

Los Angeles City Council, Journal/Council Proceedings
Friday, October 14, 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, Reyes, Rosendahl, Weiss and President Padilla (11); Absent: Smith and Zine (2). Council Districts 10 and 14 Vacant.

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
OCTOBER 11, 2005

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 24

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 1-7

Roll Call #1 - Motion (Cardenas - Reyes) Adopted to Continue, Unanimous Vote (11);
Absent: Smith and Zine (2)
(Item Nos. 1-7)

ITEM NO. (1) - PUBLIC HEARING HELD - HEARING CONTINUED AND ORDINANCE TO BE
PRESENTED ON NOVEMBER 4, 2005

[04-2135-S1](#)

CD 6 HEARING PROTESTS against the proposed improvement and maintenance of the
VANOWEN STREET AND FORBES AVENUE NO. 1 LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Vanowen
Street and Forbes Avenue No. 1 Lighting District, in accordance with Sections 6.95-6.127
of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on August 2, 2005 - Continue hearing and present
Ordinance on NOVEMBER 4, 2005 to consider report of protests to be submitted as a
result of balloting, pursuant to Proposition 218)

ITEM NO. (2) - PUBLIC HEARING HELD - HEARING CONTINUED AND ORDINANCE TO BE PRESENTED ON NOVEMBER 4, 2005

05-0738

CD 1 HEARING PROTESTS against the proposed improvement and maintenance of the EAST KENSINGTON ROAD AND DOUGLAS STREET LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of East Kensington Road and Douglas Street Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on August 2, 2005 - Continue hearing and present Ordinance on NOVEMBER 4, 2005 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (3) - PUBLIC HEARING HELD - HEARING CONTINUED AND ORDINANCE TO BE PRESENTED ON NOVEMBER 4, 2005

05-0739

CD 11 HEARING PROTESTS against the proposed improvement and maintenance of the THORNBURN STREET AND LA CIENEGA BOULEVARD LIGHTING DISTRICT.

Recommendation for Council action:

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

(Ordinance of Intention adopted on August 2, 2005 - Continue hearing and present Ordinance on NOVEMBER 4, 2005 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (4) - PUBLIC HEARING HELD - HEARING CONTINUED AND ORDINANCE TO BE PRESENTED ON NOVEMBER 4, 2005

05-0902

CD 3 HEARING PROTESTS against the proposed improvement and maintenance of the LULL STREET AND GEYSER AVENUE LIGHTING DISTRICT.

Recommendation for Council action:

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

(Ordinance of Intention adopted on August 2, 2005 - Continue hearing and present Ordinance on NOVEMBER 4, 2005 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (5) - PUBLIC HEARING HELD - HEARING CONTINUED AND ORDINANCE TO BE PRESENTED ON NOVEMBER 4, 2005

05-1138

CD 6 HEARING PROTESTS against the proposed improvement and maintenance of the VANOWEN STREET AND DE CELIS PLACE LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Vanowen Street and De Celis Place Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on August 2, 2005 - Continue hearing and present Ordinance on NOVEMBER 4, 2005 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (6) - PUBLIC HEARING HELD - HEARING CONTINUED AND ORDINANCE TO BE PRESENTED ON NOVEMBER 4, 2005

05-1143

CD 2 HEARING PROTESTS against the proposed improvement and maintenance of the RANCHITO AVENUE AND ERWIN STREET LIGHTING DISTRICT.

Recommendation for Council action:

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

(Ordinance of Intention adopted on August 2, 2005 - Continue hearing and present Ordinance on NOVEMBER 4, 2005 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (7) - PUBLIC HEARING HELD - HEARING CONTINUED AND ORDINANCE TO BE PRESENTED ON NOVEMBER 4, 2005

05-1145

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

Recommendation for Council action:

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

(Ordinance of Intention adopted on August 2, 2005 - Continue hearing and present Ordinance on NOVEMBER 4, 2005 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

Items for Which Public Hearings Have Been Held - Items 8-34

Roll Call #6 - Motion (Cardenas - Rosendahl) Adopted, Ayes (11); Absent: Smith and Zine (2)
(Item Nos. 8-9)

ITEM NO. (8) - ADOPTED - ORDINANCE OVER TO OCTOBER 21, 2005

05-1778

COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to agreement between the Department of Water and Power and Penrose Landfill Gas Conversion, LLC, to purchase renewable energy.

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

1. PRESENT and ADOPT the accompanying ORDINANCE approving authorization for the City of Los Angeles acting by and through the Department of Water and Power (DWP) to enter into a Power Purchase Agreement with Penrose Landfill Gas Conversion, LLC for renewable energy generated by facilities utilizing landfill gas to energy technology.
2. CONCUR in the Board of Water and Power Commissioners Resolution No. 006-032 and APPROVE Power Purchase Agreement No. 05-012 with Penrose Landfill Gas Conversion, LLC to purchase renewable energy.

