

Los Angeles City Council, Journal/Council Proceedings
Wednesday, September 21, 2005
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: Cardenas, Garcetti, Greuel, Hahn, LaBonge, Parks, Perry, Rosendahl, Smith, Weiss and Zine (11); Absent: Reyes and President Padilla (2). Council Districts 10 and 14 Vacant.

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
SEPTEMBER 16, 2005

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 27

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) - PUBLIC HEARING CLOSED - NO APPEALS - LIEN CONFIRMED

Roll Call #1 - Motion (Zine - Smith) Adopted, Ayes (11); Absent: Reyes and President Padilla (2)

05-1237

CD 3 CONTINUED CONSIDERATION OF HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of barricading of all openings, graffiti abatement of the building(s) and the cleaning and fencing of the lot at 7432 North Beckford Avenue. (lien: \$5,597.02)

(Continued from Council meeting of September 14, 2005)

ITEM NO. (2) - PUBLIC HEARING CLOSED - APPEALS DENIED - LIEN CONFIRMED

Roll Call #11 - Motion (Zine - Smith) Adopted, Ayes (11); Absent: Reyes and President Padilla (2)

05-1241

CD 3 CONTINUED CONSIDERATION OF HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of lien to cover the costs of barricading of all openings and the cleaning and fencing of the lot at 21180 West Lopez Street.
(lien: \$11,639.60)

(Continued from Council meeting of September 14, 2005)

Items for Which Public Hearings Have Been Held - Items 3-16

ITEM NO. (3) - ADOPTED - FORTHWITH

Roll Call #6 - Motion (Parks - Perry) Adopted, Ayes (11); Absent: Reyes and President Padilla (2)

05-1644

BUDGET AND FINANCE COMMITTEE REPORT relative to the Mayor's appointment of Mr. Sean Harrigan to the Board of Fire and Police Pension Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. Sean Harrigan to the Board of Fire and Police Pension Commissioners for the term ending June 30, 2010, is APPROVED and CONFIRMED. Mr. Harrigan resides in Council District Nine. (Current Commission gender composition: M=8; F=1)

Ethics Commission Review: Complete

TIME LIMIT FILE - SEPTEMBER 24, 2005

(LAST DAY FOR COUNCIL ACTION - SEPTEMBER 23, 2005)

ITEM NO. (4) - ADOPTED - FORTHWITH

Roll Call #4 - Motion (Rosendahl - Zine) Adopted, Ayes (11); Absent: Reyes and President Padilla (2)

05-1709

EDUCATION AND NEIGHBORHOODS COMMITTEE REPORT relative to the appointment of Ms. Tsilah Burman to the Board of Neighborhood Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Tsilah Burman to the Board of Neighborhood Commissioners for the term ending June 30, 2009, to fill the vacancy created by the resignation of Mr. Ronald Stone, is APPROVED and CONFIRMED. Ms. Burman resides in Council District Three. (Current Board gender composition: M=4; F =3)

Ethics Commission Review: Complete

TIME LIMIT FILE - SEPTEMBER 29, 2005

(LAST DAY FOR COUNCIL ACTION - SEPTEMBER 28, 2005)

ITEM NO. (5) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION - FORTHWITH - SEE FOLLOWING

Roll Call #7 - Motion (Perry - Hahn) Adopted, Ayes (11); Absent: Reyes and President Padilla (2)

05-1731

COMMUNICATION FROM THE MAYOR relative to the appointment of Ms. Misty Sanford to the Environmental Affairs Commission.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Misty Sanford to the Environmental Affairs Commission for the term ending June 30, 2010, is APPROVED and CONFIRMED. Ms. Sanford resides in Council District 14. (Current Commission Composition: M=3; F=1)

TIME LIMIT FILE - SEPTEMBER 29, 2005

(LAST DAY FOR COUNCIL ACTION - SEPTEMBER 28, 2005)

(Environmental Quality and Waste Management 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, please contact the Legislative Assistant for the Environmental Quality and Waste Management Committee at 213-978-1078.)

ADOPTED

COMMUNICATION FROM CHAIR, ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE relative to the appointment of Ms. Misty Sanford to the Environmental Affairs Commission.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Misty Sanford to the Environmental Affairs Commission for the term ending June 30, 2010, is APPROVED and CONFIRMED. Ms. Sanford resides in Council District 14. (Current Commission Composition: M=3; F=1)

Ethics Commission Review: Complete

TIME LIMIT FILE - SEPTEMBER 29, 2005

(LAST DAY FOR COUNCIL ACTION - SEPTEMBER 28, 2005)

ITEM NO. (6) - ADOPTED - FORTHWITH

Roll Call #8 - Motion (Weiss - Rosendahl) Adopted, Ayes (11); Absent: Reyes and President Padilla (2)

05-1702

PUBLIC SAFETY COMMITTEE REPORT relative to the appointment of Ms. Marie Atake to the Board of Animal Services Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Marie Atake to the Board of Animal Services Commissioners for the term ending June 30, 2010, to fill the vacancy created by the expiration of Mr. Alexander Rubalcava's term, is APPROVED and CONFIRMED. Ms. Atake resides in Council District 11. (Current Board gender composition: M=2; F=3)

