Airport Management Services, LLC	LAA-7428/Eleventh	05-0612
Andy M. Camacho, Inc.	LAA-7467/Fourth	05-0743
Buth-Na-Bodhaige dba The Body Shop	LAA-7920/Third	39288
Caterina's	LAA-7919/Second	39253
Creative Host Services, Inc.	LAA-7468/Second	05-0742
Delaware North Companies Travel Hospitality Service	LAA-7472/Fourth	39254
Eurotal, A Partnership	LAA-7471/Third	05-0741
Hamada, Inc.	LAA-7469/Fourth	05-0743-S2
HMS Host	LAA-7529/Second	07-1429
HMS Host	LAA-7918/Second	07-1429
HMS Host	LAA-7886/Second	07-1429
Java Java, Inc.	LAA-7616/Seventh	07-1430
Java Java, Inc.	LAA-7617/Seventh	07-1430
McDonald's Corporation	LAA-7466/Fourth	07-1431
Sushi Boy, Inc.	LAA-7470/Third	05-0743-S1

2. APPROVE the amendments to the above 15 Concession Agreements to extend the term to December 31, 2010, with a 30-day termination provision, and to modify the provisions regarding maintenance and utility payments at the LAX.
3. CONCUR with the Board of Airport Commissioners' action of May 7, 2007, Board Order No. AO-5059, authorizing the Executive Director, the Los Angeles World Airports (LAWA), to execute said amendments.

Fiscal Impact Statement: The City Administrative Officer reports that approval of the proposed request will generate at least \$35 million in annual revenue, between 2008 and 2010, that will be credited to the Airport Revenue Fund. Since the LAWA is only bound by the City Debt Management Policies, the City's Financial Policies are not applicable. Approval of the proposed amendments will have no impact on the General Fund.

TIME LIMIT FILE - JUNE 8, 2007

(LAST DAY FOR COUNCIL ACTION - JUNE 8, 2007)

ITEM NO. (12) - ADOPTED

05-0392

CDs 13 & 14 GENERAL EXEMPTION, TRANSPORTATION COMMITTEE REPORT and RESOLUTION relative to the renewal of Temporary Preferential Parking District (PPD) No. 103 in Glassell Park by Verdugo Road Businesses.

Recommendations for Council action:

1. FIND that the renewal of Temporary PPD No. 103, pursuant to Los Angeles Municipal Code (LAMC) Section 80.58.d, is exempt from the California Environmental Quality Act (CEQA) under the General Exemption (Article II, Section 1 of the 2002 Los Angeles City CEQA Guidelines).
2. FIND that the parking problem that led to the establishment of Temporary PPD No. 103 in Glassell Park west of Verdugo Road still exists and that no permanent solution has been found.
3. ADOPT the accompanying RESOLUTION renewing Temporary PPD No. 103 for 12 more months, until June 15, 2008, pursuant to LAMC Section 80.58.d.
4. DIRECT the Department of Transportation (LADOT) to prepare a Notice of Exemption reflecting Council's actions under Recommendation No. 1 above and file such notice with the City and County Clerks within five working days of the City Council's action.

Fiscal Impact Statement: The LADOT reports that revenue from the sale of permits will cover the additional cost of implementing, administering, and enforcing Temporary PPD No. 103. Furthermore, the City may gain additional General Fund revenue from the issuance of parking citations to violators of the District's parking restrictions.

ITEM NO. (13) - ADOPTED

06-1080-S6

TRANSPORTATION COMMITTEE REPORT relative to the 2006-07 Transportation Grant Fund Annual Work Program (TGFAWP).

