

Los Angeles City Council, Journal/Council Proceedings
Wednesday, December 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, Greuel, Hahn, Huizar, LaBonge, Perry, Reyes, Rosendahl, Weiss, Wesson, Zine and President Padilla (12); Absent: Garcetti, Parks and Smith (3).

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
DECEMBER 2, 2005

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 57

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 1-14

ITEM NO. (1) - PUBLIC HEARING HELD - HEARING CONTINUED AND ORDINANCE TO BE
PRESENTED ON JANUARY 11, 2006

Roll Call #1 - Motion (Greuel - Rosendahl) Adopted to Continue, Unanimous Vote (12);
Absent: Garcetti, Parks and Smith (3)

03-2633-S1

CD 2 HEARING PROTESTS against the proposed improvement and maintenance of the
MARGATE STREET AND VESPER AVENUE NO. 2 LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Margate Street
and Vesper Avenue No. 2 Lighting District, in accordance with Sections 6.95-6.127 of the
Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on October 12, 2005 - Continue hearing and present Ordinance on JANUARY 11, 2006 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 JANUARY 11, 2006

Roll Call #17 - Motion (Weiss - Cardenas) Adopted to Continue, Unanimous Vote (13);
Absent: Reyes and President Padilla (2)

05-1903

CD 5 HEARING PROTESTS against the proposed improvement and maintenance of the TILDEN AVENUE AND PALMS BOULEVARD LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Tilden Avenue and Palms 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 October 12, 2005 - Continue hearing and present Ordinance on JANUARY 11, 2006 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 JANUARY 11, 2006

Roll Call #1 - Motion (Greuel - Rosendahl) Adopted to Continue, Unanimous Vote (12);
Absent: Garcetti, Parks and Smith (3)

05-1904

CD 11 HEARING PROTESTS against the proposed improvement and maintenance of the SUNSET BOULEVARD AND MANDEVILLE CANYON ROAD LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Sunset Boulevard and Mandeville Canyon Road Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on October 12, 2005 - Continue hearing and present Ordinance on JANUARY 11, 2006 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 JANUARY 11, 2006

Roll Call #17 - Motion (Weiss - Cardenas) Adopted to Continue, Unanimous Vote (13);
Absent: Reyes and President Padilla (2)

05-1905

CD 6 HEARING PROTESTS against the proposed improvement and maintenance of the VICTORY BOULEVARD AND WOODLEY AVENUE LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Victory Boulevard and Woodley 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 October 12, 2005 - Continue hearing and present Ordinance on JANUARY 11, 2006 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

Roll Call #1 - Motion (Greuel - Rosendahl) Adopted to Continue, Unanimous Vote (12);
Absent: Garcetti, Parks and Smith (3)
(Item Nos. 5-6)

ITEM NO. (5) - PUBLIC HEARING HELD - HEARING CONTINUED AND ORDINANCE TO BE PRESENTED ON JANUARY 11, 2006

05-1906

CD 6 HEARING PROTESTS against the proposed improvement and maintenance of the SHERMAN WAY AND BALBOA BOULEVARD LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Sherman Way and Balboa 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 October 12, 2005 - Continue hearing and present Ordinance on JANUARY 11, 2006 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 JANUARY 11, 2006

05-1907

CD 6 HEARING PROTESTS against the proposed improvement and maintenance of the LANKERSHIM BOULEVARD AND HART STREET LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Lankershim Boulevard and Hart 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 October 12, 2005 - Continue hearing and present Ordinance on JANUARY 11, 2006 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (7) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS - SEE FOLLOWING

Roll Call #2 - Motion (Cardenas - Reyes) Adopted, Ayes (12); Absent: Garcetti, Parks and Smith (3)

05-2606

CD 13 TRACT MAP APPEAL filed by Jeanne dar'c Khourey, from the entire decision of the East Los Angeles Area Planning Commission in sustaining the Deputy Advisory Agency's decision to approve Vesting Tentative Tract No. 61636, to permit a one-lot subdivision for the construction, use and maintenance of six residential condominium units, subject to Conditions of Approval, as modified for property at 2152 Baxter Street.

Applicant: Cliffhouse Construction, LLC

VTT 61636

TIME LIMIT FILE - DECEMBER 19, 2005

(LAST DAY FOR COUNCIL ACTION: DECEMBER 16, 2005)

(Planning and Land Use Management Committee report to be submitted in Council.)

(For copies of the reports for this matter, please contact the Legislative Assistant for the Planning and Land Use Management Committee at 213-978-1068)

ADOPTED

MITIGATED NEGATIVE DECLARATION and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to Vesting Tentative Tract Map appeal (VTT 61636) for property at 2152 Baxter Street.

Recommendations for Council action:

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the lead agency City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 05-2606 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV 2004-6302 MND] filed on November 22, 2004.
2. ADOPT the FINDINGS of the East Los Angeles Area Planning Commission as the FINDINGS of the Council.
3. RESOLVE to DENY appeal filed by Jeanne dar'c Kourey, from the entire decision of the East Los Angeles Area Planning Commission, and thereby sustaining the Deputy Advisory Agency's decision, and APPROVE Tentative Tract No. 61636, to permit a one-lot subdivision for the construction, use and maintenance of six residential condominium units, subject to Conditions of Approval, as corrected by the Commission, for property at 2152 Baxter Street.

Applicant: Cliffhouse Construction, LLC

VTT 61636 -1A

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

TIME LIMIT FILE - DECEMBER 19, 2005

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

ITEM NO. (8) - PUBLIC HEARING CLOSED - ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #3 - Motion (Rosendahl - Cardenas) Adopted, Ayes (12); Absent: Garcetti, Parks and Smith (3)

03-1723

CD 11

PUBLIC ANNOUNCEMENT OF BALLOT TABULATION and ORDINANCE FIRST CONSIDERATION relative to establishment of the Century Corridor Property and Business Improvement District (BID), pursuant to Section 53753 of the California Government Code, Section 36600 et seq. of the California Streets and Highways Code and Article XIII D of the California Constitution.

Recommendations for Council action, if the tabulation of ballots indicates majority support; SUBJECT TO THE APPROVAL OF THE MAYOR:

1. PRESENT and ADOPT the accompanying ORDINANCE establishing the Century Corridor Property and BID and confirming the assessments to be levied upon properties within the BID, as described in the Management District Plan.
2. AUTHORIZE the City Clerk, subject to the approval of the City Attorney, to prepare, execute and administer an operating agreement between the City and a nonprofit management entity, for administration of the BID.

Fiscal Impact Statement: The City Clerk reports that direct costs associated with Department administrative expenses will be charged to the BID and will be recovered from assessments collected. There are currently five City-owned, General Fund real properties included in the list of properties to be assessed within the boundaries of the BID, as disclosed in the Management District Plan and as required under existing state BID legislation. The assessments for the General Fund City-owned property will be paid from the BID 659 Fund, therefore, there is no potential impact on the General Fund to pay assessments on this City-owned property.

(Pursuant to Council action on Tuesday, December 13, 2005 and adoption of Ordinance No. 177054 on October 19, 2005)

Roll Call #4 - Motion (Zine - LaBonge) Adopted, Ayes (12); Absent: Garcetti, Parks and Smith (3)
(Item Nos. 9-14)

ITEM NO. (9) -PUBLIC HEARING CLOSED - PROTESTS DENIED - ADOPTED

05-1820

CD 5

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of BENTLEY AND ROSE AVENUES LIGHTING DISTRICT.

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

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

(Public Hearing held November 23, 2005)

ITEM NO. (10) - PUBLIC HEARING CLOSED - PROTESTS DENIED - ADOPTED

05-1819

CD 7 CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of BRADLEY AVENUE AND POLK STREET LIGHTING DISTRICT.

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

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

(Public Hearing held November 23, 2005)

ITEM NO. (11) - PUBLIC HEARING CLOSED - PROTESTS DENIED - ADOPTED

05-1818

CD 3 CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of CALVERT STREET AND YOLANDA AVENUE LIGHTING DISTRICT.

