

Los Angeles City Council, **Journal/Council Proceedings**
Wednesday, **July 18, 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, Greuel, Hahn, Huizar, Perry, Reyes, Smith, Weiss and Zine (10); Absent: LaBonge, Parks, Rosendahl, Wesson and President Garcetti (5).

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
JULY 13, 2007

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 29

PUBLIC TESTIMONY ON NON-AGENDA ITEMS AT THE CALL OF THE CHAIR -
An opportunity for public testimony was provided.

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

Items Noticed for Public Hearing - Items 1-14

ITEM NO. (1) - PUBLIC HEARING CLOSED - ADOPTED

Roll Call #20 - Motion (Perry - Reyes) Adopted, Ayes (12); Absent: Parks, Rosendahl and Zine (3)

[07-1226](#)

CDs 9&14 PUBLIC ANNOUNCEMENT OF BALLOT TABULATION and ORDINANCE FIRST CONSIDERATION relative to establishment of the Downtown Center Property and Business Improvement District (BID), pursuant to Section 53753 of the California Government Code, Section 36600 et seq. of the California Streets and Highways Code and Article XIII D of the California Constitution.

Recommendations for Council action, if the tabulation of ballots indicates majority support, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. PRESENT and ADOPT the accompanying ORDINANCE establishing the Downtown Center Property and BID and confirming the assessments to be levied upon properties within the BID, as described in the Management District Plan.

2. AUTHORIZE the City Clerk, subject to approval of the City Attorney, to prepare, execute and administer an operating agreement between the City and the Downtown Center Business Improvement District Management Corporation, for administration of the BID.

Fiscal Impact Statement: The City Clerk reports that direct costs associated with department administrative expenses will be charged to the BID and will be recovered from assessments collected. There are currently eight City-owned, real properties included in the list of properties to be assessed within the boundaries of the BID, as disclosed in the Management District Plan and as required under existing state BID legislation. Seven of these properties are controlled by General Fund departments and one property is controlled by the Department of Water and Power. Funding is available in the Business Improvement District Trust Fund No. 659 to pay the General Fund share of assessments for the first operating year.

(Pursuant to Council action on Tuesday, July 17, 2007 and adoption of the Housing, Community and Economic Development Committee report and Ordinance No. 178772 on May 9, 2007.)

**Roll Call #3 - Motion (Perry - Reyes) Adopted, Ayes (11); Absent: LaBonge, Parks, Rosendahl and President Garcetti (4)
(Item Nos. 2-8)**

ITEM NO. (2) - PUBLIC HEARING CLOSED - NO PROTESTS - CITY ENGINEER INSTRUCTED TO PROCEED

97-1093

CD 1 HEARING PROTESTS against the proposed vacation of the alley easterly of Westlake Avenue from Seventh Street to approximately 295 feet northerly thereof. (VAC E1400585)

(Ordinance of Intention adopted on May 9, 2007)

ITEM NO. (3) - PUBLIC HEARING HELD - HEARING CONTINUED AND ORDINANCE TO BE PRESENTED ON AUGUST 1, 2007

07-1000

CD 7 HEARING PROTESTS against the proposed improvement and maintenance of the GLENOAKS BOULEVARD AND VAUGHN STREET LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Glenoaks Boulevard and Vaughn Street Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on May 9, 2007 - Continue hearing and present Ordinance on AUGUST 1, 2007 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (4) - PUBLIC HEARING HELD - HEARING CONTINUED AND ORDINANCE TO BE PRESENTED ON AUGUST 1, 2007

07-0948

CD 7 HEARING PROTESTS against the proposed improvement and maintenance of the WOODMAN AND SYLMAR AVENUES LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Woodman and Sylmar Avenues Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on May 9, 2007 - Continue hearing and present Ordinance on AUGUST 1, 2007 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (5) - PUBLIC HEARING HELD - HEARING CONTINUED AND ORDINANCE TO BE PRESENTED ON AUGUST 1, 2007

07-0949

CD 12 HEARING PROTESTS against the proposed improvement and maintenance of the COMMUNITY STREET AND KELVIN AVENUE LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Community Street and Kelvin Avenue Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on May 9, 2007 - Continue hearing and present Ordinance on AUGUST 1, 2007 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (6) - PUBLIC HEARING HELD - HEARING CONTINUED AND ORDINANCE TO BE PRESENTED ON AUGUST 1, 2007

07-1002

CD 6 HEARING PROTESTS against the proposed improvement and maintenance of the NORDHOFF STREET AND WOODMAN AVENUE LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Nordhoff Street and Woodman Avenue Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on May 9, 2007 - Continue hearing and present Ordinance on AUGUST 1, 2007 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (7) - PUBLIC HEARING HELD - HEARING CONTINUED AND ORDINANCE TO BE PRESENTED ON AUGUST 1, 2007

07-1001

CD 3 HEARING PROTESTS against the proposed improvement and maintenance of the VICTORY BOULEVARD AND TAMPA AVENUE LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Victory Boulevard and Tampa Avenue Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on May 9, 2007 - Continue hearing and present Ordinance on AUGUST 1, 2007 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (8) - PUBLIC HEARING HELD - HEARING CONTINUED AND ORDINANCE TO BE PRESENTED ON AUGUST 1, 2007

07-0998

CD 7 HEARING PROTESTS against the proposed improvement and maintenance of the POLK STREET AND DRONFIELD AVENUE LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Polk Street and Dronfield Avenue Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on May 9, 2007 - Continue hearing and present Ordinance on AUGUST 1, 2007 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**Roll Call #20 - Motion (Reyes - Weiss) Adopted, Ayes (12); Absent: Parks, Rosendahl and Zine (3)
(Item Nos. 9-11)**

ITEM NO. (9) - PUBLIC HEARING CLOSED - ADOPTED

07-1836

HEARING PROTESTS and ORDINANCES FIRST CONSIDERATION relative to the proposed maintenance and operation of the annual assessment of the Proposition 218 Confirmed Street Lighting Maintenance Assessment District for 2007-08.