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

1. AUTHORIZE the General Manager, Department of Transportation (LADOT), and the Directors, Bureaus of Engineering (BOE), Street Lighting and Street Services to continue their respective work programs as detailed in Attachment A of the May 18, 2007 City Administrative Officer (CAO) report and attached to the Council file.
2. AUTHORIZE the APPROPRIATION and TRANSFER, as needed, of \$39,303,000 (\$19,444,000 for front funds and \$19,859,000 for matching funds) from the Proposition C Local Transit Assistance Fund No. 540, TGFAWP Account No. A655, to the Transportation Grant Fund (TGF) No. 655, in the amounts listed in Attachment A, Column 4 of the May 18, 2007 CAO report and attached to the Council file, accounts to be designated by the LADOT.
3. AUTHORIZE the LADOT to receive grant funds from the Los Angeles County Metropolitan Transportation Authority (MTA), and TRANSFER those funds into the TGF Fund No. 655, and APPROPRIATE these funds to the projects in the amounts listed on Attachment A, Column 5 of the May 18, 2007 CAO report and attached to the Council file.
4. INSTRUCT all bureaus and departments to reimburse the General Fund for any appropriate related costs as of June 30, 2007.
5. INSTRUCT all bureaus and departments to closely monitor their projects to ensure that the expenditures of funds for the purposes of each of these projects and that the expenditures of funds are correctly recorded and reported as such, and do not exceed the appropriations.
6. INSTRUCT all bureaus and departments to use the information in Attachment B of the March 20, 2007 LADOT report and attached to the Council file in requesting and reporting on expenditures of the Proposition C funds and TGF monies.
7. DIRECT the LADOT to provide front and matching funding for only those projects where the MTA has determined that the project meets MTA criteria for Proposition A or Proposition C Local Return Funding.
8. DIRECT the LADOT to provide front and matching funding for only those projects where the LADOT staff prepares the invoices for grant reimbursement.
9. AUTHORIZE the CAO to approve transfers within the TGF of up to 25 percent of the project amount, not to exceed \$117,000, to or between projects or accounts included in the May 18, 2007 CAO report as approved by the Mayor and Council.
10. INSTRUCT all bureaus and departments to return uncommitted advances at the end of the Fiscal Year (FY) 2006-07 and all prior year unexpended balances to the TGF Fund No. 655, to be reappropriated to their respective project accounts.
11. INSTRUCT the LADOT to return any uncommitted advances within the TGF Fund No. 655 Departmental Accounts for Salaries, Overtime, and Material Expenses at the end of FY 2006-07 to the Proposition C Anti-Gridlock Fund No. 540.

12. TRANSFER, \$4,826,000 in accrued interest from TGF Fund No. 655, Revenue Account 4403 to the Proposition C Local Transit Assistance Fund No. 540, Unallocated Balance Account No. A400.
13. TRANSFER, as needed, \$1,925,000 from the Automated Traffic Surveillance and Control (ATSAC) Trust Fund No. 484, Revenue Source Account No. 4403 to the Traffic Congestion Relief Fund No. 44Z, Adaptive Traffic Control System (ATCS)-Hollywood Mid-Wilshire Account No. Y202.
14. AUTHORIZE the LADOT to receive and deposit up to \$190,000 from the Hollywood Media District into the TGF No. 655, Hollywood Media District Bus Stop Improvement Project Account No. 818 and INCREASE the appropriation for the Hollywood Media District Bus Stop Improvement Project by \$190,000.
15. AUTHORIZE the LADOT to enter into a Maintenance Agreement with the State of California, Department of Transportation (Caltrans) for the maintenance of the proposed improvements as part of the Hollywood Media District Bus Stop Improvement Project, subject to City Attorney approval as to form.
16. AUTHORIZE the LADOT to enter into a Maintenance Agreement with the Hollywood Media District for the maintenance of the proposed improvements as part of the Hollywood Media District Bus Stop Improvement Project, subject to City Attorney approval as to form.
17. TRANSFER, as needed, \$1,837,000 from the Proposition C Anti-Gridlock Fund No. 540, TGFAWP Account No. A655 to the TGF Fund No. 655, Transportation Salaries and Expense Account Numbers to be designated.
18. TRANSFER, as needed, \$1,837,000 from TGF Fund No. 655 to LADOT Fund No. 100/94, Salaries, General Account No. 1010.
19. TRANSFER, as needed, \$400,000 from the Proposition C Anti-Gridlock Fund No. 540, TGFAWP Account No. A655 to the Proposition C Anti-Gridlock Fund No. 540, Railroad Crossing Program Account No. A338.
20. AUTHORIZE the increase of \$5,754,3000 in the total project cost for the Los Angeles Street Realignment Near El Pueblo Project from \$5,785,700 to \$11,540,000 and increase the City's match funds by \$2,809,000 from \$2,186,000 to \$4,995,000.
21. AUTHORIZE the increase of \$1,235,000 in the total project cost for the Los Angeles Street Realignment Near El Pueblo Project from \$2,259,000 to \$3,394,000 and INCREASE the City's match funds by \$432,000 from \$791,000 to \$1,223,000.
22. AUTHORIZE the cost of the Winnetka Avenue Bridge over the Los Angeles River Project to increase by \$800,000 and increase the appropriation for this project by a like amount.
23. AUTHORIZE the increase of \$955,000 in the total project cost for the Tamp Avenue Bridge Replacement and Widening Project from \$1,802,000 to \$2,757,000 an INCREASE the City's match funds by \$229,000 from \$428,000 to \$657,000.