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

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

(Public Hearing held November 23, 2005)

ITEM NO. (12) - PUBLIC HEARING CLOSED - ADOPTED

05-1817

CD 3 CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of VANALDEN AVENUE AND SANTA RITA STREET LIGHTING DISTRICT.

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

1. FIND that a majority protest exists in the Street Lighting Maintenance Assessment District and therefore the assessment cannot be enacted.
2. PRESENT and ADOPT the accompanying ORDINANCE abandoning all proceedings relating to the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).
3. INSTRUCT the Director, Bureau of Street Lighting, to assure that the streetlights are not installed or are removed if previously installed.

(Public Hearing held November 23, 2005)

ITEM NO. (13) - PUBLIC HEARING CLOSED - ADOPTED

05-1816

CD 4

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of WHIPPLE STREET AND SATSUMA AVENUE LIGHTING DISTRICT.

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

1. FIND that a majority protest exists in the Street Lighting Maintenance Assessment District and therefore the assessment cannot be enacted.
2. PRESENT and ADOPT the accompanying ORDINANCE abandoning all proceedings relating to the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).
3. INSTRUCT the Director, Bureau of Street Lighting, to assure that the streetlights are not installed or are removed if previously installed.

(Public Hearing held November 23, 2005)

ITEM NO. (14) - PUBLIC HEARING CLOSED - PROTESTS DENIED - ADOPTED

04-2142-S1

CD 6

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of OLINDA STREET AND SUNLAND BOULEVARD NO. 2 LIGHTING DISTRICT.

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

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

(Public Hearing held November 23, 2005)

Items for Which Public Hearings Have Been Held - Items 15-53

ITEM NO. (15) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATION - FORTHWITH - SEE FOLLOWING

Roll Call #9 - Motion (Garcetti - Parks) Adopted, Ayes (15)

05-2138

COMMUNICATION FROM THE MAYOR relative to the appointment of Mr. Cecil L. Murray to the Los Angeles Homeless Services Authority (LAHSA).

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. Cecil L. Murray to LAHSA for the term ending June 30, 2007 to fill the vacancy created by the removal of Ms. E. Felicia Brannon, is APPROVED and CONFIRMED. (Commission Gender Composition: M=2; F=3)

Ethics Commission Review: Pending

(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 the appointment of Mr. Cecil L. Murray to the Los Angeles Homeless Services Authority (LAHSA).

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. Cecil L. Murray to LAHSA for the term ending June 30, 2007 to fill the vacancy created by the removal of Ms. E. Felicia Brannon, is APPROVED and CONFIRMED, subject to the review of Mr. Murray's Economic Interest Statement by the City Ethics Commission. (New Commission gender composition: M=2; F=3)

Ethics Commission Review: Pending

ITEM NO. (16) - ADOPTED - FORTHWITH

Roll Call #10 - Motion (LaBonge - Garcetti) Adopted, Ayes (15)

05-2459

CD 4 HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the Mayor's appointment of Ms. Lisa L. Sugino to the Affordable Housing Commission.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Lisa L. Sugino to the Affordable Housing Commission for the term ending June 30, 2009 to fill the vacancy created by the resignation of Ms. Jan Breidenbach, is APPROVED and CONFIRMED. Ms. Sugino resides in Council District Four. (Current Commission Gender Composition: M=4; F=3)

Ethics Commission Review: Not required.

TIME LIMIT FILE - JANUARY 2, 2006

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

ITEM NO. (17) - ADOPTED - FORTHWITH

Roll Call #11 - Motion (Rosendahl - Garcetti) Adopted, Ayes (10); Noes: Hahn, Parks, Perry, Smith and Zine (5)

05-2217

CD 11 HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the appointment of Ms. Ramona Ripston to the Los Angeles Homeless Services Authority (LAHSA).

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Ramona Ripston to LAHSA for the term ending June 30, 2007 to fill the vacancy created by the removal of Ms. Christianne Kerns, is APPROVED and CONFIRMED. Ms. Ripston is a resident of Council District 11. (Commission Gender Composition: M=2; F=3)

Ethics Commission Review: Complete

ITEM NO. (18) - ADOPTED - FORTHWITH

Roll Call #12 - Motion (Huizar - Garcetti) Adopted, Ayes (15)

05-2460

CD 14 HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the appointment of Mr. Ref Rodriguez to the Rent Adjustment Commission.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. Ref Rodriguez to the Rent Adjustment Commission for the term ending May 20, 2006 to fill the vacancy created by the resignation of Mr. Daniel Gryczman, is APPROVED and CONFIRMED. Mr. Rodriguez resides in Council District 14. (Commission Gender Composition: M=3; F=4)

Ethics Commission Review: Complete

TIME LIMIT FILE - JANUARY 2, 2006

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

Roll Call #6 - Motion (Weiss - Smith) Adopted, Ayes (14); Absent: Garcetti (1)
(Item Nos. 19-20)

ITEM NO. (19) - ADOPTED - TO THE MAYOR FORTHWITH

04-2480

CDs 1, 4 & 10 HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to the reconfirmation procedure for the Wilshire Center Merchant-Based Business Improvement District (BID).

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

1. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION confirming the Wilshire Center BID Annual Report and levying an annual assessment for the Wilshire Center BID's fourth operating year, January 1, 2006 to December 31, 2006.
2. INSTRUCT the City Clerk, subject to approval by the City Attorney as to form and legality, to schedule, prepare, publish, and mail the public hearing notice, as required by the provisions of Section 36500 et seq. of the California Streets and Highways Code.
3. REQUEST the City Attorney, with the assistance of the City Clerk to prepare an enabling ordinance levying the special assessment for the Wilshire Center BID's 11th operating period beginning January 1, 2006 to December 31, 2006.

4. AUTHORIZE the City Clerk to prepare, execute and administer a contract between the City and the Wilshire Center Business Improvement Corporation to administer the Wilshire Center BID, subject to the approval of the City Attorney as to form and legality, and if the Ordinance reconfirming the BID is adopted.
5. REQUEST the Controller to provide, if necessary and available, an advance against the Wilshire Center BID 2006 assessment revenue in the amount of \$215,754.12 representing 25 percent of the anticipated BID revenue receipts, to Wilshire Center Business Improvement District, Inc., if the Ordinance reconfirming the BID is adopted.

Fiscal Impact Statement: The City Clerk reports that this action will not impact the General Fund. This is a merchant-based BID and there are no assessments for City-owned properties within the BID. City Clerk administrative expenses will be charged to the BID and will be recovered from assessments collected. The amount of recoverable costs for the BID's eleventh fiscal year will be \$25,890.49 or 3 percent (2 percent plus an additional 1 percent for processing of billing for a total of 3 percent) of the BID's annual assessments revenue.

ITEM NO. (20) - ADOPTED

00-1412

EXEMPTION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION amending the Los Angeles Administrative Code (LAAC) relative to qualifications for the composition of the Cultural Heritage Commission.

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

1. FIND that this action is exempt from California Environmental Quality Act (CEQA) pursuant to Section 15378 under CEQA Guidelines.
2. PRESENT and ADOPT the accompanying ORDINANCE amending Section 22.121 of the LAAC relating to the qualifications for the composition of the Cultural Heritage Commission.

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

ITEM NO. (21) - ADOPTED

Roll Call #14 - Motion (Hahn - Reyes) Adopted, Ayes (15)

05-1225

CD 15 NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to amending the Los Angeles Municipal Code (LAMC) to permit and regulate the storage of cargo containers.

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

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the 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. 05-1225 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 Negative Declaration [ENV 2005-1781ND] filed April 8, 2005.
2. ADOPT the October 20, 2005 FINDINGS of the Director of Planning as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the Director of Planning, amending Sections 12.03, 12.19, 12.20, 12.21 and 12.26 of the LAMC to permit and regulate cargo container storage yards.