Ethics Commission Review: Complete

TIME LIMIT FILE - SEPTEMBER 29, 2005

(LAST DAY FOR COUNCIL ACTION - SEPTEMBER 28, 2005)

ITEM NO. (7) - ADOPTED - FORTHWITH

Roll Call #9 - Motion (Zine - Weiss) Adopted, Ayes (11); Absent: Reyes and President Padilla (2)

05-1723

PUBLIC SAFETY COMMITTEE REPORT relative to the reappointment of Ms. Anita Castellanos to the Police Permit Review Panel.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Ms. Anita Castellanos to the Police Permit Review Panel for the new term ending June 30, 2010 is APPROVED and CONFIRMED. Ms. Castellanos resides in Council District Three. (Current Board gender composition: M=4; F=3)

Ethics Commission Review: Complete

TIME LIMIT FILE - SEPTEMBER 29, 2005

(LAST DAY FOR COUNCIL ACTION - SEPTEMBER 28, 2005)

ITEM NO. (8) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS - ORDINANCE OVER ONE WEEK TO SEPTEMBER 28, 2005

Roll Call #12 - Motion (Smith - Cardenas) Adopted, Ayes (11); Absent: Reyes and President Padilla (2)

05-1509

CD 12

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a Variance appeal and zone change for property at 17720 and 17730 Superior Street.

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 City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 05-1509 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 2004-1243 MND] filed on April 23, 2004.
2. ADOPT the FINDINGS of the North Valley Area Planning Commission (APC) as the Findings of the Council.
3. RESOLVE TO DENY APPEAL filed by Philip E. Anaya (Philip J. Hess, Representative), from the entire decision of the North Valley APC, THEREBY APPROVE a Variance, subject to conditions of approval, to permit averaging of the project density over the (T)(Q)RD3-1 and (T)(Q)RD1.5-1 zones for the proposed subdivision for a maximum 34-unit condominium project on a 1.62 net acre site.
4. PRESENT and ADOPT the accompanying ORDINANCE, approved by the North Valley APC, effecting the Zone Change from RA1 to (T)(Q)RD3-1 and (T)(Q)RD1.5-1 zones, incident to a subdivision, to permit averaging of the project density for the proposed development for a maximum 34-unit condominium project on 1.62 acre site, subject to conditions of approval, for property at 17720 and 17730 Superior Street.

APCNV 2004-1242 ZC ZV-1A

Applicant: John Tesoriero/David Tedesco, Representative

5. REMOVE the (T) Tentative classification as described in detail on the sheet(s) attached to the Committee report.

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

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

TIME LIMIT FILE - SEPTEMBER 21, 2005

(LAST DAY FOR COUNCIL ACTION - SEPTEMBER 21, 2005)

Roll Call #2 - Motion (Parks - Smith) Adopted, Ayes (11); Absent: Reyes and President Padilla (2)
(Item Nos. 9-16)

ITEM NO. (9) - ADOPTED

[01-1817-S6](#)

CD 9 ORDINANCE SECOND CONSIDERATION, approved by the Director of Planning on September 13, 2005, authorizing the execution of the First Amended and Restated Development Agreement to implement technical amendments to the Development Agreement dated December 11, 2001, by and among Los Angeles Arena Land Company, Inc. and Flower Holdings, LLC (collectively, the "Developer") and the City of Los Angeles, as amended by that certain Amendment to Development Agreement dated December 10, 2003, to clarify the rights and obligations of the Developer and its successors, assignees and transferees; to define a process for determining satisfaction of the affordable housing and childcare requirements; and to replace the City's lien and specific performance rights for non-public improvements with other enforcement rights as they relate to development of the Project. There is no change to the existing entitlements as proposed as part of this action. The development plan for the properties consists of 4,000,000 square feet of floor area, which includes a minimum of 1,400 hotel rooms, a minimum of 500 residential units, retail, office, entertainment, restaurant, and convention center related uses. The property involved is in an area generally bounded by Olympic Boulevard to the north, Cherry Street to the west, 11th Street to the south, and Figueroa Street to the east; and area bounded by 11th Street to the north, Figueroa Street to the west, Pico Boulevard to the south, and Flower Street to the east.

(Planning and Land Use Management Committee Report adopted on September 14, 2005)

ITEM NO. (10) - ADOPTED

05-1343

CD 7 ORDINANCE SECOND CONSIDERATION, approved by the North Valley Area Planning Commission (NVAPC), effecting Zone Change from RA-1 to (T)(Q)RD1.5-1, incident to subdivision and subject to conditions of approval, for the proposed subdivision for a maximum of 30 lots on a 65,270 square foot lot located at 15156 Rayen Street. (The NVAPC also approved a Zone Variance and Zoning Administrator Adjustment for this project.)

(Planning and Land Use Management Committee Report adopted on September 14, 2005)

ITEM NO. (11) - ADOPTED

05-1433

CD 7 ORDINANCE SECOND CONSIDERATION, approved by the North Valley Area Planning Commission, effecting the Zone Change from RS-1 to (T)(Q)RD3-1, incident to subdivision and subject to conditions of approval, for the proposed subdivision for a maximum 7-unit condominium on an approximate 21,920 square foot lot at 12642 North Ralston Avenue.

