

ALL ITEMS SENT FORTHWITH

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

ROLL CALL - Members present: Cardenas, Hahn, LaBonge, Perry, Reyes, Rosendahl, Smith, Weiss, Zine and President Padilla (10); Absent: Garcetti, Greuel and Parks (3). Council Districts 10 and 14 Vacant.

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
OCTOBER 21, 2005

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 35

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

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

Items for Which Public Hearings Have Been Held - Items 1-26

ITEM NO. (1) - ADOPTED - ORDINANCE OVER TO NOVEMBER 2, 2005

Roll Call #2 - Motion (Weiss - Reyes) Adopted, Ayes (10); Absent: Garcetti, Greuel and Parks (3)

[04-0598-S1](#)

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and ORDINANCES FIRST CONSIDERATION relative to Assisted Bond Reserves Special Fund and Urban Development Action Grant (UDAG) funded projects, repealing the Assisted Bond Reserves Special Fund and restructuring the Subordinate Loan Special Fund, and reallocating funds between the Funds.

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

1. PRESENT and ADOPT the accompanying ORDINANCES relative to repealing Los Angeles Administrative Code (LAAC) Section 5.336(b), the Assisted Bond Reserves Special Fund; and, amending LAAC Section 5.336(c) to clarify that the Subordinate Loans Special Fund is a revolving loan fund.

2. TRANSFER the remaining balance of the Assisted Bond Reserve Fund to the Subordinate Loan Special Fund.
3. DIRECT Community Development Department (CDD), the Chief Legislative Analyst (CLA), and the City Administrative Officer (CAO), with the assistance of the City Attorney, to review the Subordinate Loan Special Fund on a yearly basis and evaluate the need and performance of the fund.
4. APPROVE the funding of projects which are eligible and ready to expend funds (as shown in Attachment A of the CLA report to the Housing, Community and Economic Development Committee dated October 6, 2005, attached to the Council file, and as amended) using \$929,602 from the Workforce Investment Board reimbursement and \$1,000,000 from the Assisted Bond Reserve, with the balance of funds to be appropriated to the Subordinate Loan Special Fund, effective upon the repeal of the Assisted Bond Reserves Special Fund.
5. INSTRUCT the CDD to prepare Controller instructions and/or make any technical adjustments that may be required consistent with this action, subject to the approval of the CAO; and, AUTHORIZE the Controller to implement these instructions.

Fiscal Impact Statement: The CLA reports that this action will not impact the General Fund. UDAG and Workforce Investment Act funds have been previously allocated to fund these projects.

ITEM NO. (2) - ADOPTED, *AS AMENDED - ORDINANCE OVER TO NOVEMBER 2, 2005 - SEE FOLLOWING

Roll Call #3 - Motion (Smith - Reyes) to Adopt as Amended, Ayes (10); Absent: Garcetti, Greuel and Parks (3)

05-1688

CD 12 PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT, RESOLUTION and ORDINANCE FIRST CONSIDERATION relative to a General Plan Amendment and Zone Change for property at 9346 and 9350 *~~North~~ Corbin Avenue; 19501, 19511, 19531, 19535, 19551 and 19555 Prairie Street; 9310-20 *~~North~~ Melvin Avenue; and 9301 *~~North~~ Shirley Avenue. *(Smith - Reyes)

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

1. ADOPT the FINDINGS of the City Planning Commission, including a consistency Finding as the Findings of the Council.
2. ADOPT the accompanying RESOLUTION as recommended by the Mayor, the City Planning Commission and the Director of Planning APPROVING the proposed General Plan Amendment to the Chatsworth-Porter Ranch Community Plan from Light Manufacturing to Community Commercial over five lots, bounded by Prairie Street on the south, Corbin Avenue on the west and Shirley Avenue on the east for property located at 9346 and 9350 *~~North~~ Corbin Avenue; 19501, 19511, 19531, 19535, 19551 and 19555 Prairie Street; 9310-20 *~~North~~ Melvin Avenue; and 9301 *~~North~~ Shirley Avenue - Geographic Area 1 - North Valley. *(Smith - Reyes)

3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the City Planning Commission, effecting a Zone Change from MR2-1, (Q)C4-1 and P-1 to [T][Q]C2-1, subject to conditions of approval, for both areas "A" and "C" for property located at 9346 and 9350 *~~North~~ Corbin Avenue; 19501, 19511, 19531, 19535, 19551 and 19555 Prairie Street; 9310-20 *~~North~~ Melvin Avenue; and 9301 *~~North~~ Shirley Avenue - Geographic Area 1 - North Valley. *(Smith - Reyes)

Said rezoning shall be subject to the "Q" Qualified classification zone limitations as shown on the attached sheets.

4. REMOVE (T) Tentative classification as described in detail on the sheet(s) attached to this Committee report.
5. INSTRUCT the Planning Department to update the General Plan and appropriate maps pursuant to this action.
6. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.

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

(City Planning Commission reports that Environmental Impact Report No. ENV 2002-1230 for CPC 2002-7295 MPR/GPA/ZC/BL [certified by Council August 18, 2004 - Council file No. 04-1052], as adequate environmental clearance for the above-subject General Plan Amendment and Zone Change.)

TIME LIMIT FILE - NOVEMBER 14, 2005

(LAST DAY FOR COUNCIL ACTION - NOVEMBER 9, 2005)

Roll Call #2 - Motion (Weiss - Reyes) Adopted, Ayes (10); Absent: Garcetti, Greuel and Parks (3)
(Item Nos. 3-13)

ITEM NO. (3) - ADOPTED

01-2181

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to the status of the Anti-Smoking Trust Fund.

Recommendation for Council action:

NOTE and FILE the City Clerk report dated September 9, 2005, relative to the status of the Anti-Smoking Trust Fund No. 41Z, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (4) - ADOPTED

03-1898

CD 7 ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to the status of the Dexter Park Trust Fund.

Recommendation for Council action:

NOTE and FILE the City Clerk report dated September 9, 2005, relative to the status of the Dexter Park Trust Fund No. 882, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (5) - ADOPTED

02-2223

BUDGET AND FINANCE COMMITTEE REPORT relative to a request for an appropriation for outside counsel, in the case of Cleveland v. City of Los Angeles.

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

1. TRANSFER \$50,000 from the Unappropriated Balance, Fund No. 100, Department 58, Account No. 0038, City Attorney Outside Counsel to Fund No. 100, Department No. 12, Account No. 9301, City Attorney Outside Counsel, for the law firm of Horvitz and Levy LLP (Contract No. C-104895) to assist with the case entitled Cleveland v. City of Los Angeles, United States District Court Case No. CV 99-9175 CBM, Ninth Circuit No. 03-55505.
2. AUTHORIZE the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer (CAO), and AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: The CAO reports there is no additional impact to the General Fund. The requested amount of \$50,000 will be deducted from funds approved for the 2005-06 Fiscal Year and available in the Unappropriated Balance, City Attorney Outside Counsel including Workers' Compensation line item. This recommendation is in compliance with the City's Financial Policies.

(Council may recess to Closed Session, pursuant to Government Code Sections 54956.9(a) and/or (b), to confer with its legal counsel relative to the above matter)

ITEM NO. (6) - ADOPTED

00-1422

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to amending the Los Angeles Countywide Housing Opportunities for Persons with AIDS (HOPWA) Advisory Committee bylaws.