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

ITEM NO. (22) - ADOPTED

Roll Call #6 - Motion (Weiss - Smith) Adopted, Ayes (14); Absent: Garcetti (1)

05-1974

CD 6

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 9350 Laurel Canyon Boulevard and 12740 Branford Street.

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

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the lead agency City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 05-1974 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV 2004-3486 MND REC] filed April 8, 2005.
2. ADOPT the December 9, 2005 FINDINGS of the Director of Planning 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 to the Sun Valley-La Tuna Canyon Community Plan from Low Residential to Low Medium I Residential on Proposed Lot No. 1 of Tentative Tract No. 61191 for the development of 79 condominium units, including 74 detached units for the (T)(Q)RD3-1 zoned area (Proposed Lot No. 1) and 5 detached units within the proposed (T)(Q)RD6-1 zoned area (Proposed Lot No. 2). The units will be two stories, with 158 parking spaces, including 54 guest parking spaces, on a 259,231 net square foot lot for property at 9350 Laurel Canyon Boulevard and 12740 Branford Street - Periodic Plan Review - Window 145 - North Valley - Geographic Area No. 1.

Applicant: Jim Brewer, Spiegel Development, Inc. CPC 2004-3485 ZC GPA PPR

4. PRESENT and ADOPT the accompanying ORDINANCE, approved by the Director of Planning, effecting a Zone Change from A2-1 to (T)(Q)RD3-1 on Proposed Lot No. 1 and (T)(Q)RD6-1 on Proposed Lot No. 2 of Tentative Tract No. 61191, respectively for property at 9350 Laurel Canyon Boulevard and 12740 Branford Street. The Committee modified Conditions Nos. A3 and A7 as shown in the attachment to this Committee report, and as attached to Council file No. 05-1974.

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. NOT PRESENT and ORDER FILED the ordinance approved by City Planning Commission on May 27, 2005.
7. INSTRUCT the Planning Department to update the General Plan and appropriate maps pursuant to this action.
8. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.
9. ADVISE the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
10. ADVISE the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination filing.

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

TIME LIMIT FILE - DECEMBER 19, 2005

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

ITEM NO. (23) - ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #18 - Motion (Huizar - LaBonge) Adopted, Ayes (12); Absent: Cardenas, Reyes and President Padilla (3)

04-1530

TRANSPORTATION COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to amending Division N, O and W of Chapter VIII of the Los Angeles Municipal Code (LAMC) to prohibit or limit parking on certain City streets on Red Flag Alert days.

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

1. PRESENT and ADOPT the accompanying ORDINANCE to add a new Section 80.72 and amending Sections 80.76.2 and 89.60 of Chapter VIII of the LAMC to prohibit or limit parking on certain streets on Red Flag Alert days.
2. DIRECT the Department of Transportation, Los Angeles Fire Department and the City Administrative Officer (CAO) to report back to the Transportation and Budget and Finance Committees in 30 days relative to the status of posting signs to limit parking pursuant to the Ordinance as described above in Recommendation No. 1 and to also report on the fiscal impacts of posting said signs.

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

Roll Call #6 - Motion (Weiss - Smith) Adopted, Ayes (14); Absent: Garcetti (1)
(Item Nos. 24-27)

ITEM NO. (24) - ADOPTED

05-2335

CDs 6
& 12

TRANSPORTATION COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to raising the existing prima facie speed limit on Woodley Avenue between Rinaldi Street and Victory Boulevard from 35 to 40 miles per hour.

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

PRESENT and ADOPT the accompanying ORDINANCE amending Section 80.81 of the Los Angeles Municipal Code to raise the existing prima facie speed limit on Woodley Avenue between Rinaldi Street and Victory Boulevard from 35 to 40 miles per hour.

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

ITEM NO. (25) - ADOPTED

04-1729

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to a proposed Amendment to Contract No. 2936 with URS Corporation for as-needed Environmental Consulting Services.

Recommendation for Council action:

AUTHORIZE the President and Secretary, Board of Recreation and Park Commissioners, to execute proposed Amendment No. 2 to Contract No. 2936 with URS Corporation for as-needed Environmental Consulting Services thereby extending the term by three years and increasing the maximum allowable compensation by \$300,000, substantially as attached to the City Administrative Officer (CAO) report dated October 6, 2005, subject to the review of the City Attorney as to form and legality.

Fiscal Impact Statement: The CAO reports that funding for the as-needed environmental consulting services provided by URS Corporation is available within the individual project budgets. There is no additional impact on the General Fund. This recommendation is in compliance with the City Financial Policies in that one-time revenues will be used to fund one-time expenditures.

ITEM NO. (26) - ADOPTED

02-0943

CD 15

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to a proposed Lease Agreement with the Wilmington Jaycees Foundation, Inc. for the operation of the Wilmington Senior Citizen Center.

Recommendation for Council action:

AUTHORIZE the President and Secretary, Board of Recreation and Park Commissioners, to execute a proposed Lease Agreement with the Wilmington Jaycees Foundation, Inc., a California non-profit corporation, for the operation and maintenance of the Wilmington Senior Citizen Center for a term from execution date through June 30, 2006, substantially as attached to the City Administrative Officer (CAO) report dated October 4, 2005, subject to the review of the City Attorney as to form and legality.

Fiscal Impact Statement: The CAO reports that the Wilmington Jaycees Foundation, Inc. will operate and maintain the Wilmington Senior Citizen Center at no cost to the City. There is no impact on the General Fund.

ITEM NO. (27) - ADOPTED

05-2401

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to a proposed Amendment to Contract No. 2934 with Frank R. Webb Architects, Inc. for as-needed Architectural Design Services.

Recommendation for Council action:

AUTHORIZE the President and Secretary, Board of Recreation and Park Commissioners, to execute the proposed Amendment to Contract No. 2934 with Frank R. Webb Architects, Inc. for as-needed Architectural Design Services thereby extending the term by five years and increasing the maximum allowable compensation by \$600,000, substantially as attached to the City Administrative Officer (CAO) report dated October 28, 2005, subject to the review of the City Attorney as to form and legality.

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

ITEM NO. (28) - ADOPTED - FORTHWITH

Roll Call #20 - Motion (LaBonge - Hahn) Adopted, Ayes (12); Absent: Cardenas, Parks and Reyes (3)

04-0260

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to the roles, responsibilities, financial relationships, and related matter between support groups and City departments.

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

1. INSTRUCT the Department of Aging, the Animal Services Department, the Commission for Children, Youth and Their Families, the Cultural Heritage Board, the Department on Disability, El Pueblo de Los Angeles Historic Monument Authority Department, Library Department, the Department of Recreation and Parks, the Department of the Zoo, and any other appropriate City department, to:
 - a. Identify and inventory all entities which provide support in any form to their respective departments and to report this information to the Arts, Parks, Health and Aging Committee.
 - b. Draft a Memorandum of Agreement (MOA) with their respective support groups that defines the roles, responsibilities, and financial relationships between the support group and the City department which includes, at a minimum, the purpose of the support group, the use of City facilities, indemnification, and the need for financial accounting.
 - c. Submit an annual financial accounting of all activities with, between, and/or related to their respective support group(s).

2. REQUIRE that all subsequent MOAs be:

- a. Signed by both the support group and the department.
- b. Approved by the appropriate Commission and/or the City Council as required by the City Charter.
- c. Subject to the review of the City Attorney as to form and legality.

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

ITEM NO. (29) - ADOPTED, *AS AMENDED - SEE FOLLOWING

Roll Call #21 - Motion (Smith - Hahn) to Adopt as Amended, Ayes (12); Absent: Cardenas, Parks and Reyes (3)

03-0509

BUDGET AND FINANCE COMMITTEE REPORT relative to the sale of Department of Transportation (LADOT) surplus equipment to the Watts Labor Community Action Committee (WLCAC) for the amount of \$1.00 each.