(Planning and Land Use Management Committee Report adopted on September 14, 2005)

ITEM NO. (12) - ADOPTED

05-1499

CD 7 ORDINANCE SECOND CONSIDERATION, approved by the North Valley Area Planning Commission (NVAPC), effecting Zone Change from RA-1 to (T)(Q)RD3-1, subject to conditions of approval, for the proposed construction of a 26 detached residential condominium dwellings, two-stories, approximately 24 feet in height, with 52 parking spaces for residents and 13 parking spaces for guest on a 87,087 square foot lot, for property at 14434, 14444 and 14454 Terra Bella Street. (The NVAPC also approved an Adjustment and Determination for this project.)

(Planning and Land Use Management Committee Report adopted on September 14, 2005)

ITEM NO. (13) - ADOPTED

05-1348

CD 11 MITIGATED NEGATIVE DECLARATION and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relating to Tentative Tract Map appeal (TT No. 60907) for property at 1046-48 West Princeton Drive.

Recommendations for Council action:

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the lead agency City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 05-1348 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 2004-1396 MND] filed on March 25, 2004.
2. ADOPT the FINDINGS of the Advisory Agency as modified by the West Los Angeles Area Planning Commission (WLAAPC).
3. DENY APPEAL filed by Legal Aid Foundation of Los Angeles, on behalf of Parents Organized for Westside Renewal (Benjamin S. Beach, representative), and Barton Hill Neighborhood Organization (Western Center on Law and Poverty and Benjamin S. Beach, representatives), from part of the determination of the WLAAPC, THEREBY APPROVE as amended, Tentative Tract Map No. 60907 and Mello Act Findings for a proposed subdivision for a maximum 30-unit residential loft condominium live-work condominium units, subject to modified conditions of approval for property at 1046-48 West Princeton Drive. (The WLAAPC also approved related Case No. ZA 2004-1415 CDP-SPP-ZAD-MEL, which is not appealable to the Council. However, the Coastal Development Permit is appealable to the California Coastal Commission.)

Applicant: Pat Ayau, Noncom Properties

TT 60907

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

TIME LIMIT FILE - SEPTEMBER 21, 2005

(LAST DAY FOR COUNCIL ACTION - SEPTEMBER 21, 2005)

ITEM NO. (14) - ADOPTED

04-1164

TRANSPORTATION COMMITTEE REPORT relative to the "Watch the Road" Traffic Safety Education and Awareness Campaign.

Recommendation for Council action:

NOTE and FILE the September 2, 2005 Department of Transportation report relative to the "Watch the Road" Traffic Safety and Education Campaign, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

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

04-1719

BUDGET AND FINANCE COMMITTEE REPORT and COMMUNICATION FROM CHAIR, AUDITS AND GOVERNMENTAL EFFICIENCY COMMITTEE relative to proposed contract between the City and the Los Angeles County Department of Community and Senior Services (County) for the Dispute Resolution Program.

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

1. APPROVE the proposed contract between the City and the County for the Dispute Resolution Program in the amount of \$235,124 for the period of July 1, 2005 through June 30, 2006, subject to City Attorney approval as to form and legality; and AUTHORIZE the City Attorney to execute the contract upon verification by the City Administrative Officer (CAO) that all City contracting requirements have been met.
2. AUTHORIZE the City Attorney to accept the 16th year grant amount of \$235,124 from the County.
3. APPROVE the City cash and in-kind match in the amount of \$354,218 for the period of July 1, 2005 through June 30, 2006.
4. APPROVE a Reserve Fund advance of \$235,124; and AUTHORIZE the Controller to TRANSFER \$235,124 from the Reserve Fund to the Unappropriated Balance and APPROPRIATE this amount therefrom to Fund 100/12, Account No. 1020, Salaries-Grant, to be reimbursed upon receipt of grant funds from the County.
5. REQUEST the City Attorney to include all funding needs in excess of the grant contribution for the Dispute Resolution Program in future budget requests so that the Program can be supported by budgeted ongoing revenues.
6. REQUEST the City Attorney to submit invoices to the County on a monthly basis to ensure that the Reserve Fund is reimbursed in a timely manner.
7. AUTHORIZE the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the CAO, and AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: The CAO reports that a Reserve Fund advance of \$235,124 is required to partially fund the Dispute Resolution Program on an interim basis. This amount will be reimbursed upon receipt of grant funds. Full payment of the grant contribution for the City's Dispute Resolution Program Fiscal Year 2005-06 program costs is anticipated by the second quarter of 2006-07. There is an additional cost to the General Fund of \$76,123 in related costs and \$652 in salary costs.

ITEM NO. (16) - MOTION ADOPTED TO APPROVE COMMUNICATION AND COMMITTEES' REPORT RECOMMENDATIONS

03-1623-S1

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT and BUDGET AND FINANCE COMMITTEES' REPORT and COMMUNICATION FROM CHAIR, PERSONNEL COMMITTEE relative to authorizing positions and expenses for the Lead Hazard Reduction Demonstration Grant Program.