Fiscal Impact Statement: The City Administrative Officer reports that execution of the agreement between the DWP and Penrose Landfill Gas Conversion, LLC will result in the allocation of \$23,451,000 over seven years from the Power Revenue Fund. Since the proposed agreement will not impact the City's General Fund, the City's Financial Policies are not applicable.

ITEM NO. (9) - ADOPTED - ORDINANCE OVER TO OCTOBER 21, 2005

05-1779

COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to agreement between the Department of Water and Power and Waste Management Energy Solutions, Inc., to purchase renewable energy.

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

1. PRESENT and ADOPT the accompanying ORDINANCE approving authorization for the City of Los Angeles acting by and through the Department of Water and Power (DWP) to enter into a Power Purchase Agreement with Waste Management Energy Solutions, Inc., to purchase renewable energy.
2. CONCUR in the Board of Water and Power Commissioners Resolution No. 006-033, and APPROVE Power Purchase Agreement No. 05-014 with Waste Management Energy Solutions, Inc. to purchase renewable energy.

Fiscal Impact Statement: The City Administrative Officer reports that execution of the agreement between the DWP and Waste Management Energy Solutions, Inc. will result in the allocation of \$29,266,000 of budgeted funds from the Power Revenue Fund. Since the proposed agreement will not impact the City's General Fund, the City's Financial Policies are not applicable.

ITEM NO. (10) - CONTINUED TO OCTOBER 28, 2005

Roll Call #4 - Motion (Garcetti - LaBonge) Adopted to Continue, Unanimous Vote (11);
Absent: Smith and Zine (2)

05-1510

CD 14 ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to the Public Art component of a joint use construction project with Barrio Action Committee in Council District 14, and related matters.

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

1. AUTHORIZE the Controller to establish an account for the Council District 14 Constituent Services Center/Barrio Action Committee within the Cultural Affairs Department (CAD) No. 30 Fund No. 516 (Arts Development Fee Trust Fund), in a newly created account (name to be determined).
2. INSTRUCT the CAD to deposit a total of \$25,000 into the Arts Development Fee Trust Fund into the newly created account specified above for the Public Art component of the Council District 14 Constituent Services Center/Barrio Action Committee facility.
3. INSTRUCT the General Manager, CAD, or designee, to work with the Council Office regarding the specific art project prior to the expenditure of funds to design, fabricate, install, administer, and maintain a public artwork at the Council District 14 Constituent Services Center/Barrio Action Committee facility.

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

Roll Call #2 - Motion (Parks - Rosendahl) Adopted, Ayes (11); Absent: Smith and Zine (2)
(Item Nos. 11-17)

ITEM NO. (11) - ADOPTED

05-1039

BUDGET AND FINANCE COMMITTEE REPORT relative to Los Angeles Police Department (LAPD) sworn overtime usage and measures to stay within budget.

Recommendations for Council action:

1. INSTRUCT the City Administrative Officer (CAO), and the LAPD, to continue to monitor sworn overtime usage in the LAPD and report as necessary in the monthly financial status reports.
2. INSTRUCT the LAPD to report back to the Budget and Finance Committee in 45 days relative to the reasons for the continued deployment of 20 officers at the Los Angeles International Airport (LAX) for which the LAPD is not being reimbursed by the Los Angeles World Airports (LAWA).
3. INSTRUCT the LAWA to report back to the Budget and Finance Committee in 45 days relative to Airport Police hiring, including how many officers have been hired, how many vacancies there currently are, and an assessment of the continued need for LAPD overtime at the LAX.

Fiscal Impact Statement: The CAO reports that the LAPD and the CAO will continue to monitor sworn overtime expenditures and report as necessary as part of the monthly financial status reports. There is no impact to the General Fund at this time.

ITEM NO. (12) - ADOPTED

04-1281-S1

BUDGET AND FINANCE COMMITTEE REPORT relative to Department of Transportation (LADOT) Speed Hump Projects.

Recommendations for Council action:

1. RECEIVE and FILE the LADOT report relative to Speed Hump Projects inasmuch as the report is submitted for information only and no Council action is necessary.
2. INSTRUCT the LADOT to review the necessary resources needed to support demand Citywide for traffic calming devices, i.e., speed humps, traffic circles, etc., and include findings in the Department's Fiscal Year 2006-07 budget request.

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

ITEM NO. (13) - ADOPTED

04-0842-S1

COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to the Board of Water and Power Commissioners proposed amendment to its agreement with Beck, DeCorso, Daly, Kreindler & Harris for outside counsel services.