Recommendations for Council action, as initiated by Motion (Hahn - Parks):

1. INSTRUCT the LADOT to offer for sale for \$1.00 each to the WLCAC the following equipment which has been determined to be surplus:

<u>Vehicle</u>	<u>Vehicle Identification Number</u>
1997 Ford 20 Passenger Van	1FDLE40S7VHC02572
1997 Ford 20 Passenger Van	1FDLE40S0VHC02574

Office Equipment

- (2) 16 mg upgrade for PC
- (1) Net server
- (2) Work server
- (1) Printer - HP desk jet
- (1) Printer - Epson
- 50 percent Midas - pt software

*2. REQUEST the City Attorney to expedite preparation of the appropriate documents to effectuate the sale and transfer of the above identified surplus equipment at below market value to the WLCAC, and to notify the Councilmember of the 15th District when this is complete.

- *3. INSTRUCT the City Clerk to inform the WLCAC that the equipment must be claimed within 60 days from the date of the Council approval of the request, at which time it will revert to the City's surplus equipment pool for processing by the Department of General Services.

*(Parks - Hahn)

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

Roll Call #6 - Motion (Weiss - Smith) Adopted, Ayes (14); Absent: Garcetti (1)
(Item Nos. 30-34)

ITEM NO. (30) - ADOPTED

03-2518

BUDGET AND FINANCE COMMITTEE REPORT relative to allocation of Parking Occupancy Tax revenue, generated as a result of a settlement offer from the Los Angeles Memorial Coliseum Commission, to the Exposition Park Intergenerational Community Center.

Recommendation for Council action:

RECEIVE and FILE the Motion (Parks - Perry) relative to allocation to the Exposition Park Intergenerational Community Center, of all funds received as a result of the settlement offer from the Los Angeles Memorial Coliseum Commission to begin collecting Parking Occupancy Taxes at seven parking lots owned or operated by the Commission, inasmuch as the City Attorney has opined that dedicating Parking Occupancy Taxes might create a "special tax" which would require voter approval under Proposition 218, therefore no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (31) - ADOPTED

04-1804

BUDGET AND FINANCE COMMITTEE REPORT relative to Fair Labor Standards Act (FLSA) lawsuits filed against the City, associated settlement amounts, and identification of departments alleged to be non-compliant.

Recommendations for Council action, pursuant to Motion (Parks - Padilla):

1. REQUEST the City Attorney to report back to the Budget and Finance Committee relative to the number of FLSA lawsuits filed against the City and the associated settlement amounts. The report should include a discussion of, and recommendations on, the impact of any proposed rules or regulations that should be anticipated that could lead to future compliance violations and subsequent fines.

2. INSTRUCT the Personnel Department to provide a basic profile of City departments generating alleged FLSA compliance violations and what corrective actions, if any, have been taken to resolve these issues.

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

ITEM NO. (32) - ADOPTED

04-2619

BUDGET AND FINANCE COMMITTEE REPORT relative to amending the Los Angeles Municipal Code (LAMC) to give priority to requests from non-profit organizations headquartered in the City of Los Angeles and which provide services to City residents.

Recommendations for Council action:

1. AMEND the Council's action of April 19, 2005, relative to the City's Financial Policies to substitute the following recommendation:

"Adopt a policy whereby future surplus equipment and vehicles will be sold at current market rates to both profit and nonprofit entities, with an exception for nonprofit organizations specifically established to accomplish the work and service to Los Angeles residents on behalf of City Departments (i.e. Police Explorer Scouts)."

2. RECEIVE and FILE the Motion (Smith - Zine) relative to amending the LAMC to give priority to requests from non-profit organizations headquartered in the City of Los Angeles and which provide services to City residents, inasmuch as the City's Financial Policies allow below market value sales of City surplus equipment to non-profit organizations located in the City and serving City residents, and no further Council action is required.

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

ITEM NO. (33) - ADOPTED

05-1822

05-0674

05-0442

05-0732

BUDGET AND FINANCE COMMITTEE REPORT relative to suspension of the effective date of the City's Financial Policies, as it relates to Motions introduced in Council prior to April 19, 2005, concerning surplus equipment and vehicle sales.

Recommendations for Council action, pursuant to Motions (Perry - Parks), (Greuel - Perry) and (LaBonge - Miscikowski):

1. AUTHORIZE the below market value sale of one 1994 Ford passenger van (Equipment No. 16660) to AIDS/HIV Health Alternatives for \$1.00, and that the Council FIND this sale and transfer of surplus equipment fulfills a humanitarian purpose, is of benefit to the City, and that the City is receiving adequate compensation for such equipment.
2. AUTHORIZE the below market value sale of 250 cellular phones to the Wireless Foundation for \$1.00, to permit the proposed sale of 250 surplus cell phones to The Wireless Foundation of Washington, D.C., and find this sale and transfer of surplus equipment fulfills a humanitarian purpose, is of benefit to the City, and that the City is receiving adequate compensation for such equipment; and further, REQUEST the Wireless Foundation to provide a minimum of 250 working cell phones to victims of domestic violence who are residents of the City of Los Angeles.
3. AUTHORIZE to the below market value sale of one Van Pelt Fire Engine (Equipment No. 60358) for \$1.00, to permit the proposed sale to the Capistrano-Laguna Beach Regional Occupational Program, and find this sale and transfer of surplus equipment fulfills a humanitarian purpose, is of benefit to the City, and that the City is receiving adequate compensation for such equipment.
4. REQUEST the City Attorney to expedite preparation of the appropriate documents to effectuate the sale and transfer of the above identified surplus equipment at below market value to the following organizations and to notify the Chief Legislative Analyst (CLA), or designee, to notify the affected Council Districts, AIDS/HIV Health Alternatives, The Wireless Foundation, and the Capistrano-Laguna Beach Regional Occupational Program. Further, REQUEST the City Attorney to expeditiously prepare any other contracts for Motions which have been previously approved by the Council for below market value surplus equipment sales to non-profit organizations.
5. INSTRUCT the City Clerk to inform the following organizations that the equipment must be claimed within 60 days from the date Council approves the request, at which time it will revert to the City's surplus equipment pool for disposal by the Department of General Services: AIDS/HIV Health Alternatives, The Wireless Foundation, Capistrano-Laguna Beach Regional Occupational Program.

Fiscal Impact Statement: The CLA reports that adoption of the Motions (Perry - Parks), (Greuel - Perry), and (LaBonge - Miscikowski), authorizing the sale of surplus equipment at less than market value, will result in the General Fund receiving \$3.00.

ITEM NO. (34) - ADOPTED

05-2349

BUDGET AND FINANCE COMMITTEE REPORT relative to the sale of Department of Public Works decommissioned vehicles and equipment to the City of Ensenada for the amount of \$1.00 each.

Recommendations for Council action, pursuant to Motion (Padilla - Parks):

1. AUTHORIZE the sale of the following Department of Public Works decommissioned equipment from the City's salvage inventory to the City of Ensenada for the amount of \$1.00 each and find that this sale and transfer of surplus equipment fulfills one of the objectives of mutual cooperation and that the City is receiving adequate compensation for such equipment:

Two refuse collection trucks
One motor grader loader
One dump truck
1000 automated containers

2. WAIVE the Financial Policies applicable to the sale of salvage equipment, inasmuch as this mutual cooperation initiative had been in process since November 2004, prior to the adoption of the Financial Policies on April 19, 2005.

3. REQUEST the City Attorney to expedite preparation of the appropriate documents to effectuate the sale and transfer of the above identified surplus equipment at below market value to the City of Ensenada, and to notify the Council member of the 7th District when this is complete.

4. INSTRUCT the City Clerk to inform the City of Ensenada that the equipment must be claimed within 60 days from the date of Council approval of the request, at which time it will revert to the City's surplus equipment pool for processing by the Department of General Services.