24. AUTHORIZE the LADOT to bill the MTA the additional \$726,000 grant amount that was approved in the MTA Supplemental Call for Projects and further AUTHORIZE the LADOT to deposit these payments into the TGF Fund No. 655, Tampa Avenue Bridge Replacement Project Account to be designated.
25. AUTHORIZE the increase of \$106,000 in the total project for the Vanowen Street Bridge Widening and Replacement Project from \$2,392,000 to \$2,498,000 and further INCREASE the City's match funds by \$106,000 from \$491,000 to \$597,000.
26. AUTHORIZE the increase of \$865,000 in the total project cost for the Winetka Avenue Bridge Replacement Project from \$1,466,000 to \$2,231,000 and INCREASE the City's match funds by \$865,000 from \$212,000 to \$1,077,000.
27. AUTHORIZE the increase of \$3,600,000 in the total project cost for the Soto Street Bridge Replacement Project from \$4,298,000 to \$7,898,000 and INCREASE the City's match funds by \$600,000 from \$716,000 to \$1,316,000.
28. AUTHORIZE the LADOT to bill the MTA the additional \$3,000,000 grant amount that was approved in the MTA Supplemental Call for Projects and further AUTHORIZE the LADOT to deposit these payments into the TGF Fund No. 655, Soto Street Bridge Replacement Project Account to be designated.
29. AUTHORIZE the increase of \$6,000,000 in the total project cost for the La Tijera Boulevard Bridge Widening Project from \$8,515,000 to \$14,515,000 and INCREASE the City's match funds by \$3,593,000 from \$2,980,000 to \$6,573,000.
30. AUTHORIZE the LADOT to bill the MTA the additional \$3,250,000 grant amount that was approved in the MTA Supplemental Call for Projects and further AUTHORIZE the LADOT to deposit these payments into the TGF Fund No. 655, La Tijera Boulevard Bridge Widening Project Account to be designated.
31. AUTHORIZE the increase of \$3,554,000 in the total project cost for the Exposition Park Traffic Management Plan ATCS Project from \$7,160,000 to \$10,714,000 and INCREASE the City's match funds by \$3,776,000 from \$5,027,000 to \$8,803,000.
32. AUTHORIZE the increase of \$12,919,400 in the total project cost for the ATSAC San Diego Freeway Corridor Phase II Project from \$9,616,000 to \$22,535,400 and INCREASE the City's match funds by \$8,745,000 from \$2,885,000 to \$11,630,000.
33. AUTHORIZE the increase of \$100,000 in the total project cost for the ATSAC San Diego Freeway Corridor Phase II Project from \$10,213,000 to \$10,313,000.
34. AUTHORIZE the increase of \$954,000 in the total project cost for the Westchester ATCS Project from \$4,048,000 to \$5,002,000 and DECREASE the City's match funds by \$836,000 from \$1,336,000 to \$500,000.