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

1. AUTHORIZE the Controller to:

- a. Establish new accounts within the Lead Grant IV Fund No. 47Q, for 2005-06 for program administration, as follows:

<u>Account</u>	<u>Title</u>
Y143	Housing
Y299	Related Costs

- b. Transfer appropriations within the Lead Grant IV Fund No. 47Q, as follows:

	<u>Account</u>	<u>Title</u>	<u>Amount</u>
From:	V303	Admin. Reserve for Two Years	\$ 497,490
To:	Y143	Housing	\$ 402,566
	Y299	Related Costs	<u>94,924</u>
		Total	\$ 497,490

- c. Increase appropriations in the General Fund, Fund No. 100/43, for 2005-06, as indicated below, with the condition that the \$20,000 allocated for "Contract Services" not be used to exceed the funding level of \$30,000 approved for the PDQ Personnel Services, Inc. contract extension, for the period of July 1, 2005 through December 31, 2005, by Council action taken on July 13, 2005 (Council file No. 02-1327):

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1010	Salaries - General	\$ 372,982
2130	Travel	2,684
3040	Contract Services	20,000
3310	Transportation	3,500
6010	Office & Administrative	2,400
7300	Equipment	<u>1,000</u>
	Total	\$ 402,566

d. Expend these funds upon proper demand of the General Manager, Los Angeles Housing Department (LAHD), or designee.

2. RESOLVE that continued Employment Authority for the following five civil service exempt positions, listed below, in the LAHD's Major Projects Division from July 1, 2005 through June 30, 2006, provided that all necessary City policies and procedures related to the employment of exempt personnel are followed, in accordance with Charter Section 1001 (d)(4), is APPROVED:

<u>No.</u>	<u>Class</u>	<u>Title</u>
1	1358	Clerk Typist
1	1537	Project Coordinator
1	1569-1	Rehabilitation Construction Specialist I
1	1569-2	Rehabilitation Construction Specialist II
1	8502-1	Rehabilitation Project Coordinator I

3. AUTHORIZE the General Manager, LAHD, or designee, to prepare Controller instructions and make any necessary technical adjustments consistent with this action, subject to the approval of the City Administrative Officer (CAO); and, AUTHORIZE the Controller to implement those instructions.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. The above recommendations are in compliance with City financial policies in that off-budget U.S. Department of Housing and Urban Development Lead Hazard Reduction Grant funds will support program expenses reflected herein. Approving this report will enable continued staffing for the LAHD Lead Hazard Control Grant Program.

Items for Which Public Hearings Have Not Been Held - Items 17-44

(10 Votes Required for Consideration)

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

Roll Call #5 - Motion (LaBonge - Hahn) Adopted, Ayes (11); Absent: Reyes and President Padilla (2)

05-1705

COMMUNICATION FROM THE MAYOR relative to the appointment of Ms. Tunua Thrash to the Los Angeles Convention and Exhibition Center Authority.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Tunua Thrash to the Los Angeles Convention and Exhibition Center Authority for the term ending January 16, 2009, to fill the vacancy created by the resignation of Ms. Carol Schatz, is APPROVED and CONFIRMED. Ms. Thrash resides in Council District 10. (Current Commission gender composition: M=8, F=2)

Ethics Commission Review: Complete

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

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

Roll Call #10 - Motion (LaBonge - Rosendahl) Adopted, Ayes (11); Absent: Reyes and President Padilla (2)

05-1708

COMMUNICATION FROM THE MAYOR relative to the appointment of Ms. Shelby Kaplan-Sloan to the Board of Zoo Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Shelby Kaplan-Sloan to the Board of Zoo Commissioners for the term ending June 30, 2010, to fill the vacancy created by the expiration of Ms. Betty White Ludden's term, is APPROVED and CONFIRMED. Ms. Kaplan-Sloan resides in Council District 11. (Current Commission gender composition: M=1, F=4)

Ethics Commission Review: Pending

(TIME LIMIT FILE - SEPTEMBER 29, 2005)

(LAST DAY FOR COUNCIL ACTION - SEPTEMBER 28, 2005)

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

Roll Call #3 - Motion (Rosendahl - Smith) Adopted, Ayes (11); Absent: Reyes and President Padilla (2)
(Item Nos. 19-35)

ITEM NO. (19) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - ORDINANCE OVER ONE WEEK TO SEPTEMBER 28, 2005

05-1820

CD 5

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

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated August 31, 2005.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of NOVEMBER 23, 2005 as the hearing date for the maintenance of Bentley and Rose Avenues Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$385.41 will be collected annually starting with tax year 2005-06 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 14, 2005)

ITEM NO. (20) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - ORDINANCE OVER ONE WEEK TO SEPTEMBER 28, 2005

05-1819

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 BRADLEY AVENUE AND POLK 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, 2005.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of NOVEMBER 23, 2005 as the hearing date for the maintenance of Bradley Avenue and Polk 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, \$307.20 will be collected annually starting with tax year 2005-06 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 14, 2005)

ITEM NO. (21) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - ORDINANCE OVER ONE WEEK TO SEPTEMBER 28, 2005

05-1818

CD 3

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

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated August 31, 2005.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of NOVEMBER 23, 2005 as the hearing date for the maintenance of Calvert Street and Yolanda Avenue Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$122.40 will be collected annually starting with tax year 2005-06 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 14, 2005)

ITEM NO. (22) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - ORDINANCE OVER ONE WEEK TO SEPTEMBER 28, 2005

05-1817

CD 3

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of VANALDEN AVENUE AND SANTA RITA 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, 2005.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of NOVEMBER 23, 2005 as the hearing date for the maintenance of Vanalden Avenue and Santa Rita 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, \$428.40 will be collected annually starting with tax year 2005-06 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 14, 2005)