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

1. HEAR PROTESTS against the proposed maintenance and operation of the annual assessment of the Proposition 218 Confirmed Street Lighting Maintenance Assessment District and the Preliminary Report for 2007-08.
2. PRESENT and ADOPT the accompanying ORDINANCES, if protests denied and assessment confirmed, in accordance with Section 6.95-6.127 of the Los Angeles Administrative Code.

(Ordinance of Intention adopted on June 19, 2007)

ITEM NO. (10) - PUBLIC HEARING CLOSED - ADOPTED

07-1837

HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the proposed maintenance and operation of the annual assessment of the Los Angeles City Street Lighting Maintenance Assessment District for 2007-08.

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

1. HEAR PROTESTS against the proposed maintenance and operation of the annual assessment of the Los Angeles City Street Lighting Maintenance Assessment District for 2007-08.
2. PRESENT and ADOPT the accompanying ORDINANCE, if protests denied and assessment confirmed, in accordance with Section 6.95-6.127 of the Los Angeles Administrative Code.

(Ordinance of Intention adopted on June 19, 2007)

ITEM NO. (11) - PUBLIC HEARING CLOSED - ADOPTED

07-1838

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE FIRST CONSIDERATION relative to establishing a hearing date for the maintenance and operation of the annual assessment of the 1996/97 Z-Series Street Lighting Maintenance Assessment District for 2007-08.

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

1. HEAR PROTESTS against the proposed maintenance and operation of the annual assessment of the 1996/97 Z-Series Street Lighting Maintenance Assessment District for 2007-08.
2. PRESENT and ADOPT the accompanying ORDINANCE, if protests denied and assessment confirmed, in accordance with Section 6.95-6.127 of the Los Angeles Administrative Code.

(Ordinance of Intention adopted on June 19, 2007)

**Roll Call #3 - Motion (Perry - Reyes) Adopted, Ayes (11); Absent: LaBonge, Parks, Rosendahl and President Garcetti (4)
(Item Nos. 12-13)**

ITEM NO. (12) - PUBLIC HEARING CLOSED - NO PROTESTS - CITY ENGINEER INSTRUCTED TO PROCEED

04-0475

CD 15 HEARING PROTESTS against the proposed vacation of the alley westerly of Main Street between 108th and 109th Streets in connection with the South Central Fire Station No. 64 Project (VAC E1400896).

(Public Works Committee report adopted on June 15, 2007)

ITEM NO. (13) - PUBLIC HEARING CLOSED - NO PROTESTS - CITY ENGINEER INSTRUCTED TO PROCEED

06-2469

CD 15 HEARING PROTESTS against the proposed vacation of the T-shaped alley southerly of 108th Street and easterly of Clovis Avenue. (VAC E1401013)

(Public Works Committee report adopted on June 15, 2007)

ITEM NO. (14) - CONTINUED TO AUGUST 8, 2007

Roll Call #2 - Motion (Huizar - Smith) Adopted to Continue, Ayes (11); Absent: LaBonge, Parks, Rosendahl and President Garcetti (4)

06-2820

CD 14 HEARING PROTESTS against the proposed vacation of the alley southeasterly of San Pedro Street between Ninth Street and Ninth Place. (VAC E1401026)

(Public Works Committee report adopted on June 19, 2007)

Items for Which Public Hearings Have Been Held - Items 15-22

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

Roll Call #6 - Motion (Huizar - Zine) Adopted, Ayes (11); Absent: LaBonge, Parks, Rosendahl and President Garcetti (4)

07-1815

BUDGET AND FINANCE COMMITTEE REPORT relative to the reappointment of Mr. Eric L. Holoman to the Los Angeles City Employees' Retirement System (LACERS) Board.

Recommendations for Council action:

1. RESOLVE that the Mayor's reappointment of Mr. Eric L. Holoman to the LACERS Board for the new term ending June 30, 2012 is APPROVED and CONFIRMED. Mr. Holoman resides in Council District Three. (Current Commission gender composition: M=5;F=1;Vacancy=1)
2. INSTRUCT the Chief Legislative Analyst, working with the Mayor's Office and the City Ethics Commission, to address the issue of timely receipt of information pertinent to the Committee and Council review of Commission appointments.

Ethics Commission Review: Pending

TIME LIMIT FILE - JULY 22, 2007

(LAST DAY FOR COUNCIL ACTION - JULY 20, 2007)

ITEM NO. (16) - ADOPTED

Roll Call #4 - Motion (Cardenas - Wesson) Adopted, Ayes (11); Absent: LaBonge, Parks, Rosendahl and President Garcetti (4)

06-0600-S81

BUDGET AND FINANCE COMMITTEE REPORT relative to litigation successes and the status of Liability Claims Accounts for the month ending April 30, 2007.

Recommendation for Council action:

NOTE and FILE the City Attorney's report relative to litigation successes and the status of Liability Claims Accounts for the month ending April 30, 2007, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

(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 NO. (17) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS - FORTHWITH

Roll Call #21 - Motion (Smith - LaBonge) Adopted, Ayes (12); Absent: Parks, Rosendahl and Zine (3)

07-0002-S149

COMMUNICATION FROM THE CHIEF LEGISLATIVE ANALYST in response to Resolution (Garcetti - Rosendahl - Perry) relative to the City's position on Assembly Bill 888 (Lieu), which would require the California Environmental Protection Agency to develop a set of minimum green standards for specified buildings.