35. AUTHORIZE the increase of \$2,730,000 in the total project cost for the ATSAC-Eagle Rock Project from \$6,070,000 to \$8,800,000 and INCREASE the City's match funds by \$203,000 from \$1,214,000 to \$1,417,000.
36. AUTHORIZE the increase of \$16,235,000 in the total project cost for the Valley Boulevard Grade Separation Project from \$36,000,000 to \$52,235,000 and INCREASE the City's match funds by \$6,393,000 from \$5,607,000 to \$12,000,000.
37. AUTHORIZE the LADOT to bill the California Public Utilities Commission up to \$5,000,000 and deposit these payments into the Transportation Grant Fund No. 655, Valley Boulevard Grade Separation Project Account.
38. AUTHORIZE the BOE to enter into an agreement with the Union Pacific Railroad Company that provides the City payments for the relocation of existing signal equipment in an amount not to exceed \$997,727 and provides that the City will reimburse the Union Pacific Railroad Company for its costs in providing traffic flagging and other protective services required by the Valley Boulevard Grade Separation Project.
39. AUTHORIZE the LADOT to bill the Union Pacific Railroad Company up to \$2,750,000 and deposit these payments into the Transportation Grant Fund No. 655, Valley Boulevard Grade Separation Project Account to be designated.
40. AUTHORIZE the LADOT to bill the MTA for the additional \$9,092,000 grant amount that was awarded in the MTA Supplemental Call for Projects and further AUTHORIZE the LADOT to deposit these payments into the Transportation Grant Fund No. 655, Valley Boulevard Grade Separation Project Account to be designated.
41. AUTHORIZE the increase of \$63,450,000 in the total project cost for the First Street Bridge Widening and Historical Railing Replacement Project from \$4,550,000 to \$63,450,000 and INCREASE the City's match funds by \$5,946,000 from \$790,000 to \$6,736,000.
42. AUTHORIZE the LADOT to bill the MTA the additional \$4,500,000 grant amount approved in the MTA Supplemental Call for Projects and deposit these payments into the First Street Bridge Widening and Historical Railing Replacement Project Account to be designated.
43. AUTHORIZE the transfer of \$14,000,000 from Proposition A Fund No. 385, Reserve for Future Transit Capital and Services Account No. A399 to the Transportation Grant Fund No. 655, First Street Bridge Widening-Pickle Works Building Account Number to be designated.
44. AUTHORIZE the transfer of \$1 million from the BOE Fund 608/50, Business Improvement Project-First Street/LA River - 1166 Account No. S701 to the Transportation Grant Fund No. 655, First Street Bridge-Pickle Works Building Account Number to be designated.
45. AUTHORIZE the LADOT to bill Caltrans for the acquisition cost of the Public Works Building upon the close of escrow and deposit the reimbursements into the Transportation Grant Fund No. 655, First Street Widening-Pickle Works Building Account Number to be designated.

46. AUTHORIZE the CAO to make technical corrections as necessary to those transactions included above in Recommendation Nos. 1-45 to implement the Mayor and Councils' intentions.
47. DIRECT the LADOT to report to Council on the causes behind the cost escalation on the various TGFAWP projects as detailed in the May 18, 2007 CAO report as attached to the Council file and further DIRECT the LADOT to report to Council in regard to measures that can be taken to minimize cost escalation on said projects.

Fiscal Impact Statement: The CAO reports that transfers of front and matching funds totaling approximately \$39.5 million are included to address various grant-funded programs. These funds are combined with approximately \$82.5 million in grant monies. The Proposition C Anti-Gridlock Transit Fund has been budgeted in 2006-07 to provide for these front and matching funds. The salaries and related costs for all positions are also funded by Proposition C, and there is no impact to the General Fund.

Recommended funding for the Transportation Grant Fund Annual Work Program is in compliance with the City's Financial Policies in that ongoing Proposition C revenue will be used to support this program.

ITEM NO. (14) - ADOPTED

07-1480

CD 9

TRANSPORTATION COMMITTEE REPORT relative to authorizing the Department of Transportation (LADOT) to initiate operation of the Downtown Art Walk DASH service.

Recommendations for Council action, pursuant to Motion (Perry - Smith):

1. AUTHORIZE the LADOT to permit First Transit, Inc., the DASH Downtown Los Angeles service provider, to use two City-owned vehicles to operate the Downtown Art Walk DASH service and further DIRECT that said service will operate after the normal operating hours of the existing DASH Downtown service and will not interfere with the City's other operational requirements.
2. DIRECT that the Downtown Art Walk DASH service will operate at no direct cost to the LADOT or to the City's Proposition A funds.
3. DIRECT that First Transit, Inc. shall operate the Downtown Art Walk DASH service for the negotiated rate of \$62.17 per revenue service hour, to be paid directly by the Downtown Los Angeles Neighborhood Council (DLANC) and further DIRECT that the DLANC is to pay First Transit, Inc. within 30 days of the date of each invoice.
4. DIRECT that First Transit, Inc. will ensure sufficient insurance is in place to indemnify the City from any loss that may occur.