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

ITEM NO. (35) - ADOPTED

Roll Call #22 - Motion (LaBonge - Hahn) Adopted, Ayes (12); Absent: Cardenas, Parks and Reyes (3)

02-1511

CD 15 COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to the Harbor Department's Fiscal Year (FY) 2005-06 Debt Accountability Report and FY 2005-06 Budget and Capital Plan.

Recommendation for Council action:

NOTE and FILE the Harbor Department's FY 2005-06 Debt Accountability Report and FY 2005-06 Budget and Capital Plan, inasmuch as the reports are submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

Roll Call #6 - Motion (Weiss - Smith) Adopted, Ayes (14); Absent: Garcetti (1)
(Item Nos. 36-38)

ITEM NO. (36) - ADOPTED

04-2121

COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to the Department of Water and Power's Agreement with Itron, Inc.

Recommendations for Council action:

1. INSTRUCT the Department of Water and Power (DWP) to revise the Board of Water and Power Commissioners' request and Resolution to reflect a cost of \$1,295,026.
2. CONCUR in the Board of Water and Power Commissioners' Resolution No. 006-068 and APPROVE Agreement No. 47455-6 with Itron, Inc., to provide the DWP with software upgrades and maintenance, training and license renewals.

Fiscal Impact Statement: The City Administrative Officer reports that the proposed Agreement will not have a financial impact on the City's General Fund. This Agreement is budgeted and will continue to be budgeted for the duration of the Agreement from the Power Revenue Fund for an amount not to exceed \$1,295,026 over five years. Since the proposed Agreement will not impact the City's General Fund, the City's Financial Policies are not applicable.

ITEM NO. (37) - ADOPTED

05-2561

CDs 6 & 12 CATEGORICAL EXEMPTION, COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to a lease between the City of Los Angeles and National Helicopter Service and Engineering Company.

Recommendation for Council action:

1. FIND that the recommended action is exempt from the requirements of the California Environmental Quality Act (CEQA) as provided by Article III, Class 1 (18)(c) of the Los Angeles City CEQA Guidelines.
2. CONCUR in the Board of Airport Commissioners' action on October 13, 2005, Board Order AO 4979, and APPROVE the First Amendment to Lease VNA-7770 between the City of Los Angeles and National Helicopter Service and Engineering Company, covering property at 16750 Roscoe Boulevard at the Van Nuys Airport (VNY), to authorize the 1995-2000 and 2000-2005 aviation land rental rates at the VNY and make technical corrections to the dates for the midterm adjustment period of those rates.

Fiscal Impact Statement: The City Administrative Officer reports that there is no impact on the General Fund. Since the Department of Airports is only bound by the City Debt Management Policies, the City Financial Policies are not applicable. The minimum total revenue to the Airport Revenue Fund if the rate were to remain the same over the remaining term would be \$394,106. In addition, the Department will receive the amount past due plus interest of \$35,381 for a total projected revenue of \$429,487.

ITEM NO. (38) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS
- SEE FOLLOWING

05-2456

COMMUNICATION FROM THE BOARD OF PUBLIC WORKS relative to Contract Amendment No. 1 with qualifying firms to provide as-needed consultant services for the implementation of the Automation Master Plan for the Wastewater Program.

(Environmental Quality and Waste Management 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 background reports and materials related to this matter, please contact the Legislative Assistant for the Environmental Quality and Waste Management Committee at 213-978-1078.)

ADOPTED

ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE REPORT relative to Contract Amendment No. 1 with qualifying firms to provide as-needed consultant services for the implementation of the Automation Master Plan for the Wastewater Program.

Recommendation for Council action:

AUTHORIZE the Board of Public Works (BPW) to execute Contract Amendment No. 1 to extend the contract for two years, for a total contract term of five years, with the seven firms that qualified to provide as-needed professional services for Software Engineering, System Integration, Local and Wide Area Network and Server Design, Automation and/or Construction Management, Database and Training Services, as required to assist the Bureau of Sanitation in implementing the Automation Master Plan for the Wastewater Program.

Fiscal Impact Statement: The BPW reports that the cost estimate for the additional automation projects is \$2,000,000. Funds in the amount of \$1,000,000 are available in Fund 760, Department 50, Account Y282 Object 304, titled "Contractual Services" for Fiscal Year 2005-06. Additional funds are included in Fiscal Year 2006-07 budget. The cost of this amendment is funded by the Sewer Construction and Maintenance Fund. There is no General Fund impact.

ITEM NO. (39) - CONTINUED TO DECEMBER 21, 2005

Roll Call #5 - Motion (Perry - Reyes) Adopted to Continue, Ayes (12); Absent: Garcetti, Parks and Smith (3)

05-2165

CD 9 CONTINUED CONSIDERATION OF COMMUNICATION FROM THE ACTING CHIEF EXECUTIVE OFFICER, COMMUNITY REDEVELOPMENT AGENCY relative to the amended and restated Owner Participation Agreement for the development of a mixed-use project known as the Metropolis located between the Harbor Freeway, James M. Wood Boulevard, Francisco Street, and Eighth Street.

(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.)

(Continued from the Council meeting on November 30, 2005)

Roll Call #6 - Motion (Weiss - Smith) Adopted, Ayes (14); Absent: Garcetti (1)
(Item Nos. 40-50)

ITEM NO. (40) - ADOPTED

05-2185

CD 6 HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to an amended and restated loan agreement with Arminta Square Limited Partnership for the Arminta Square Development.

Recommendation for Council action, as initiated by Motion (Cardenas - Garcetti):

AUTHORIZE the General Manager, Los Angeles Housing Department (LAHD), or designee, to:

a. Negotiate and execute an amended and restated loan agreement with Arminta Square Limited Partnership for permanent financing, said loan agreement shall include the following terms:

- 1) A new promissory note in the amount of \$1,160,000 to bear simple interest at 6 percent per annum and to be amortized over 30 years with 23 monthly payments on the principal with one balloon payment at the end of 24 months.

- 2) A new promissory note in the amount of the outstanding accrued interest on the previous loan at the time the new loan closes (\$803,802.59 as of September 29, 2005) to bear simple interest at 0 percent, and to be deferred with one balloon payment at the end of 24 months.
- 3) The above promissory Notes are to be secured by the property located at 11050 Arminta Street.
- 4) An amended regulatory agreement restricting rents is to be recorded against property located at 11050 Arminta Street and shall contain the following restrictions for 55 years.
 - a) Six of the 18 units are to be restricted to households with income no greater than 60 percent.
 - b) Four of the 18 units are to be restricted to households with income no greater than 80 percent.
- b. Write off any interest that may accrue on the original loan if the closing of the new loan occurs after October 31, 2005 and the delay is a result of circumstances beyond the borrowers control.

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

ITEM NO. (41) - ADOPTED

05-2468

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to Los Angeles Housing Department (LAHD) code compliance program funding source changes and other adjustments.

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

1. AUTHORIZE the Controller to:

- a. Transfer funds in the amount of \$1,650,000 from the Rent Stabilization Fund No. 440, Account W143 (Housing) to the Systematic Code Enforcement Fee Trust Fund No. 41M, Account No. W143 (Housing).
- b. Transfer appropriations as follows:

	<u>Fund</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
From:	440	W143	Housing	\$37,280
	41M	W143	Housing	\$ 9,320
To:	440	Y143	Housing	\$37,280
	41M	Y143	Housing	\$ 9,320

- c. Increase appropriations in Fund No.100, Department 43, Account 3040 (Contractual Services) in the amount of \$46,600.
 - d. Expend funds upon written demand from the General Manager, LAHD.
2. AUTHORIZE the General Manager, LAHD, or designee, to make any technical adjustments consistent with this action, subject to the approval of the City Administrative Officer (CAO); and AUTHORIZE that the Controller to implement these instructions.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. Funding is provided from the Rent Stabilization and the Systematic Code Enforcement Fee Trust Funds.