(Intergovernmental Relations Committee report to be submitted in Council. If a hearing is not held in Committee, an opportunity for public comment will be provided.)

(For background reports and materials related to this matter, contact the Legislative Assistant for the Intergovernmental Relations Committee at 213-978-1073.)

ADOPTED

INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT relative to the City's position on Assembly Bill (AB) 888 (Lieu), which would require the California Environmental Protection Agency to develop a set of minimum green standards for specified buildings.

Recommendation for Council action, pursuant to Resolution (Garcetti - Rosendahl - Perry), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

RESOLVE to include in the City's 2007-2008 State Legislative Program **SUPPORT** of AB 888 (Lieu), which would require the California Environmental Protection Agency to develop a set of minimum green standards for specified buildings, and require that large buildings constructed after 2012 meet those minimum standards.

Fiscal Impact Statement: The Chief Legislative Analyst reports that there is no impact on the General Fund.

**Roll Call #4 - Motion (Cardenas - Wesson) Adopted, Ayes (11); Absent: LaBonge, Parks, Rosendahl and President Garcetti (4)
(Item Nos. 18-22)**

ITEM NO. (18) - ADOPTED

06-0100-S10

PERSONNEL COMMITTEE REPORT relative to a request from the Community Development Department (CDD) for one new exempt Project Coordinator position to replace an expiring authority to provide staff support to the City's Domestic Violence Task Force and related committees.

Recommendation for Council action:

NOTE and FILE the April 11, 2007 City Administrative Officer report relative a request from the CDD for one new exempt Project Coordinator position, inasmuch as the authority was already approved in the Personnel Authority Resolution through June 30, 2007 and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (19) - ADOPTED

06-0447-S10

PERSONNEL COMMITTEE REPORT relative to the recruitment and selection of police officer hiring for November 2006.

Recommendation for Council action:

NOTE and FILE the January 19, 2007 Personnel Department report relative to the recruitment and selection of police officer hiring for November 2006, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

(Public Safety Committee waived consideration of the above matter)

ITEM NO. (20) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS

05-0724

PUBLIC SAFETY COMMITTEE REPORT relative to a grant award for the 2007 California Seat Belt Compliance Campaign.

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

1. AUTHORIZE the Chief of Police to:
 - a. Accept the award of the 2007 California Seat Belt Compliance Campaign in the amount of \$86,500 for the period of May 14, 2007, through June 3, 2007.
 - b. Execute the grant agreement on behalf of the City and submit the necessary documents relative to the grant award, subject to the approval of the City Attorney as to form and legality.
 - c. Reapply for California Office of Traffic Safety grants, on behalf of the City as they become available.
2. AUTHORIZE the Los Angeles Police Department (LAPD) to:
 - a. Expend \$86,500 for sworn overtime.
 - b. Submit grant reimbursement requests to the grantor and deposit grant receipts into Fund No. 339/70, Revenue Source No. 3410.

3. INSTRUCT the LAPD to transfer reimbursement grant receipts up to \$86,500 for sworn overtime from Fund No. 339/70, Revenue Source No. 3410 to Fund No. 100/70, Revenue Source No. 4610.
4. AUTHORIZE the LAPD to prepare Controller instructions for any technical adjustments, subject to the approval of the City Administrative Officer (CAO), and, AUTHORIZE and REQUEST the Controller to implement the instructions.
5. INSTRUCT the LAPD and the CAO to report back relative to the 2007 California Seat Belt Compliance Campaign and the grant award, and whether the program is a cost-effective use of City resources.

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

ITEM NO. (21) - ADOPTED

05-1944

PUBLIC SAFETY COMMITTEE REPORT relative to modifying the Los Angeles Police Department's (LAPD) DNA Expansion Program grant agreement with the United States Department of Justice (DOJ), National Institute of Justice (NIJ).

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

AUTHORIZE the Chief of Police to execute the accompanying Modification Reimbursable Agreement from the U.S. DOJ NIJ to extend the grant term to March 31, 2008 and to receive additional grant funding in the amount of \$14,500.

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

ITEM NO. (22) - MOTION ADOPTED TO APPROVE COMMUNICATION AND COMMITTEE REPORT RECOMMENDATIONS

05-0688

BUDGET AND FINANCE COMMITTEE REPORT and COMMUNICATION FROM CHAIR and MEMBER, ENERGY AND ENVIRONMENT COMMITTEE relative to the request for additional funds for outside counsel in the matter of City of Los Angeles, et. al. v. Kern County, et. al.

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

AUTHORIZE the City Attorney to continue the retention of outside counsel, Bingham McCutchen and Beveridge & Diamond, in connection with the Kern County ban on the land application of biosolids; and APPROPRIATE \$1,500,000 from the Sewer Construction Maintenance Fund to fund the litigation.