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

Items for Which Public Hearings Have Not Been Held - Items 15-21

(10 Votes Required for Consideration)

ITEM NO. (15) - MOTION ADOPTED TO APPROVE COMMUNICATIONS RECOMMENDATIONS - FORTHWITH

Roll Call #3 - Motion (Cardenas - Rosendahl) Adopted, Ayes (14); Absent: Weiss (1)

07-1316

COMMUNICATIONS FROM CHAIR, INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE and THE EXECUTIVE EMPLOYEE RELATIONS COMMITTEE relative to the appointment of Ms. Randi Levin as the permanent General Manager of the Information Technology Agency (ITA).

A. COMMUNICATION FROM CHAIR, INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Randi S. Levin as the permanent General Manager of the ITA, effective April 23, 2007, is APPROVED and CONFIRMED.

Ethics Commission Review: Pending

TIME LIMIT FILE - JUNE 7, 2007

(LAST DAY FOR COUNCIL ACTION - JUNE 6, 2007)

B. COMMUNICATION FROM THE EXECUTIVE EMPLOYEE RELATIONS COMMITTEE

Recommendation for Council action:

RESOLVE that the salary rate of pay for the position of permanent General Manager, Information Technology Agency, shall BE ESTABLISHED, as recommended by the Mayor and approved by the Executive Employee Relations Committee.

(Council may recess to Closed Session, pursuant to Government Code 54957.6, relative to the above salary recommendation)

ITEM NO. (16) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

Roll Call #2 - Motion (LaBonge - Hahn) Adopted, Ayes (13); Absent: Greuel and Weiss (2)

07-1391

CD 4 COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the HORTENSE STREET AND DENNY 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 May 2, 2007.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **AUGUST 3, 2007** as the hearing date for the maintenance of the Hortense Street and Denny 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, \$963.83 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: July 27, 2007)

ITEM NO. (17) - ADOPTED

Roll Call #6 - Motion (Cardenas - Reyes) Adopted, Ayes (14); Absent: Weiss (1)

07-1595

et al. MOTIONS relative to "Special Events" to be held in the various Council Districts.

Recommendations for Council action:

DECLARE the following community events as "Special Events"; APPROVE any temporary street closures as requested; and, INSTRUCT the involved City departments to perform such services as detailed the Council motions attached to the various listed Council files, including the waiver of fees, costs and requirements and other related issues as specified:

07-1595

CD 6 a. MOTION (CARDENAS - REYES) relative to declaring the Council District Six and Mid Valley Chamber of Commerce Clean Up on June 2, 2007 a Special Event (fees and costs absorbed by the City = \$2,000).

06-2718

CD 1 b. MOTION (REYES - PERRY) relative to declaring the Cypress Park Veterans Day 2007 on May 26, 2007 a Special Event (fees and costs absorbed by the City = \$2,000).

07-1603

CD 13 c. MOTION (GARCETTI - GREUEL) relative to declaring the Immaculate Heart of Mary Church Annual Fiesta on May 20, 2007 a Special Event (fees and costs absorbed by the City = \$5,379).

07-1594

CD 1 d. MOTION (REYES - PERRY) relative to declaring the Second Annual Memorial Day Community Resource Fair on May 25-27, 2007 a Special Event (fees and costs absorbed by the City = \$5,000).