ITEM NO. (23) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - ORDINANCE OVER ONE WEEK TO SEPTEMBER 28, 2005

05-1816

CD 4

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

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated August 31, 2005.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of NOVEMBER 23, 2005 as the hearing date for the maintenance of Whipple Street and Satsuma Avenue Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$2,357.42 will be collected annually starting with tax year 2005-06 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 14, 2005)

ITEM NO. (24) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - ORDINANCE OVER ONE WEEK TO SEPTEMBER 28, 2005

04-2142-S1

CD 6

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of OLINDA STREET AND SUNLAND BOULEVARD NO. 2 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, 2005.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of NOVEMBER 23, 2005 as the hearing date for the maintenance of Olinda Street and Sunland Boulevard No. 2 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, \$183.60 will be collected annually starting with tax year 2005-06 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 14, 2005)

ITEM NO. (25) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - ORDINANCE OVER ONE WEEK TO SEPTEMBER 28, 2005

03-2567

CD 6

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION establishing a date for hearing protests against the proposed sewer improvement for the project entitled, "STAGG STREET (NEAR RADFORD AVENUE) - A'11-SZC11332" (Assessment Sewer Improvement).

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

1. FIND that the improvement is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Section 1 and Class 3(5) of the new City of Los Angeles Environmental Guidelines.
2. ADOPT the Director, Bureau of Street Lighting Report recommending the sewer improvement on Stagg Street between Radford Avenue and 445 feet east of Radford Avenue with mainline sewer, house connection sewer (lateral), appurtenant structures, and related work.
3. ADOPT Map A-20990.
4. PRESENT and ADOPT accompanying ORDINANCE OF INTENTION setting NOVEMBER 18, 2005, as the date for hearing protests against the above sewer improvement under the 1911 Act and pursuant to Section 6.1 to 6.15 of the Los Angeles Administrative Code and conducting an assessment ballot proceedings in accordance with Proposition 218, Article XIID of the California Constitution and Government Code Section 53537; and advising that public funds shall be allocated.

Fiscal Impact Statement: The Bureau of Street Lighting reports that the cost of this improvement in the estimated amount of \$104,839 will be funded through Assessment Bonds to be paid by property owners in the proposed assessment district. An estimated \$60,309 from the Sewer Capital Fund will be the City's contribution for this project. It will be available in the entitled Assessment Act Sewers Account of Fund No. 761, Dept. 50 and Fiscal Year 2005-06.

ITEM NO. (26) - ADOPTED

[05-0005-S334](#)

CD 15 RESOLUTION removing the property at 1231-37 West 252nd Street from the Rent Escrow Account Program [REAP], (Case No. 4378), inasmuch as the owner has 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 14, 2005.

Assessor I.D. No. 7413-007-021
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on October 12, 2001)

ITEM NO. (27) - ADOPTED

[05-0005-S335](#)

CD 15 RESOLUTION removing the property at 122-22 1/2 West 117th Street from the Rent Escrow Account Program [REAP], (Case No. 7064), inasmuch as the owner has 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 14, 2005.

(Notice of Acceptance into the REAP/Rent Reduction Program was released on November 6, 2003)

ITEM NO. (28) - ADOPTED

[05-0005-S336](#)

CD 8 RESOLUTION removing the property at 220-20 1/2 West 90th Street from the Rent Escrow Account Program [REAP], (Case No.7386), inasmuch as the owner has 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 14, 2005.

Assessor I.D. No. 6040-033-025
Registration No. 9609967

(Notice of Acceptance into the REAP/Rent Reduction Program was released on August 12, 2004)

ITEM NO. (29) - ADOPTED

[05-0005-S337](#)

CD 6 RESOLUTION removing the property at 12042 Hart Street from the Rent Escrow Account Program [REAP], (Case No. 7653), inasmuch as the owner has 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 14, 2005.

Assessor I.D. No. 2321-011-026
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on April 5, 2005)

ITEM NO. (30) - ADOPTED

[05-0005-S338](#)

CD 14 RESOLUTION removing the property at 3427-29 1/2 East Second Street from the Rent Escrow Account Program [REAP], (Case No.7655), inasmuch as the owner has 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 14, 2005.

Assessor I.D. No. 5179-016-020
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on September 23, 2005)

ITEM NO. (31) - ADOPTED

05-0005-S339

CD 15 RESOLUTION removing the property at 867-69 West Sepulveda Street from the Rent Escrow Account Program [REAP], (Case No. 8027), inasmuch as the owner has 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 14, 2005.

Assessor I.D. No. 7447-011-004
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on March 15, 2005)

ITEM NO. (32) - ADOPTED

05-0005-S340

CD 9 RESOLUTION removing the property at 1230-32 1/2 East 56th Street from the Rent Escrow Account Program [REAP], (Case No. 8126), inasmuch as the owner has 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 14, 2005.

Assessor I.D. No. 5104-023-011
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on April 5, 2005)

ITEM NO. (33) - ADOPTED

05-0005-S341

CD 8 RESOLUTION removing the property at 1107-09 West 64th Street from the Rent Escrow Account Program [REAP], (Case No. 8201), inasmuch as the owner has 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 14, 2005.