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

(Council may recess to Closed Session, pursuant to Government Code Section 54956.8, to confer with its negotiators and legal counsel on the above matter)

Items for Which Public Hearings Have Not Been Held - Items 23-35

(10 Votes Required for Consideration)

**Roll Call #20 - Motion (Reyes - Weiss) Adopted, Ayes (12); Absent: Parks, Rosendahl and Zine (3)
(Item Nos. 23-32)**

ITEM NO. (23) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - SET FOR HEARING ON SEPTEMBER 21, 2007

07-2027

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 BAKMAN AVENUE AND CAMARILLO STREET LIGHTING DISTRICT.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated June 21, 2007.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of SEPTEMBER 21, 2007 as the hearing date for the maintenance of Bakman Avenue and Camarillo Street 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, \$574.29 will be collected annually starting with tax year 2008-09 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: September 14, 2007)

ITEM NO. (24) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - SET FOR HEARING ON SEPTEMBER 21, 2007

07-2009

CD 9 COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of WALL AND 12TH STREETS LIGHTING DISTRICT.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated June 19, 2007.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of SEPTEMBER 21, 2007 as the hearing date for the maintenance of Wall and 12th Streets 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, \$303.09 will be collected annually starting with tax year 2008-09 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: September 14, 2007)

ITEM NO. (25) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - SET FOR HEARING ON SEPTEMBER 21, 2007

07-2001
CD 5

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of FULTON AVENUE AND MOORPARK STREET LIGHTING DISTRICT.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated June 19, 2007.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of SEPTEMBER 21, 2007 as the hearing date for the maintenance of Fulton Avenue and Moorpark Street Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$853.68 will be collected annually starting with tax year 2008-09 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: September 14, 2007)

ITEM NO. (26) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - SET FOR HEARING ON SEPTEMBER 21, 2007

06-1454-S1
CD 2

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of FERNGLEN AVENUE AND VALMONT STREET NO. 1 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 June 19, 2007.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of SEPTEMBER 21, 2007 as the hearing date for the maintenance of Fernglen Avenue and Valmont Street No. 1 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, \$350.95 will be collected annually starting with tax year 2008-09 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: September 14, 2007)

ITEM NO. (27) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - SET FOR HEARING ON SEPTEMBER 21, 2007

07-2035
CD 3

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of BLYTHE STREET AND YOLANDA 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 June 20, 2007.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of SEPTEMBER 21, 2007 as the hearing date for the maintenance of Blythe Street and Yolanda 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, \$55.83 will be collected annually starting with tax year 2008-09 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: September 14, 2007)

ITEM NO. (28) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - SET FOR HEARING ON SEPTEMBER 21, 2007

07-2034
CD 2

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of MAGNOLIA BOULEVARD AND NOBLE 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 June 20, 2007.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of SEPTEMBER 21, 2007 as the hearing date for the maintenance of Magnolia Boulevard and Noble 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, \$416.16 will be collected annually starting with tax year 2008-09 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: September 14, 2007)

ITEM NO. (29) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - SET FOR HEARING ON SEPTEMBER 21, 2007

07-2033
CD 11

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of MILDRED AND BOONE AVENUES LIGHTING DISTRICT.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated June 20, 2007.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of SEPTEMBER 21, 2007 as the hearing date for the maintenance of Mildred and Boone Avenues Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$510.48 will be collected annually starting with tax year 2008-09 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: September 14, 2007)

ITEM NO. (30) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - SET FOR HEARING ON SEPTEMBER 21, 2007

07-2032
CD 11

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of MILITARY AVENUE AND VENICE BOULEVARD 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 June 21, 2007.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of SEPTEMBER 21, 2007 as the hearing date for the maintenance of Military Avenue and Venice Boulevard 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, \$290.70 will be collected annually starting with tax year 2008-09 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: September 14, 2007)

ITEM NO. (31) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - SET FOR HEARING ON SEPTEMBER 21, 2007

07-2030
CD 7

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of MARKLEIN AVENUE AND SAN FERNANDO MISSION BOULEVARD 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 June 21, 2007.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of SEPTEMBER 21, 2007 as the hearing date for the maintenance of Marklein Avenue and San Fernando Mission Boulevard 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, \$853.68 will be collected annually starting with tax year 2008-09 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: September 14, 2007)

ITEM NO. (32) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - SET FOR HEARING ON SEPTEMBER 21, 2007

07-0101

EXEMPTION, COMMUNICATION FROM CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to amending the Los Angeles Municipal Code (LAMC) Section 98.0410 regarding the Building and Safety Surcharge for the One Stop-Permit Center.

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

1. FIND that this action is exempt from the California Environmental Quality Act (CEQA), pursuant to Article II, Section 2(m) of the City's CEQA Guidelines.

2. PRESENT and ADOPT the accompanying ORDINANCE amending the LAMC Section 98.0410 relative to the Building and Safety Surcharge for the One-Stop-Permit Center. (According to the City Attorney, the proposed amendments to the ordinance contain only technical and clarifying changes only, and do not increase the amount of the surcharge.)

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.

(Planning and Land Use Management Committee waived consideration of the above matter)

ITEM NO. (33) - ADOPTED

Roll Call #5 - Motion (Hahn - Weiss) Adopted, Ayes (11); Absent: LaBonge, Parks, Rosendahl and President Garcetti (4)

07-0005-S398

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 July 11, 2007:

07-0005-S398

CD 1 a. Property at 635 West Avenue 28 (Case No. 6436).
Assessor I.D. No. 5453-013-021

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on September 21, 2006)

07-0005-S399

CD 15 b. Property at 646 West 22nd Street (Case No. 13515).
Assessor I.D. No. 7462-029-022

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on January 18, 2007)

07-0005-S400

CD 15 c. Property at 641 North Wilmington Boulevard (Case No. 102516).
Assessor I.D. No. 7416-011-002

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on April 17, 2007)

07-0005-S401

CD 15 d. Property at 1742 North Marine Avenue (Case No. 78705).
Assessor I.D. No. 7421-007-005

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 7, 2007)

07-0005-S402

CD 11 e. Property at 529 East Brooks Avenue (Case No. 1950).
Assessor I.D. No. 5239-009-028

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 1, 2007)

07-0005-S403

CD 7 f. Property at 15206 La Valle Street (Case No. 37264).
Assessor I.D. No. 2604-019-004