ITEM NO. (42) - ADOPTED

05-0576

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to a list of qualified contractors for housing studies and research services for the Los Angeles Housing Department (LAHD).

Recommendations for Council action:

1. APPROVE the results of the Housing Studies and Research Request for Qualifications (RFQ), with only those respondents scoring a minimum of 65 points out of a 100-point scale, or at a level established by the Council, eligible to receive future contract awards.
2. INSTRUCT the General Manager, LAHD, or designee(s) to:
 - a. Develop an internal RFQ policy that includes standards for the evaluation, scoring and selection of respondents, including the establishment of a minimum qualifying level relevant to all internal scales used by the LAHD to evaluate and rank RFQ respondents.
 - b. Submit the internal policy described above for Council and Mayor review within 45 days.
 - c. Provide a full narrative justification to the City Administrative Officer (CAO) that includes applicable support documentation with all contract execution requests, whenever the recommended contractor is not one of the three highest ranking RFQ respondents for the study or research category at issue.
3. DIRECT the LAHD to report back to the Housing, Community and Economic Development Committee with a list of the firms solicited to respond to the RFQ to conduct research, housing studies, and technical reports.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. In 2005-06, a total of \$150,000 in funds is provided from the 31st Program Year Community Development Block Grant to support contracts awarded under the Housing Studies and Research Request for Qualifications. Use of this funding complies with City financial policies in that it is continuing off-budget grant revenue received via entitlement funding allocations by the U.S. Department of Housing and Urban Development. LAHD is in the process of determining the scope of services and appropriate funding level for the Ellis Act Study. Subject to Council and Mayor approval, the LAHD will use \$50,000 to \$75,000 from the Rent Stabilization Trust Fund for the Ellis Act Study.

ITEM NO. (43) - ADOPTED

05-2568

CD 1

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to Community Redevelopment Agency (CRA) Disposition and Development Agreement for a ground lease with Pico Union Housing Corporation for the relocation of two buildings for restoration and operation of educational and construction trade apprenticeship programs.

Recommendation for Council action:

CONCUR in the action of the CRA Board of Commissioners taken at its meeting held November 17, 2005, relative to the CRA executing a Disposition and Development Agreement with Pico Union Housing Corporation, providing for a 25-Year ground lease, with an option for an additional 25 years, at the CRA-owned land at 1115 South Alvarado Street, so that Pico Union Housing Corporation may relocate two turn of the century residential structures for restoration and operation of education and construction apprenticeship programs.

Fiscal Impact Statement: The Chief Legislative Analyst reports that this action will not impact the General Fund. No CRA funds will be used for this action.

ITEM NO. (44) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS
- SEE FOLLOWING

05-2243

MOTION (REYES - PADILLA) relative to an Interim Control Ordinance to prohibit the issuance of building permits and any other applicable permits for Check Cashier and Check Cashing businesses citywide.

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

(For copies of the reports for this matter, please contact the Legislative Assistant for the Planning and Land Use Management Committee at 213-978-1068)

ADOPTED

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to preparation of an Interim Control Ordinance (ICO) to prohibit the issuance of building and other permits for check cashier and check cashing businesses citywide.

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

1. INSTRUCT the Planning Department, with the assistance of the Los Angeles Police Department to prepare a status report to be presented to the Planning and Land Use Management Committee on the overconcentration of check cashing facilities citywide, and to include in the report a review of security provided at the facilities, hours of operation, reported crime and information on other issues resulting from the land use, and operation of check cashing facilities in the city which may include, but are not limited to incidents of graffiti, loitering, littering, public drinking, or other public nuisances.
2. INSTRUCT Planning Department, with the assistance of the Office of the City Attorney, to prepare and process an ICO, to prohibit the issuance of building permits and any other applicable permits for check cashier and check cashing businesses citywide, and to recommend the appropriate permanent land use regulatory controls to regulate these uses; to include an Urgency Clause making it effective upon publication; and, include that the ICO shall run for one year with two, six-month extensions by Council Resolution, or until the adoption of the appropriate land use regulatory controls have been prepared by the Planning Department, adopted by the Council and become effective, whichever occurs first.
3. INSTRUCT the Planning Department to present the ICO for the review and consideration of the Planning and Land Use Management Committee.

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.

ITEM NO. (45) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS
- SEE FOLLOWING

05-2594

CD 5

COMMUNICATION FROM THE CULTURAL HERITAGE COMMISSION to include the James Goldstein Office at 10100 Santa Monica Boulevard in the list of Historic-Cultural Monuments. CHC 2005-5781 HCM

TIME LIMIT FILE - JANUARY 3, 2006

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

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

(For copies of the reports for this matter, please contact the Legislative Assistant for the Planning and Land Use Management Committee at 213-978-1068.)

ADOPTED

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to inclusion on a non-site specific basis tenant improvements located within Suite 2030 ("James Goldstein Office") at 10100 Santa Monica Boulevard in the list of Historic-Cultural Monuments.

Recommendations for Council action:

1. ADOPT the Findings of the Cultural Heritage Commission as the Findings of the Council, including the finding that the tenant improvements will be disassembled and removed from the building at 10100 Santa Monica Boulevard, Suite 2030, and donated to the John Lautner Foundation .
2. APPROVE the recommendation of the Cultural Heritage Commission (CHC) relative to inclusion, on a non-site specific basis, tenant improvements located within Suite 2030 ("James Goldstein Office") at 10100 Santa Monica Boulevard in the list of Historic-Cultural Monuments.

Applicant: John Lautner Foundation

CHC 2005-5781 HCM

Fiscal Impact Statement: The CHC reports that such designation in and of itself has no fiscal impact. Future applications for permits may cause minimal administrative costs.

TIME LIMIT FILE - JANUARY 3, 2006

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

ITEM NO. (46) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS
- SEE FOLLOWING

01-2349

COMMUNICATION FROM THE EMERGENCY COMMAND CONTROL COMMUNICATIONS TECHNICAL STEERING COMMITTEE relative to interim report on the Proposition M Emergency Command Control Communications System interim operational capability (IOC2) cutover.

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION: Initiation of litigation pursuant to subdivision (c) of Section 54956.9 - one case.

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

(For background reports and materials related to this matter, please contact the Legislative Assistant for the Public Safety Committee at 213-978-1072.)

ADOPTED

PUBLIC SAFETY COMMITTEE REPORT relative to development and implementation of the Emergency Command Control Communications System (ECCCS).

Recommendations for Council action:

1. AUTHORIZE the Chief of the Los Angeles Police Department (LAPD) to execute an amendment to Contract No. C-94580 between the City and Northrop Grumman Commercial Services, Inc. (Northrop Grumman) for the design, development and implementation of the Enhanced ECCCS to extend the term of the agreement for one year, with two one-year extension options at the sole discretion of the City.
2. AUTHORIZE the Chief Legislative Analyst and the City Administrative Officer (CAO) to negotiate an amendment to Contract No. C-94580 to:
 - a. Address the current system development and implementation issues.
 - b. Address the project delay by extending the project schedule by approximately 24 months.
 - c. Establish Northrop Grumman project management improvements.
 - d. Ensure there is no cost to the City associated with current project issues, remedy, or schedule delay.
3. INSTRUCT the Emergency Command Control Communications Technical Steering Committee to report back regularly on the progress of the ECCCS project and negotiations with Northrop Grumman Commercial Services, Inc.

Fiscal Impact Statement: The CAO reports that the adoption of the recommendations contained in its report will not have an impact on the General Fund.

ITEM NO. (47) - ADOPTED

[03-0591-S1](#)

CD 5 TRANSPORTATION COMMITTEE REPORT relative to amending the Century City Approved Neighborhood Traffic Management Plan (CCNTMP).