Recommendations for Council action:

1. AUTHORIZE the General Manager, Los Angeles Housing Department (LAHD), or designee(s) to revise and amend the Los Angeles Countywide HOPWA Advisory Committee bylaws, subject to the approval of the City Attorney as to form and legality.
2. RECEIVE and FILE the LAHD report to the Mayor dated November 7, 2003 (attached to the Council file) relative to HOPWA Advisory Committee bylaws.

Fiscal Impact Statement: The LAHD reports that this action will not impact the General Fund.

ITEM NO. (7) - ADOPTED

01-2448

CD 4

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION relative to a Community Redevelopment Agency (CRA) grant for landscape and hardscape improvements at the Los Angeles Fire Department (LAFD) Fallen Firefighters Memorial.

Recommendations for Council action:

1. AUTHORIZE the Acting Chief Executive Officer, CRA or designee, to execute a Grant Agreement (attached to the Council file as "Attachment A" of the October 18, 2005 City Administrative Officer [CAO] report to Mayor and Council) with the LAFD Historical Society in an amount not to exceed \$250,000 to implement landscape and hardscape improvements as part of the \$1.3 - \$1.5 million cost for the LAFD Fallen Firefighters Memorial to be located at Fire Station No. 27 at 1355 North Cahuenga Boulevard at DeLongpre Avenue, subject to the approval of both the City Attorney as to form and legality, and the Department of Public Works, Bureau of Contract Administration for adherence to certain CRA contracting standards as approved by Council.
2. ADOPT the accompanying Finding of Benefit RESOLUTION that makes certain findings necessary to the CRA funding of a portion of improvement on City owned property pursuant to Section 33445 of the California Redevelopment Law.
3. AMEND the CRA Fiscal Year 2005-06 Budget to transfer a total of \$140,000 to Response to Development Opportunities Work Objective (HW6990) from the following work objectives: 1) \$20,000 from Cinerama Public Parking (HW4600); 2) \$50,000 from Hollywood Parking Strategy (HW4750); 3) \$20,000 from Valet and Circulator (HW4850); 4) \$20,000 from Urban Design Plan (HW6300); 5) \$10,000 from Project Financing (HW9330); and, 6) \$20,000 from Project General (HW9990).

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. Since the CRA is only bound by the City Debt Management Policies and the proposed actions will not impact the General Fund, City financial policies are not applicable.

ITEM NO. (8) - ADOPTED

02-0890

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to Criminal Housing Enforcement statistics for the period July 1, 2004 through June 30, 2005.

Recommendations for Council action:

1. REQUEST that the City Attorney include in its periodic reports of Criminal Enforcement statistics outcomes of cases prosecuted recommended for jail or equivalent.
2. DIRECT the Chief Legislative Analyst (CLA), with the assistance of the Information Technology Agency, and in conjunction with the City Attorney's Office, the Department of Building and Safety, and the Los Angeles Housing Department, to prepare recommendations for the interdepartmental sharing of enforcement information relative to programs such as Systematic Code Enforcement and Citywide Nuisance Abatement.
3. NOTE and FILE City Attorney report to Council dated July 27, 2005 (attached to Council file) relative to Criminal Housing Enforcement statistics for the period July 1, 2004 through June 30, 2005.

Fiscal Impact Statement: None submitted by the City Attorney. Neither the City Administrative Officer nor the CLA has completed a financial analysis of this report.

ITEM NO. (9) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS

04-0714

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the Agreement to Facilitate Asset Liquidation of the Los Angeles Community Development Bank's (LACDB) loan portfolio and the Mutual Release Agreement between LACDB and Zone Ventures.

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

1. AUTHORIZE the General Manager, Community Development Department (CDD), or designee, to execute the Fifth Amendment to the Agreement for Use of Cash Collateral and Advances to Debtor in Possession (Contract No. C-106878) to increase the amount by \$1,075,000, from \$625,000, to a revised amount not to exceed \$1,700,000 effective October 1, 2005 through July 30, 2006, and to execute additional promissory notes in accordance with this Agreement, subject to the conditions outlined in the report of the Chief Legislative Analyst (CLA), City Administrative Officer (CAO) and CDD to the Mayor and Council dated October 17, 2005 (attached to the Council file), and further subject to approval of the City Attorney as to form and legality.

2. AUTHORIZE the Controller to:

- a. Increase appropriations within the Economic Development Initiative (EDI) Fund No. 42V as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
Y609	Los Angeles Community Development Bank (LACDB) Dissolution Loan	\$1,200,000

- b. Transfer expenditures upon proper demand of the General Manager, CDD, or designee, in an amount not to exceed \$125,000 from Community Development Trust Fund No. 424, LACDB Dissolution Tech/Legal Account V435, to EDI Fund No. 42V, LACDB Dissolution Loan Account Y609.
- c. Expend funds upon proper demand of the General Manager, CDD, or designee.
3. AUTHORIZE the General Manager, CDD, or designee, to execute the Agreement to Facilitate Asset Liquidation (Settlement Agreement, Attachment Two), subject to the approval of the City Attorney as to form and legality.
4. AUTHORIZE the General Manager, CDD, or designee, to execute the Mutual Release, attached to the First Amendment to Zone Ventures, L.P. Limited Partnership Agreement (Attached to the Council file, and entitled "Attachment Three"), subject to approval of the City Attorney as to form and legality.
5. REQUEST the City Attorney to draft the appropriate documents to cause the City of Los Angeles to acquire the beneficial interest in the limited partnership interest in Zone Ventures, L.P. from the LACDB; and, AUTHORIZE the General Manager, CDD, or designee, to execute the same on behalf of the City.
6. AUTHORIZE the General Manager, CDD, or designee, to prepare Controller instructions for any technical adjustments, which may be needed to accomplish the intent of all of the above recommendations, subject to the approval of the CAO; and AUTHORIZE the Controller to implement the instructions.
7. DIRECT the CDD to report to the Housing, Community and Economic Development Committee relative to LACDB loan liability issues, and costs that could be potentially disallowed by the U.S. Department of Housing and Urban Development (HUD) and their potential annual impact on the General Fund.

Fiscal Impact Statement: The CLA, CAO, and CDD report that this action will not impact the General Fund at this time. Administrative and program expenses will be paid by federal funds already committed and available to the LACDB. Proceeds from the Section 108 loan funds are backed by federal loan guarantees and the City's allocations of future Community Development Block Grant funds serve as the ultimate security for the bonds. If LACDB's financial activities are found ineligible by HUD, the City may have to reimburse costs with non-federal funds. The proposed actions are consistent with City financial policies.

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

04-0714

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to a contract for outside legal services in connection with the Los Angeles Community Development Bank Agreement (LACDB).

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

1. AUTHORIZE the City Attorney, or designee, to negotiate and execute a contract between the City and Danning, Gill, Diamond & Kollitz, LLP (Danning Gill) for legal services to the City related to the dissolution and bankruptcy filing of LACDB for the contract term of January 1, 2005 through December 31, 2005, with two one-year options to renew, in an amount not to exceed \$35,000, subject to the approval of the City Attorney as to form and legality.

2. FIND, pursuant to Charter Section 371 (e)(2), that the proposed contract is exempt from competitive bidding because it is for the performance of professional, scientific, expert, technical, or other special services of a temporary and occasional character for which competitive bidding is not practicable or advantageous and that the services of Danning Gill are unique due to their extensive knowledge of the ongoing project.