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on November 8, 2006)

07-0005-S404

CD 1 g. Property at 2705 East Darwin Avenue (Case No. 52416).
Assessor I.D. No. 5210-010-017

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on January 22, 2007)

07-0005-S405

CD 9 h. Property at 1594 East Vernon Avenue (Case No. 87507).
Assessor I.D. No. 5106-002-007

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on April 17, 2007)

07-0005-S406

CD 7 i. Property at 12881 North Norris Avenue (Case No. 23153).
Assessor I.D. No. 2506-012-013

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 15, 2006)

07-0005-S407

CD 9 j. Property at 721 East 87th Street (Case No. 41170).
Assessor I.D. No. 6042-002-021

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on November 22, 2006)

ITEM NO. (34) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

Roll Call #7 - Motion (Hahn - Weiss) Adopted, Ayes (11); Absent: Parks, Rosendahl, Zine and President Garcetti (4)

07-1968

ADMINISTRATIVE EXEMPTION and COMMUNICATION FROM THE BOARD OF AIRPORT COMMISSIONERS (BOAC) relative to an Operating Use and Terminal Lease Agreement (ULA) with ExpressJet Airlines, Incorporated (XJet) at Los Angeles/Ontario International Airport (LA/ONT).

Recommendations for Council action:

1. FIND that the proposed ULA with XJet is administratively exempt from the requirements of the California Environmental Quality Act (CEQA), as provided by Article III (18)(c) of the Los Angeles City CEQA Guidelines.
2. APPROVE the proposed ULA with XJet for the non-exclusive right to access and utilize the common aircraft operational areas of LA/ONT and to set forth the airlines' exclusive, preferential and joint-use premises; and CONCUR with the BOAC's action of June 4, 2007, Board Order No. AO-5068, authorizing the Executive Director of the Los Angeles World Airports (LAWA) to execute said ULA.

Fiscal Impact Statement: The City Administrative Officer reports that approval of the proposed ULA with XJet at LA/ONT will generate approximately \$1.9 million and \$482,000 to \$1.4 million in annual terminal rent and landing fees revenues, respectively. Since the LAWA is only bound by the City Debt Management Policies, the City Financial Policies are not applicable. Approval of the proposed ULA will have no impact upon the General Fund.

TIME LIMIT FILE - JULY 18, 2007

(LAST DAY FOR COUNCIL ACTION - JULY 18, 2007)

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

ITEM NO. (35) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

Roll Call #5 - Motion (Hahn - Weiss) Adopted, Ayes (11); Absent: LaBonge, Parks, Rosendahl and President Garcetti (4)

07-1981

COMMUNICATION FROM THE BOARD OF HARBOR COMMISSIONERS (Board) relative to the transfer of Agreement No. 1003 from Chanse Energy Corporation (Chanse) to a new contractor, Warren Resources of California Incorporated and Warren E&P Incorporated (Warren), due to a purchase and sale of assets.

Recommendation for Council action:

CONCUR with the Board's action of April 5, 2007, Board Order No. 6904, approving the transfer of Agreement No. 1003 from Chanse to Warren through an Assumption and Novation Agreement and Corporate Guaranty Agreement.

Fiscal Impact Statement: The City Administrative Officer reports that approval of the proposed Agreement with Warren will have no financial impact upon the General Fund. The terms and conditions of the proposed Agreement with Warren will shift the financial responsibility for rental of the land and restoration and environmental remediation to Warren. The Port received rental revenue of approximately \$97,000 in calendar year 2006 that was deposited into Harbor Revenue Fund.

TIME LIMIT FILE - JULY 19, 2007

(LAST DAY FOR COUNCIL ACTION - JULY 18, 2007)

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

Closed Sessions - Items 36-45

ITEM NO. (36) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Roll Call #12 - Motion (Huizar - Perry) Adopted in Open Session, Ayes (12); Absent: Parks, Rosendahl and Zine (3)

07-1556

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 Ryan O'Connell v. City of Los Angeles, et al., United States District Court Case No. CV06-0400 GAF (AJWx). (This is a Rampart case arising out of incidents in which plaintiff alleges a violation of civil rights by the Los Angeles Police Department.)

(Budget and Finance Committee considered the above matter in Closed Session on July 9, 2007)

ADOPTED

MOTION (HUIZAR - PERRY)

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

1. **AUTHORIZE the City Attorney to expend \$600,000 in settlement of the case entitled Ryan O'Connell v. City of Los Angeles, et al., United States District Court Case No. CV06-0400 GAF (AJWx), from the Liability Claims Account No. 9770, Fund No 100, Department No. 59.**
2. **AUTHORIZE the City Attorney to draw a demand thereon in said amount payable to Moreno and Perez, and Moreno, Becerra, and Casillas and Ryan O'Connell.**

This matter was considered by members of the Budget and Finance Committee (Huizar "yes"; Rosendahl "yes"; Parks recused himself) at its meeting on July 9, 2007, in Closed Session as permitted by Government Code Section 54956.9(a).

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

Roll Call #13 - Motion (Huizar - Perry) Adopted in Open Session, Ayes (12); Absent: Parks, Rosendahl and Zine (3)

07-1933

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 Shubaralyan v. City of Los Angeles, Los Angeles Superior Court Case No. BC351637. (This is an inverse condemnation lawsuit concerning 4000 Oakfield Drive and 4006 Oakfield Drive.)

