

Los Angeles City Council, **Journal/Council Proceedings**
Wednesday, **October 3, 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, Huizar, LaBonge, Parks, Rosendahl, Smith, Wesson and Zine (10); Absent: Hahn, Perry, Reyes, Weiss and President Garcetti (5).

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
SEPTEMBER 28, 2007

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 35

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 1-2

ITEM NO. (1) - CONTINUED TO OCTOBER 9, 2007

**Roll Call #1 - Motion (Rosendahl - Smith) Adopted to Continue, Unanimous Vote (10);
Absent: Hahn, Perry, Reyes, Weiss and President Garcetti (5)**

[07-2712](#)

CD 11 HEARING COMMENTS relative to application for determination of "Public Convenience or Necessity" for alcohol sales for off-site consumption at Longs Drugstore located at 255 South Main Street, Venice.

Recommendations for Council action:

1. DETERMINE that the issuance of a liquor license at Longs Drugstore located at 255 South Main Street, Venice, will serve the "Public Convenience or Necessity" and will not tend to create a law enforcement problem.
2. GRANT the Application for Determination of "Public Convenience or Necessity" for the sale of alcoholic beverages for off-site consumption at 255 South Main Street, Venice.

3. INSTRUCT the City Clerk to transmit this determination to the State Department of Alcoholic Beverage Control as the required findings under Business and Professions Code Section 23958.4.

Applicant: Longs Drugstore (The McCarty Co., LLC, Representative)

TIME LIMIT FILE - OCTOBER 9, 2007

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

ITEM NO. (2) - PUBLIC HEARING CLOSED - MOTION ADOPTED TO GRANT APPLICATION

Roll Call #11 - Motion (Greuel - Huizar) Adopted to Grant Application, Ayes (12); Absent: Perry, Weiss and President Garcetti (3)

07-2714

CD 5

HEARING COMMENTS relative to application for determination of "Public Convenience or Necessity" for alcohol sales for on- and off-site consumption at Froma on Melrose located at 7960 Melrose Avenue, Los Angeles.

Recommendations for Council action:

1. DETERMINE that the issuance of a liquor license at Froma on Melrose located at 7960 Melrose Avenue, Los Angeles, will serve the "Public Convenience or Necessity" and will not tend to create a law enforcement problem.
2. GRANT the Application for Determination of "Public Convenience or Necessity" for the sale of alcoholic beverages for on- and off-site consumption at 7960 Melrose Avenue.
3. INSTRUCT the City Clerk to transmit this determination to the State Department of Alcoholic Beverage Control as the required findings under Business and Professions Code Section 23958.4.

Applicant: Francine Diamond (Art Rodriguez and Associates, Representative)

TIME LIMIT FILE - OCTOBER 9, 2007

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

Items for Which Public Hearings Have Been Held - Items 3-17

ITEM NO. (3) - ADOPTED

Roll Call #5 - Motion (Alarcon - Reyes) Adopted, Ayes (12); Absent: Perry, Weiss and President Garcetti (3)

07-2780

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the Mayor's appointment of Mr. Juan Jose Rodriguez to the North Valley Area Planning Commission.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. Juan Jose Rodriguez to the North Valley Area Planning Commission for the term ending June 30, 2008, is APPROVED and CONFIRMED. Mr. Rodriguez resides in Council District Six. (Current Commission Gender Composition: M=4; F=1)

Ethics Commission Review: Pending

Background Check Review: Pending

TIME LIMIT FILE - OCTOBER 12, 2007

(LAST DAY FOR COUNCIL ACTION - OCTOBER 12, 2007)

ITEM NO. (4) - ADOPTED

Roll Call #6 - Motion (Huizar - Parks) Adopted, Ayes (12); Absent: Perry, Weiss and President Garcetti (3)

07-2784

PUBLIC SAFETY COMMITTEE REPORT relative to the appointment of Ms. Irene G. Ponce to the Board of Animal Services.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Irene G. Ponce to the Board of Animal Services for the term ending June 30, 2010, to fill the vacancy created by the resignation of Ms. Marie Atake, is APPROVED and CONFIRMED. Ms. Ponce resides in Council District 14. (Current Board gender composition: M = 3; F = 2)

Ethics Commission Review: Complete

(TIME LIMIT FILE - OCTOBER 19, 2007)

(LAST DAY FOR COUNCIL ACTION - OCTOBER 19, 2007)

ITEM NO. (5) - CONTINUED TO OCTOBER 5, 2007

Roll Call #8 - Motion (Parks - Reyes) Adopted to Continue, Unanimous Vote (12); Absent: Perry, Weiss and President Garcetti (3)

07-2266

CD 10 PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION to restore the [Q]M1-1-VL zone for properties within Subarea 735.

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

1. ADOPT the July 13, 2007 FINDINGS of the Director of Planning as the Findings of the Council.
2. PRESENT and ADOPT the accompanying ORDINANCE, approved by the Director of Planning, that restores the [Q]M-1-VL zone for properties within Subarea 735, Ordinance No. 172913, as part of the Community Plan Revision Program for West Adams-Baldwin Hills-Leimert Community Plan area, subject to Conditions of Approval.

CPC 95-0095-CPR

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

3. ADVISE the applicant of [Q] Qualified classification time limit as described in the Committee report.

(EIR was certified by Council on May 6, 1998)

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

TIME LIMIT FILE - OCTOBER 11, 2007

(LAST DAY FOR COUNCIL ACTION - OCTOBER 10, 2007)

ITEM NO. (6) - ADOPTED

Roll Call #4 - Motion (Reyes - Huizar) Adopted, Ayes (12); Absent: Perry, Weiss and President Garcetti (3)

07-2411

CD 15 MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change at 1450 West Pacific Coast Highway.

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

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the lead agency in the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 07-2411 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV 2006-10211 MND] filed on March 16, 2007.
2. ADOPT the FINDINGS of the City Planning Commission (CPC), as modified by the Planning and Land Use Management Committee (to correct Finding No. 5), as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the CPC, effecting a zone change from [Q]C2-1VL-O and [Q]P-1VL-O to (T)(Q)RD1.5-1VL-O for the proposed construction, use and maintenance of no more than 57 dwelling units for the property at 1450 West Pacific Coast Highway, subject to Conditions of Approval. (CPC also approved a Site Plan Approval for this project.)

Applicant: Efrem Joelson, Watt Developers

CPC 2006-10244 ZC SPR

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

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

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

TIME LIMIT FILE - OCTOBER 29, 2007

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

ITEM NO. (7) - ADOPTED

Roll Call #9 - Motion (Rosendahl - Wesson) Adopted, Ayes (12); Absent: Perry, Weiss and President Garcetti (3)

07-2348

AD HOC COMMITTEE ON HOMELESSNESS REPORT relative to the allocation of Community Development Block Grant funds to assist Upward Bound House with the purchase and renovation of property to provide emergency shelter for homeless families in West Los Angeles.

Recommendations for Council action, pursuant to Motion (Rosendahl - Smith), SUBJECT TO THE APPROVAL OF THE MAYOR:

1. INSTRUCT the Community Development Department to ALLOCATE \$400,000 in Community Development Block Grant funds from the Homeless Initiative Pledge line item to assist the Upward Bound House to purchase and renovate a hotel located at 12841 West Washington Boulevard for the purpose of providing shelter and services to homeless families in West Los Angeles.
2. INSTRUCT the Community Development Block Grant Task Force to review the project for timeliness and expenditure capabilities and report with recommendation to expend.

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

**Roll Call #2 - Motion (Wesson - Smith) Adopted, Ayes (10); Absent: Hahn, Perry, Reyes, Weiss and President Garcetti (5)
(Item Nos. 8-17)**

ITEM NO. (8) - ADOPTED

06-0600-S82

BUDGET AND FINANCE COMMITTEE REPORT relative to litigation successes and the status of Liability Accounts for the fiscal year ending June 30, 2007.

Recommendation for Council action:

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

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.

(City 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. (9) - ADOPTED

07-0600-S48

BUDGET AND FINANCE COMMITTEE REPORT relative to methods used to track Arts Development Fees.

Recommendations for Council action:

1. NOTE and FILE the City Administrative Officer (CAO) report relative to methods used to track Arts Development Fees, inasmuch as the report is submitted for information only and no Council action is necessary.
2. INSTRUCT the Cultural Affairs Department to provide each Council Office on a quarterly basis with information relative to the amount of Arts Development Fees collected and how these fees are being expended.

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

ITEM NO. (10) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATION

07-1407

07-1415

CDs 4&13 HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to restructuring Residual Receipt Loans into Service Repayment Conditional Grants for the properties located at 4439-45 Burns Avenue, 1550 Gower Street, and 1754 Taft Avenue.

Recommendation for Council action:

AUTHORIZE the Chief Executive Officer, Community Redevelopment Agency (CRA), or designee, subject to the review of the City Attorney as to form and legality, to:

- a. Convert an existing Residual Receipts Loan with the Mary Lind Foundation (MLF) in the amount of \$1,039,881, for the property located at 4439-45 Burns Avenue, into a Service Repayment Conditional Grant for a term of 10 years.
- b. Convert two existing Residual Receipts Loans with the Los Angeles Youth Network (LAYN) totaling \$648,877, for the properties located at 1550 Gower Street and 1754 Taft Avenue, into a Service Repayment Conditional Grant for a term of 10 years.

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

ITEM NO. (11) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS

07-2546

CD 4 HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION relative to entering into contracts for artwork services for the NoHo Arts District Streetscape Project (Project).

Recommendations for Council action:

1. ADOPT the accompanying RESOLUTION, pursuant to Section 33445 of the California Redevelopment Law, authorizing Community Redevelopment Agency (CRA) payment of fabrication and installation costs in a total amount not to exceed \$150,000 for the Project located in the North Hollywood Redevelopment Project Area and making the following necessary findings in support thereof:
 - a. The fabrication and installation of the Project Artworks is of benefit to the North Hollywood Project Area in that it will visually enhance the overall street character of Lankershim Boulevard and be publicly accessible and functionally designed for long-term durability and easy maintenance.
 - b. After pursuing an investigation for other funding sources, no other reasonable means of financing the fabrication and installation of the Project Artworks is available.
 - c. The fabrication and installation of the Project Artworks will assist in the elimination of both physical and economic blight by providing signage and artwork that draws attention to NoHo's unique identity as a destination to experience contemporary theatre, art galleries, and arts friendly businesses.
 - d. The provision of funding for the fabrication and installation of the Project Artworks is consistent with the Project Area five-year implementation plan.
2. AUTHORIZE the CRA, Chief Executive Officer, or designee, to enter into a contract, subject to the review of the City Attorney as to form and legality and the Department of Public Works, Bureau of Contract Administration, for compliance with certain CRA contracting requirements, with:
 - a. Artist Ricardo Mendoza for a total not to exceed amount of \$75,000 for fabrication and installation oversight of street furnishing elements for the Project.
 - b. Artist Erin Lareau for a total not to exceed amount of \$75,000 for fabrication and installation oversight of public artwork elements for the Project.

Fiscal Impact Statement: The City Administrative Officer reports that there is no impact on the City General Fund. Funding for the contracts is from the North Hollywood Cultural Trust Funds. The CRA is only bound by the City Debt Management Policies. The City Financial Policies are not applicable to the CRA.

ITEM NO. (12) - ADOPTED

06-0189-S2

CD 10 PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an application for a hardship exemption from provisions of the Wilshire Park Interim Control Ordinance (ICO) for the property at 706 South Bronson Avenue.

Recommendations for Council action:

1. GRANT hardship exemption from the Wilshire Park ICO (Ordinance No. 178008) as noted and as described in the application attached to Council file No. 06-0189-S2, for the proposed addition of a new master bedroom and bathroom (525 square feet) on the first floor, and the extension of an existing master bathroom on the second floor by 160 square feet for total addition to residence of 685 square feet for property at 706 South Bronson Avenue.
2. ADVISE the applicant that this hardship exemption, if granted by the City Council, is not a permit or license and that any other approvals, permits and licenses required by law must be obtained from the proper agencies.

Applicant: Consuelo Ayon, Jide Animashaun, Representative

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

ITEM NO. (13) - ADOPTED

07-2095

CD 7 PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an appeal on an Adjustment for property at 8621 North Noble Avenue and add area.

Recommendations for Council action:

1. ADOPT the FINDINGS of the Planning and Land Use Management Committee as the Findings of the Council.
2. RESOLVE TO GRANT APPEAL filed by LA Development and Builders from part of the determination of the City Planning Commission (CPC), and THEREBY OVERTURN the decision of the CPC in disapproving an Adjustment and APPROVE an Adjustment to permit eight feet of space between four of the residential buildings on the same lot in lieu of the minimum required ten feet of space between buildings for the proposed construction of 10 dwelling units for property at 8621 North Noble and add area, subject to Conditions of Approval as attached to the Committee report.

Applicant/Appellant: LA Development and Builders
(Pauline Amond, Representative) CPC 2006-0653-ZC GPA ZAA ZAD

3. INSTRUCT the Planning Department to revise the City Planning Department record to incorporate the Findings, as modified, by the Committee.

(Council adopted the Mitigated Negative Declaration on August 15, 2007)

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

TIME LIMIT FILE - OCTOBER 3, 2007

(LAST DAY FOR COUNCIL ACTION - OCTOBER 3, 2007)

(10 VOTES REQUIRED)

ITEM NO. (14) - MOTION ADOPTED TO APPROVE COMMUNICATION AND COMMITTEE REPORT RECOMMENDATIONS

06-0285

COMMUNICATION FROM THE CHAIR, AD HOC COMMITTEE ON GANG VIOLENCE AND YOUTH DEVELOPMENT and PUBLIC SAFETY COMMITTEE REPORT and RESOLUTION relative to an application for a grant award for the Juvenile Justice Delinquency Prevention (JJDP) Program.

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

1. APPROVE the 2007-08 California Corrections Standards Authority application and accept the grant award in the amount of \$432,000 for the JJDP Program to provide delinquency prevention and intervention services for youth under the age of 17.
2. ADOPT the accompanying RESOLUTION, as requested by the grantor and subject to the approval of the City Attorney as to form and legality, which endorses the grant agreement and agrees that any liability arising from the City's performance of activities funded by this grant shall be the responsibility of the City.
3. AUTHORIZE the Mayor, or designee to execute on behalf of the City, the Grant Agreement from the California Corrections Standards Authority for the period of April 1, 2007 through March 31, 2008 and to negotiate, execute and submit any other necessary documentation relative to this grant, subject to the approval of the City Attorney as to form and legality.
4. AUTHORIZE the Mayor's Office to amend Professional Service Agreements as per the pro forma agreement accompanying the City Administrative Officer (CAO) report to the Mayor and Council dated September 7, 2007 (attached to the Council file) with the following organizations for the amounts listed below, effective from April 1, 2007 through March 30, 2008 and subject to the approval of the City Attorney as to form and legality:

<u>Organization</u>	<u>Amount</u>
AADAP Inc.	\$ 56,990
All Peoples Christian Center	56,990
Centinela Youth Services	56,990
El Nido Family Centers	56,990
Gay and Lesbian Adolescent Social Services	56,990
Public Health Foundation/Aztec Fire Fuels Crew	56,990
Woodcraft Rangers	<u>56,990</u>
Total	\$398,931

5. AUTHORIZE the Controller to:

- a. Establish a receivable in the amount of \$432,000 and establish appropriation accounts within the Juvenile Justice Delinquency Prevention Fund 42H/46 as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
C146	Salaries - Mayor's Office	\$ 26,606
C201	Gay and Lesbian Adolescent Social Services	\$56,991
C202	Centinela Youth Services	\$56,990
C203	Woodcraft Rangers	\$56,990
C204	El Nido Family Centers	\$56,990
C205	All Peoples Christian Center	\$56,990
C206	AADAP, Inc.	\$56,990
C207	Public Health Foundation/Aztec Fire Fuels Crew	\$56,990
C299	Related Costs - Mayor's Office	\$6,463

- b. As grant funds are received, transfer up to \$33,069 from the Juvenile Justice Delinquency Prevention Fund 42H to the Mayor's Office Salaries Grant Reimbursed and Fringe Benefits Reimbursement accounts as follows:

From:

<u>Fund/Dept</u>	<u>Account</u>	<u>Amount</u>
42H/46	C146	\$26,606
42H/46	C299	\$6,463

To:

<u>Fund/Dept</u>	<u>Account</u>	<u>Amount</u>
100/46	1020	\$26,606
100/46	4681	\$ 6,463

6. AUTHORIZE the Mayor's Office to prepare Controller instructions for any necessary technical adjustments consistent with this action, subject to the approval of the CAO; and, AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: The CAO reports that accepting the \$432,000 grant award from the California Corrections Standards Authority will provide funds to support the City's efforts to reduce delinquency and gang involvement for youth under age 17. Of this total amount, \$398,931, is allocated for community-based service providers and \$33,069 is for grant administration. No matching funds are required to implement the 2007-08 JJDP Program. This action is in compliance with City financial policies inasmuch as grant revenues are available to support the JJDP Program.

ITEM NO. (15) - ADOPTED

07-2305

PUBLIC SAFETY and BUDGET AND FINANCE COMMITTEES' REPORTS relative to the 2008-10 Solving Cold Cases with DNA Program Grant Award.

A. PUBLIC SAFETY COMMITTEE REPORT

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

1. AUTHORIZE the Chief of Police to accept on behalf of the City the 2008-10 Solving Cold Cases with DNA Program Grant Award in the amount of \$500,000 from the United States Department of Justice, National Institute of Justice (NIJ) for the period of January 1, 2008 through July 31, 2010.
2. AUTHORIZE the Chief of Police, or designee, to negotiate and execute the Solving Cold Cases with DNA Program Grant Award Agreement, subject to the approval of the City Attorney as to form and legality.
3. AUTHORIZE the Los Angeles Police Department (LAPD) to:
 - a. Submit grant reimbursement requests to the grantor and deposit grant receipts in Fund No. 339/70, Revenue Source No. 4674.
 - b. Establish appropriation Account No. C528 within Fund No. 339/70, for the purpose of making expenditures.
4. APPROVE a Reserve Fund loan of \$60,000 and TRANSFER said amount from the Reserve Fund to the Unappropriated Balance, and APPROPRIATE therefrom to Fund No. 339/70, Account No. C528.

5. INSTRUCT the LAPD to:
 - a. Repay the \$60,000 Reserve Fund Advance upon receipt of grant reimbursements from the 2008-10 Solving Cold Cases with DNA Program.
 - b. Transfer grant reimbursement receipts for sworn and civilian overtime from Fund No. 339/70, Account No. C528 to Fund No. 100/70, Revenue Source No. 4674.
6. AUTHORIZE the LAPD to use:
 - a. \$154,980 for sworn overtime, and \$15,930 for civilian overtime for a total of \$170,910 associated with this program.
 - b. \$71,290 for training and/or travel.
 - c. \$12,000 for computers and related equipment, and software and supplies.
7. AUTHORIZE the Chief of Police, or designee, to negotiate and execute either new agreements or to amend any agreements with contract laboratory service providers for the amount of \$245,800, subject to the approval of the City Attorney as to form and legality.
8. AUTHORIZE the LAPD to prepare the Controller's instructions for any necessary technical adjustments consistent with this action, subject to the approval of the City Administrative Officer and, AUTHORIZE the Controller to implement the instructions.

B. BUDGET AND FINANCE COMMITTEE REPORT

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

1. CONCUR with recommendations one through three and six through eight of the Public Safety Committee report relative to accepting the 2008-10 Solving Cold Cases with DNA Program Grant Award in the amount of \$500,000, and execution of the Program Grant Award Agreement.
2. AUTHORIZE the Los Angeles Police Department to TRANSFER grant reimbursement receipts for Contractual Services from Fund No. 339/70, Revenue Source No. 4674, to Fund No. 100/70, Account No. 3040.

Fiscal Impact Statement: The City Administrative Officer reports that approval of the recommendations in this report has minimal impact on the General Fund. Although the LAPD must front fund all grant expenditures, the Solving Cold Cases with DNA Program costs are fully reimbursable by the grant and do not require a City match. Acceptance of the grant is in compliance with the City's Financial Policies as the grant funds all grant eligible activities.

**ITEM NO. (16) - MOTION ADOPTED TO APPROVE COMMITTEE REPORTS RECOMMENDATIONS -
SEE FOLLOWING**

05-0049-S1

PUBLIC WORKS COMMITTEE REPORT relative to the Second Interim Report on the Storm Damage Repair Program for the Department of Public Works (DPW) in connection with the 2005 Storms.

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

1. APPROVE the revised project budgets for Proposition 42-funded storm damage projects, as detailed in Attachment B of the July 26, 2007 City Administrative Officer (CAO) report and attached to the Committee report, and further AUTHORIZE the CAO to adjust funding within the overall budget of \$5.5 million, as needed.
2. AUTHORIZE the Board of Public Works (Board) to TRANSFER appropriations within Subventions and Grant Fund No. 305/50 as follows:

	<u>Account</u>	<u>Title</u>	<u>Amount</u>
From:	305/50/Y602	Tujunga Avenue Washout	\$3,050,000
To:	305/50/Y601	Osborne Street Bridge	\$3,050,000

3. AUTHORIZE the CAO to adjust funding between Tujunga Avenue Washout and Osborne Street Bridge on an as-needed basis to complete said projects.
4. AUTHORIZE the Board to TRANSFER \$175,000 within the Subventions and Grants Fund No. 305/50 from the Bureau of Engineering (BOE) Account No. Y178 to the Laurel Canyon Boulevard Project Account No. Y603 and thereafter, repay the loan from the Public Works Trust Fund No. 834/50.
5. INSTRUCT the CAO to include in the 2008-09 proposed Capital Improvement Expenditure Program (CIEP) budget, \$1,850,000 in Special Gas Tax Improvement Funds as the City's matching funds on Federal Highway Administration reimbursable projects and to repay loans from Municipal Improvement Corporation of Los Angeles (MICLA) and the Public Works Trust Fund for the Storm Damage Repair Program.
6. APPROVE a loan up to \$300,000 to the Department of Recreation and Parks (DRP) from the Disaster Assistance Trust Fund No. 872/10, Available Balance for Elysian Park Fire Road, Palisades Park Portrero Canyon Slope Repair and Runyon Canyon Park Bulkhead Projects, and further AUTHORIZE the Controller to increase appropriations, as needed, to Fund 302/89, 2004-05 Storm Damage Repairs Account No. 410K upon request from the DRP and approval by the CAO, such loan to be repaid in accordance with Recommendation No. 7 as detailed in the July 27, 2007 CAO report and attached to the Council file.
7. INSTRUCT the CAO to continue to apply all DRP disaster grants receipts to repayment of DRP outstanding Disaster Assistance Trust Fund loans first and allow any remaining Recreation and Parks disaster grant receipts to remain on deposit within the Disaster Assistance Trust Fund if needed to pay disallowed costs after final audit and grant close-out.

8. INSTRUCT the Board to REVERT \$2,748,487.65 in unspent funds from Fund No. 298/50/Y186, Public Works- Bureau of Street Services, to Fund No. 298/50/Y600, 2005 Storm Damage Repair.
9. INSTRUCT the Board to REVERT any unspent funds from Fund No. 298/50/A178, Public Works- Bureau of Engineering and Fund No. 298/50/A186, Public Works- Bureau of Street Services, to Fund No. 298/50/A600 after completing 2006-07 year-end closing and upon request by the BOE and approval by the CAO.
10. AUTHORIZE the Controller to INCREASE appropriations to various departments totaling \$4,069,432 as specified below from MICLA Fund No. 298/50/Y600, 2005 Storm Damage Repair, for estimated project management and construction-related expenses:

Bureau of Contract Administration Fund No. 100/76:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1010	Salaries General	\$18,286
3310	Transportation	\$1,075

Bureau of Engineering Fund No. 100/78:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1010	Salaries General	\$406,010
1090	Salaries Overtime	\$11,090

Bureau of Street Services Fund No. 100/86:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1010	Salaries General	\$1,277,379
1090	Salaries Overtime	\$360,495
1100	Hiring Hall Salaries	\$1,438,478
1120	Hiring Hall Benefits	\$534,101
1190	Hiring Hall Overtime	\$18,018

Department of Recreation and Parks Fund No. 302/88:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
3160	Maintenance Materials and Supplies	\$4,500

11. AUTHORIZE the Controller to INCREASE appropriations to the Bureau of Street Services Fund No. 100/86 totaling \$1,509,086 from MICLA Fund No. 298/50/A600, 2005 Storm Damage Repair, as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
3030	Construction Expense	\$360,495
3040	Contractual Services	\$901,239
6010	Office and Administrative	\$10,812
6020	Operating Supplies	\$236,540

12. INSTRUCT the Board, in accordance with Recommendations Nos. 10 and 11, to TRANSFER cash from MICLA Fund No. 298/50, Account C176, C178, C186 and C302 to REIMBURSE the General Fund and DRP on an as-needed basis upon proper documentation from the departments and approval of the Bureau of Engineering Project Manager and the CAO; and, to REVERT any unspent funds to the respective project accounts after completing 2007-08 year-end closing and upon request by the BOE and approval by the CAO.

13. AUTHORIZE the Controller to INCREASE appropriations to various departments totaling \$659,320 as specified below from the DRP, Fund No. 302/89, Account No. 410K, 2004-05 Storm Damage Repairs, via accounts 176C, 178C and 186C and further REQUEST the Board of Recreation and Parks Commissioners to concur with this action:

Bureau of Contract Administration Fund No. 100/76:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1010	Salaries General	\$1,600
3310	Transportation	\$100

Bureau of Engineering Fund No. 100/78:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1010	Salaries General	\$90,592
1090	Salaries Overtime	\$4,031

Bureau of Street Services Fund No. 100/86:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1010	Salaries General	\$88,886
1090	Salaries Overtime	\$39,505
1100	Hiring Hall Salaries	\$197,522
1120	Hiring Hall Benefits	\$69,134
1190	Hiring Hall Overtime	\$2,582
3030	Construction Expense	\$39,505
3040	Contractual Services	\$98,761
6010	Office and Administrative	\$1,188
6020	Operating Supplies	\$25,914

14. INSTRUCT the BOE, Bureau of Contract Administration and Bureau of Street Services to submit expenditure reports to the DRP for reimbursement and further AUTHORIZE the DRP to transfer cash in an amount not to exceed \$659,320 on an as-needed basis subject to approval of the expenditure reports.
15. TRANSFER the prior year reversions totaling \$463,434 from the Reserve Fund to the Unappropriated Balance Fund No. 100/58, and APPROPRIATE therefrom to the following funds and accounts:

Bureau of Engineering Fund No. 100/78

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1010	Salaries General	\$149,196
1090	Salaries Overtime	\$6,638

Bureau of Contract Administration Fund No. 100/76

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1030	Salaries General	\$302,300
3310	Transportation	\$5,300

16. AUTHORIZE the CAO to make technical corrections as necessary to implement the Mayor and Council intentions.

Fiscal Impact Statement: The CAO reports that the use of the MICLA Commercial Paper Program, Public Works Trust Fund and Disaster Assistance Trust Fund for the purpose of advance funding storm damage repair work is consistent with the purposes of that program and the City's Financial Policies. The Funds will be repaid substantially by reimbursements from the Federal Emergency Management Agency (FEMA) except for the interest portion of MICLA debt service cost, which will require payment from the General Fund. The interest costs have been included in the budget for Capital Finance Administration. The estimated shortfall in reimbursements from FHWA is addressed with the proposed set-aside of \$1.85 million in the 2008-09 proposed budget from the Special Gas Tax Street Improvement Fund and the City's matching fund.

(Arts, Parks, Health and Aging Committee waived consideration of the above matter)

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

(For background reports and materials related to this matter, contact the Legislative Assistant for the Budget and Finance Committee at 213-978-1075.)

ADOPTED

BUDGET AND FINANCE COMMITTEE REPORT relative to the **Second Interim Report on the Storm Damage Repair Program for the Department of Public Works (2005 storms)**.

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

CONCUR with the Public Works Committee to approve the recommendations contained in the City Administrative Officer's (CAO) July 26, 2007 report, attached to the Council file, relative to the **Second Interim Report on the Storm Damage Repair Program for the Department of Public Works (2005 storms)**.

Fiscal Impact Statement: The CAO reports that the use of the Municipal Improvement Corporation of Los Angeles (MICLA) Commercial Paper Program, Public Works Trust Fund and Disaster Assistance Trust fund for the purpose of advance funding storm damage repair work is consistent with the City's Financial Policies. The funds will be repaid substantially by reimbursements from Federal Emergency Management Administration (FEMA) except for the interest portion of MICLA debt service costs, which will require payment from the General Fund. The interest costs have been included in the budget for Capital Finance Administration. The estimated shortfall in reimbursements from the Federal Highway Administration is addressed with the proposed set aside of \$1.85 million in the 2008-09 proposed budget from the Special Gas Tax Street Improvement Fund as the City's matching fund.

(Arts, Parks, Health and Aging Committee waived consideration of the above matter)

**ITEM NO. (17) - MOTION ADOPTED TO APPROVE COMMUNICATION AND COMMITTEE REPORTS
RECOMMENDATIONS**

06-1784

CD 8

NEGATIVE DECLARATION, BUDGET AND FINANCE and PUBLIC WORKS COMMITTEES' REPORTS and COMMUNICATION FROM VICE-CHAIR, PUBLIC SAFETY COMMITTEE, relative to the South Los Angeles Animal Shelter.

A. PUBLIC WORKS COMMITTEE REPORT

Recommendations for Council action:

1. FIND that the Negative Declaration for the South Los Angeles No. 2 New Animal Care Facility (Case No. TG673H6) located at 6000-6100 South Saint Andrews Place (BE 256-06) prepared by the City of Los Angeles/Bureau of Engineering's Environmental Management Group complies with the California Environmental Quality Act of 1970, pursuant to the City of Los Angeles Environmental Guidelines; FIND that on the basis of the whole record, that there is no substantial evidence that said project will have a significant effect on the environment; and FIND that the Negative Declaration reflects the City's independent judgement and analysis.
2. ADOPT the Negative Declaration for the South Los Angeles No. 2 New Animal Care Facility as described above in Recommendation No. 1.
3. APPROVE the June 13, 2006 Initial Study for the South Los Angeles No. 2 New Animal Care Facility.
4. ADOPT the accompanying Board of Public Works (Board) report dated July 31, 2006 to approve the South Los Angeles No. 2 New Animal Care Facility.
5. INSTRUCT the City Clerk to immediately notify Maria Martin of the Bureau of Engineering's Environmental Management Group at (213) 485-5753 of the adoption of the Negative Declaration and project approval so that a Notice of Determination can be filed with the Office of the County Clerk within five working days.

Fiscal Impact Statement: The Board reports that funding for the South Los Angeles No. 2 New Animal Care Facility is provided from the proceeds of the sale of Proposition "F"- Public Safety General Obligation Bonds authorized in the November 7, 2000 election. The funds are available through the General Obligation Bonds, Series 2003-A, Animal Shelter Facilities Construction Fund No. 15S.

B. BUDGET AND FINANCE COMMITTEE REPORT

Recommendations for Council action:

1. FIND, on the basis of the whole record, that there is no substantial evidence that the project will have a significant effect on the environment.
2. FIND that the Negative Declaration reflects the City's independent judgement and analysis.

3. ADOPT the Negative Declaration.
4. APPROVE the project as described in the initial study.
5. CONCUR with the recommendation of the Proposition F Administrative Oversight Committee (AOC) to adopt Recommendation No. 2 of the City Administrative Officer's report, attached to the Council file, which would site the new South Los Angeles Animal Shelter at 6000-6100 South St. Andrews Place, and:
 - a. Instruct the Proposition F AOC to proceed with construction of the South Los Angeles Animal Shelter at the Proposition 2 property.
 - b. Instruct the CAO to report back on the steps needed to reimburse Proposition 2 for the value of the Proposition 2 property as well as any other recommendations necessary to effectuate construction of the South Los Angeles Animal Shelter at the site.
6. INSTRUCT the City Clerk to immediately notify the Bureau of Engineering's Environmental Management Group of the adoption of the Negative Declaration and project approval so that a Notice of Determination can be filed with the Office of the County Clerk within five working days.

C. COMMUNICATION FROM VICE-CHAIR, PUBLIC SAFETY COMMITTEE

Recommendations for Council action:

1. CONCUR with the recommendation of the Proposition F Administrative Oversight Committee (AOC) to adopt Recommendation No. 2 of the City Administrative Officer (CAO) report dated June 21, 2007 (attached to the Council file), which would site the new South Los Angeles Animal Shelter at 6000-6100 South St. Andrews Place.
2. INSTRUCT the Proposition F AOC to proceed with construction of the South Los Angeles Animal Shelter at the Proposition 2 property.
3. INSTRUCT the CAO to report back on the steps needed to reimburse Proposition 2 for the value of the Proposition 2 property as well as any other recommendations necessary to effectuate construction of the South Los Angeles Animal Shelter at the site.

Fiscal Impact Statement: The CAO reports that there appears to be sufficient Proposition F Bond funds to build the animal shelter at either site. However, building the shelter at the Proposition 2 site will require another eligible non-bond funding source to reimburse the Proposition 2 Bond Fund for the value of the property, currently estimated at \$3.45 million. Therefore, there may be an impact to the General Fund of up to \$3.45 million.

Items for Which Public Hearings Have Not Been Held - Items 18-34

(10 Votes Required for Consideration)

ITEM NO. (18) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

Roll Call #7 - Motion (LaBonge - Rosendahl) Adopted, Ayes (12); Absent: Perry, Weiss and President Garcetti (3)

07-2937

COMMUNICATION FROM THE MAYOR relative to the appointment of Mr. Barry Sanders to the Board of Recreation and Park Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. Barry Sanders to the Board of Recreation and Park Commissioners for the term ending June 30, 2011, to fill the vacancy created by Mr. Dan Grunfeld, is APPROVED and CONFIRMED. Mr. Sanders resides in Council District Five. (Current Board gender composition: M = 3; F = 2)

Ethics Commission Review: Pending

Background Check Review: Pending

TIME LIMIT FILE - OCTOBER 29, 2007

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

(Arts, Parks, Health and Aging Committee waived consideration of the above matter)

**Roll Call #4 - Motion (Reyes - Huizar) Adopted, Ayes (12); Absent: Perry, Weiss and President Garcetti (3)
(Item Nos. 19-21)**

ITEM NO. (19) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

07-2792

CD 12 COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of HOMEZELL AND VALLEY FLORES DRIVES 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 September 4, 2007.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of DECEMBER 5, 2007 as the hearing date for the maintenance of Homezell and Valley Flores Drives 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, \$158.72 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: November 26, 2007)

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

05-2616-S3

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 GLENCOE AND BEACH AVENUES 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 August 28, 2007.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of DECEMBER 5, 2007 as the hearing date for the maintenance of Glencoe and Beach Avenues 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, \$941.07 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: November 26, 2007)

ITEM NO. (21) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

07-2789

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 FENTON AVENUE AND HUBBARD 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 August 31, 2007.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of DECEMBER 5, 2007 as the hearing date for the maintenance of Fenton Avenue and Hubbard 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, \$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: November 26, 2007)

**Roll Call #3 - Motion (LaBonge - Greuel) Adopted, Ayes (10); Absent: Hahn, Perry, Reyes, Weiss and President Garcetti (5)
(Item Nos. 22-32)**

ITEM NO. (22) - APPROVED

04-0621

CD 14 FUTURE PUBLIC HEARING DATE relative to establishing **OCTOBER 31, 2007**, as the date for hearing appeals against confirmation of assessment for the sewer improvement project under 1911 Act of Jessica Drive (near Cleland Avenue), with mainline sanitary sewer, house connection sewers (lateral), appurtenant structures, and related work.

A'11-SZC11402

(Board of Public Works Hearing Date: October 24, 2007)

ITEM NO. (23) - ADOPTED

07-0005-S657

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 September 25, 2007:

07-0005-S657

CD 1 a. Property at 3704 East Baldwin Street (Case No. 7739).
Assessor I.D. No. 5211-011-006

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on September 7, 2004)

07-0005-S658

CD 13 b. Property at 1119 North Sanborn Avenue (Case No. 52121).
Assessor I.D. No. 5429-010-023

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on December 28, 2006)

07-0005-S659

CD 13 c. Property at 2917 North Coolidge Avenue (Case No. 76474).
Assessor I.D. No. 5442-023-024

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 19, 2007)

07-0005-S660

CD 6 d. Property at 15835 West Vanowen Street (Case No. 71495).
Assessor I.D. No. 2224-034-031

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 4, 2007)

07-0005-S661

CD 15 e. Property at 1370 East 108th Street (Case No. 26415).
Assessor I.D. No. 6070-002-032

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on September 5, 2006)

07-0005-S662

CD 8 f. Property at 1709 West 49th Street (Case No. 115022).
Assessor I.D. No. 5016-025-006

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 27, 2007)

07-0005-S663

CD 15 g. Property at 834 North Wilmington Boulevard (Case No. 77710).
Assessor I.D. No. 7416-013-038

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

07-0005-S664

CD 8 h. Property at 2901 South Halldale Avenue (Case No. 124450).
Assessor I.D. No. 5053-025-014

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on September 5, 2007)

07-0005-S665

CD 1 i. Property at 2641 East Alice Street (Case No. 8271).
Assessor I.D. No. 5453-001-026

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on April 19, 2005)

ITEM NO. (24) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

07-2700

CDs 1&15 COMMUNICATION FROM CHAIR, ARTS, PARKS, HEALTH AND AGING COMMITTEE relative to accepting funds for the East Wilmington Park project, the San Pedro Welcome Park project and the Taylor Yard Park project.

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

1. AUTHORIZE the General Manager, Department of Recreation and Parks (DRP), or designee, to accept earmarked Economic Development Initiative (EDI) funds for the East Wilmington Park project in the amount of \$72,168, the San Pedro Welcome Park project in the amount of \$150,000, and the Taylor Yard Park project in the amount of \$148,500.
2. AUTHORIZE the General Manager, DRP, or designee to negotiate and execute any resulting agreements, subject to approval of the City Attorney as to form and legality, and to submit all documents necessary to request and receive the EDI funds.

Fiscal Impact Statement: The DRP reports that there is no impact to the General Fund.

ITEM NO. (25) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION - FORTHWITH

07-2801

COMMUNICATION FROM CHAIR, ARTS, PARKS, HEALTH AND AGING COMMITTEE relative to a contract amendment with Harris & Associates, Inc. for as-needed program and construction management consulting services.

Recommendation for Council action:

APPROVE and AUTHORIZE the President and Secretary of the Board of Recreation and Park Commissioners to execute, the amendment to Contract No. 3032 with Harris & Associates, Inc. for a term of nine years, subject to the approval of the City Attorney.

Fiscal Impact Statement: The City Administrative Officer reports that funding for the fees paid under the terms of the contract is provided within each project budget. There is no additional impact on the General Fund. This recommendation is in compliance with the City Financial Policies in that one-time revenues will be used to fund one-time expenditures.

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

07-2908

COMMUNICATION FROM CHAIR, ARTS, PARKS, HEALTH AND AGING COMMITTEE relative to a supplemental agreement with Shauna Gillies-Smith to design, fabricate and install artwork according to the City's Percent for the Arts Program.

Recommendation for Council action:

APPROVE and AUTHORIZE the General Manager of Cultural Affairs to execute, the proposed agreement with Shauna Gillies-Smith for the design, fabrication and installation of artwork according to the City's Percent for the Arts Program at the Mid Wilshire Police Station for the Los Angeles Police Department, for a term beginning October 15, 2003 through October 14, 2008 for an amount not to exceed \$241,800, subject to the approval of the City Attorney.

Fiscal Impact Statement: The City Administrative Officer reports that funding for the proposed contract is available in Fund No. 16A/50, Public Arts/Cultural Affairs Account W600, Fiscal Year 2004-05. The proposed contract is in compliance with the City Financial Policies in that one time revenues will be used to fund this project.

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

07-2740

CD 13 CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 1122 Vine Street.

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article VII, Class 5(5) of the City's Environmental Guidelines.
2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.
3. ADOPT the City Engineer report dated August 27, 2007 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 1122 Vine Street.
4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of \$1,1807.23 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of \$1,807.23 and a seven percent surcharge in the amount of \$118.23 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.

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

07-2742

CD 4 CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 10717 West Riverside Drive.

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article VII, Class 5(5) of the City's Environmental Guidelines.
2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.
3. ADOPT the City Engineer report dated August 24, 2007 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 10717 West Riverside Drive.
4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of \$2,386.10 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of \$2,230.00 and a seven percent surcharge in the amount of \$156.10 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.

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

07-2752

CD 4 CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 10206 West Camarillo Place and 4771 Forman Avenue.

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article VII, Class 5(5) of the City's Environmental Guidelines.
2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.
3. ADOPT the City Engineer report dated August 28, 2007 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 10206 West Camarillo Place and 4771 Forman Avenue.
4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of \$2,386.10 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of \$2,230 and a seven percent surcharge in the amount of \$156.10 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.

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

07-2753

CD 4 CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 746 South Masselin Avenue.

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article VII, Class 5(5) of the City's Environmental Guidelines.

2. FIND that this acceptance of the Irrevocable Offer of Dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.
3. ADOPT the City Engineer report dated August 28, 2007 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 746 South Masselin Avenue.
4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of \$2,247 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of \$2,100 and a seven percent surcharge in the amount of \$147.10 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.

ITEM NO. (31) - ADOPTED

05-2081

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:

05-2081

CD 9 a. MOTION (PERRY - ROSENDAHL) relative to declaring the Annual Holy Cross Bazaar on October 19-21, 2007 a Special Event (fees and costs absorbed by the City = \$6,469).

06-1195

CD 5 b. MOTION (WEISS - GREUEL) relative to declaring the 17th Annual Sherman Oaks Street Fair on October 21, 2007 a Special Event (fees and costs absorbed by the City = \$3,802).

07-3099

CD 5 c. MOTION (WEISS - ROSENDAHL) relative to declaring the California Country Club Homeowners Association 2007 Annual Block Party on September 30, 2007 a Special Event (fees and costs absorbed by the City = \$1,188).

07-3107

CD 5 d. MOTION (WEISS - ROSENDAHL) relative to declaring the Chabad of California Simchas Beis Hashueva on September 30, 2007 a Special Event (fees and costs absorbed by the City = \$1,198).

06-2276

- CD 15 e. MOTION (HAHN - LABONGE) relative to declaring the San Pedro High School Student Council Homecoming Coronation on October 12, 2007 a Special Event (fees and costs absorbed by the City = \$1,280).

07-3108

- CD 15 f. MOTION (HAHN - LABONGE) relative to declaring the San Pedro Sportswalk to the Waterfront Induction ceremony and awards luncheon on October 8, 2007 a Special Event (fees and costs absorbed by the City = \$3,736).

ITEM NO. (32) - ADOPTED

07-1949

MOTION (PERRY - ROSENDAHL) relative to amending Council's action in connection with the Los Angeles Police Department's Officer Recognition Day at the Los Angeles Convention Center.

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

1. AMEND previous Council action of June 22, 2007 to waive a maximum of \$4,532 in rental costs for the event.
2. AUTHORIZE the Chief Legislative Analyst, or designee, to make technical corrections or clarifications as may be necessary to implement the intent of the Motion.

ITEM NO. (33) - ADOPTED

Roll Call #10 - Motion (LaBonge - Hahn) Adopted, Ayes (12); Absent: Perry, Weiss and President Garcetti (3)

07-3098

RESOLUTION (GREUEL - LABONGE) relative to declaring October 22-25, 2007 as National Parking Industry Week in the City of Los Angeles.

Recommendation for Council action:

RESOLVE to DECLARE October 22-25, 2007 as National Parking Industry Week in the City of Los Angeles.

ITEM NO. (34) - APPROVED - CITY ENGINEER REPORTS ADOPTED

Roll Call #3 - Motion (LaBonge - Greuel) Adopted, Ayes (10); Absent: Hahn, Perry, Reyes, Weiss and President Garcetti (5)

07-3121

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:

07-3121

CD 10

- a. FINAL MAP OF TRACT NO. 62195 for property lying southerly of San Marino Street and easterly of Mariposa Avenue.

(Bond No. C-112393)
(Quimby Fee: \$72,924)
Applicants: Sherry Wang
Hank Jong

07-3122

CD 2

- b. FINAL MAP OF TRACT NO. 64534 for property lying southerly of Moorpark Street and easterly of Vantage Avenue.

(Bond No. C-112394)
(Quimby Fee: \$98,164)
Applicants: Echelon Perperties, LLC
S.E.C. Civil Engineers, Inc

07-3120

CD 2

- c. FINAL MAP OF PARCEL MAP L.A. NO. 2002-3912 for property lying westerly of Samoa Avenue and northerly of Summitrose Street.

(Bond No. C-112395)
Applicants: Rene Daza
Oscar Ensafi

Closed Sessions - Items 35-37

ITEM NO. (35) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

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

07-2895

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 cases entitled City of Los Angeles v. Lazben Investment Co., Los Angeles Superior Court Case No. BC330790; and Lazben Investment Co., v. City of Los Angeles, Los Angeles Superior Court Case No. BC361846. (These cases involve a condemnation action, and a claim for damages for inverse condemnation.)

(Budget and Finance Committee considered the above matter in Closed Session on September 24, 2007.)

ADOPTED

MOTION (SMITH - HUIZAR)

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

- 1. AUTHORIZE the City Attorney to expend \$2,000,000 in settlement of the cases entitled City of Los Angeles v. Lazben Investment Co., Los Angeles Superior Court Case No. BC330790; and Lazben Investment Co., v. City of Los Angeles, Los Angeles Superior Court Case No. BC361846, from Account No. CAY5, entitled "Baywood Bndct Esmt Swr", the Sewer Capital Fund No. 761, the WW Syst Comm Paper B Const Fund No. 70X, or any future funds established as a result of commercial paper or bond sales, at the discretion of the Director of Sanitation or appointed designee, to implement the settlement.**
- 2. AUTHORIZE the City Attorney to draw the necessary demand thereon payable to "Lazben Investment Co., and to the law firm of Sullivan, Workman & Dee, LLP, their attorneys."**
- 3. AUTHORIZE the City Attorney to execute the necessary settlement documents to carry out the terms of the settlement.**

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

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

07-2906

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 Claudia Bannister v. City of Los Angeles, Workers' Compensation Appeals Board Case Nos. AGO17757, VNO446477; Claim Nos. 9002-1993-1433, 9002-1993-0701. (Applicant alleges she sustained personal injuries during the course and scope of her employment as a Los Angeles Police Officer.)

(Budget and Finance Committee considered the above matter in Closed Session on September 24, 2007.)

ADOPTED

MOTION (SMITH - HUIZAR)

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 Claudia Bannister v. City of Los Angeles, Workers' Compensation Appeals Board Case Nos. AGO17757, VNO446477; Claim Nos. 9002-1993-1433, 9002-1993-0701, through a Stipulated Award in the sum of \$106,806.00, plus an estimated life pension of \$63,666.20 at the weekly rate of \$52.10 payable at the conclusion of permanent disability payments.**

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 - Rosendahl "yes") at its meeting of September 24, 2007, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (37) - MEETING HELD - ACTION TAKEN IN CLOSED SESSION

06-0361

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to the case entitled Lincoln Place Tenants Association, et al. v. City of Los Angeles, AIMCO Venezia LLC, et al. Court of Appeal Case No. B193237.

(Planning and Land Use Management Committee will consider the above matter in Closed Session on Tuesday, October 2, 2007.)

Item for Which Public Hearing Has Not Been Held - Item 39

(10 Votes Required for Consideration)

ITEM NO. (39) - ADOPTED

Roll Call #4 - Motion (Reyes - Huizar) Adopted, Ayes (12); Absent: Perry, Weiss and President Garcetti (3)

06-2443

ORDINANCE FIRST CONSIDERATION relative to establishing a program that requires service contractors who hire new employees to perform work on a City contract to seek employee references through referrals from the City and other agencies interested in training and finding employment for the traditionally unemployed or under-employed.

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

PRESENT and ADOPT the accompanying ORDINANCE amending the Los Angeles Administrative Code to add a new Division 10, Chapter 1, Article 18 to establish a program that requires service contractors who hire new employees to perform work on a City contract to seek employee references through referrals from the City and other agencies interested in training and finding employment for the traditionally unemployed or under-employed.

(Ad Hoc Committee on Gang Violence and Youth Development report adopted on October 2, 2007)

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

07-3194

CD 14 MOTION (HUIZAR - ALARCON) relative to declaring the Salesian Boys and Girls Club Community Festival on October 26-28, 2007 a Special Event (fees and costs absorbed by the City = \$16,975).

- 07-3196
CD 13 MOTION (GREUEL for GARCETTI - LABONGE) relative to declaring the Los Angeles Latino International Film Festival/Festival Village on October 6-15, 2007 a Special Event (fees and costs absorbed by the City = none submitted).
- 05-2095
CD 7 MOTION (ALARCON - HUIZAR) relative to declaring the Our Lady of Peace Catholic Church 2007 Fiesta Carnival on October 5-7, 2007 a Special Event (fees and costs absorbed by the City = \$786).
- 06-2142
CD 15 MOTION (HAHN - HUIZAR) relative to declaring the Cabrillo Marine Aquarium Annual Autumn Sea Fair on October 21, 2007 a Special Event (fees and costs absorbed by the City = \$1,260).
- 07-3197
CD 15 MOTION (HAHN - HUIZAR) relative to declaring the Cabrillo Marine Aquarium Annual 2007 Sea Scare on October 27, 2007 a Special Event (fees and costs absorbed by the City = \$1,260).
- 07-3200
CD 9 MOTION (PERRY - ROSENDAHL) relative to declaring the Faith in God Baptist Church First Annual Community Day on October 27, 2007 a Special Event (fees and costs absorbed by the City = \$1,000).
- 07-3201
CD 9 MOTION (PERRY - PARKS) relative to declaring the Los Angeles Police Department - 77th Division Annual Halloween Extravaganza on October 26-28, 2007 a Special Event (fees and costs absorbed by the City = \$3,979).
- 07-3202
CD 9 MOTION (PERRY - REYES) relative to declaring the Eco Nouveau Fashion Show on October 10-14, 2007 a Special Event (fees and costs absorbed by the City = \$6,469).
- 05-2310
CD 9 MOTION (PERRY - ROSENDAHL) relative to declaring the Eighth Annual Japanese Food Festival on October 27, 2007 a Special Event (fees and costs absorbed by the City = \$914).
- 07-3204
CD 9 MOTION (PERRY - PARKS) relative to declaring the Bi-National Health Week Celebration on October 13, 2007 a Special Event (fees and costs absorbed by the City = \$2,154).
- 06-2456
CD 1 MOTION (REYES - PERRY) relative to declaring the Junta Hispana on October 14, 2007 a Special Event (fees and costs absorbed by the City = \$800).
- 07-1406
CD 1 MOTION (REYES - ROSENDAHL) relative to declaring the Friends of Mt. Washington School 14th bi-Annual Flee Market on October 6, 2007 a Special Event (fees and costs absorbed by the City = \$800).
- 06-1921
CD 1 MOTION (REYES - ROSENDAHL) relative to declaring the Miguel Contreras Learning Complex Anniversary Celebration on October 6, 2007 a Special Event (fees and costs absorbed by the City = \$1,200).

07-3207

CD 11 MOTION (ROSENDAHL - HAHN) relative to declaring the Kehillat Israel Procession on October 5, 2007 a Special Event (fees and costs absorbed by the City = \$2,378).

07-3208

CD 12 MOTION (SMITH - ZINE) relative to declaring the Winnetka Chamber of Commerce 11th Annual Oktoberfest on October 19-21, 2007 a Special Event (fees and costs absorbed by the City = \$17,762).

07-3198

MOTION (PERRY - REYES) relative to a request for an exemption from the Convention Center fee waiver policy for the Annual New Beginnings Conference on October 25, 2007.

07-3199

MOTION (PERRY - REYES) relative to a request for an exemption from the Convention Center fee waiver policy for the Professional Development Physical Education Sessions on September 26-27, 2007.

07-3205

MOTION (PERRY - PARKS) relative to a request for an exemption from the Convention Center fee waiver policy for the FITNESSGRAM Training on October 10-11, 31, November 1, 2007 and February 20-21, 2008.

07-0010-S23

MOTION (PARKS - ALARCON) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Saul Reyes on May 28, 2006.

07-0010-S24

MOTION (PARKS - ALARCON) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Rodney Elijah Love on June 10, 2007.

07-0011-S33

CD 14 MOTION (HUIZAR - ALARCON) relative to street banners to help promote Veterans' Day Parade in Eagle Rock on November 11, 2007.

07-3203

CD 9 MOTION (PERRY - ROSENDAHL) relative to temporarily closing the alley known as Midway Place between Ninth Street and Olympic Boulevard.

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

07-3206

RESOLUTION (ROSENDAHL - ZINE) relative to declaring November 14, 2007 as World Diabetes Day in the City of Los Angeles.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon his request, and without objections, Councilmember LaBonge was excused to leave at 12:30 p.m. from Council session of Tuesday, October 9, 2007 due to City Business.

Upon his request, and without objections, Councilmember Weiss was excused to arrive at 11:00 a.m. from Council session of Wednesday, October 24, 2007 due to Personal Business.

Upon his request, and without objections, Councilmember Zine was excused from Council session of Tuesday, October 9, 2007 due to City Business; Motion (Reyes - Rosendahl) unanimously adopted to excuse Councilmember Zine from Council sessions of October 10 & 12, 2007 due to City Business.

Upon his request, and without objections, Councilmember Garcetti was excused to leave at 12:15 p.m. from Council session of Friday, October 12, 2007 due to Personal Business.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

07-2166 - Lew Wasserman

(Garcetti - LaBonge)

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

07-2167 - Melissa Eleanor Peterson

(Huizar)

Wally Parks

(LaBonge)

Gary Franklin

(Zine - All Councilmembers)

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

Whereupon the Council did adjourn.

ATTEST: Frank T. Martinez, CITY CLERK

By

Council Clerk

PRESIDENT PRO TEMPORE OF THE CITY COUNCIL