- 07-1596
CD 13 e. MOTION (GARCETTI - GREUEL) relative to declaring the Ocean's Thirteen Movie Premiere and Hand/Foot Print Ceremony on June 5 and June 7, 2007 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).
- 07-1597
CD 13 f. MOTION (GARCETTI - GREUEL) relative to declaring the Corazon Bandido event on May 22, 2007 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).
- 07-1598
CD 13 g. MOTION (GARCETTI - GREUEL) relative to declaring the Cabana Club event on May 22, 2007 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).
- 07-1599
CD 9 h. MOTION (PERRY - REYES) relative to declaring the Day of Pampering on August 25, 2007 a Special Event (fees and costs absorbed by the City = \$1,682).
- 07-1600
CD 9 i. MOTION (PERRY - REYES) relative to declaring the St. Anthony Lodge's Annual Meeting and Banquet on June 29, 2007 a Special Event (fees and costs absorbed by the City = \$3,950).
- 07-1601
CD 4 j. MOTION (LABONGE - GARCETTI) relative to declaring the Blue Star Memorial Plaque Dedication on May 30, 2007 a Special Event (fees and costs absorbed by the City = none submitted).
- 07-1602
CD 9 k. MOTION (PERRY - PARKS) relative to declaring the Community Clean Up Day on June 3, 2007 a Special Event (fees and costs absorbed by the City = \$1,000).

**Roll Call #2 - Motion (LaBonge - Hahn) Adopted, Ayes (13); Absent: Greuel and Weiss (2)
(Item Nos. 18-19)**

ITEM NO. (18) - ADOPTED

07-0011-S15

CD 4 MOTION (LABONGE - HAHN) relative to a personal services contract with Lyn MacEwen Cohen to provide services to the Fourth Council District.

Recommendations for Council action:

1. APPROVE the personal services contract with Lyn MacEwen Cohen to provide services to the Fourth Council District from April 9, 2007 to April 11, 2008 in an amount not to exceed \$5,000 from funds available in the Council Office Street Furniture Revenue Fund.

2. AUTHORIZE the Councilmember of the Fourth Council District to execute said contract on behalf of the City.
3. INSTRUCT the City Clerk to encumber the necessary funds against the Contractual Services Account of the Council Fund for the Fiscal Year 2006-07.

ITEM NO. (19) - ADOPTED

07-1605

CD 4 MOTION (LABONGE - HAHN) relative to a personal services contract with Cartifact, Inc. to provide services to the Fourth Council District.

Recommendations for Council action:

1. APPROVE the personal services contract with Cartifact, Inc. to provide services to the Fourth Council District from March 30, 2007 to March 31, 2008 in an amount not to exceed \$20,000 from funds available in the Council Office Budget.
2. AUTHORIZE the Councilmember of the Fourth Council District to execute said contract on behalf of the City.
3. INSTRUCT the City Clerk to encumber the necessary funds against the Contractual Services Account of the Council Fund for the Fiscal Year 2006-07.

ITEM NO. (20) - ADOPTED

Roll Call #7 - Motion (Huizar - Hahn) Adopted, Ayes (14); Absent: Weiss (1)

07-1606

CD 14 MOTION (HUIZAR - HAHN) relative to providing funding assistance for the Boyle Heights Independence Day Celebration on June 30, 2007.

Recommendations for Council action:

1. UTILIZE \$18,000 from the Central Los Angeles Recycling and Transfer Station Community Amenities Trust Fund No. 47S/14 to fund any aspect of the efforts of Soledad Enrichment Action in coordinating the Boyle Heights Independence Day Celebration on June 30, 2007.
2. DIRECT the City Clerk to prepare the necessary documents with and payments to Soledad Enrichment Action, or any other agency or organization as appropriate, in the above amount for the above purpose, subject to the approval of the City Attorney, if needed.
3. AUTHORIZE the Councilmember of the Fourteenth District to execute any agreements for this purpose.
4. AUTHORIZE the City Clerk to make any technical corrections or clarifications to the above instructions in order to effectuate the intent of the Motion.

ITEM NO. (21) - MAPS APPROVED - CITY ENGINEER'S REPORTS ADOPTED

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

07-1641

et al. FINAL MAPS in the various Council Districts.