(Budget and Finance Committee considered the above matter in Closed Session on July 2, 2007)

ADOPTED

MOTION (HUIZAR - PERRY)

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

- 1. AUTHORIZE the City Attorney to execute a settlement agreement and all other documents necessary to implement the settlement.**
- 2. AUTHORIZE and INSTRUCT that the City Attorney, without further instruction, draw the necessary demand in the amount of \$395,000 payable to Karlen Shubaralyan, Talin Shubaralyan, Daniel Shubaralyan, Karen Shubaralyan, Susan Badalyan, Christopher Abare, and the Law Offices of Rosenberg, Mendlin and Rosen from the Sewer Operations Maintenance Fund No. 760, Account No. Y282, City Attorney Claims.**

This matter was approved by the Budget and Finance Committee (Parks - Greuel - Huizar - Smith - Rosendahl "yes"), at its meeting on July 2, 2007, in Closed Session as permitted by Government Code Section 54956.9(a).

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

Roll Call #14 - Motion (Huizar - Perry) Adopted in Open Session, Ayes (12); Absent: Parks, Rosendahl and Zine (3)

07-1934

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 Harold Davis v. City of Los Angeles, Workers' Compensation Appeals Board Case No. VNO432409; Claim No. 9002-1969-6029. (Applicant alleges he sustained personal injuries during the course and scope of his employment as a police officer with the Los Angeles Police Department.)

(Budget and Finance Committee considered the above matter in Closed Session on July 2, 2007)

ADOPTED

MOTION (HUIZAR - PERRY)

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 Harold Davis v. City of Los Angeles, Workers' Compensation Appeals Board Case No. VNO432409; Claim No. 9002-1969-6029, through a Stipulated Award in the amount of \$135,355, payable at \$230 per week, plus a life pension thereafter of \$108.23 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"; Rosendahl "no") at its meeting on July 2, 2007, in Closed Session as permitted by Government Code Section 54956.9(a).

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

Roll Call #15 - Motion (Huizar - Perry) Adopted in Open Session, Ayes (12); Absent: Parks, Rosendahl and Zine (3)

07-1935

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 Lawrence Mudgett v. City of Los Angeles, Workers' Compensation Appeals Board Case Nos. VNO382947, et al.; Claim Nos. 9002-1996-5989, et al. (Applicant alleges he sustained personal injuries during the course and scope of his employment as a police officer with the Los Angeles Police Department.)

(Budget and Finance Committee considered the above matter in Closed Session on July 2, 2007)

ADOPTED

MOTION (HUIZAR - PERRY)

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 Lawrence Mudgett v. City of Los Angeles, Workers' Compensation Appeals Board Case Nos. VNO382947, et al.; Claim Nos. 9002-1996-5989, et al., through a Stipulated Award in the amount of \$118,795, plus a life pension thereafter of \$78,794.35 payable at \$77.31 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 - Huizar - Smith - Rosendahl "yes") at its meeting on July 2, 2007, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (40) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Roll Call #16 - Motion (Huizar - Perry) Adopted in Open Session, Ayes (12); Absent: Parks, Rosendahl and Zine (3)

07-2094

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 Paul Roberts v. City of Los Angeles, Workers' Compensation Appeals Board Case No. OXN145085; Claim No. 9003-1962-3665. (Applicant alleges he sustained personal injuries during the course and scope of his employment as a firefighter with the Los Angeles Fire Department.)

(Budget and Finance Committee considered the above matter in Closed Session on July 2, 2007)

ADOPTED

MOTION (HUIZAR - PERRY)

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 Paul Roberts v. City of Los Angeles, Workers' Compensation Appeals Board Case No. OXN145085; Claim No. 9003-1962-3665, through a Stipulated Award in the amount of \$131,215, plus a life pension thereafter of \$100.50 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.**

ITEM NO. (41) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Roll Call #17 - Motion (Huizar - Perry) Adopted in Open Session, Ayes (12); Absent: Parks, Rosendahl and Zine (3)

07-2097

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 Thomas Jefferson v. City of Los Angeles, Workers' Compensation Appeals Board Case Nos. VNO517792, et al.; Claim No. 9003-1957-3153. (This is a death benefit claim brought by applicant's spouse.)

(Budget and Finance Committee considered the above matter in Closed Session on July 2, 2007)

ADOPTED

MOTION (HUIZAR - PERRY)

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

- 1. AUTHORIZE the City Attorney to enter into settlement in the case entitled Thomas Jefferson v. City of Los Angeles, Workers' Compensation Appeals Board Case Nos. VNO517792, et al.; Claim No. 9003-1957-3153, through a Stipulated Award in the amount of \$125,000, plus \$5,000 for burial expenses.**
- 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 - Rosendahl "yes") at its meeting on July 2, 2007, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (42) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Roll Call #18 - Motion (Huizar - Perry) Adopted in Open Session, Ayes (12); Absent: Parks, Rosendahl and Zine (3)

07-2098

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 Jeffrey Sandefur v. City of Los Angeles, Workers' Compensation Appeals Board Case No. VNO (unassigned); Claim No. 9002-2003-1663. (Applicant alleges he sustained personal injuries during the course and scope of his employment as a police officer with the Los Angeles Police Department.)

(Budget and Finance Committee considered the above matter in Closed Session on July 2, 2007)

ADOPTED

MOTION (HUIZAR - PERRY)

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 Jeffrey Sandefur v. City of Los Angeles, Workers' Compensation Appeals Board Case No. VNO (unassigned); Claim No. 9002-2003-1663, through a Stipulated Award in the amount of \$106,375, plus a life pension thereafter of \$54.11 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 - Huizar - Smith - Rosendahl "yes"), at its meeting on July 2, 2007, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (43) - CONTINUED TO JULY 25, 2007

Roll Call #1 - Motion (Alarcon - Wesson) Adopted to Continue, Ayes (11); Absent: LaBonge, Parks, Rosendahl and President Garcetti (4)

07-2093

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 matter concerning Burrito King Inc.'s refusal to vacate the concession premises at the Sherman Oaks Castle Park and Burrito King's threat of legal action against the City.