Recommendation for Council action:

CONCUR in the Board of Water and Power Commissioners Resolution No. 006-031 and APPROVE Amendment No. 1 to Agreement No. 47196-3 with Beck, DeCorso, Daly, Kreindler & Harris to continue to provide the Department of Water and Power with outside counsel related to current litigation.

Fiscal Impact Statement: The City Administrative Officer reports that this amendment will result in the allocation of \$500,000 of budgeted funds from the Power Revenue Fund. Since the proposed amendment will not impact the City's General Fund, the City's Financial Policies are not applicable.

TIME LIMIT FILE - OCTOBER 18, 2005

(LAST DAY FOR COUNCIL ACTION - OCTOBER 18, 2005)

ITEM NO. (14) - ADOPTED

05-0717

CD 15

COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to Bureau of Street Services repair and installation work in Council District 15.

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

1. AUTHORIZE the Director of the Bureau of Street Services (BSS) to perform the paving repair work of Cabrillo Marina streets and the installation work along Harry Bridges Boulevard.
2. AUTHORIZE the Controller to TRANSFER and APPROPRIATE funds in the amount of \$169,500 from Fund No. 702/42, Harbor Revenue Fund, to Fund No. 100/62, General Fund, for reimbursement of pavement repair on Cabrillo Marina streets.
3. AUTHORIZE the Controller to TRANSFER and DEPOSIT funds in the amount of \$89,700 from Fund No. 702/42, Harbor Revenue Fund, to Fund No. 100/86, Bureau of Street Services, Revenue Source Code 4196, Services to Proprietary Department - Harbor.

4. AUTHORIZE the Controller to TRANSFER and APPROPRIATE funds in the amount of \$89,700 from the Reserve Fund to Fund No. 100/58, Unappropriated Balance, and APPROPRIATE therefrom to Fund No. 100/86, Bureau of Street Services, to complete the installation of bus shelters on Harry Bridgets Boulevard as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1090	Salaries Overtime	\$ 35,000
3030	Construction Materials	35,000
6020	Operating Supplies	<u>19,700</u>
Total		\$ 89,700

5. AUTHORIZE the City Administrative Officer (CAO) to make technical corrections as necessary to implement the Mayor and Council intentions.

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

ITEM NO. (15) - ADOPTED

05-1806

ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE REPORT relative to amendment to the Agreements with Duke Sales and Service and Pacific Sewer and Maintenance for chemical root control services.

Recommendation for Council action:

AUTHORIZE the Board of Public Works to execute amendments to the Agreements with Duke Sales and Service and Pacific Sewer to increase the term of each Agreement by an additional six months and to increase the cost ceiling of the Duke Sales Agreement to \$3.5 million, subject to City Attorney review as to form.

Fiscal Impact Statement: The City Administrative Officer reports that funding for these two amendments is included in the Sewer Construction and Maintenance Fund for the current fiscal year. Future year costs for any successor agreement(s) will also be funded by the Sewer Construction and Maintenance Fund, subject to Mayor and Council approval in the annual budget. Approval of these amendments is in compliance with the City's Fiscal Policies as the amendments and any successor agreement(s) will be funded from ongoing revenues to the Sewer Construction and Maintenance Fund.

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

05-1397

CD 7 MOTION (PADILLA - GARCETTI) relative to a sale and purchase agreement for property at 12568 San Fernando Road, adjacent to the Ralston/Polk mixed-income housing project, and related actions.

(Housing, Community and Economic Development Committee report to be submitted in Council. If a public hearing is not held in Committee, an opportunity for public comment will be provided.)

(For copies of related, staff-generated reports for this matter, please contact the Legislative Assistant for the Housing, Community, and Economic Development Committee at 213-978-1080.)

ADOPTED

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to a sale and purchase agreement for property adjacent to the Ralston/Polk mixed-income housing project, and related actions.

Recommendations for Council action, as initiated by Motion (Padilla - Garcetti):

1. INSTRUCT the General Managers, Department of General Services (GSD) and the Los Angeles Housing Department (LAHD), or designees, to negotiate and execute a sale and purchase agreement for property at 12568 San Fernando Road, adjacent to the Ralston/Polk mixed-income housing project (APN 2506-034-005), to conduct environmental inspections, and to prepare and execute all necessary documents to effectuate the sale and acquisition of said property; acquisition cost not to exceed fair market value as determined by an appraisal prepared by GSD and with modifications to the purchase price stated in the Ralston/Polk Request for Proposals (RFP); subject to the approval of the City Attorney as to form and legality.
2. AUTHORIZE a Limited Transfer of Jurisdiction of Control of said property to LAHD, so that said property may be incorporated into the RFP previously approved for the mixed-income, homeownership project.
3. INSTRUCT GSD to maintain the site after the acquisition until the developer and development are approved by the Council and Mayor, and the site is transferred to such developer; and, to initiate the process to declare said property as surplus.
4. REQUEST that the Controller expend funds from Fund 44G, Account V211 upon proper demand of the General Manager, LAHD, or designee, in an amount not to exceed \$800,000 for the acquisition of said site, title insurance, escrow fees, relocation and holding expenses, and other related expenses, subject to the review of the City Attorney as to form and legality.