Recommendations for Council action, pursuant to Motion (Weiss - Rosendahl):

1. APPROVE the following changes to the CCNTMP for the Neighborhood Traffic Management Measures and Arterial Flow Enhancements Phase I:
 - a. ITEM NO. 20 - modify to read, "Reduce northbound green time during AM peak period to meter northbound flow on Motor Avenue at National Boulevard to approximately 600 vehicles per hour. Eliminate one of the two through lanes. Increase northbound left turn green time."
 - b. Remove ITEM NO. 35, "Install All-way stop at Earlmart Drive and Patricia Avenue."
 - c. ITEM NO. 43 - modify the first sentence to read: "Install landscaped median island on Bagley Avenue south of Kincardine Avenue along with a two-way left turn lane extending 500 feet south of Kincardine Avenue."
 - d. ITEM NO. 47 - modify the first sentence to read: "Install landscaped median island on Castle Heights Avenue south of Burgen Avenue."
 - e. Add ITEM NO. 71 - "Remove the Pico Boulevard westbound right turn only lane at Avenue of the Stars."
 - f. Add ITEM NO. 72 - "Convert the Motor Avenue northbound double left turn lanes and single right turn lane at Pico Boulevard to a northbound single left turn lane and double right turn lanes."
2. APPROVE the following changes to the CCNTMP for the Neighborhood Traffic Management Measures and Arterial Flow Enhancements Phase II:
 - a. ITEM NO. 1 - modify to read: "Install landscaped median island on Beverwil Drive between Beverlywood Street and Cattaraugus Avenue. Modify striping and signage as needed."
 - b. ITEM NO. 4 - modify to read: "Install landscaped median on Motor Avenue south of Pico Boulevard. Modify striping and signage as needed."
 - c. ITEM NO. 15 - modify the first sentence to read: "Construct landscaped gateway median island on Manning Avenue north of Ayres Avenue."
 - d. ITEM NO. 19 - modify the first sentence to read: "Construct landscaped gateway island on Prosser Avenue north of Ayres Avenue."
3. APPROVE the following changes to the Council District 5 (CD 5) Recommendations for the CCNTMP:
 - a. Remove ITEM NO. 2 - "Install All-way stop at Earlmart Drive and Patricia Avenue."

4. RESOLVE that the substitutions or additional improvements as described above in Recommendation Nos. 1, 2 and 3 have been made in consultation with the appropriate Council Office and the affected communities and that the LADOT has determined that the said substitutions or additional improvements are consistent with the CCNTMP and fulfill the transportation objectives of the improvement which it is to replace while retaining the integrity of the CCNTMP.

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

ITEM NO. (48) - ADOPTED

05-0184

CD 13 TRANSPORTATION COMMITTEE REPORT relative to installing a traffic signal at the intersection of Santa Monica Boulevard and Tamarind Avenue.

Recommendation for Council action:

NOTE and FILE the November 23, 2005 Department of Transportation (LADOT) report in response to Motion (Garcetti - LaBonge) relative to developing a plan to install a full traffic signal at the intersection of Santa Monica Boulevard and Tamarind Avenue, inasmuch as the LADOT conducted a traffic signal study at the intersection of Santa Monica Boulevard and Bronson Avenue and installed a full traffic signal at said location and activated it on September 29, 2005.

Fiscal Impact Statement: Not applicable.

ITEM NO. (49) - ADOPTED

05-2403

CD 4 TRANSPORTATION COMMITTEE REPORT relative to negotiating a new lease with the Los Angeles County Metropolitan Transportation Authority (MTA) and increasing the paystation daily and overnight permit rates at City Lot 671 at 670 South Detroit Street.

Recommendations for Council action:

1. CONCUR with the October 14, 2004 Board of Transportation Commissioners (Board) report and AUTHORIZE the Department of Transportation to enter into a new parking lease with the MTA for City Lot 671 at 670 South Detroit Street.
2. APPROVE and AUTHORIZE rate increases on the Multi-space Meter Paystation at City Lot 671 as follows:
 - a. The hourly rate from \$0.25 to \$0.50
 - b. The monthly overnight parking permit from \$20.00 to \$30.00

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

ITEM NO. (50) - ADOPTED

05-2477

TRANSPORTATION COMMITTEE REPORT relative to the development and implementation of a communications plan that enables the Department of Transportation (LADOT) to provide real-time information to commuters and receive communications from the public.

Recommendation for Council action, pursuant to Motion (Greuel - LaBonge):

DIRECT the LADOT to report to the Transportation Committee in 30 days on:

- a. The development and implementation of a communications plan that enables the LADOT to provide real-time information to commuters through the media and through the use of enhanced technologies including e-mail alerts and text messages and allows residents to communicate with the LADOT about traffic hazards and other road conditions.
- b. The feasibility and cost of hiring a Public Information Officer to communicate those messages as described above in Recommendation No. 1a.
- c. Potential technologies that would enable the public to communicate with the LADOT.

Fiscal Impact Statement: The LAOT reports that the cost associated with the Motion will be described in future reporting and eligible funding sources will be identified.

ITEM NO. (51) - ADOPTED

Roll Call #23 - Motion (LaBonge - Smith) Adopted, Ayes (12); Absent: Cardenas, Parks and Reyes (3)

05-2478

CD 4

TRANSPORTATION COMMITTEE REPORT relative to establishing a temporary parking lot for transit riders at the southwest corner of Chandler and Lankershim Boulevards.

Recommendations for Council action, as initiated by Motion (LaBonge - Greuel):

1. DIRECT the Department of Transportation (LADOT) and the Bureau of Engineering, in conjunction with any other appropriate department, to contact the Los Angeles County Metropolitan Transportation Authority (MTA) to discuss the feasibility of establishing a temporary parking lot for transit riders at the southwest corner of Chandler and Lankershim Boulevards.
2. DIRECT the LADOT, in cooperation with the MTA, to report back to the Transportation Committee in January 2006 relative to the status of establishing the temporary parking lot at the southwest corner of Chandler and Lankershim Boulevards.

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

ITEM NO. (52)

Roll Call #6 - Motion (Weiss - Smith) Adopted, Ayes (14); Absent: Garcetti (1)

05-1749

BUDGET AND FINANCE and TRANSPORTATION COMMITTEES' REPORTS relative to a feasibility study and cost estimate for installation of a "Smart Crosswalk" on Crenshaw Boulevard between Stocker Street and Martin Luther King, Jr. Boulevard.

ADOPTED

A. BUDGET AND FINANCE COMMITTEE REPORT

Recommendations for Council action, as initiated by Motion (Parks - Perry):

1. APPROVE the installation of "No Pedestrian Crossing" signs on the eastside and westside of Crenshaw Boulevard near the vicinity of the Baldwin Hills Crenshaw Plaza Mall driveway.
2. NOTE and FILE the Department of Transportation (LADOT) reports dated September 2 and October 19, 2005, relative to a "Smart Crosswalk" on Crenshaw Boulevard between Stocker Street and Martin Luther King, Jr. Boulevard, inasmuch as the reports are submitted for information only and no Council action is necessary.

RECEIVED AND FILED

B. TRANSPORTATION COMMITTEE REPORT

Recommendation for Council action, as initiated by Motion (Parks - Perry):

APPROVE the installation of "No Pedestrian Crossing" signs on the eastside and westside of Crenshaw Boulevard near the vicinity of the Baldwin Hills Crenshaw Plaza Mall driveway.

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

ITEM NO. (53) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #19 - Motion (Greuel - LaBonge) to Adopt as Amended, Ayes (12); Absent: Cardenas, Parks and Reyes (3)

03-2062

05-1295

BUDGET AND FINANCE, PUBLIC SAFETY COMMITTEES' REPORTS and COMMUNICATION FROM CHAIR, INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE relative to the proposed consolidation of select departmental security functions into an Office of Public Safety (OPS) in the Department of General Services (GSD).