3. AUTHORIZE the Controller to:

a. Transfer appropriations within the Community Development Trust Fund, Fund No. 424 as follows:

	<u>Account</u>	<u>Title</u>	<u>Amount</u>
From:	M241	LACDB	\$35,000
To:	Y112	City Attorney	\$35,000

b. Appropriate \$35,000 from Fund No. 424, Account Y112 to Fund 100, Department 12, Account No. 9301, City Attorney Outside Counsel.

4. AUTHORIZE Community Development Department and the City Attorney to prepare Controller instructions and/or make any technical adjustments that may be required, subject to the approval of the City Administrative Officer (CAO); and, AUTHORIZE the Controller to implement these instructions.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. Funding in an amount up to \$35,000 for a contract with the law firm of Danning, Gill, Diamond & Kollitz, LLP for legal services will be provided by Community Development Block Grant funds. As this action will not impact the General Fund, City financial policies are not applicable.

ITEM NO. (11) - ADOPTED

01-2583

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to the status of various Real Property Trust Funds.

Recommendation for Council action:

NOTE and FILE the City Clerk report dated September 9, 2005, relative to the status of various Real Property Trust Funds, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (12) - ADOPTED

04-1749

PERSONNEL COMMITTEE REPORT relative to progress of the Board of Deferred Compensation Administration towards development of its next Request for Proposal for Deferred Compensation Plan administrative services; and request to extend the City's current contract with Great-West Retirement Services through March 31, 2006.

Recommendations for Council action:

1. NOTE and FILE the August 10, 2005 report from the Personnel Department, inasmuch as the purpose of the report is to update the Council on progress made by the City's Board of Deferred Compensation Administration towards developing the City's next Request for Proposal for Deferred Compensation Plan administrative services, therefore no Council action is necessary.
2. AUTHORIZE the Board of Deferred Compensation Administration to extend the City's current contract with Great-West Retirement Services through March 31, 2006.

Fiscal Impact Statement: The Personnel Department reports that there is no impact on the General Fund. All expenses for the Deferred Compensation Plan are paid for by Plan participants.

ITEM NO. (13) - ADOPTED

04-2301

PERSONNEL COMMITTEE REPORT relative to the First Amendment to a contract with ComplQ Corporation to provide bill review services associated with all City workers' compensation claims.

Recommendation for Council action:

AUTHORIZE the General Manager, Personnel Department, to execute the First Amendment to Contract No. 108066 with ComplQ Corporation to increase the maximum amount payable to the Contractor from \$1,369,661 to \$3,140,000 to provide bill review services associated with all City workers' compensation claims.

Fiscal Impact Statement: The Personnel Department reports that there is no impact on the General Fund. Sufficient funding is currently appropriated in the Personnel Department's budget for this program.

ITEM NO. (14) - CONTINUED TO NOVEMBER 2, 2005

Roll Call #1 - Motion (Reyes - Cardenas) Adopted to Continue, Unanimous Vote (10);
Absent: Garcetti, Greuel and Parks (3)

05-1787

CD 2 CATEGORICAL EXEMPTION and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to Zone Variance appeal for property at 5230-30 1/2 North Laurel Canyon Boulevard.

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

1. FIND that this action is categorically exempt from California Environmental Quality Act pursuant to Article III, Section 1, Class 1(22) of the City's Environmental Guidelines.
2. ADOPT the FINDINGS of the South Valley Area Planning Commission (SVAPC) as the Findings of the Council.
3. RESOLVE TO DENY APPEAL filed by Charles C. Peyton (aka Jeff Stryker), and James Britten from the entire determination of the SVAPC, THEREBY GRANT a variance from a [Q] Condition in Ordinance No. 165108 to allow a music studio with audience/live musician performance in the [Q]C2 zone where the "Q" limitation restricts uses to those permitted in the C1.5 zone subject to conditions of approval, for property located at 5230-30 1/2 North Laurel Canyon Boulevard.

Applicant: Paul Kulak, Lawrence Garcia, Representative ZA 2004-6528 ZV ZAD 2A

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

TIME LIMIT FILE - NOVEMBER 17, 2005

(LAST DAY FOR COUNCIL ACTION - NOVEMBER 16, 2005)

Roll Call #2 - Motion (Weiss - Reyes) Adopted, Ayes (10); Absent: Garcetti, Greuel and Parks (3)
(Item Nos. 15-16)

ITEM NO. (15) - ADOPTED

05-1333

CD 2 PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an appeal on the modified plans for the construction, use and maintenance of an 18-hole golf course, a maintenance building and other appurtenances for property at 9401 Foothill Boulevard.

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

1. ADOPT the FINDINGS of the Director of Planning as the Findings of Council, including the Finding that this project is similar to the project initially approved by the City Council on April 28, 1998, and that the proposed modified project will not increase, add or affect the environmental impacts beyond what had been previously analyzed and addressed in the Certified Los Angeles Golf Course Environmental Impact Report (EIR SCH - 95-0286).
2. RESOLVE TO GRANT AND DENY IN PART APPEAL filed by Shadow Hills Property Owners Association (William E. Eick, Representative), from the entire determination of the Director of Planning, THEREBY APPROVE the modified plans for the construction, use, and maintenance of an 18-hole golf course, a 25,000 square foot clubhouse, a maintenance building and other appurtenances on a 352 acre site, subject to conditions of approval, as added and modified by this Committee for property at 9401 Foothill Boulevard.

Applicant: Los Angeles International Golf Club,
d.b.a, Angeles National Golf Club/Dwight Steinert, Representative
CPC 96-0243 CU PA1

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

TIME LIMIT FILE - OCTOBER 26, 2005

(LAST DAY FOR COUNCIL ACTION - OCTOBER 26, 2005)

ITEM NO. (16) - ADOPTED

05-1666

CD 2 PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to a General Plan Amendment and Zone Change for property at 4408-16 Colbath Avenue and 4409 Stern Avenue.

Recommendations for Council action:

1. ADOPT the FINDINGS of the City Planning Commission as the Findings of the Council.
2. CONCUR in the action of the Mayor and City Planning Commission relative to the disapproval of a General Plan Amendment, and THEREBY DISAPPROVE the proposed General Plan Amendment from Low Density Residential to Medium Density Residential land use designation for properties located at 4408-16 Colbath Avenue and 4409 Stern Avenue, Periodic Plan Review, Window 128, Geographic Area 4.

Applicant: Rachel Berdischewsky, Melis Oaronyan, CPC 2003-9919 ZC GPA PPR and Lena Badalyan

3. CONCUR in the action of the City Planning Commission relative to the disapproval of a concurrent zone change and THEREBY DISAPPROVE a proposed Zone Change from R1-1 to R3-1 for the demolition of three single family dwellings and the construction of 40 apartment/condominiums, three-stories, 35 feet in height, with 90 parking spaces on a 32,419 square foot lot located at 4408 and 4416 Colbath Avenue and 4409 Stern Avenue, Periodic Plan Review, Window 128, Geographic Area 4.

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

TIME LIMIT FILE - NOVEMBER 9, 2005

(LAST DAY FOR COUNCIL ACTION - NOVEMBER 9, 2005)

ITEM NO. (17) - NOVEMBER 9, 2005

Roll Call #7 - Motion (Zine - Weiss) Adopted to Continue, Ayes (10); Absent: Garcetti, Greuel and Parks (3)

04-2413

PUBLIC SAFETY COMMITTEE REPORT relative to Los Angeles Police Commission report regarding the status of gun trafficking enforcement.