Fiscal Impact Statement: None submitted.

ITEM NO. (17) - ADOPTED

02-0774-S41

CD 15 INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to program changes to be implemented by Cox Communications (Cox) in Franchise Area N.

Recommendation for Council action:

RECEIVE and FILE the Information Technology Agency report, dated September 1, 2005, relative to a notification of program changes to be implemented by Cox in Franchise Area N, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (18) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATION - SEE FOLLOWING

Roll Call #8 - Motion (Padilla - Garcetti) Adopted, Ayes (11); Absent: Smith and Zine (2)

05-0002-S136

COMMUNICATION FROM THE CHIEF LEGISLATIVE ANALYST AND RESOLUTION (GARCETTI - ZINE) relative to establishing a City position on Proposition 75, the Public Employee Political Contributions Act.

(Intergovernmental Relations Committee 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, please contact the Legislative Assistant for the Intergovernmental Relations Committee at 213-978-1056.)

ADOPTED

INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT relative to the City's position on Proposition 75 the Public Employee Political Contributions Act.

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

RESOLVE to include in the City's 2005-06 Legislative Program, OPPOSITION to Proposition 75 the Public Employee Political Contributions Act which would prohibit public employee labor organizations from using dues or fees for political contributions unless the employee gives prior consent each year on a written form.

Fiscal Impact Statement: The Chief Legislative Analyst reports there is no fiscal impact on the General Fund. Individual City employees choosing not to contribute some of their union dues to political activities would see an increase in their net pay check.

ITEM NO. (19) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATION -
SEE FOLLOWING

Roll Call #7 - Motion (Garcetti - Weiss) Adopted, Ayes (11); Absent: Smith and Zine (2)

05-0002-S178

COMMUNICATION FROM THE CHIEF LEGISLATIVE ANALYST AND RESOLUTION (GARCETTI - GREUEL - WEISS) relative to establishing a City position on Proposition 73 which would amend the State Constitution to require health care providers to notify parents of young women under the age of 18 before providing abortion services.

Community Impact Statement: The Silver Lake Neighborhood Council adopted a Resolution on September 7, 2005 opposing Proposition 73 and urging the City Council to oppose this Proposition.

(Intergovernmental Relations Committee 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, please contact the Legislative Assistant for the Intergovernmental Relations Committee at 213-978-1056.)

ADOPTED

INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT relative to the City's position on Proposition 73 which would amend the State Constitution to require health care providers to notify the parents of young women under the age of 18 before providing abortion services.

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

RESOLVE to include in the City's 2005-06 Legislative Program, OPPOSITION to Proposition 73, which would amend the State Constitution to require health care providers to notify the parents of young women under the age of 18 before providing abortion services.

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

Community Impact Statement: The Silver Lake Neighborhood Council, at its regular meeting of September 7, 2005, adopted a Resolution opposing Proposition 73, and calling upon the Los Angeles City Council to join the SLNC in opposing the initiative. The SLNC commends Councilmembers Garcetti and Greuel for their courage in defending reproductive freedom in California. Moreover, we thank them for their ongoing partnership with neighborhood councils, and their commitment to ensuring that community voices are heard in City Hall. We further urge the Mayor to CONCUR with the opposition forthwith.

ITEM NO. (20) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATION -
SEE FOLLOWING

Roll Call #10 - Motion (Padilla - Reyes) Adopted, Ayes (11); Absent: Smith and Zine (2)

05-0002-S183

COMMUNICATION FROM THE CHIEF LEGISLATIVE ANALYST AND RESOLUTION (PADILLA - REYES) relative to establishing a City position on Proposition 77 the Redistricting Initiative.

(Intergovernmental Relations Committee 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, please contact the Legislative Assistant for the Intergovernmental Relations Committee at 213-978-1056.)

ADOPTED

INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT relative to the City's position on Proposition 77 the Redistricting Initiative.

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

RESOLVE to include in the City's 2005-06 Legislative Program, OPPOSITION to Proposition 77, the Redistricting Initiative.

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

ITEM NO. (21) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATION -
SEE FOLLOWING

Roll Call #11 - Motion (Padilla - Garcetti) Adopted, Ayes (10); Absent: Reyes, Smith and Zine (3)

05-0002-S185

COMMUNICATION FROM THE CHIEF LEGISLATIVE ANALYST AND RESOLUTION (PADILLA - GARCETTI - ROSENDAHL) relative to establishing a City position on Proposition 74 the Teacher Probation Extension Initiative.

(Intergovernmental Relations Committee 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, please contact the Legislative Assistant for the Intergovernmental Relations Committee at 213-978-1056.)

ADOPTED

INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT relative to the City's position on Proposition 74 the Teacher Probation Extension Initiative.

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

RESOLVE to include in the City's 2005-06 Legislative Program, OPPOSITION to Proposition 74, the Teacher Probation Extension Initiative which would increase the current two year probationary period to five years and allow a school district to fire a permanent teacher who has received two unsatisfactory evaluations in a row.

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

Roll Call #2 - Motion (Parks - Rosendahl) Adopted, Ayes (11); Absent: Smith and Zine (2)
(Item Nos. 22-34)

ITEM NO. (22) - ADOPTED

01-2179

PUBLIC SAFETY COMMITTEE REPORT relative to the Fiscal Year (FY) 2004-05 annual report for the Vandalism and Graffiti Trust Fund No. 870.

Recommendation for Council action:

NOTE and FILE the FY 2004-05 annual report for the Vandalism and Graffiti Trust Fund No. 870, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (23) - ADOPTED

03-1899

PUBLIC SAFETY COMMITTEE REPORT relative to the Fiscal Year (FY) 2004-05 annual report for the Threat Preparedness Trust Fund No. 46M.

Recommendation for Council action:

NOTE and FILE the FY 2004-05 annual report for the Threat Preparedness Trust Fund No. 46M, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (24) - ADOPTED

03-1901

PUBLIC SAFETY COMMITTEE REPORT relative to the Fiscal Year (FY) 2004-05 annual report for the Illegal Dumping Reward Program Trust Fund No. 46G.

Recommendation for Council action:

NOTE and FILE the FY 2004-05 annual report for the Illegal Dumping Reward Program Trust Fund No. 46G, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (25) - ADOPTED

05-1913

CD 1 PUBLIC SAFETY COMMITTEE REPORT relative to the Fiscal Year (FY) 2004-05 annual report for the Council District One Public Benefits Trust Fund No. 889.

Recommendation for Council action:

NOTE and FILE the FY 2004-05 annual report for the Council District One Public Benefits Trust Fund No. 889, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (26) - ADOPTED

05-1934

CD 12 PUBLIC SAFETY COMMITTEE REPORT relative to the Fiscal Year (FY) 2004-05 annual report for the Council District 12 Los Angeles Police Department Devonshire and Foothill Divisions Police Assistance Trust Fund No. 883.

Recommendation for Council action:

NOTE and FILE the FY 2004-05 annual report for the Council District 12 Los Angeles Police Department Devonshire and Foothill Divisions Police Assistance Trust Fund No. 883, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (27) - ADOPTED

04-1980

CD 13 PUBLIC SAFETY COMMITTEE REPORT relative to the Fiscal Year(FY) 2004-05 annual report for the Council District 13 Public Assistance Trust Fund No. 904.

Recommendation for Council action:

NOTE and FILE the FY 2004-05 annual report for the Council District 13 Public Assistance Trust Fund No. 904, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (28) - ADOPTED

04-1981

CD 15 PUBLIC SAFETY COMMITTEE REPORT relative to the Fiscal Year (FY) 2004-05 annual report for the Council District 15 Los Angeles Police Department Harbor Division Police Assistance Trust Fund No. 888.

Recommendation for Council action:

NOTE and FILE the FY 2004-05 annual report for the Council District 15 Los Angeles Police Department Harbor Division Police Assistance Trust Fund No. 888, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (29) - ADOPTED

04-1982

CDs 8 & 15 PUBLIC SAFETY COMMITTEE REPORT relative to the Fiscal Year (FY) 2004-05 annual report for the Council Districts Eight and 15 Los Angeles Police Department Southeast Division Police Assistance Trust Fund No. 891.

Recommendation for Council action:

NOTE and FILE the FY 2004-05 annual report for the Council Districts Eight and 15 Los Angeles Police Department Southeast Division Police Assistance Trust Fund No. 891, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (30) - ADOPTED

04-1983

CD 4 PUBLIC SAFETY COMMITTEE REPORT relative to the Fiscal Year (FY) 2004-05 annual report for the Council District Four Public Safety Trust Fund No. 884.

Recommendation for Council action:

NOTE and FILE the FY 2004-05 annual report for the Council District Four Public Safety Trust Fund No. 884, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (31) - ADOPTED

04-1984

PUBLIC SAFETY COMMITTEE REPORT relative to the Fiscal Year (FY) 2004-05 annual report for the Community Crisis Relief Trust Fund No. 905.