Assessor I.D. No. 6003-032-018
Registration No. 9804386

(Notice of Acceptance into the REAP/Rent Reduction Program was released on June 16, 2005)

ITEM NO. (34) - ADOPTED

05-0005-S342

CD 8 RESOLUTION removing the property at 121-23 West 98th Street from the Rent Escrow Account Program [REAP], (Case No. 8212), inasmuch as the owner has 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 14, 2005.

Assessor I.D. No. 6053-014-036
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on May 12, 2005)

ITEM NO. (35) - ADOPTED

05-0005-S343

CD 1 RESOLUTION removing the property at 1135-41 South Lake Street from the Rent Escrow Account Program [REAP], (Case No. 8214), inasmuch as the owner has 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 14, 2005.

Assessor I.D. No. 5136-017-015
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on March 8, 2005)

ITEM NO. (36) - SUBSTITUTE MOTION ADOPTED IN LIEU OF ORIGINAL MOTION -
SEE FOLLOWING

Roll Call #13 - Motion (LaBonge - Perry) to Adopt Substitute Motion, Ayes (11);
Absent: Reyes and President Padilla (2)

RECEIVED AND FILED

03-1283

CD 4 CONSIDERATION OF MOTION (LABONGE - GREUEL) relative to Council District Four contracting with Ms. Lyn MacEwen Cohen for personal services relative to streetscape design and management.

Recommendations for Council Action pursuant to Motion (LaBonge - Greuel), SUBJECT TO THE APPROVAL OF THE MAYOR:

1. AUTHORIZE the Chief Legislative Analyst (CLA) to prepare amendments to the contract between Council District Four and Lyn MacEwen Cohen to extend the contract time period and to increase the contract dollar amount, as follows, subject to the approval of the City Attorney as to form and legality:

<u>Amendment No.</u>	<u>Time Period</u>	<u>Annual Payment</u>	<u>Total Contract Amount</u>
1	April 7, 2004 - April 6, 2005	\$5,000	\$10,000
2	April 7, 2005- April 6, 2006	\$5,000	\$15,000

2. AUTHORIZE the Board of Public Works, Office of Accounting, to pay \$5,000 from the Council District Four portion of the Street Furniture Revenue Fund No. 43D Department 50 to Lyn MacEwen Cohen for services rendered to Council District Four for streetscape design and management during the period April 7, 2004 - April 6, 2005, not to exceed the contract total of \$10,000.
3. AUTHORIZE the Board of Public Works, Office of Accounting, to pay \$5,000 from the Council District Four portion of the Street Furniture Revenue Fund No. 43D Department 50 to Lyn MacEwen Cohen for services rendered to Council District Four for streetscape design and management during the period April 7, 2005 - April 6, 2006, not to exceed the contract total of \$15,000.
4. AUTHORIZE the CLA, or designee, to make technical corrections or clarifications as may be necessary to facilitate the intent of this Motion.

(Public Works Committee waived consideration of the above matter)

ADOPTED

SUBSTITUTE MOTION (LABONGE - SMITH)

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

1. AUTHORIZE the Chief Legislative Analyst (CLA) to prepare a supplemental agreement to contract C-104913 between Council District Four and Lyn MacEwen Cohen, as follows, subject to the approval of the City Attorney as to form and legality: Extend the contract period to April 6, 2006; provide for an annual payment amount for the period April 7, 2004-April 6, 2005 in the amount of \$10,000; include an annual payment of \$5,000 for services provided from April 7, 2005-April 6, 2006; and increase the total of the contract amount to \$20,000.
2. AUTHORIZE the Councilmember of the Fourth District to sign and execute the supplemental agreement on behalf of the City.

3. INSTRUCT the Controller to TRANSFER \$15,000 from the Council District Four portion of the Street Furniture Revenue Fund No. 43D Department 50 to Fund 100 Department 28 (Council) Account No. 3040 (Contractual Services) for Council District Four.
4. AUTHORIZE the City Clerk to process payments on this supplement agreement on behalf of Council District Four up to \$15,000 from the Council District Four portion of Fund 100/28 Account No. 3040 to Lyn MacEwen Cohen for services rendered to Council District Four for streetscape design and management during the period April 7, 2004-April 6, 2006.
5. AUTHORIZE the Chief Legislative Analyst and the City Clerk to make technical corrections or clarifications as may be necessary to facilitate the intent of this Motion.

Roll Call #3 - Motion (Rosendahl - Smith) Adopted, Ayes (11); Absent: Reyes and President Padilla (2)
(Item Nos. 37-44)

ITEM NO. (37) - ADOPTED - FORTHWITH

04-1847

CDs 4 & 5 CONSIDERATION OF RESOLUTION (LABONGE - REYES) requesting a six month extension period for the Hancock Park Historic Preservation Overlay Zone (HPOZ).

Recommendation for Council action:

RESOLVE to EXTEND the provisions of the Hancock Park Interim Control Ordinance (Ordinance No. 176228) to impose temporary interim regulations on the issuance of building and demolition permits within a portion of the Wilshire Community Plan within the proposed HPOZ, generally bounded by Melrose Avenue on the north; the rear property lines of the commercially zoned properties along Wilshire Boulevard on the south; both sides of Rossmore Avenue on the east; and both sides of Highland Avenue on the west for an additional six month period ending on April 15, 2006, or until the proposed Hancock Park HPOZ is adopted and becomes effective, whichever occurs first, inasmuch as the City Planning Department is actively working towards the Hancock Park HPOZ.