Recommendation for Council action:

NOTE and FILE the Los Angeles Police Commission report, in response to Motion (Zine - Miscikowski), regarding the status of gun trafficking enforcement, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

Roll Call #2 - Motion (Weiss - Reyes) Adopted, Ayes (10); Absent: Garcetti, Greuel and Parks (3)
(Item Nos. 18-21)

ITEM NO. (18) - ADOPTED

03-2201

PUBLIC SAFETY COMMITTEE REPORT relative to the Fiscal Year (FY) 2003-04 expenditure plan for the Los Angeles Police Department (LAPD) Revolving Training Fund.

Recommendation for Council action:

RECEIVE and FILE the Los Angeles Police Commission report relative to FY 2003-04 expenditure plan for the LAPD Revolving Training Fund, inasmuch as approval of the FY 2003-04 expenditure plan is no longer needed since Council approved the FY 2004-05 expenditure plan for the LAPD Revolving Training Fund on January 14, 2005, therefore no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (19) - ADOPTED

03-0185-S1

PUBLIC SAFETY COMMITTEE REPORT relative to the Supplemental Police Account quarterly report for April 2005 through June 2005.

Recommendation for Council action:

NOTE and FILE the Los Angeles Police Commission report relative to the Supplemental Police Account quarterly report for April 2005 through June 2005, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (20) - ADOPTED

05-0548

COMMERCE, ENERGY AND NATURAL RESOURCES and BUDGET AND FINANCE COMMITTEES' REPORT relative to independent Water and Power Revenue Requirements Study.

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

1. DIRECT the Department of Water and Power (DWP) to cooperate fully in the completion of the independent Water and Power Revenue Requirements Study.
2. AUTHORIZE the Chief Legislative Analyst (CLA) and/or City Administrative Officer (CAO) to negotiate and execute contracts for revenue requirements studies of the DWP, with the Barrington-Wellesley Group in amount not to exceed \$370,000.

3. AUTHORIZE the CLA and/or CAO to act as project managers for the studies, to review the work of the independent consultant, to accept that work on behalf of the City and to authorize payments to the independent consultant upon the completion and acceptance of each task.
4. INSTRUCT the CAO to include the actual cost of the revenue requirements studies in the Annual City Bill for Services to the DWP and DIRECT the DWP to provide reimbursement.
5. TRANSFER \$370,000 from the Reserve Fund to the Unappropriated Balance, and APPROPRIATE therefrom, to the Office of the CAO, Department 10, Fund 100, Contractual Services Account 3040 for payment to Barrington-Wellesley for the Water and Power Revenue Requirements Study.

Fiscal Impact Statement: The CLA and CAO report that approval of these recommendations will result in an initial expenditure of \$370,000 from the City General Fund. However, it is expected that the City General Fund will be reimbursed by the DWP, resulting in estimated expenditures of \$170,000 from the Water Revenue Fund and \$200,000 from the Power Revenue Fund and no net expenditure from the City General Fund. This complies with the City Financial Policies.

ITEM NO. (21) - ADOPTED

02-1153-S3

PUBLIC SAFETY and BUDGET AND FINANCE COMMITTEES' REPORT relative to the Proposition Q 2004 annual program report.

Recommendation for Council action:

NOTE and FILE the Proposition Q Administrative Oversight Committee's 2004 annual Proposition Q Bond Program report on public safety projects, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: The Proposition Q Administrative Oversight Committee reports that there is no impact to the General Fund. The cost of the Program is funded by Proposition Q - Citywide Public Safety General Obligation Bonds.

ITEM NO. (22) - ADOPTED

Roll Call #8 - Motion (Weiss - Smith) Adopted, Ayes (10); Absent: Garcetti, Greuel and Parks (3)

02-1480-S4

PUBLIC SAFETY and BUDGET AND FINANCE COMMITTEES' REPORT relative to the Los Angeles Police Department (LAPD) sworn overtime use at the Los Angeles International Airport (LAX).

Recommendation for Council action:

NOTE and FILE the LAPD report relative to sworn overtime use at the LAX for the periods February 6 through March 5, 2005 and March 6 through April 2, 2005, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

Roll Call #2 - Motion (Weiss - Reyes) Adopted, Ayes (10); Absent: Garcetti, Greuel and Parks (3)
(Item Nos. 23-24)

ITEM NO. (23) - ADOPTED

04-1942

PUBLIC SAFETY and BUDGET AND FINANCE COMMITTEES' REPORT relative to funding and backfill of sworn positions assigned to the Los Angeles Police Department (LAPD).

Recommendations for Council action:

1. NOTE and FILE the LAPD report relative to progress on funding and backfill of sworn positions assigned to the LAPD, inasmuch as the report is submitted for information only and no Council action is necessary.
2. INSTRUCT the LAPD to report back in 60 days on the effect of promotions in the South Bureau area, the methods the LAPD is using to promote officers, and vacancies and status of traffic assignments.

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

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

05-1387

PUBLIC SAFETY and BUDGET AND FINANCE COMMITTEES' REPORT and COMMUNICATION FROM CHAIR, PERSONNEL COMMITTEE relative to acceptance of grant award for the Community Law Enforcement and Recovery (CLEAR) Program.

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

1. ACCEPT the grant award of \$938,019 from the Office of Juvenile Justice and Delinquency Prevention (OJJDP), to conduct the CLEAR Program in the Hollenbeck/East Los Angeles area for the period of September 1, 2005 through August 31, 2006, subject to review and approval of the City Attorney as to form and legality.

2. APPROVE the Memorandum of Agreement (MOA) between the City and the County of Los Angeles (County) for the period of September 1, 2005 through August 31, 2006.

3. AUTHORIZE the Director, Mayor's Criminal Justice Planning Officer (MCJPO), or designee, to:

- a. Execute and submit the Grant Award Agreement to the OJJDP on behalf of the City.
- b. Execute the MOA between the City and the County on behalf of the City.

4. AUTHORIZE the Controller to:

a. Establish a receivable in the amount of \$938,019 and establish the following appropriation accounts within the City/County Collaborative Anti-Gang Initiative Special Revenue Fund No. 664, Department No. 46, as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
Y112	City Attorney Salaries	\$131,323
Y170	Police Salaries	\$243,884
Y201	Contractual Services	\$562,812

b. Complete the following transfers, upon submission of invoices by the Los Angeles Police Department (LAPD) and the City Attorney's Office and approval by the Mayor's Office of such invoices for OJJDP related expenditures for the period of September 1, 2005 through June 30, 2006:

1) Transfer \$204,146 from Fund No. 664/46, Account No. Y170 to Fund No. 100/70 as follows:

Account No. 1012, Police Department Salaries Sworn - \$198,693
Account No. 1092, Police Department Overtime Sworn - \$5,453

2) Transfer \$109,437 from Fund No. 664/46, Account No. Y112 to Fund No. 100/12, Account No. 1010, City Attorney Salaries General.

c. Complete the following transfers after July 1, 2006, upon submission of invoices by the LAPD and City Attorney's Office and approval by the Mayor's Office of such invoices for OJJDP related expenditures for the period of July 1, 2006 through August 31, 2006:

1) Transfer \$39,738 from Fund No. 664/46, Account No. Y170 to Fund No. 100/70, Account No. 1012, Police Department Salaries Sworn.

2) Transfer \$21,886 from Fund No. 664/46, Account No. Y112, to Fund No. 100/12, Account No. 1010, City Attorney Salaries General.

5. RESOLVE that Employment Authority for the following three positions within the LAPD, for the period of September 1, 2005 through June 30, 2006 is APPROVED, and INSTRUCT the City Administrative Officer (CAO) to include these positions in the 2006-07 Personnel Authority Resolution for the period of July 1, 2006 through August 31, 2006:

<u>No.</u>	<u>Code</u>	<u>Title</u>
1	2227-2	Sergeant II
2	2223-2	Detective II

6. AUTHORIZE the MCJPO to prepare Controller’s 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 this grant will reimburse the City for \$375,207 of the CLEAR program’s \$436,390 total cost for the period of September 1, 2005 through August 31, 2006. The remaining cost of \$61,183 will be a General Fund obligation, which is funded in the 2005-06 Adopted Budget for the LAPD and the City Attorney’s Office. This program complies with the City’s Financial Policies in that ongoing costs are supported by ongoing revenue.

ITEM NO. (25) - REFERRED BACK TO BUDGET AND FINANCE COMMITTEE

Roll Call #4 - Motion (Zine - Smith) Adopted to Refer, Unanimous Vote (10);
Absent: Garcetti, Greuel and Parks (3)

05-0600-S20

PUBLIC SAFETY and BUDGET AND FINANCE COMMITTEES’ REPORT and COMMUNICATION FROM CHAIR, PERSONNEL COMMITTEE relative to Los Angeles Fire Department (LAFD) staffing for the Wildland Fuel Management Program for Fiscal Year (FY) 2005-06.

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

1. AUTHORIZE the LAFD to finance staff for the Wildland Fuel Management Program (Program) in FY 2005-06 within current budgeted funds.
2. RESOLVE that Employment Authority for the following four Program positions within the LAFD, for the period of July 1, 2005 through June 30, 2006, is APPROVED:

<u>No.</u>	<u>Code</u>	<u>Title</u>
2	2112-3	Firefighter IIIM
1	2142-2	Fire Captain II
1	3743	Heavy Duty Equipment Mechanic

3. AUTHORIZE the Controller to transfer appropriations between the following accounts within Fund No. 100, Department No. 38 (to provide the LAFD with 11 months funding for the four positions in Recommendation No. 2):

From:

Account No. 1090, Overtime General - \$60,420
Account No. 1098, Overtime Variable Staffing - \$299,500

To:

Account No. 1010, Salaries, General - \$60,420
Account No. 1012, Salaries, Sworn - \$299,500

4. REQUEST the LAFD to submit a budget request package for this Program as part of the 2006-07 Proposed Budget.
5. AUTHORIZE the LAFD to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the Office of the City Administrative Officer (CAO), and AUTHORIZE the Controller to implement the instructions.

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

ITEM NO. (26) - ADOPTED

Roll Call #2 - Motion (Weiss - Reyes) Adopted, Ayes (10); Absent: Garcetti, Greuel and Parks (3)

03-0814

PUBLIC SAFETY and PERSONNEL, AUDITS AND GOVERNMENTAL EFFICIENCY and BUDGET AND FINANCE COMMITTEES' REPORTS relative to Los Angeles Fire Department (LAFD) ambulance billing process review and outsourcing assessment by BearingPoint Inc.

ADOPTED

A. PUBLIC SAFETY and PERSONNEL COMMITTEES' REPORT

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

1. INSTRUCT the LAFD, with the assistance of the City Administrative Officer (CAO) and the Information Technology Agency, to prepare and release a Request for Proposal (RFP) for the billing process and technology improvements as identified in the CAO report dated November 17, 2004.
2. DIRECT the LAFD and the CAO to report back with results of the RFP process and recommendations concerning how to proceed.
3. RESOLVE that Employment Authority for one Senior Systems Analyst II within the LAFD is APPROVED.

ADOPTED

B. AUDITS AND GOVERNMENTAL EFFICIENCY COMMITTEE REPORT

Recommendations for Council action:

1. INSTRUCT the LAFD, with the assistance of the City Administrative Officer (CAO) and the Information Technology Agency, to prepare and release a Request for Proposals (RFP) for the billing process and technology improvements identified in the CAO report (contained on the Council File).
2. INSTRUCT the LAFD and the CAO to report back to the City Council with the results of the RFP process and recommendations concerning how to proceed.

ADOPTED

C. BUDGET AND FINANCE COMMITTEE REPORT

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

1. CONCUR with the recommendations of the Public Safety Committee relative to LAFD ambulance billing process review and outsourcing assessment by BearingPoint Inc.
2. INSTRUCT the LAFD to add the Information Technology Agency to the Committee, already to include the LAFD, City Administrative Officer (CAO), and the Chief Legislative Analyst, which will assist in the development of the Request for Proposal (RFP) for the billing process and technology improvements to enhance data capture through field data entry, as well as the review of the RFP results.
3. INSTRUCT the CAO to identify a funding source for the RFP, which may include existing LAFD funds.

Fiscal Impact Statement: The CAO reports that adoption of the recommendations contained in the CAO's report dated November 17, 2004, will have no fiscal impact on the General Fund. However, once a strategy for improvement of the ambulance billing process has been selected, a significant investment in ambulance billing technology improvements may be required, which would, in turn, yield an increase in billing collections. The amount of the increased investment and billing collections cannot be accurately determined until the results of the RFP process recommended by the CAO have been received and reviewed.

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

Items for Which Public Hearings Have Not Been Held - Items 27-47
(10 Votes Required for Consideration)

ITEM NO. (27) - SUBSTITUTE MOTION ADOPTED, AS AMENDED IN LIEU OF ORIGINAL COMMUNICATION - ORDINANCE OVER TO NOVEMBER 2, 2005 - SEE FOLLOWING

Roll Call #10 - Motion (Reyes - Zine) to Adopt Substitute Motion, Ayes (9); Noes: Rosendahl (1); Absent: Garcetti, Greuel and Parks (3)

03-1058

CONTINUED CONSIDERATION OF EXEMPTION, COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to amending various Sections of the Los Angeles Municipal Code (LAMC) to permit wireless antennas and associated equipment cabinets by right on rooftops of buildings in the C and M Zones.

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

1. FIND that this action is exempt from the California Environmental Quality Act pursuant to Article II, Section 2(m) of the City's Environmental Guidelines.
2. ADOPT the August 23, 2005 Findings of Director of Planning as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the Director of Planning, amending Sections 11.5.7, 12.12.2, 12.17.5, 12.21, and 12.24 of the LAMC, to permit wireless antennas and associated equipment cabinets on rooftops by right provided certain design standards are met.

CPC 2003-2302 CA

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

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

(Pursuant to Council action of October 19, 2005, City Planning Department and Department of Building and Safety to report in connection with proposed amendment to Ordinance)

ADOPTED

SUBSTITUTE MOTION (REYES - ZINE)

Recommendation for Council action:

SUBSTITUTE the Ordinance attached to the file with the accompanying proposed Ordinance.

ADOPTED

AMENDING MOTION (LABONGE - REYES)

Recommendation for Council action:

AMEND the ordinance amending Sections 11.5.7, 12.12.2, 12.17.5, 12.21 and 12.24 of the Los Angeles Municipal Code to permit wireless antennas and associated equipment cabinets on rooftops by right provided certain design standards are met, as follows:

Sec. 4. Subsection A of Section 12.21 of the Los Angeles Municipal Code is amended by adding a new Subdivision 21 to read:

21. Rooftop Wireless Telecommunications Facilities - Notwithstanding Subdivision 20, above wireless antennas, including the associated equipment cabinets...

(a) The antenna and any equipment cabinet are located on rooftops which are at least 36 *40 feet in height above grade, provided the wireless antennas and associated equipment cabinets do not exceed any applicable height limit;

Roll Call #5 - Motion (Rosendahl - Zine) Adopted, Ayes (10); Absent: Garcetti, Greuel and Parks (3)
(Item Nos. 28-42)

ITEM NO. (28) - ADOPTED

05-0005-S409

CD 8 RESOLUTION removing the property at 1249-49 1/2 West 39th Place from the Rent Escrow Account Program [REAP], (Case No. 6071), 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 No. 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of October 19, 2005.

Assessor I.D. No.5037-007-022
Registration No. 9911249

(Notice of Acceptance into the REAP/Rent Reduction Program was released on December 16, 2002)

ITEM NO. (29) - ADOPTED

05-0005-S410

CD 1 RESOLUTION removing the property at 301 South Witmer Street from the Rent Escrow Account Program [REAP], (Case No. 6581), 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 No. 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of October 19, 2005.

(Notice of Acceptance into the REAP/Rent Reduction Program was released on August 14, 2003)

ITEM NO. (30) - ADOPTED

[05-0005-S411](#)

CD 10 RESOLUTION removing the property at 2219-21 South Alsace Avenue from the Rent Escrow Account Program [REAP], (Case No. 6707), 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 No. 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of October 19, 2005.

Assessor I.D. No.5062-009-020
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on June 24, 2003)

ITEM NO. (31) - ADOPTED

[05-0005-S412](#)

CD 1 RESOLUTION removing the property at 2242-42 1/2 North Hancock Street from the Rent Escrow Account Program [REAP], (Case No. 7497), 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 No. 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of October 19, 2005.

Assessor I.D. No.5210-029-009
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on June 15, 2004)

ITEM NO. (32) - ADOPTED

[05-0005-S413](#)

CD 13 RESOLUTION removing the property at 2300-02 Riverside Drive from the Rent Escrow Account Program [REAP], (Case No. 8180), 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 No. 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of October 19, 2005.

Assessor I.D. No.5438-003-013
Registration No. 9711557

(Notice of Acceptance into the REAP/Rent Reduction Program was released on August 25, 2005)

ITEM NO. (33) - ADOPTED

05-0005-S414

CD 5 RESOLUTION removing the property at 1071-73 South Hayworth Avenue from the Rent Escrow Account Program [REAP], (Case No. 8500), 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 No. 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of October 19, 2005.

Assessor I.D. No.5087-025-040
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on August 2, 2005)

ITEM NO. (34) - ADOPTED

05-0005-S415

CD 8 RESOLUTION removing the property at 7103-07 South Normandie Avenue a.k.a. 1400 West 71st Street from the Rent Escrow Account Program [REAP], (Case No. 8527), 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 No. 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of October 19, 2005.

Assessor I.D. No.6015-033-033
Registration No. None

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

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

05-1446

CD 11 CATEGORICAL EXEMPTION and COMMUNICATION FROM THE CITY ENGINEER relative to an offer to dedicate easement for street purpose lying on Purdue Avenue, Exposition Boulevard, alley southerly of Exposition Boulevard and alley westerly of Purdue Avenue - Right of Way No. 36000-1548.

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(19) of the City's Environmental Guidelines.
2. ADOPT the City Engineer report dated July 7, 2005 to dedicate easement for street purpose lying on Purdue Avenue, Exposition Boulevard, alley southerly of Exposition Boulevard and alley westerly of Purdue Avenue - Right of Way No. 36000-1548.

3. AUTHORIZE the Board of Public Works to acquire the dedication.

Fiscal Impact Statement: The City Engineer reports that a fee of \$1,284 was paid for processing this request pursuant to Sections 7.3 and 7.41.1 of the Los Angeles Administrative Code. No additional City Funds are needed.

ITEM NO. (36) - ADOPTED

05-2233

CD 13 MOTION (GARCETTI - HAHN) relative to declaring the Halloween Havoc on October 31, 2005 a Special Event (fees and costs absorbed by the City = \$1,188).

Recommendation for Council action:

DECLARE the Halloween Havoc, sponsored by the LA Dream Center on October 31, 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. (37) - ADOPTED

05-2234

CD 7 MOTION (PADILLA - CARDENAS) relative to declaring the Make a Difference Day Community Clean-up and Health Fair on October 22, 2005 a Special Event (fees and costs absorbed by the City = \$966).

Recommendation for Council action:

DECLARE the Make a Difference Day Community Clean-up and Health Fair, sponsored by Council District Seven, City Attorney Rocky Delgadillo and LAPD - Mission Area on October 22, 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. (38) - ADOPTED

05-2235

CD 14 MOTION (LABONGE - GARCETTI) relative to declaring the St. Mary's Festival on October 14-16, 2005 a Special Event (fees and costs absorbed by the City = \$5,159).

Recommendation for Council action:

DECLARE the St. Mary's Festival, sponsored by St. Mary Catholic Church on October 14-16, 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

03-2293

CD 4 MOTION (LABONGE - GARCETTI) relative to declaring the Halloween Block Party on October 31, 2005 a Special Event (fees and costs absorbed by the City = \$1,188).

Recommendation for Council action:

DECLARE the Halloween Block Party, sponsored by Councilmember Tom LaBonge and some very fine residents of Silver Lake on October 31, 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, INCLUDING insurance.

ITEM NO. (40) - ADOPTED

05-2236

CD 3 MOTION (ZINE - SMITH) relative to declaring the St. Mel School Halloween Carnival on October 21-22, 2005 a Special Event (fees and costs absorbed by the City = \$3,387).

Recommendation for Council action:

DECLARE the St. Mel School Halloween Carnival, sponsored by the St. Mel Elementary School and Council District Three on October 21-22, 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

05-2237

CD 3 MOTION (ZINE - SMITH) relative to declaring the Grateful Hearts Fundraiser on October 20, 2005 a Special Event (fees and costs absorbed by the City = \$1,226).

Recommendation for Council action:

DECLARE the Grateful Hearts Fundraiser, sponsored by the Douglas/Emmett Commercial Management Company on October 20, 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. (42) - ADOPTED

05-2238

CD 2 MOTION (GREUEL - LABONGE) relative to declaring the Grand Opening of Metro Orange Line Service on October 28-30, 2005 a Special Event (fees and costs absorbed by the City = \$5,800).

Recommendation for Council action:

DECLARE the Grand Opening of Metro Orange Line Service, sponsored by the Los Angeles County Metropolitan Transportation Authority on October 28-30, 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. (43) - ADOPTED, *AS AMENDED - SEE FOLLOWING

Roll Call #12 - Motion (LaBonge - Hahn) to Adopt as Amended, Ayes (10); Absent: Garcetti, Greuel and Parks (3)

05-2239

CD 4 MOTION (LABONGE - HAHN) relative to declaring the Toluca Lake Halloween Block Party on October 31, 2005 a Special Event (fees and costs absorbed by the City = \$1,226).

Recommendation for Council action:

DECLARE the Toluca Lake Halloween Block Party, sponsored by the ~~* residents of Forman Avenue between Moorpark Street and Valley Spring Lane and Navajo Street between Forman Avenue and Valley Spring Lane~~ *Council District Four on October 31, 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.

Roll Call #5 - Motion (Rosendahl - Zine) Adopted, Ayes (10); Absent: Garcetti, Greuel and Parks (3)
(Item Nos. 44-47)

ITEM NO. (44) - ADOPTED

04-2376

CD 15 MOTION (HAHN - LABONGE) relative to declaring the Homecoming Coronation on October 28, 2005 a Special Event (fees and costs absorbed by the City = \$1,280).

Recommendation for Council action:

DECLARE the Homecoming Coronation, sponsored by Phineas Banning High School on October 28, 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. (45) - ADOPTED

05-2240

CD 15 MOTION (HAHN - LABONGE) relative to declaring the Equadorian Buque Guayas visit on November 4-7, 2005 a Special Event (fees and costs absorbed by the City = \$1,870).

Recommendation for Council action:

DECLARE the Equadorian Buque Guayas visit, sponsored by the Los Angeles Maritime Institute and Council District 15 on November 4-7, 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. (46) - ADOPTED

02-2308

CD 15 MOTION (HAHN - GARCETTI) relative to declaring the 26th Annual Holiday Spirit of San Pedro Parade on December 4, 2005 a Special Event (fees and costs absorbed by the City = \$4,800).

Recommendation for Council action:

DECLARE the 26th Annual Holiday Spirit of San Pedro Parade, sponsored by the San Pedro Peninsula Chamber of Commerce and Councilmember Janice Hahn, Council District 15, on December 4, 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. (47) - ADOPTED

04-2038

CD 9 MOTION (PERRY - ZINE) relative to declaring the 29th Annual Latino Heritage Month Closing Ceremony on October 21, 2005 a Special Event (fees and costs absorbed by the City = \$5,000).

Recommendation for Council action:

DECLARE the 29th Annual Latino Heritage Month Closing Ceremony, sponsored by the Mayor's Office on October 21, 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, INCLUDING insurance. The lead City department shall meet the application requirements of the City.

Closed Sessions - Items 48-52

ITEM NO. (48) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #13 - Motion (LaBonge - Smith) Adopted in Open Session, Ayes (10); Absent: Garcetti, Greuel and Parks (3)

04-1375

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 City of Los Angeles v. Mahendra Family Limited Partnership, Los Angeles Superior Court Case No. BC 292172. (This is an eminent domain action concerning 4601-15 West Washington Boulevard.)

(Budget and Finance Committee considered the above matter in Closed Session on October 18, 2005)

ADOPTED IN OPEN SESSION

MOTION (LABONGE - SMITH)

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

1. AUTHORIZE the City Attorney to execute a settlement agreement and all other documents necessary to implement the first phase of the settlement.
2. AUTHORIZE the City Attorney to draw the necessary demand in the amount of \$190,000 payable to the Mahendra Family Limited Partnership and the Law Offices of Nicolas Nassif, from the Washington Boulevard Revitalization Program Fund No. 363, Department 94, Account No. P217.

This matter was approved by the Budget and Finance Committee (Parks - Cardenas - Smith - Greuel - Rosendahl "yes") at its meeting of October 18, 2005, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (49) - MEETING HELD - ACTION TAKEN IN CLOSED SESSION

04-1607

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 City and County of San Francisco, et al., v. Microsoft Corporation. (This matter relates to a pending antitrust class action lawsuit against the Microsoft Corporation.)

(Budget and Finance Committee considered the above matter in Closed Session on October 18, 2005)

ITEM NO. (50) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #14 - Motion (LaBonge - Smith) Adopted in Open Session, Ayes (10); Absent: Garcetti, Greuel and Parks (3)

04-2651

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 entitled Flor Lacayo v. City of Los Angeles, et al., United States District Court Case No. LACV 03-8534. (This action arises out of an on-duty contact between a Los Angeles Police Department Traffic Officer and Plaintiff, on November 23, 2002.)

(Budget and Finance Committee considered the above matter in Closed Session on October 18, 2005)

ADOPTED IN OPEN SESSION

MOTION (LABONGE - SMITH)

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

1. AUTHORIZE the City Attorney to expend \$335,000 in settlement of the case entitled Flor Lacayo v. City of Los Angeles, et al., United States District Court Case No. LACV 03-8534, from the Liability Claims Account No. 9770, Fund 100, Department 59.
2. AUTHORIZE the City Attorney to draw a demand thereon in said amount payable to Thon Beck and Vanni and Flor Lacayo.

This matter was approved by the Budget and Finance Committee (Parks - Cardenas - Smith - Greuel - Rosendahl "yes") at its meeting of October 18, 2005, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (51) - MEETING HELD - ACTION TAKEN IN CLOSED SESSION

05-2045

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to the case entitled Jose Hernandez, et al., v. City of Los Angeles, et al., United States District Court Case No. CV 03-5516 DDP (Ex). (This action arises from an incident on January 1, 2003, involving members of the Los Angeles Police Department.)

(Budget and Finance Committee considered the above matter in Closed Session on October 18, 2005)

ITEM NO. (52) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #15 - Motion (Weiss - Zine) Adopted in Open Session, Ayes (10); Absent: Garcetti, Greuel and Parks (3)

05-1981

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 John Malone v. City of Los Angeles, Workers' Compensation Appeals Board Case No. VNO435593; Claim No. 9002-2001-005.

(Budget and Finance Committee considered the above matter in Closed Session on October 18, 2005)

ADOPTED IN OPEN SESSION

MOTION (WEISS - ZINE)

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

1. AUTHORIZE the City Attorney, in association with the Law Offices of Michael P. Mansfield, to enter into a settlement through a Stipulated Award in the sum of \$98,095.00, plus a life pension of \$38.65 per week payable after the permanent disability award is exhausted.
2. AUTHORIZE the City Attorney to execute the Stipulated Award will all appropriate parties for submission to the Workers' Compensation Appeals Board for its award of payment.

This matter was approved by the Budget and Finance Committee (Parks - Cardenas - Smith - Greuel - Rosendahl "yes") at its meeting on October 18, 2005, in Closed Session as permitted by Government Code Section 54956.9(a).

Items for Which Public Hearings Have Been Held - Items 53-54

ITEM NO. (53) - ADOPTED - ORDINANCE OVER TO NOVEMBER 2, 2005

Roll Call #6 - Motion (Perry - Hahn) Adopted, Ayes (10); Absent: Garcetti, Greuel and Parks (3)

05-1664

CD 12 CONTINUED CONSIDERATION OF MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT, RESOLUTION and ORDINANCE FIRST CONSIDERATION relative to a General Plan Amendment and Zone Change for property at 10650 DeSoto Avenue and 20840-50 Chatsworth 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 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. 05-1664 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 2003-9394 MND] filed on April 23, 2004.
2. ADOPT the FINDINGS of the City Planning Commission as the Findings of the Council.
3. ADOPT the accompanying RESOLUTION as recommended by the Mayor, the City Planning Commission and the Director of Planning APPROVING the proposed General Plan Amendment from Very Low I Density Residential to Very Low II Density Residential for the property located at 10650 DeSoto Avenue and 20840-50 Chatsworth Street, for the demolition of one single family dwelling and the construction of five single family dwellings on a 66,427 square foot lot at 10650 DeSoto Avenue and 20840-50 Chatsworth Street - Window 141 - Geographic Area No. 1.

Applicant: Victor Sampson

CPC 2004-4325 ZC GPA PPR

4. PRESENT and ADOPT the accompanying ORDINANCE, approved by the City Planning Commission, effecting a Zone Change from A2-1 to (T)(Q)RE11-1, subject to conditions of approval.

Said rezoning shall be subject to the "Q" Qualified classification zone limitations as shown on the attached sheets.