Recommendation for Council action:

NOTE and FILE the FY 2004-05 annual report for the Community Crisis Relief Trust Fund No. 905, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (32) - ADOPTED

04-2272

CD 9 PUBLIC SAFETY COMMITTEE REPORT relative to the Fiscal Year (FY) 2004-05 annual report for the Council District Nine Public Benefits Trust Fund No. 48X.

Recommendation for Council action:

NOTE and FILE the FY 2004-05 annual report for the Council District Nine Public Benefits Trust Fund No. 48X, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (33) - ADOPTED

05-0006-S14

CD9 PUBLIC SAFETY COMMITTEE REPORT relative to the award of a graffiti reward payment for an incident occurring at 22nd Street between Central and Naomi at the Central Recreational Center on July 8, 2005.

Recommendation for Council action:

APPROVE the \$1,000 graffiti reward payment for an incident occurring at 22nd Street between Central and Naomi at the Central Recreational Center on July 8, 2005 and AUTHORIZE the City Clerk to pay this claim from the Vandalism and Graffiti Trust Fund No. 870.

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

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

00-1882-S1

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT and COMMUNICATION FROM CHAIR, AUDITS AND GOVERNMENTAL EFFICIENCY COMMITTEE, relative to the Controller's audit survey of the Cultural Affairs Department (CAD) art collection for July 1, 2001 through June 30, 2002, and the CAD's response.

Recommendations for Council action:

1. NOTE and FILE the CAD's reports in response to the Controller's December 19, 2002 audit survey of the CAD art collection for July 1, 2001 through June 30, 2002, inasmuch as the reports are submitted for information only, and no Council action is necessary.
2. INSTRUCT the CAD to report back to the Audits and Governmental Efficiency (AGE) Committee with a specific plan for marketing the available art to the various City entities that could have access to the Department's art collection.
3. REQUEST the City Attorney to report to the AGE Committee on the City's flexibility to relieve some of the art by either selling qualifying pieces or donating them to nonprofit organizations or other entities, so the City will not have the responsibility of maintaining said pieces.
4. INSTRUCT the CAD to report back to the AGE Committee with a plan outlining how and when the City could approach foundations with specific requests.

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

Items for Which Public Hearings Have Not Been Held - Items 35-41

Roll Call #3 - Motion (Perry - Garcetti) Adopted, Ayes (11); Absent: Smith and Zine (2)
(Item Nos. 35-36)

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

02-0563-S3

COMMUNICATION FROM CHAIR, ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE relative to the Stormwater Program bi-monthly status report for April and May 2005.

Recommendations for Council action:

1. NOTE and FILE the Bureau of Sanitation (BOS) Stormwater Program bi-monthly status report for April and May 2005, inasmuch as the report is submitted for information only and no Council action is necessary.
2. REQUEST that the BOS report back to the Environmental Quality and Waste Management Committee in 30 days with the name of the companies that Notices of Violation and Notices to Comply were issued to for illicit discharges during the months of April and May.

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

ITEM NO. (36) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

02-0563-S5

COMMUNICATION FROM CHAIR, ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE relative to the Stormwater Program bi-monthly status report for February and March 2005.

Recommendations for Council action:

1. NOTE and FILE the Bureau of Sanitation (BOS) Stormwater Program bi-monthly status report for February and March 2005, inasmuch as the report is submitted for information only and no Council action is required.
2. REQUEST that the BOS report back to the Environmental Quality and Waste Management Committee in 30 days relative to standing water in Central City East after storms, how long the water stands there, and what the City is doing to remediate the situation.

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

Roll Call #9 - Motion (Hahn - Cardenas) Adopted, Ayes (11); Absent: Smith and Zine (2)
(Item Nos. 37-38)

ITEM NO. (37) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

05-1429

CD 9 COMMUNICATION FROM THE DEPARTMENT OF GENERAL SERVICES (GSD) relative to a proposed Lease Agreement with Nandini Inc., dba Curves, to operate a women's health and fitness center in the Los Angeles Mall.

Recommendation for Council action:

AUTHORIZE the GSD to negotiate and execute a Lease Agreement with Nandini Inc., dba Curves, to operate a women's health and fitness center in Space 15 of the Los Angeles Mall Concourse, substantially as outlined in the GSD report dated June 30, 2005 (attached to the Council file), subject to the review of the City Attorney as to form and legality.

Fiscal Impact Statement: The GSD reports that there will be no cost to the City. The owners will do all of the Tenant Improvements to set up and operate their business. The City will begin a monthly fixed minimum rent revenue-stream of \$2,250 or \$27,000 annually.

(Information Technology and General Services Committee waived consideration of the above matter)

ITEM NO. (38) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

05-1585

CD 9 COMMUNICATION FROM THE DEPARTMENT OF GENERAL SERVICES (GSD) relative to a proposed Lease Agreement with California Pita and Grill to operate a fast dining restaurant in the Los Angeles Mall.

Recommendation for Council action:

AUTHORIZE the GSD to negotiate and execute a Lease Agreement with California Pita and Grill to operate a fast-dining restaurant in Space 9 of the Los Angeles Mall, substantially as outlined in the GSD report dated July 28, 2005 (attached to the Council file), subject to the review of the City Attorney as to form and legality.

Fiscal Impact Statement: The GSD reports that there will be no cost to the City. The owners will do all of the Tenant Improvements to set up and operate their business. Space 9 consists of 3611 usable square feet. When the tenant's obligation to pay rent commences, the City will begin a new revenue-stream for this space. Total monthly revenue can be up to approximately \$4,500 if all of the available space is utilized in the build-out. Total number of square feet for the restaurant will be determined by the architectural drawings as to what will be sufficient for their purpose and mutually agreed upon with the City to allow for additional use of unused space by another Los Angeles Mall tenant.

(Information Technology and General Services Committee waived consideration of the above matter)

Roll Call #3 - Motion (Perry - Garcetti) Adopted, Ayes (11); Absent: Smith and Zine (2)
(Item Nos. 39-41)

ITEM NO. (39) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

05-1901

CD 13 COMMUNICATION FROM THE CITY ENGINEER relative to inclusion of the name of Charlize Theron on the Hollywood Walk of Fame.

Recommendation for Council action:

APPROVE the installation of the name of Charlize Theron on the Hollywood Walk of Fame at 6801 Hollywood Boulevard.

Fiscal Impact Statement: The City Engineer reports that there is no General Fund impact.

ITEM NO. (40) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

05-1784

CD 13 COMMUNICATION FROM THE CITY ENGINEER relative to inclusion of the name of Chris Farley on the Hollywood Walk of Fame.

Recommendation for Council action:

APPROVE the installation of the name of Chris Farley on the Hollywood Walk of Fame at 6366 Hollywood Boulevard.

Fiscal Impact Statement: The City Engineer reports that there is no General Fund impact.

ITEM NO. (41) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

05-1902

CD 13 COMMUNICATION FROM THE CITY ENGINEER relative to inclusion of the name of Mike Medavoy on the Hollywood Walk of Fame.

Recommendation for Council action:

APPROVE the installation of the name of Mike Medavoy on the Hollywood Walk of Fame at 6801 Hollywood Boulevard.

Fiscal Impact Statement: The City Engineer reports that there is no General Fund impact.

Item for Which Public Hearing Has Been Held - Item 42

ITEM NO. (42) - CONTINUED TO OCTOBER 28 , 2005

Roll Call #5 - Motion (Weiss - Greuel) Adopted to Continue, Unanimous Vote (11);
Absent: Smith and Zine (2)

05-0176

CONTINUED CONSIDERATION OF RULES AND ELECTIONS COMMITTEE REPORT relative to quarterly reporting of City Commissioner conflicts and recusals.

Recommendation for Council action, as initiated by Motion (Villaraigosa - Weiss):

REQUEST the City Attorney to prepare an ordinance to amend the Los Angeles Administrative Code to require quarterly reports regarding instances when a City Commissioner or Board member must recuse him or herself due to a conflict of interest.

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

MOTION ADOPTED UPON FINDINGS BY COUNCIL THAT THE NEED TO TAKE ACTION AROSE SUBSEQUENT TO THE POSTING OF THE COUNCIL AGENDA FOR FRIDAY, OCTOBER 14, 2005, PURSUANT TO GOVERNMENT CODE SECTION 54954.2(b)(2) AND COUNCIL RULE 23

ADOPTED - FORTHWITH

Roll Call #12 - Motion (Parks - Padilla) Findings on Need to Act - Adopted, Ayes (10);
Absent: Reyes, Smith and Zine (3)

Roll Call #13 - Motion (Parks - Padilla) Adopted, Ayes (10);
Absent: Reyes, Smith and Zine (3)

05-1483

MOTION (PARKS - PADILLA) relative to extending the application submission deadline of the L.A. for Kids Program Proposition K Request for Proposals (RFP) process to October 28, 2005 for Proposition K competitive grant funding in Fiscal Year 2006-07 and 2007-08.

Recommendation for Council action:

INSTRUCT the City Engineer to take the following actions relative to the Proposition K RFP process:

- a. Extend the application submission deadline of the RFP process to Friday, October 28, 2005 (1:00 p.m.).

- b. Notify all eligible applicants of the previously submitted proposals of the time extension, and provide an opportunity for such applicants to supplement or amend their previously submitted proposals.
- c. Post the time extension on the City's Proposition K RFP website.
- d. Notify all organizations who attended at least one of the mandatory Technical Assistance Meetings, of the extended deadline and of the opportunity to submit new proposals.