Recommendation for Council action:

APPROVE the Final Maps and ADOPT the City Engineer Reports as detailed in the various listed Council files, including bonds, agreements, contracts and other related issues as specified:

07-1641

CD 5 a. FINAL MAP OF TRACT NO. 62676 for property lying westerly of Clark Drive and northerly of Third Street.
(Bond No. C-111646)
Applicants: Clark Plaza Investors, LLC
Robert R. Sims

07-1642

CD 11 b. FINAL MAP OF TRACT NO. 61888 for property lying northwesterly of Avon Way and northeasterly of Kensington Road.
(Bond No. C-111647)
(Quimby Fee: \$22,608)
Applicants: Avon Development, LLC
Harvey A. Goodman

Items for Which Public Hearings Have Not Been Held - Items 22-24

(10 Votes Required for Consideration)

ITEM NO. (22) - ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #9 - Motion (Parks - Greuel) Adopted, Ayes (14); Absent: Weiss (1)

07-0600

ANNUAL BUDGET RESOLUTION FOR FISCAL YEAR 2007-08 SUBMITTED BY THE CITY ATTORNEY, CITY ADMINISTRATIVE OFFICER AND CHIEF LEGISLATIVE ANALYST.

(Pursuant to Council action of May 21, 2007)

ITEM NO. (23) - MOTION ADOPTED TO REFER TO PLANNING AND LAND USE MANAGEMENT COMMITTEE

Roll Call #10 - Motion (Reyes - Huizar) Adopted to Refer, Ayes (14); Absent: Weiss (1)

07-1655

CD 14 MOTION (HUIZAR - LABONGE) relative to the Council asserting jurisdiction over a May 23, 2007 East Los Angeles Area Planning Commission letter of determination.

Recommendations for Council action:

1. ASSERT jurisdiction, pursuant to Charter Section 245, over the May 23, 2007 East Los Angeles Area Planning Commission letter of determination relative to Case No. ZA-2005-7531 (CUB)-1A involving a conditional use permit for sale and dispensing of beer and wine for on-site consumption subject to conditions at 5924-5930 New York Boulevard in Council District 14.
2. APPROVE, upon assertion of jurisdiction, the following amendments to the conditions imposed in the above referenced determination:
 - a. Condition 5: This condition shall apply if further building permits are required for the proposed use.
 - b. Condition 8: Hours 7am to 1am on Friday and Saturday.
 - c. Condition 10: No valet parking required.
 - d. Condition 11: 15 voluntary off-site parking spaces provided with no valet required.
 - e. Condition 12: A letter confirming off-street parking arrangements shall be required. A lease shall not be required.
 - f. Condition 19: Delete Condition 19 inasmuch as this has been addressed under Condition 15.
 - g. Condition 29: A compliance covenant shall be recorded within 60 days.

TIME LIMIT FILE - JUNE 5, 2007

(LAST DAY FOR COUNCIL ACTION - JUNE 5, 2007)

10 VOTES REQUIRED

ITEM NO. (24) - ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #11 - Motion (Parks - LaBonge) Adopted, Ayes (14); Absent: Weiss (1)

07-0002-S125

RESOLUTION (PARKS - LABONGE) relative to the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund.

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

RESOLVE to include in the City's 2007-2008 Legislative Program, SPONSOR AND/OR SUPPORT of any legislation and/or administrative action which would reappropriate to the City, the balance of the appropriation provided for in the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund, (1) Item 3790-102-0005(a)(5)(j), Budget Act of 2000 (Ch. 52, Stats 2000), City of Los Angeles: Blythe Street Pocket Park; (2) Item 3790-102-0005(a)(5)(m), Budget Act of 2000 (Ch. 52, Stats. 2000), City of Los Angeles: Renovation of Brand Park; (3) Item 3790-102-0005(a)(5)(q), Budget Act of 2000 (Ch. 52, Stats. 2000), City of Los Angeles: Community Build Youth Center; and (4) Item 3790-102-0005(a)(5)(dy), Budget Act of 2000 (Ch. 52, Stats. 2000), City of Los Angeles: South Central Sport Center, to allow the City to liquidate these funds by June 30, 2009.

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

05-0837

MOTION (LABONGE - HAHN) relative to amending Council action of May 18, 2007 declaring the 16th Annual Los Feliz Village Street Fair a Special Event to correct the name of the event sponsor.

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

07-0997 - Khanem Mouradian

(Greuel)

Ayes, Alarcon, Cardenas, Greuel, Hahn, Huizar, LaBonge, Parks, Perry, Reyes, Rosendahl, Smith, Weiss, Wesson, Zine and President Garcetti (15).

Whereupon the Council did adjourn.

ATTEST: Frank T. Martinez, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL