Los Angeles City Council, Journal/Council Proceedings  
Wednesday, June 4, 2008  
John Ferraro Council Chamber, Room 340, City Hall - 10 am  

(For further details see Official Council Files)  
(For communications referred by the President see Referral Memorandum)  

ROLL CALL - Members present: Alarcon, Cardenas, Hahn, Huizar, LaBonge, Perry, Reyes, Rosendahl, Weiss, Zine and President Garcetti (11); Absent: Greuel, Parks, Smith and Wesson (4).  


COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 25  

ALL ITEMS SENT FORTHWITH  

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  

Mayor’s Veto Message - Item 1  

ITEM NO. (1) - NO ACTION TAKEN  

08-0600  
CONSIDERATION OF THE MAYOR’S VETO MESSAGE, upon receipt, pursuant to Charter Section 315. The Council has five days, excluding Saturdays, Sundays, and holidays, upon receipt of the Mayor’s veto to overcome such action of the Mayor relative to any item or items of the budget.  

(The Mayor has until June 4, 2008 to submit his Veto Message to the Council, pursuant to Charter Section 314)
Items Noticed for Public Hearing - Items 2-10

Roll Call #10 - Motion (Rosendahl - LaBonge) Adopted, Ayes (12); Absent: Parks, Smith and Wesson (3) (Item Nos. 2-6)

ITEM NO. (2) - PUBLIC HEARING CLOSED - ADOPTED

07-2033
CD 11

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST
CONSIDERATION relative to the improvement and maintenance of the Mildred and Boone Avenues (Reballot) Lighting District.

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

1. DENY the protests and confirm the assessments.

2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing held May 14, 2008)

ITEM NO. (3) - PUBLIC HEARING CLOSED - ADOPTED

08-0423
CD 2

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST
CONSIDERATION relative to the improvement and maintenance of the Moorpark Street and Kraft Avenue Lighting District.

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

1. DENY the protests and confirm the assessments.

2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing held May 14, 2008)

ITEM NO. (4) - PUBLIC HEARING CLOSED - ADOPTED

08-0424
CD 4

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST
CONSIDERATION relative to the improvement and maintenance of the Serrano Avenue and Clinton Street Lighting District.
Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. DENY the protests and confirm the assessments.

2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing held May 14, 2008)

ITEM NO. (5) - PUBLIC HEARING CLOSED - ADOPTED

08-0425
CD 7

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Bromont Avenue and Brand Boulevard Lighting District.

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

1. DENY the protests and confirm the assessments.

2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing held May 14, 2008)

ITEM NO. (6) - PUBLIC HEARING CLOSED - ADOPTED

08-0463
CD 3

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Gonzales and Weller Drives Lighting District.

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

1. FIND that a majority protest exists in the Street Lighting Maintenance Assessment District and therefore the assessment cannot be enacted.

2. PRESENT and ADOPT the accompanying ORDINANCE abandoning all proceedings relating to the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

3. INSTRUCT the Director, Bureau of Street Lighting, to assure that the streetlights are not installed or are removed from service if previously installed.

(Public Hearing held May 14, 2008)
ITEM NO. (7) - CONTINUED TO JUNE 10, 2008

Roll Call #7 - Motion (LaBonge - Hahn) Adopted to Continue, unanimous vote (11); Absent: Greuel, Parks, Smith and Wesson (4)

07-4171

STATUTORY or CATEGORICAL EXEMPTION, HEARING COMMENTS and ORDINANCE FIRST CONSIDERATION relative to the proposed 2008-09 Proposition K assessment.

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

a. With respect to the projects in List 1 of Attachment 7:

1) FIND THAT each of these projects is STATUTORILY OR CATEGORICALLY exempt from the California Environmental Quality Act (CEQA) under the particular State and City CEQA Guidelines.

2) DIRECT the Department of Recreation and Parks (DRP) and/or the Bureau of Engineering (BOE) to prepare Notice(s) of Exemption or Notice(s) of Determination reflecting Council's actions and file such notices with the City and County Clerks within five working days of the City Council's final action confirming the 2008-09 Assessment and Engineer's Report.

b. With respect to the projects in List 2 of Attachment 7:

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

c. With respect to the projects in List 3 of Attachment 7:

ACKNOWLEDGE that the Council's action is exempt from the CEQA under Article II, Section 2.i, because the underlying project has already been evaluated and processed in accordance with the City CEQA Guidelines.

d. With respect to the projects in List 4 of Attachment 7:

1) REVIEW and CONSIDER the Negative Declaration/Mitigated Negative Declaration.

2) CERTIFY that the Negative Declaration/Mitigated Negative Declaration has been prepared in accordance with the CEQA, and ADOPT it.

3) ADOPT all the mitigation measures described in the Mitigated Negative Declaration as part of the Council's approval of the Proposition K assessment and ADOPT the mitigation monitoring program prepared to ensure that the mitigation measures will be implemented.

4) FIND that with imposition of the mitigation measures, there will remain no significant impacts.
5) INSTRUCT the DRP and the BOE to prepare a Notice of Determination and file with the City and County Clerks within five working days of the Council's approval.

e. With respect to the projects in List 5 of Attachment 7:
   FIND that those are projects that may be considered for funding after CEQA compliance. No further action is required at this time.

f. PRESENT and ADOPT the ORDINANCE prepared and transmitted by the City Attorney, confirming the assessments and approving the assessment diagram for Fiscal Year 2008-09.

g. INSTRUCT the City Engineer to record a Notice of Assessment with the County Recorder.

h. INSTRUCT the Controller to set up accounts for the 2008-09 Proposition K assessment in the following funds pursuant to instructions to be provided by the City Administrative Officer: Proposition K Projects Fund No. 43K, Proposition K Maintenance Fund No. 43L, and Proposition K Administration Fund No. 43M.

i. APPROVE the 2008-09 Expenditure Plan and the Five Year Plan for the LA for Kids Program as set forth in Attachments 1, 2, 3, 4 and 6.

j. INSTRUCT the Information Technology Agency to prepare and transmit the necessary computer tape or compact disk, as appropriate, to the County containing the assessment levy information confirmed by the Council for Fiscal Year 2008-09 for each parcel in the District.

k. AUTHORIZE the City Engineer to do the following:
   1) Negotiate and execute grant contracts with competitive grant applicants in the Five Year Plan for 2008-09, excluding projects from the DRP and Bureau of Street Lighting, subject to approval of the City Attorney.
   2) Negotiate and execute service and maintenance agreements with competitive grant applicants recommended for funding in the Five Year Plan for the term required in the LA for Kids Program Request for Proposals, excluding projects from the DRP and Cultural Affairs Department, subject to approval of the City Attorney.

(Scheduled pursuant to the adoption of Arts, Parks, Health and Aging and Budget and Finance Committee report on May 14, 2008)

ITEM NO. (8) - PUBLIC HEARING CLOSED - MOTION ADOPTED TO APPROVE GRANT APPLICATION
   - SEE FOLLOWING

Roll Call #1 - Motion (Garcetti - Reyes) Adopted to Grant Application, Ayes (11); Absent: Greuel, Parks, Smith and Wesson (4)

08-1054
CD 13

HEARING COMMENTS relative to an application for determination of “Public Convenience or Necessity” for alcohol sales for on-site consumption at the Rampart Theater project located at 2220 Beverly Boulevard, Los Angeles, 90057.
Applicant: Alicia Hoge Adams

TIME LIMIT FILE - JUNE 12, 2008

(LAST DAY FOR COUNCIL ACTION - JUNE 11, 2008)

(Findings and Council recommendations required relative to the above application)

ADOPTED

MOTION (GARCEITI - REYES)

Recommendations for Council action:

1. DETERMINE that the issuance of a beer and wine license at the Rampart Theater Project located at 2220 Beverly Boulevard 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 beer and wine for on-site consumption located at 2220 Beverly Boulevard.

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: Alicia Hoge Adams, Rampart Theater Project, Inc.

TIME LIMIT FILE - JUNE 12, 2008

(LAST DAY FOR COUNCIL ACTION - JUNE 11, 2008)

ITEM NO. (9) - CONTINUED TO JUNE 10, 2008

Roll Call #2 - Motion (Zine - Reyes) Adopted to Continue, Unanimous vote (11); Absent: Greuel, Parks, Smith and Wesson (4)

08-1058
CD 3

HEARING COMMENTS relative to an application for determination of “Public Convenience or Necessity” for alcohol sales for off-site consumption at the Valley Mobil Gas Station and Mini-Mart located at 18056 Saticoy Street, Reseda, 91335.

Applicant: Sami Sweiss (Robert B. Lamishaw, JPL Zoning Services, Inc. representative)

TIME LIMIT FILE - JUNE 12, 2008

(LAST DAY FOR COUNCIL ACTION - JUNE 11, 2008)

(Findings and Council recommendations required relative to the above application)
CONTINUED CONSIDERATION OF HEARING COMMENTS relative to application for determination of “Public Convenience or Necessity” for alcohol sales for on-site consumption at Johnny’s Lounge/Lucky Tiki.

Recommendations for Council action:

1. DETERMINE that the “Public Convenience or Necessity” WILL NOT BE SERVED by the proposed sale of alcohol for on-site consumption at Johnny’s Lounge/Lucky Tiki located at 2939 Sunset Boulevard, Los Angeles, 90026, inasmuch as the site is located in a high crime reporting district and in a census tract with an undue concentration of alcoholic beverage sales licenses.

2. DENY the application for determination of “Public Convenience or Necessity” for the sale of alcoholic beverages at 2939 Sunset Boulevard based upon the above finding and the negative influence associated with the sale of alcohol in the concerned community.

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.

Application filed by:  BA2, LLC (David Carlat, representative)

TIME LIMIT FILE - JUNE 12, 2008

(LAST DAY FOR COUNCIL ACTION - JUNE 11, 2008)

(Continued from Council meeting of May 28, 2008)

Items for Which Public Hearings Have Been Held - Items 11-16

ITEM NO. (11) - ADOPTED

ORDINANCE OF INTENTION SECOND CONSIDERATION establishing a Property and Business Improvement District (BID) to be known as the “Century City BID.”

[Motions (Weiss - Wesson) adopted as amended, and Motion (Weiss - Wesson) adopted on May 28, 2008]
ITEM NO. (12) - ADOPTED

07-0600-S88

BUDGET AND FINANCE COMMITTEE REPORT relative to authorization for year-end borrowing.

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

1. AUTHORIZE the Controller to borrow from the Reserve Fund to balance departmental expenditures when expenditures exceed budget authority.

2. AUTHORIZE the Controller and City Administrative Officer (CAO) to work with departments to cancel encumbrances where expenditures and encumbrances exceed either appropriation authority or available receipts.

3. AUTHORIZE the Controller to report to the Mayor and Council on any year-end borrowing or encumbrance cancellations needed to balance the budget in the Preliminary Financial Report.

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

Community Impact Statement: None submitted.

ITEM NO. (13) - ADOPTED

Roll Call #8 - Motion (Alarcon - Cardenas) Adopted, Ayes (11); Absent: Greuel, Parks, Smith and Wesson (4)

08-0002-S26

RULES AND GOVERNMENT COMMITTEE REPORT and RESOLUTION relative to the City's position on Senate Bill (SB) 1236 (Padilla) that would repeal the sunset date for the collection of a levy for the purposes of funding pediatric trauma centers.

Recommendation for Council action, pursuant to Resolution (Alarcon - Smith), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

ADOPT the accompanying RESOLUTION relative to including in the City's 2007-08 State Legislative Program SUPPORT for SB 1236 (Padilla) that would repeal the sunset date for the collection of a levy for the purposes of funding pediatric trauma centers.

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

Community Impact Statement: None submitted.
ITEM NO. (14) - ADOPTED

Roll Call #4 - Motion (Perry - Weiss) Adopted, Ayes (11); Absent: Greuel, Parks, Smith and Wesson (4)

08-0002-S72
RULES AND GOVERNMENT COMMITTEE REPORT and RESOLUTION relative to the City's position on Assembly Bill (AB) 2784 (Feuer), which would require the installation of an alcohol ignition interlock device on any vehicle owned or operated by a person convicted of driving under the influence.

Recommendation for Council action, pursuant to Resolution (Zine - Greuel), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

ADOPT the accompanying RESOLUTION relative to including in the City's 2007-08 State Legislative Program SUPPORT for AB 2784 (Feuer), which would require the installation of an alcohol ignition interlock device on any vehicle owned or operated by a person convicted of driving under the influence.

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

Community Impact Statement: None submitted.

ITEM NO. (15) - ADOPTED

Roll Call #11 - Motion (Greuel - Huizar) Adopted, Ayes (11); Absent: Greuel, Parks, Smith and Wesson (4)

08-0966
RULES AND GOVERNMENT COMMITTEE REPORT and RESOLUTION relative to the City's position on any efforts to reprogram First 5 funds.

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

ADOPT the accompanying RESOLUTION relative to including in the City's 2007-08 State Legislative Program OPPOSITION to any efforts to reprogram First 5 funds.

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

Community Impact Statement: None submitted.
ITEM NO. (16) - MOTION ADOPTED TO APPROVE COMMITTEE REPORTS RECOMMENDATIONS
- SEE FOLLOWING

Roll Call #9 - Motion (Hahn - Cardenas) Adopted to Approve Committee Reports Recommendations, Ayes (12); Absent: Parks, Smith and Wesson (3)

08-1180

ADMINISTRATIVE EXEMPTION and TRADE, COMMERCE AND TOURISM COMMITTEE REPORT relative to the issuance of revenue bonds by Los Angeles World Airports (LAWA) for major capital improvements at the Los Angeles International Airport (LAX).

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

1. FIND that the proposed Third Amendment is exempt from the requirements of the California Environmental Quality Act (CEQA), as provided by Article II, Section 2(f) of the City’s CEQA Guidelines.

2. CONCUR with the action taken by the Board of Airport Commissioners at its meeting held May 5, 2008 approving the accompanying Resolution (attached to the Council file) authorizing:

   a. The issuance of revenue bonds payable from the Airport Revenue Fund, in one more series, in the aggregate principal amount not to exceed $950,000,000 for major capital improvements at the LAX.

   b. The issuance of bonds using a private/negotiated sale instead of competitive bidding.


Fiscal Impact Statement: The City Administrative Officer reports that this action will not impact the General Fund. The revenue bonds will be Airport Revenue Fund obligations and will not constitute an obligation of the City or the General Fund. The issuance of these bonds will enable LAWA to refinance prior revenue bonds, finance major capital improvements, and be reimbursed for prior capital projects. This request complies with the City financial policies, debt management section.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JUNE 9, 2008

(LAST DAY FOR COUNCIL ACTION - JUNE 4, 2008)

(Ad Hoc Committee on Public Debt, Bonds and Financing report to be submitted in Council. If public 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 Ad Hoc Committee on Public Debt, Bonds and Financing at 213-978-1075.)
ADOPTED

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

CONCUR with the recommendations of the Trade, Commerce and Tourism Committee relative to issuance of revenue bonds in the aggregate principal amount not to exceed $950 million for major capital improvements at LAX.

Fiscal Impact Statement: The City Administrative Officer reports there is no General Fund impact. The revenue bonds will be Airport Revenue Fund obligations and will not constitute an obligation of the City of the General Fund. The issuance of these bonds will enable the Department of Airports to refinance prior revenue bonds, finance major capital improvements and be reimbursed for prior capital projects. This request complies with the City’s Financial Policies, Debt Management Section.

Community Impact Statement: None submitted.

Items for Which Public Hearings Have Not Been Held - Items 17-31
(10 Votes Required for Consideration)

ITEM NO. (17) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

Roll Call #10 - Motion (Rosendahl - LaBonge) Adopted, Ayes (12); Absent: Parks, Smith and Wesson (3)

08-1068
CD 7

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and ORDINANCE FIRST CONSIDERATION relative to the quitclaim of Storm Drain Easement for Foothill Boulevard easterly of Balboa Boulevard (Right of Way No. 36000-1701).

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

1. FIND that the quitclaim of Storm Drain Easement for Foothill Boulevard easterly of Balboa Boulevard (Right of Way No. 36000-1701) is categorically exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(4) of the City’s Environmental Guidelines.

2. APPROVE the quitclaim of Storm Drain Easement for Foothill Boulevard easterly of Balboa Boulevard (Right of Way No. 36000-1701) as shown colored green on Exhibit A of the April 28, 2008 City Engineer report, attached to the Council file, subject to the following condition:

   That petitioner make satisfactory arrangement with the Real Estate Group of the Bureau of Engineering with respect to the payment of the document recording fee.

3. ADOPT the City Engineer report dated April 28, 2008, to approve the petitioner's request for the quitclaim of Storm Drain Easement for Foothill Boulevard easterly of Balboa Boulevard (Right of Way No. 36000-1701).
4. PRESENT and ADOPT the accompanying ORDINANCE authorizing the quitclaim of Storm Drain Easement for Foothill Boulevard easterly of Balboa Boulevard (Right of Way No. 36000-1701).

5. INSTRUCT the City Clerk to forward a copy of the Council action and Ordinance to the Real Estate Division of the Bureau of Engineering for processing.
Fiscal Impact Statement: The City Engineer reports that a fee of $4,280 was paid for processing this request pursuant to Section 7.40 of the Los Angeles Administrative Code.

ITEM NO. (18) - ADOPTED

Roll Call #12 - Motion (Cardenas - Rosendahl) Adopted, Ayes (11); Absent: Parks, Smith, Weiss and Wesson (4)

07-1725
CD 6

FUTURE PUBLIC HEARING DATE of JULY 15, 2008 for hearing appeals against the annual confirmation of assessments for the maintenance of the sidewalks for Van Nuys and Victory Boulevards (and other streets) Sidewalk Maintenance District - W.O. EXX71822.

Roll Call #5 - Motion (Perry - Alarcon) Adopted, Ayes (11); Absent: Greuel, Parks, Smith and Wesson (4)
(Item Nos. 19-22)

ITEM NO. (19) - ADOPTED

07-1726
CD 5

FUTURE PUBLIC HEARING DATE of JULY 15, 2008 for hearing appeals against the annual confirmation of assessments for the maintenance of the sidewalks for Westwood Village Sidewalk Maintenance District - W.O. EXX71375.

ITEM NO. (20) - ADOPTED

08-1307
CD 5

FUTURE PUBLIC HEARING DATE of JULY 15, 2008 for hearing appeals against the annual confirmation of assessments for the maintenance of the sidewalks for Ventura Boulevard (near Kester Avenue to Beverly Glen Boulevard) Sidewalk Maintenance District - W.O. E6000067.

ITEM NO. (21) - ADOPTED

08-1308
CD 4

FUTURE PUBLIC HEARING DATE of JULY 15, 2008 for hearing appeals against the annual confirmation of assessments for the maintenance of the sidewalks for Wilshire Miracle Mile Sidewalk Maintenance District - W.O. E6000022.
ITEM NO. (22) - ADOPTED

08-0005-S331

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 (LAHD), Code Enforcement Unit, habitability citations, pursuant to Ordinance 173810, and ADOPT the Findings contained in the LAHD's report of May 27, 2008:

08-0005-S331

CD 9

a. Property at 819 West 59th Place (Case No. 3171)
   Assessor I.D. No. 6004-004-031
   
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 5, 2006)

08-0005-S332

CD 9

b. Property at 1325 East Vernon Avenue (Case No. 147006)
   Assessor I.D. No. 5116-006-024
   
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on January 8, 2008)

08-0005-S333

CD 11

c. Property at 7013 South Ramsgate Place (Case No. 44174)
   Assessor I.D. No. 4103-021-015
   
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 5, 2007)

08-0005-S334

CD 15

d. Property at 1218 West Park Western Drive (Case No. 171627)
   Assessor I.D. No. 7445-014-080
   
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 15, 2008)

08-0005-S335

CD 13

e. Property at 405 North Coronado Terrace (Case No. 134516)
   Assessor I.D. No. 5157-005-020
   
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 14, 2008)
f. Property at 403 North Normandie Place (Case No. 7481)
   Assessor I.D. No. 5521-022-019
   (Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 3, 2004)

08-0005-S337  
CD 5

  g. Property at 15153 West Dickens Street (Case No. 150358)
     Assessor I.D. No. 2276-006-002
     (Notice of Acceptance into the REAP/Rent Reduction Program was sent on January 29, 2008)

ITEM NO. (23) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

Roll Call #6 - Motion (Perry - Alarcon) Adopted, Ayes (10); Absent: Greuel, Parks, Smith, Wesson and Zine (5)

07-0066

COMMUNICATION FROM CHAIR, RULES AND GOVERNMENT COMMITTEE relative to establishing a Survivor Benefit Purchase Program to allow retired members of the Fire and Police Pension Plan to purchase a survivor benefit for a spouse or domestic partner.

Recommendations for Council action:

1. RECEIVE and FILE the City Attorney report, dated February 1, 2007, relative to transmittal of a ballot resolution and ballot title resolution regarding a proposed City Charter amendment to establish a Survivor Benefit Purchase Program, and ordinance calling a special election and consolidating it with the City's General Municipal Election on May 15, 2007, inasmuch as the election on May 15, 2007 has already occurred, and no Council action is necessary.

2. NOT PRESENT and ORDER FILED the accompanying Ordinance and Resolutions relative to a ballot resolution and ballot title resolution regarding a proposed City Charter amendment to establish a Survivor Benefit Purchase Program, and ordinance calling a special election and consolidating it with the City's General Municipal Election on May 15, 2007.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.
ITEM NO. (24) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

COMMUNICATION FROM THE BOARD OF WATER AND POWER COMMISSIONERS relative to Amendment No. 3 to Agreement No. 10395 with Christopher Hunter to direct and oversee the Mono Basin stream monitoring program.

Recommendation for Council action:

CONCUR with the Board of Water and Power Commissioners’ action of April 15, 2008, Resolution No. 008-220, which authorizes execution of Amendment No. 3 to Agreement No. 10395 with Christopher Hunter, Stream Scientist, to increase the Agreement’s expenditure limit from $1,034,490 to $1,403,990; extend the duration from nine years three months to 10 years three months; include additional required tasks; and include updated standard provisions for professional service contracts, including audit provisions, to direct and oversee the Mono Basin stream monitoring program.

Fiscal Impact Statement: The Los Angeles Department of Water and Power (LADWP) reports that there is no impact to the General Fund. Funding for these services is included in the LADWP’s budget.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JUNE 21, 2008
(LAST DAY FOR COUNCIL ACTION - JUNE 20, 2008)
(Energy and the Environment Committee waived consideration of the above matter)

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

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 16809 West Victory Boulevard.

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 April 30, 2008 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 16809 West Victory Boulevard.

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. (26) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS**

08-1263

CD 2

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 6005 North Vineland 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 April 30, 2008 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 6005 North Vineland 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. (27) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

08-1265
CD 5

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 3910 Pacheco 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 April 30, 2008 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 3910 West Pacheco 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 $2,247 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 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

08-1267
CD 2

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for land located along 13664 West Leadwell 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 April 30, 2008 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 13664 West Leadwell 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 $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. (29) - ADOPTED**

Roll Call #13 - Motion (Reyes - Rosendahl) Adopted, Ayes (11); Absent: Parks, Smith, Weiss and Wesson (4)

08-1368 CD 1

CONSIDERATION OF MOTION (REYES - ROSENDAHL) relative to authorizing the Bureau of Engineering (BOE) to submit grant applications to the California Transportation Commission for the Highway-Railroad Crossing Safety Account (HRCSA) Program.

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

1. AUTHORIZE the BOE to submit grant applications to the California Transportation Commission for the HRCSA Program for the following projects:

   a. $5,000,000 for the Riverside Drive Grade Separation Replacement Project

   b. $5,001,315 for the North Spring Street Bridge projects

2. AUTHORIZE the BOE to negotiate and execute a Grant Agreement with the California Transportation Commission, subject to the approval of the City Attorney as to form and legality, if HRCSA grant funds are awarded to the City of Los Angeles for the projects as detailed above in Recommendation No. 1.

   (Public Works Committee waived consideration of the above matter)
ITEM NO. (30) - ADOPTED

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:

a. MOTION (GARCETTI - LABONGE) relative to declaring the Atwater Village Street Festival on June 8, 2008 a Special Event (fees and costs absorbed by the City = $3,927).

b. MOTION (ZINE - ROSENDAHL) relative to declaring the Warner Center Transportation Management Organization/Ridefest 2008 on June 3, 2008 a Special Event (fees and costs absorbed by the City = $1,330).

c. MOTION (PERRY - GARCETTI) relative to declaring the Creative Arts Emmy Awards Presentation on September 13, 2008 a Special Event (fees and costs absorbed by the City = $130,000).

d. MOTION (PERRY - GARCETTI) relative to declaring the 60th Primetime Emmy Awards Presentation on September 21, 2008 a Special Event (fees and costs absorbed by the City = $130,000).

e. MOTION (PERRY - REYES) relative to declaring the Deaf Asia Festival on June 14, 2008 a Special Event (fees and costs absorbed by the City = $500).

f. MOTION (LABONGE - GARCETTI) relative to declaring the 10th Annual Fourth of July block party on July 4, 2008 a Special Event (fees and costs absorbed by the City = $1,188).
g. MOTION (LABONGE - GARCETTI) relative to declaring the Larchmont Village Farmers’ Market on every Sunday beginning June 2008 to June 2009 a Special Event (fees and costs absorbed by the City = none submitted).

h. MOTION (LABONGE - GARCETTI) relative to declaring the Trans Walk N Pride on May 31, 2008 a Special Event (fees and costs absorbed by the City = $4,131).

i. MOTION (ROSENDAHL for PARKS - LABONGE) relative to declaring the La Movida event on June 1, 2008 a Special Event (fees and costs absorbed by the City = $2,559).

j. MOTION (ROSENDAHL - ZINE) relative to declaring the Carnevale! Venice Beach on June 7, 2008 a Special Event (fees and costs absorbed by the City = $4,637).

k. MOTION (ROSENDAHL - ZINE) relative to declaring the Vero Club La Grande Brentwood Grand Prix on August 17, 2008 a Special Event (fees and costs absorbed by the City = $10,303).

ITEM NO. (31) - ADOPTED

Roll Call #15 - Motion (Perry - Reyes) Adopted, Ayes (11); Absent: Parks, Smith, Weiss and Wesson (4)

08-1386

MOTION (PERRY - REYES) relative to a request for an exemption from the Convention Center fee waiver policy for the A World Fit for Kids! Talent Showcase on June 21, 2008.

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

1. FIND that the A World Fit for Kids! Talent Showcase event, sponsored by A World Fit for Kids, serves a public purpose in that this is the culmination of a project which improves students’ physical and mental skills.

2. AUTHORIZE the General Manager, Convention Center, to make an exception to the Council's Convention Center waiver policy by waiving a maximum of $921.48 in room rental fees for this event.
Items Called Special

Motions for Posting and Referral

Councilmembers’ Requests for Excuse from Attendance at Council Meetings

Closed Sessions - Items 32-33

ITEM NO. (32) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Roll Call #16 - Motion (Garcetti - Greuel) Adopted in Open Session, Ayes (12); Absent: Huizar, Parks and Wesson (3)

06-0054

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to a recommendation for payment of judgment in the case entitled Alice Mary Mowatt v. City of Los Angeles, Los Angeles Superior Court Case No. BC300552. (This matter arises out of an auto versus pedestrian accident which occurred on September 23, 2002.)

(Budget and Finance Committee considered the above matter in Closed Session on May 27, 2008.)

ADOPTED

(GARCETTI - GREUEL)

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

1. AUTHORIZE the Controller to TRANSFER $1,450,000 from Fund 100/59, Account No. 9760 to Fund 100/59, Account No. 9770.

2. AUTHORIZE the City Attorney to expend up to $14,203,921.88 to satisfy a judgment incurred in the above entitled matter from City Attorney, Fund 100/59, Account No. 9770.

3. AUTHORIZE the City Attorney to draw a demand thereon in the amount of $14,203,921.88, made payable to: Rouda, Feder, Tietjen & Zanobini and Alice Mary Mowatt, an Incapacitated Adult, by and through her Guardian Ad Litem, Rigel K. Mowatt. The amount requested consists of $11,870,638.38 for the City’s portion of the judgment, $366,402 in costs awarded to plaintiff after trial, a maximum of $1,962,092 in post-judgment interest through June 30, 2008 (accruing at $2,347 per day) and $4,789.50 for plaintiff’s costs on appeal.

4. AUTHORIZE the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments including adjustments to the actual amount of post-judgment interest to be paid, subject to the approval of the City Administrative Officer, and AUTHORIZE the Controller to implement the instructions.

(Budget and Finance Committee waived consideration of the above matter)
ITEM NO. (33) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Roll Call #17 - Motion (Alarcon - Cardenas) Adopted in Open Session, Ayes (9); Noes: Smith, Weiss and Zine (3); Absent: Huizar, Parks and Wesson (3)

07-3536

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 Tony Muhammad, et al., v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BC357193. (This action arises from an incident involving members of the Los Angeles Police Department that occurred in August, 2005.)

(Budget and Finance Committee considered the above matter in Closed Session on May 27, 2008.)

ADOPTED

MOTION (ALARCON - CARDENAS)

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

1. AUTHORIZE the City Attorney to expend $140,000 in settlement of the case entitled Tony Muhammad, et al., v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BC357193, from the City Attorney Fund 100/59, Account No. 9770.

2. AUTHORIZE the City Attorney to draw demands therefrom and payable as follows:

   $40,000 - Kinsella Weitzman Iser Kump and Aldisert LLP
   $25,000 - Kinsella Weitzman Iser Kump and Aldisert LLP and Minister Tony Muhammad
   $25,000 - Kinsella Weitzman Iser Kump and Aldisert LLP and Steven Muhammad
   $25,000 - Kinsella Weitzman Iser Kump and Aldisert LLP and Ronald Muhammad
   $25,000 - Kinsella Weitzman Iser Kump and Aldisert LLP and Marcus Muhammad

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

This matter was approved by the Budget and Finance Committee (Greuel-Huizar-Rosendahl “yes”; Smith “no”) at its meeting of May 27, 2008, in Closed Session as permitted by Government Code Section 54956.9(a).
MOTIONS PRESENTED PURSUANT TO RULE NO. 16 - TO BE PLACED ON THE NEXT AVAILABLE AGENDA

08-1452
CD 13
MOTION (GARCETTI - ROSENDAHL) relative to declaring the Dyke Day Los Angeles on June 7, 2008 a Special Event (fees and costs absorbed by the City = $3,252).

08-1453
CD 13
MOTION (GARCETTI - ROSENDAHL) relative to declaring the 15th Annual March for Lesbian Visibility on June 7, 2008 a Special Event (fees and costs absorbed by the City = $3,181).