5. REMOVE (T) Tentative classification as described in detail on the sheet(s) attached to this Committee report.
6. INSTRUCT the Planning Department to update the General Plan and appropriate maps pursuant to this action.
7. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.

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

TIME LIMIT FILE - NOVEMBER 9, 2005

(LAST DAY FOR COUNCIL ACTION - NOVEMBER 9, 2005)

ITEM NO. (54) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #9 - Motion (Hahn - Reyes) to Adopt as Amended, Ayes (10); Absent: Garcetti, Greuel and Parks (3)

05-1386

CD 15 CONTINUED CONSIDERATION OF CATEGORICAL EXEMPTION and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the operation of the motel known as the Edge O' Town Motel at 503 West Athens Boulevard.

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

1. FIND that this action is categorically exempt from California Environmental Quality Act, pursuant to Article VII, Section 1, Class 21(2) of the City's Environmental Guidelines.
2. ADOPT the FINDINGS of the Zoning Administrator as the Findings of the Council.
3. RESOLVE TO DENY AND GRANT IN PART appeal filed by Mao and Qun Co, Inc., David R. Bilford, Representative, and THEREBY SUSTAIN the determination of the Zoning Administrator in finding that the operation of the motel known as the Edge O' Town Motel, located at 503 West Athens Boulevard, is a public nuisance and requires modification of its operation to mitigate adverse impacts on persons and property associated with its use, subject to modified conditions of approval as shown in the attachment to the Committee report.

Applicant: City of Los Angeles
Office of Zoning Administration

DIR 2005-0541 RV PA 2

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

TIME LIMIT FILE - OCTOBER 28, 2005

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

ADOPTED

AMENDING MOTION (HAHN - REYES)

Recommendation for Council action:

AMEND the Planning and Land Use Management Committee report relative to the operation of the Motel known as the Edge O'Town Motel located at 503 West Athens Boulevard, to correct Condition No. 2, as follows:

Condition No. 2:

The motel owner shall contract with a California licensed security service for onsite security services 24 hours a day, seven days a week.

Item for Which Public Hearing Has Not Been Held - Item 55
(10 Votes Required for Consideration)

ITEM NO. (55) - RECEIVED AND FILED

Roll Call #11 - Motion (Cardenas - Padilla) Adopted to Receive and File, Unanimous Vote (10);
Absent: Garcetti, Greuel and Parks (3)

05-2253

CONTINUED CONSIDERATION OF MOTION (CARDENAS - PADILLA) relative to asserting jurisdiction over the October 17, 2005 action by the Board of Airport Commissioners.

Recommendations for Council action:

1. ASSERT jurisdiction, pursuant to Section 245 of the Los Angeles City Charter, over the Board of Airport Commissioners' action on October 17, 2005 to determine that a bid submitted by FMC Technologies, Inc. was non-responsive and to therefore award a contract for construction of passenger boarding bridges and extensions at the Los Angeles International Airport and Ontario International Airport to Thyssen Krupp Airport Systems, Inc. (Board Agenda Item No. 5).
2. REFER the matter, upon assertion of jurisdiction, to the Commerce, Energy and Natural Resources Committee for its consideration and report back to the Council.

TIME LIMIT FILE - OCTOBER 26, 2005

(LAST DAY FOR COUNCIL ACTION - OCTOBER 26, 2005)

(Scheduled pursuant to Council Rule 53)

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

02-1891

MOTION (SMITH - ROSENDAHL) relative to declaring the 23rd Annual Marching Band Field Competition on November 12, 2005 a Special Event (fees and costs absorbed by the City = \$7,274).

05-2304

MOTION (ZINE - SMITH) relative to declaring the Faith Baptist School Homecoming on October 29, 2005 a Special Event (fees and costs absorbed by the City = \$1,226).

05-2305

MOTION (CARDENAS - REYES) relative to declaring the grand opening of the Van Nuys Civic Child Development Center on November 10, 2005 a Special Event (fees and costs absorbed by the City = \$200).

02-2472

MOTION (HAHN for GARCETTI - LABONGE) relative to declaring the 19th Annual AFI Film Festival on November 3-13, 2005 a Special Event (fees and costs absorbed by the City = \$2,500).

01-2247

MOTION (HAHN for GARCETTI - PERRY) relative to declaring the Fifth Annual Filipino Veteran's Day Parade and Community Health Fair on November 11, 2005 a Special Event (fees and costs absorbed by the City = \$7,588).

05-2308

MOTION (PERRY - ZINE) relative to declaring the Little Tokyo Mural Unveiling Ceremony on October 29, 2005 a Special Event (fees and costs absorbed by the City = \$1,226).

05-2309

MOTION (PADILLA - PERRY) relative to declaring the funeral services and related activities for Congressman Edward R. Roybal on October 31, 2005 a Special Event (fees and costs absorbed by the City = none submitted).

05-2310

MOTION (PERRY - ZINE) relative to declaring the Sixth Annual Japanese Food Festival on October 30, 2005 a Special Event (fees and costs absorbed by the City = \$914).

02-2290

MOTION (ROSENDAHL - SMITH) relative to declaring the Rialto Halloween Festival on October 31, 2005 a Special Event (fees and costs absorbed by the City = \$1,719).

05-2311

MOTION (ROSENDAHL - SMITH) relative to declaring the Halloween Haunt Festival on October 30-31, 2005 a Special Event (fees and costs absorbed by the City = \$2,118).

05-2312

MOTION (LABONGE - HAHN) relative to declaring the David Isaiah 3-on-3 Basketball Tournament on November 5, 2005 a Special Event (fees and costs absorbed by the City = \$4,318).

05-2313

MOTION (CARDENAS - HAHN) relative to declaring the John H. Francis Polytechnic High School Annual Homecoming Celebration on November 4, 2005 a Special Event (fees and costs absorbed by the City = \$280).

02-1215

MOTION (ROSENDAHL - ZINE) relative to a personal services contract amendment for services related to the 11th Council District.

03-0808-S2

MOTION (CARDENAS - PADILLA) relative to community education efforts involving the Bradley Landfill.

05-1073-S34

MOTION (REYES - PERRY) relative to street light re-wiring project along North Figueroa Street corridor in Council District One.

05-2306

MOTION (REYES - PADILLA) relative to partial funding to support the efforts of El Rescate.

05-0010-S55

MOTION (CARDENAS - PADILLA) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of George Meyer, whose body was found on June 5, 2005.

05-2307

MOTION (LABONGE - PERRY) relative to authorizing the Los Angeles Fire Department to use the City Hall Tom Bradley Room on December 5, 2005.

05-0010-S56

MOTION (PADILLA - WEISS) relative to an offer of reward for information leading to the identification, apprehension and conviction of the person(s) responsible for the death of Alfonso Morquecho on April 10, 2005.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

05-2112 - Detective II Janice "Jae" Thomas

(Smith - Rosendahl for Parks)

Armand Bouzagblou, MD

(Garcetti - LaBonge)

Edward Baker

(Garcetti - LaBonge)

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

05-2113 - Virginia Benedict

(Hahn)

Battalion Chief Bill White (Retired)

(LaBonge)

Henry Choi

(LaBonge)

Alejandro Martinez

(LaBonge)

Kiyoshi Sawano

(Perry)

Louis W. Lawson

(Perry)

Harrison "Richard" Young

(Zine)

Ayes, Cardenas, Hahn, LaBonge, Perry, Reyes, Rosendahl, Smith, Weiss, Zine and President Padilla (10); Absent: Garcetti, Greuel and Parks (3). 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