ADOPTED - FORTHWITH

Roll Call #14 - Motion (Cardenas for Smith - Rosendahl) Findings on Need to Act - Adopted, Ayes (10); Absent: Reyes, Smith and Zine (3)

Roll Call #15 - Motion (Cardenas for Smith - Rosendahl) Adopted, Ayes (10); Absent: Reyes, Smith and Zine (3)

05-0010-S53

MOTION (CARDENAS FOR SMITH - ROSENDAHL) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the kidnapping and sexual assault of the seven year old Canoga Park/Northridge girl.

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

1. PROVIDE an offer of reward in the amount of \$50,000 for information leading to the identification, apprehension, and conviction of the person(s) responsible for the kidnapping and sexual assault of the seven year old Canoga Park/Northridge girl, on October 4, 2005.
2. FIND that the subject reward complies with the provisions of Chapter 12, Article 1, Division 19, of the Los Angeles Administrative Code.
3. DIRECT the City Clerk to publish the required notices and/or advertisements to effectuate this reward.

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

01-1137

MOTION (LABONGE - GREUEL) relative to declaring the Resurrection Church Fiesta on October 14-16, 2005 a Special Event (fees and costs absorbed by the City = \$9,502).

05-2124

MOTION (GREUEL for ZINE - WEISS) relative to declaring the Cruise4Kids on October 16, 2005 a Special Event (fees and costs absorbed by the City = \$3,500).

04-2098

MOTION (GREUEL - GARCETTI) relative to declaring the Saint Jane Frances de Chantal Family Fiesta on October 16, 2005 a Special Event (fees and costs absorbed by the City = \$1,459).

05-2201

MOTION (PARKS - PERRY) relative to declaring the University of Southern California's reception for Mayor Antonio Villaraigosa on September 6, 2005 a Special Event (fees and costs absorbed by the City = \$800).

01-2322

MOTION (PARKS - PERRY) relative to declaring the 2005 Homecoming Celebration on October 24-29, 2005, a Special Event (fees and costs absorbed by the City = \$5,000).

05-2202

MOTION (REYES - ROSENDAHL) relative to declaring the Avenue 19 bridge ground-breaking on October 20, 2005 a Special Event (fees and costs absorbed by the City = \$500).

03-2262

MOTION (ROSENDAHL - WEISS) relative to declaring the Jewish Holiday of Succot on October 17-26, 2005 a Special Event (fees and costs absorbed by the City = \$3,736).

04-2213

MOTION (LABONGE - HAHN) relative to declaring the Spaulding Square Annual Harvest Festival on October 29, 2005 a Special Event (fees and costs absorbed by the City = \$1,188).

05-2203

MOTION (ROSENDAHL for SMITH - CARDENAS) relative to declaring the Old Fashioned Picnic on October 15, 2005 a Special Event (fees and costs absorbed by the City = \$2,258).

04-2052

MOTION (REYES - ROSENDAHL) relative to declaring the Festival Y Carnival on October 14-16, 2005 a Special Event (fees and costs absorbed by the City = \$5,000).

05-2206

MOTION (HAHN - LABONGE) relative to declaring the Broad Avenue Block Party on October 31, 2005 a Special Event (fees and costs absorbed by the City = \$1,226).

05-2200

MOTION (PERRY - PARKS) relative to approving the Department of Recreation and Parks' "2005-06 Downtown on Ice" street banner program.

05-2204

MOTION (GARCETTI - GREUEL) relative to transferring funds for various services provided by the Department of General Services for the Los Angeles Business Council Housing Summit reception.

05-2205

MOTION (GREUEL - GARCETTI) relative to authorizing the Department of Transportation to use the City Hall Tom Bradley Room on Wednesday, November 16, 2005.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

05-2112 - Benjamin J. Bowie	(Perry - Parks)
Sekinari Nii	(Perry - Parks)
Tadao Hasegawa	(Perry - Parks)
His Holiness Aram I	(Garcetti - Parks - All Councilmembers)
Rod Stewart	(Garcetti - LaBonge)
Antonio Banderas	(Garcetti - All Councilmembers)

Councilmember Garcetti moved, seconded by Councilmember LaBonge, that the Council meeting adjourn, due to the lack of a quorum.

Ayes, Cardenas, Garcetti, Greuel, Hahn, LaBonge, Parks, Perry and Rosendahl (8); Absent: Reyes, Smith, Weiss, Zine and President Padilla (5). Council Districts 10 and 14 Vacant.

Whereupon the Council did adjourn.

ATTEST: Frank T. Martinez, CITY CLERK

By	
Council Clerk	PRESIDENT OF THE CITY COUNCIL