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

ITEM NO. (38) - ADOPTED

03-0142

CD 8 MOTION (PARKS - PERRY - REYES) relative to declaring the Nike Run Hit Wonder on September 24, 2005 a Special Event (fees and costs absorbed by the City = \$20,000).

Recommendation for Council action:

DECLARE the Nike Run Hit Wonder, sponsored by Nike on September 24, 2005, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance AND application requirements.

ITEM NO. (39) - ADOPTED

02-2304

CD 8 MOTION (PARKS - PERRY) relative to declaring the Ninth Annual KTLA Kids Day LA on October 15, 2005 a Special Event (fees and costs absorbed by the City = \$3,500).

Recommendation for Council action:

DECLARE the Ninth Annual KTLA Kids Day LA, co-sponsored by the City of Los Angeles, Department of Recreation and Parks on October 15, 2005, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance AND application requirements.

ITEM NO. (40) - ADOPTED

05-1933

CD 9 MOTION (PERRY - PARKS) relative to declaring the Fifth Annual Health Fair on October 8, 2005 a Special Event (fees and costs absorbed by the City = \$1,226).

Recommendation for Council action:

DECLARE the Fifth Annual Health Fair, sponsored by the Second Baptist Church of Los Angeles on October 8, 2005, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance AND application requirements.

ITEM NO. (41) - ADOPTED

05-1935

CD 1 MOTION (REYES - PERRY) relative to declaring the 11th Annual Kong Chow Benevolent Association National Convention on September 24, 2005 a Special Event (fees and costs absorbed by the City = \$750).

Recommendation for Council action:

DECLARE the 11th Annual Kong Chow Benevolent Association National Convention, sponsored by the Los Angeles Kong Chow Benevolent Association on September 24, 2005, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance.

ITEM NO. (42) - ADOPTED

04-1966

CD 9 MOTION (PERRY - PARKS) relative to declaring the Grand Avenue Festival on October 8, 2005 a Special Event (fees and costs absorbed by the City = \$2,350).

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

1. DECLARE the Grand Avenue Festival, organized by the Downtown Center Business Improvement District and the Music Center on October 8, 2005, a "Special Event."
2. INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance.
3. TRANSFER \$480 from the Unappropriated Balance Fund No. 100-58 to the General Services Department 40 Fund No. 100-40, Account No. 1090 (Overtime Account) for Fleet Services, for costs associated with the Grand Avenue Festival for the use of the mobile stage to be paid back by the Downtown Center Business Improvement District.

ITEM NO. (43) - ADOPTED

02-2412-S1

MOTION (PERRY - PARKS) relative to a request for an exemption from the Convention Center fee waiver policy for the Free Cash for College event on October 25-27, 2005.

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

1. FIND that the Free Cash for College event, sponsored by the Los Angeles Area Chamber of Commerce, serves a public purpose as a free college resource fair for approximately 15,000 prospective students.
2. AUTHORIZE the General Manager, Convention Center, to make an exception to the Council's Convention Center waiver policy by waiving a maximum of \$ 32,240 in room rental fees for this event.
3. INSTRUCT all concerned departments that should unforeseen circumstances change the actual date of the Special Event, the aforementioned departmental instructions continue to apply.

ITEM NO. (44) - ADOPTED

05-1594-S1

CD 3 RESOLUTION (ZINE - SMITH) relative to declaring September 14, 2005 as "Back to School Safely Day" in the Third Council District.

Recommendation for Council action:

RESOLVE to DECLARE September 14, 2005 as "Back to School Safely Day" in the Third Council District.

Closed Sessions - Items 45-47

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

Roll Call #14 - Motion (Weiss - Parks) Adopted in Open Session, Ayes (10);
Absent: Reyes, Rosendahl and President Padilla (3)

02-0774-S42

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(c), to confer with its legal counsel relative to a proposed settlement of franchise fees owed to the City by Adelphia Communications for the years 1999 through 2001.

(Budget and Finance Committee considered the above matter in Closed Session on September 13, 2005)

ADOPTED IN OPEN SESSION

MOTION (WEISS - PARKS)

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

1. APPROVE the proposed settlement of franchise fees owed to the City by Adelphia Communications for the years 1999 through 2001, as follows:
 - a. In exchange for the payment of \$450,000 by Adelphia, the City agrees to settle all claims arising from the Ashpaugh and Sculco Franchise Fee Compliance Review Report.
 - b. The City does not waive its right to pursue such claims which may arise out of franchise fee audits for other time periods.
2. AUTHORIZE the City Attorney to accept the payment of \$450,000 in franchise fees owed to the City by Adelphia Communications.
3. AUTHORIZE the City Attorney to deposit said funds into the Telecommunications Fund (TDA).

This matter was approved by the Budget and Finance Committee (Parks-Smith-Greuel "yes"; Rosendahl recused himself) at its meeting of September 13, 2005, in Closed Session as permitted by Government Code Section 54956.9(c).