(Budget and Finance Committee considered the above matter in Closed Session on July 9, 2007)

ITEM NO. (44) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Roll Call #19 - Motion (Huizar - Perry) Adopted in Open Session, Ayes (12); Absent: Parks, Rosendahl and Zine (3)

07-2164

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 William Pearl v. City of Los Angeles, et al., Los Angeles Superior Court Case No. SC090880. (This case arises out of a personal injury incident which occurred on February 23, 2006.)

(Budget and Finance Committee considered the above matter in Closed Session on July 9, 2007)

ADOPTED

MOTION (HUIZAR - PERRY)

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

1. **AUTHORIZE the City Attorney to expend \$115,000 in settlement of the case entitled William Pearl v. City of Los Angeles, et al., Los Angeles Superior Court Case No. SC090880, from the Liability Claims Account No. 9770, Fund No. 100, Department No. 59.**
2. **AUTHORIZE the City Attorney to draw a demand thereon in said amount payable to the Law Offices of Carlos J. Castaneda and William Pearl.**

This matter was approved by the Budget and Finance Committee (Parks - Huizar - Rosendahl "yes") at its meeting on July 9, 2007, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (45) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Roll Call #11 - Motion (Huizar - Greuel) Adopted in Open Session, Ayes (11); Absent: Parks, Perry, Rosendahl and Zine (4)

07-2191

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 Richard C. Sanchez v. City of Los Angeles, Los Angeles Superior Court Case No. BC320805. (This is an employment litigation case involving the Department of Building and Safety.)

(Budget and Finance Committee considered the above matter in Closed Session on July 9, 2007)

ADOPTED

MOTION (HUIZAR - GREUEL)

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

1. **AUTHORIZE a settlement agreement in the case entitled Richard C. Sanchez v. City of Los Angeles, Los Angeles Superior Court Case No. BC320805, with the following terms:**
 - a. **Promotion of Plaintiff to the position of Assistant Deputy Building Superintendent II (ADBS II), retroactive to July 1, 2006. Plaintiff has agreed to retire effective July 31, 2007.**
 - b. **Plaintiff shall receive a retroactive check for the difference in his current salary and the ADBS II salary retroactive to July 1, 2006 in the amount of \$18,324, less standard deductions, including federal and state taxes, retirement or other necessary payroll deductions. Said amount will be paid by the Department of Building and Safety for the City of Los Angeles, Fund No. 100/08, Account No. 1010, Salaries.**
 - c. **The City will pay \$18,500 to the Plaintiff to cover a portion of his attorney fees and costs.**
2. **AUTHORIZE the City Attorney to draw a demand in the amount of \$18,500 from Fund No. 100/59, Liability Claims Account No. 9760, payable to Richard C. Sanchez.**

This matter was approved by the Budget and Finance Committee (Parks - Huizar - Rosendahl "yes") at its meeting on July 9, 2007, in Closed Session as permitted by Government Code Section 54956.9(a).

Item for Which Public Hearing Has Not Been Held - Item 46

(10 Votes Required for Consideration)

ITEM NO. (46) - RECEIVED AND FILED

Roll Call #8 - Motion (Wesson - Smith) Adopted to Receive and File, Ayes (11); Absent: Parks, Rosendahl, Zine and President Garcetti (4)

[07-2101](#)

CD 10 CONTINUED CONSIDERATION OF MOTION (WESSON - SMITH - GARCETTI) relative to an appeal of Certificate of Compatibility (CCMP) for property at 2400 South Seventh Avenue.

Recommendations for Council action:

1. **ASSERT JURISDICTION over the June 19, 2007, South Los Angeles Area Planning Commission action denying the appeal relative to 2400 South Seventh Avenue. (DIR 2006-7584-CCMP-1A). (The appeal was from the Director of Planning's approval of a Certificate of Compatibility for the construction of a single family dwelling in the West Adams Terrace Historical Preservation Overlay Zone.)**

2. REFER this matter to the Planning and Land Use Management Committee for further review upon assertion of jurisdiction.

TIME LIMIT FILE - JULY 18, 2007

(LAST DAY FOR COUNCIL ACTION - JULY 18, 2007)

(Planning and Land Use Management Committee waived consideration of the above matter)

RECONSIDERED ITEM NO. 47 (07-1004) FROM THE COUNCIL MEETING OF TUESDAY, JULY 17, 2007

ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #47 - Motion (Huizar - Perry) Adopted as Amended, Ayes (11); Absent: Parks, Rosendahl, Zine and President Garcetti (4)

07-1004

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the Garvanza Historic Preservation Overlay Zone (HPOZ) survey, funding and proposal for Interim Control Ordinance.