08-1468
CD 1
MOTION (REYES - ZINE) relative to declaring the Fourth of July MacArthur Park Carnival and Community Festival on July 4-6, 2008 a Special Event (fees and costs absorbed by the City = $8,000).

08-1469
CD 1
MOTION (REYES - ZINE) relative to declaring the Feria De Los Ninos on June 14, 2008 a Special Event (fees and costs absorbed by the City = $3,000).

08-1470
CD 6
MOTION (CARDENAS - HUIZAR) relative to declaring the Council District Six and Community, Greater San Fernando Valley Chamber of Commerce Clean Up on June 7, 2008 a Special Event (fees and costs absorbed by the City = $4,000).

08-1471
CD 13
MOTION (GARCETTI - LABONGE) relative to declaring the JQP Fashion event on June 11, 2008 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

08-1472
CD 13
MOTION (GARCETTI - LABONGE) relative to declaring the S Bar event on June 12, 2008 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

08-1474
CD 8
MOTION (CARDENAS for PARKS - PERRY) relative to declaring the Taking Care of Business: Enhancing the Soul and Body, Health Job Fair on June 6-8, 2008 a Special Event (fees and costs absorbed by the City = $13,351).

08-1475
CD 14
MOTION (HUIZAR - CARDENAS) relative to declaring the March of Dimes Event on June 11, 2008 a Special Event (fees and costs absorbed by the City = $634).
MOTION (GARCETTI - HUIZAR) relative to declaring the Mayberry Magical Rummage Sale on June 14, 2008 a Special Event (fees and costs absorbed by the City = $2,051).

MOTION (HUIZAR - GARCETTI) relative to declaring the Ruby Street Block Party on July 11, 2008 a Special Event (fees and costs absorbed by the City = $1,642).

MOTION (LABONGE - HUIZAR) relative to declaring the Brookside Homeowners Block Party on June 8, 2008 a Special Event (fees and costs absorbed by the City = $1,466).

MOTION (WEISS - LABONGE) relative to declaring the Melrose Place Farmers’ Market on every Sunday June 8, 2008 through June 7, 2009 a Special Event (fees and costs absorbed by the City = $16,000).

MOTION (ROSEDAHL - HAHN) relative to declaring the Icon Aircraft event on June 11, 2008 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

MOTION (ROSEDAHL - HAHN) relative to declaring the North Oval Block Party/Run on June 22, 2008 a Special Event (fees and costs absorbed by the City = $2,472).

MOTION (ZINE - REYES) relative to declaring the Reseda Neighborhood Pride Day on June 14, 2008 a Special Event (fees and costs absorbed by the City = $1,860).

MOTION (HAHN - LABONGE) relative to declaring the 21st Annual Seafood Festival on June 11, 2008 a Special Event (fees and costs absorbed by the City = $1,200).

MOTION (HAHN - LABONGE) relative to declaring the Fifth Annual Women of Watts March on June 21, 2008 a Special Event (fees and costs absorbed by the City = $2,700).

MOTION (HAHN - LABONGE) relative to declaring the 13th Annual Wilmington Family Picnic on June 14, 2008 a Special Event (fees and costs absorbed by the City = $3,220).
MOTION (CARDENAS - ALARCON) relative to declaring the First Annual Father’s Day Walk for Peace on June 14, 2008 a Special Event (fees and costs absorbed by the City = $2,000).

MOTION (CARDENAS - 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 Jesus Florian on May 31, 2008.

MOTION (ROSENDAHL - ZINE) relative to funding to enable the Mar Vista Family Center (MVFC) to purchase a security camera.

MOTION (ROSENDAHL - HUIZAR) relative to a personal services contract with Mary E. Misono for Council District 11.

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

RESOLUTION (PERRY - LABONGE) relative to a grant application for funding to assist in the completion of the Historic Little Tokyo Open House event.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

Edward James “Jim” Ritchie (Rosendahl - et al.)

At the conclusion of this day’s Council Session

ADJOURLING MOTIONS WERE ADOPTED in tribute to the memory of:

Robert K. Kennedy (Rosendahl)
Charles Gary Allison (LaBonge)
Michael German Morales (Alarcon)
Jean C. Seratti (Smith)
Ayes, Alarcon, Cardenas, Greuel, Hahn, LaBonge, Perry, Reyes, Rosendahl, Smith, Weiss, Zine and President Garcetti (12); Absent: Huizar, Parks and Wesson (3).

Whereupon the Council did adjourn.

ATTEST: Karen E. Kalfayan, CITY CLERK

By

Council Clerk                        PRESIDENT OF THE CITY COUNCIL