ITEM NO. (46) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #15 - Motion (Parks - Smith) Adopted in Open Session, Ayes (11); Absent: Reyes and President Padilla (2)

05-1789

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 Kudo v. City of Los Angeles, Los Angeles Superior Court Case No. SC 073478. (This is an inverse condemnation claim concerning 210 Mantua Road.)

ADOPTED IN OPEN SESSION

MOTION (PARKS - SMITH)

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

1. AUTHORIZE the City Attorney to expend \$691,500 in settlement of the case entitled Kudo v. City of Los Angeles, Los Angeles Superior Court Case No. SC 073478, from the Sewer Construction and Maintenance Fund, Fund No. 760, Account 282, Object 659.
2. AUTHORIZE the City Attorney to execute a settlement agreement and all other documents necessary to implement the settlement.
3. AUTHORIZE the City Attorney to draw the necessary demand in the amount of \$691,500, payable to Susan Kudo and the Law Offices of Allen Matkins Leck Gamble and Mallory LLP.

This matter was approved by the Budget and Finance Committee (Parks - Smith - Greuel - Rosendahl "yes") at its meeting of September 13, 2005, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (47) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #16 - Motion (Parks - Smith) Adopted in Open Session, Ayes (11); Absent: Reyes and President Padilla (2)

05-1815

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 Ram Gill v. City of Los Angeles, et al., Los Angeles Superior Court Case No. SC 084222. (This action arises as a result of a sewer backup at plaintiff's home on July 2, 2004.)

(Budget and Finance Committee considered the above matter in Closed Session on September 13, 2005)

ADOPTED IN OPEN SESSION

MOTION (PARKS - SMITH)

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

1. AUTHORIZE the City Attorney to expend \$150,000 in settlement of the case entitled Ram Gill v. City of Los Angeles, et al., Los Angeles Superior Court Case No. SC 084222, from the Sewer Construction and Maintenance Fund, Department 50, Fund No. 760, Account W282, Object 659.
2. AUTHORIZE the City Attorney to execute a settlement agreement and all other documents necessary to implement the settlement.
3. AUTHORIZE the City Attorney to draw the necessary demand in the amount of \$150,000, payable to the Law Office of Greg W. Garratto and Ram Gill.

This matter was approved by the Budget and Finance Committee (Parks - Smith - Greuel -Rosendahl "yes") at its meeting of September 13, 2005, 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

02-2022

MOTION (WEISS - ROSENDAHL) relative to declaring the Carthay Square Neighborhood Association Block Party on October 2, 2005 a Special Event (fees and costs absorbed by the City = \$1,188).

02-2497

MOTION (LABONGE - ROSENDAHL) relative to declaring the Ridgewood-Wilton neighborhood block party on October 2, 2005 a Special Event (fees and costs absorbed by the City = \$1,188).

01-1901

MOTION (LABONGE - ROSENDAHL) relative to declaring the Larchmont Boulevard Association Family Fair on October 23, 2005 a Special Event (fees and costs absorbed by the City = none submitted).

05-1999

MOTION (LABONGE - GARCETTI - ROSENDAHL) relative to declaring the Silver Lake Walking Path Inaugural Walk on September 24, 2005 a Special Event (fees and costs absorbed by the City = \$3,000).

03-2193

MOTION (CARDENAS - GREUEL) relative to declaring the Persian Festival Mehregan on October 2, 2005 a Special Event (fees and costs absorbed by the City = \$1,000).

01-1995

MOTION (HAHN - PERRY) relative to declaring the 24th Annual Watts Towers Day of the Drum Festival and the 29th Annual Simon Rodia Watts Towers Jazz Festival on September 24-25, 2005 a Special Event (fees and costs absorbed by the City = \$24,069).

04-1921

MOTION (HAHN - LABONGE) relative to declaring the Sportswalk Induction ceremony and luncheon on October 10, 2005 a Special Event (fees and costs absorbed by the City = \$3,736).

02-2586

MOTION (HAHN - LABONGE) relative to declaring the Annual Autumn Sea Fair at the Cabrillo Marine Aquarium on October 16, 2005 a Special Event (fees and costs absorbed by the City = \$1,260).

05-2000

MOTION (PERRY - PARKS) relative to closing the alley identified as the north/south alley at the rear of 1721 South Trinity Street.

COUNCILMEMBER'S REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Motion (Perry - Smith) unanimously adopted to excuse Councilmember Reyes from Council session of Friday, October 21, 2005 due to City business.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

- 05-1402 - Ronald A. Altoon (Perry - Parks)
- M. Norvel and Helen Young (Hahn - All Councilmembers)
- Cantor Ilan Davidson (Hahn - All Councilmembers)

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

- 05-1403 - Clint C. Wilson, Sr. (Hahn - Parks - Perry)
- Thomas Seiji Wada (LaBonge)
- Gladis Robbins (Smith)

Ayes, Cardenas, Garcetti, Greuel, Hahn, LaBonge, Parks, Perry, Rosendahl, Smith, Weiss and Zine (11); Absent: Reyes and President Padilla (2). Council Districts 10 and 14 Vacant.

Whereupon the Council did adjourn.

ATTEST: Frank T. Martinez, CITY CLERK

By

Council Clerk

PRESIDENT PRO TEMPORE