Recommendations for Council action, as initiated for by Motion (Huizar - Hahn): SUBJECT TO THE APPROVAL OF THE MAYOR:

1. INSTRUCT the Planning Department to initiate and complete proceedings to establish a Historic Preservation Overlay Zone (HPOZ), as provided for in the Los Angeles Municipal Code, Section 12.20.3, in the Garvanza neighborhood in Council District Fourteen, as delineated in Recommendation Nos. 2 through 4 of this Committee report within 90 days.
2. INSTRUCT the Planning Department to incorporate the following geographical boundaries as part of the proposed Garvanza HPOZ: Pasadena City limits to the north; Metro right-of-way bridge to the south; Eastside of Avenue 66 to the east; and Eastside of Figueroa proceeding to the Westside of Avenue 63 at York to the west.
3. INSTRUCT the Planning Department to incorporate the entire original historic Garvanza neighborhood and to capture into it, the Judson Studios/Thorne Street portion of the current Highland Park HPOZ.
4. INSTRUCT the Planning Department to incorporate in the geographical boundaries of the proposed Garvanza HPOZ all five designated neighborhood districts and eight historic monuments/landmarks recognized in the July 9, 1990 Northeast Los Angeles Field Survey as follows: Church of the Angels District; the Pollard and North Avenue 65 District; the North Avenue 66 District; the Thorne Street- South Avenue 66 District; and the 6400 Block of Crescent Street cluster.
5. APPROVE the recommendations of the City Administrative Officer (CAO) contained in the report dated June 12, 2007, relative to funding for the Garvanza HPOZ survey, as follows:

*** DELETE**

- a. ~~RESCIND the action taken on April 18, 2007, in Council File No. 06-0600-S74 in which \$120,000 was transferred from the Unappropriated Balance line item entitled Planning-Council initiated Assignments to the Reserve for Economic Uncertainties and in doing so APPROPRIATE \$120,000 from the Reserved Fund to the Unappropriated Balance, Fund No. 100/58 Planning - Council Initiated Assignments Account No. 0174. (**Huizar - Perry)~~
- b. ~~APPROPRIATE \$120,000 from the Unappropriated Balance, Fund No. 100/58 Planning-Council Initiated Assignments Account No. 0174, to the Department of City Planning, Fund No. 100/68, Contractual Services Account No. 3040, to be used for the Garvanza HPOZ survey. (*Huizar - Smith)~~
6. INSTRUCT the Planning Department to initiate and complete proceedings to establish an Interim Control Ordinance for the proposed HPOZ area to temporarily protect the Northeast Los Angeles Field Survey area from demolitions and exterior alterations.

Fiscal Impact Statement: The CAO reports that the Garvanza HPOZ is not included in the Budget and would have a \$120,000 impact on the General Fund. If Council Determines that funding this survey satisfies an urgent need, the recommendation in this report would be in compliance with the City's Financial Policies.

ADOPTED

BUDGET AND FINANCE COMMITTEE REPORT relative to funding for the Garvanza Historic Preservation Overlay Zone (HPOZ) survey.

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

1. AUTHORIZE the Planning Department to proceed with the Garvanza HPOZ survey using existing funds.
2. TRANSFER \$30,000 from the Council District No. 14 portion of the Street Furniture Revenue Fund No. 43D/Department 50, to the Planning Department Fund No. 100/68, Contractual Services Account No. 3040.
3. INSTRUCT the City Administrative Officer (CAO) and the Planning Department to monitor Planning Department expenditures and report back to the Budget and Finance Committee on appropriations shortfalls and transfers of funds, as required, in the CAO's Financial Status Reports.

Fiscal Impact Statement: The CAO reports there is no additional impact on the General Fund associated with this action. The total cost of the historical resources survey for the Garvanza HPOZ is approximately \$150,000. Funding totaling \$120,000 will be absorbed by the Department of City Planning, Contractual Services Account. The remaining \$30,000 will be paid using available funding from the Council District 14 portion of the Street Furniture Revenue Fund. Budgetary shortfalls resulting from this action will be addressed through future Financial Status Reports. The recommendations in the report comply with the City's Financial Policies.

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

07-2317

CD 6 MOTION (CARDENAS - ALARCON) relative to declaring the Hot Summer Nights Car Show Mixer on July 19, 2007 a Special Event (fees and costs absorbed by the City = \$1,642).

07-2318

CD 15 MOTION (HAHN - LABONGE) relative to declaring the Dalmatian American Club Annual Summer Family Picnic on July 22, 2007 a Special Event (fees and costs absorbed by the City = \$1,226).

07-2319

CD 15 MOTION (HAHN - LABONGE) relative to declaring the Dennison Street Block Party on July 21, 2007 a Special Event (fees and costs absorbed by the City = \$1,226).

07-2321

CD 15 MOTION (HAHN - LABONGE) relative to declaring the San Pedro TriArts Festival on September 8-9, 2007 a Special Event (fees and costs absorbed by the City = \$1,226).

07-2322

CD 9 MOTION (PERRY - CARDENAS) relative to declaring the Annual Homeless Food and Health Fair on September 30, 2007 a Special Event (fees and costs absorbed by the City = \$1,226).

07-2323

CD 7 MOTION (ALARCON - HUIZAR) relative to declaring the Community Clean Up on August 11, 2007 a Special Event (fees and costs absorbed by the City = \$3,800).

07-2320

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

07-0010-S43

MOTION (WEISS - GREUEL) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for placing an incendiary device in front of a 2004 BMW at the 400 block of South Loring Avenue in West Los Angeles on June 24, 2007.

07-2316

CD 14 MOTION (HUIZAR - REYES) relative to funding from the Central Los Angeles Recycling and Transfer Station for the Advancement Project Los Angeles' Healthy City Project in Council District 14.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Motion (Garcetti - Greuel) unanimously adopted to excuse Councilmember Weiss to leave at 11:30 a.m. from Council session of Tuesday, July 24, 2007 due to Personal business.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

07-2166 - Detective Sergeant Frederick Bruce Heschong

(Zine - All Councilmembers)

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

07-2167 - Jeanine Armstrong

(Wesson for Zine)

Hilda Bostick

(Hahn)

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

Whereupon the Council did adjourn.

ATTEST: Frank T. Martinez, CITY CLERK

By

Council Clerk

PRESIDENT PRO TEMPORE OF THE CITY COUNCIL