A. PUBLIC SAFETY COMMITTEE REPORT

Recommendations for Council action:

1. REQUEST the Los Angeles Police Department (LAPD) to include a separate strata for OPS arrest reports in the Fiscal Year 2006-07 LAPD arrest, booking, and charging audit to review compliance with LAPD/GSD MOA arrest provisions and LAPD procedures.
2. INSTRUCT the GSD to develop a process to audit/inspect OPS non-categorical use of force investigations and report recommendations at the first OPS Board meeting.
3. DIRECT the GSD to provide the Office of the Inspector General (OIG) a copy of all OPS misconduct complaints filed within 10 days of their receipt by the OPS.
4. REQUEST the OIG to copy the Los Angeles Police Commission (Police Commission), the OPS Board, and the GSD General Manager on all correspondence to the OPS regarding OPS misconduct compliant issues.
5. REQUEST the GSD, the OPS, and the Executive Director of the Police Commission to develop and implement an OPS Board training day, similar to the training day recently provided to the Police Commission.
6. DIRECT the GSD to post a brief summary of completed OPS arrest and non-categorical use of force and misconduct compliant investigation audits/inspections on its website and to prepare for Police Commission review annual discipline reports summarizing complaints and uses of force investigated, investigation results, and discipline imposed.
7. REQUEST the City Attorney to prepare and present a draft ordinance, with a two-year sunset provision, to establish an Office of Public Safety Board of Commissioners, to meet at least quarterly, consisting of one representative each from the Board of Recreation and Park Commissioners, the Board of Library Commissioners, the Board of Zoo Commissioners, and the Convention Center Board of Commissioners, and the Police Commission for a total of five members to:
 - a. Review audit/inspection reports related to arrests and non-categorical use of force investigations and misconduct complaint investigations.
 - b. Review annual summaries of disciplinary actions related to OPS officers.
 - c. Review OPS officer training plans/programs.
 - d. Monitor adherence to the established OPS policies and procedures.

- e. Provide a public forum for discussion of concerns related to the OPS.
 - f. Monitor compliance with the level of service provisions of the client department of Memoranda of Agreement and the coordination of services to the client departments.
 - g. Provide appropriate recommendations regarding OPS-specific policies and procedures.
8. REQUEST the City Attorney to prepare and present an ordinance amending the Los Angeles Administrative Code to consolidate City security functions into a new Office of Public Safety in the GSD, which will be responsible to provide security, including patrol of buildings, parks, shops, warehouses, and yards, to the following departments: Recreation and Parks, Library, Convention Center, Zoo, and El Pueblo. Request the City Attorney to have this ordinance completed for Council consideration concurrent with the Council's consideration of the OPS consolidation.
 9. AUTHORIZE the GSD to move forward with the implementation of consolidation concurrently with implementation of the oversight measures outlined above.
 10. REQUEST the Los Angeles World Airports (LAWA) and the Harbor Department to report to the Public Safety Committee within 60 days regarding civilian oversight of Airport and Harbor Police Operations.
 11. REQUEST the LAWA and the Harbor Department to include in the reports prepared in accordance with Recommendation no. 10, proposals for strengthening civilian oversight in their departments, as appropriate.
 12. DIRECT the Chief Legislative Analyst (CLA) to review the proposed civilian oversight structures developed pursuant to Recommendations no. 10 and no. 11 and report to Council on the results of the review.
 13. NOTE and FILE the following reports, inasmuch as the subject matter is resolved upon the approval of the above recommendations and no Council action is necessary:
 - a. Mayor transmittal dated October 18, 2005 of the Police Commission report dated October 13, 2005 relative to the revised MOA between the LAPD and the GSD.
 - b. Communication from the GSD dated September 7, 2005 relative to the development of the OPS.
 - c. Communication from the Police Commission dated June 24, 2005 relative to the MOA between the LAPD and the GSD to implement the OPS.

- d. Motion (Greuel - Weiss) relative to amending the MOA between the LAPD and the GSD for the OPS.
- e. City Administrative Officer (CAO) report dated October 29, 2004 relative to consolidation of select departmental security functions into an OPS in the GSD.
- f. GSD report dated August 12, 2004 relative to the proposed staffing and deployment for the OPS.

B. BUDGET AND FINANCE COMMITTEE REPORT

Recommendations for Council action, as initiated by Motion (Greuel - Weiss - Zine):

1. CONCUR with the recommendations of the Information Technology and General Services Committee relative to creation of an OPS in the GSD, as amended by the Budget and Finance Committee to ESTABLISH the Office of the Inspector General as being responsible for review of OPS's arrest reports for compliance with the arrest policies specified in the GSD/Los Angeles Police Department (LAPD) Memorandum of Agreement (MOA).
2. INSTRUCT the GSD to work with the LAPD to report back to the Council in 90 days following implementation of the OPS, on any changes needed to properly implement the MOA. The report should include a review of the effectiveness of the revised pursuit policy.
3. INSTRUCT the GSD to provide quarterly reports to the Council, subsequent to the 90 day implementation report back requested in recommendation No. 2, detailing the performance of the OPS, review of arrests, and any categorical or non-categorical use-of-force incidents.
4. RECEIVE and FILE the Board of Police Commissioners (Board) report dated November 23, 2005, relative to a revised MOA between the LAPD, the Board, and the GSD, inasmuch as the report is submitted for information only and no further Council action is required.

C. COMMUNICATION FROM CHAIR, INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE

Recommendation for Council action:

CONCUR with the recommendations made by the Public Safety Committee at its meeting held October 24, 2005, with the following amendments:

- a. Refer to the proposed Advisory Civilian Oversight Commission as the Advisory Civilian Oversight Committee.

- b. Also refer the requested report backs by the Los Angeles World Airports and the Harbor Departments (Recommendation No. 10 of the Public Safety Committee report) to the Commerce, Energy and Natural Resources Committee (as well as the Public Safety Committee).

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

Community Impact Statement: At its meeting on January 13, 2004, the Greater Griffith Park Neighborhood Council asked the City to delay the consolidation until further study and until such time as the Neighborhood Council receives sufficient information, including financial analyses, in order to make an informed decision. At its meeting on December 3, 2004, the Greater Echo Park Elysian Neighborhood Council requested delay of implementation of the Office of Public Safety until all issues in every department (Parks, Library, Convention Center, other facilities) are resolved to the satisfaction of constituents and the Council Offices.

(Audits and Governmental Efficiency and Personnel Committees waived consideration of the above matter)

ADOPTED

AMENDING MOTION (LABONGE - GARCETTI)

Recommendation for Council action:

INSTRUCT the City Administrative Officer to work toward a goal of 37 Park Rangers in the budget for Fiscal Year 2006-07.

Items for Which Public Hearings Have Not Been Held - Items 54-76 (10 Votes Required for Consideration)

Roll Call #13 - Motion (Zine - Wesson) Adopted, Ayes (15)
(Item Nos. 54-55)

ITEM NO. (54) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION -
FORTHWITH

05-2421

COMMUNICATION FROM THE MAYOR relative to the appointment of Mr. John P. Perez to the Board of Civil Service Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. John P. Perez to the Board of Civil Service Commissioners for the term ending June 30, 2009, is APPROVED and CONFIRMED. Mr. Perez resides in Council District Six. (Current Commission Gender Composition: M=1; F=4)

Ethics Commission Review: Complete

TIME LIMIT FILE - DECEMBER 24, 2005

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

(Personnel Committee waived consideration of the above matter)

ITEM NO. (55) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION - FORTHWITH

05-2454

COMMUNICATION FROM THE MAYOR relative to the appointment of Ms. Sylvia Drew Ivie to the Board of Civil Service Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Sylvia Drew Ivie to the Board of Civil Service Commissioners for the term ending June 30, 2008, is APPROVED and CONFIRMED. Ms. Ivie resides in Council District 10. (Current Commission Gender Composition: M=1; F=4)

Ethics Commission Review: Complete

TIME LIMIT FILE - DECEMBER 29, 2005

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

(Personnel Committee waived consideration of the above matter)

Roll Call #7 - Motion (Weiss - Reyes) Adopted, Ayes (14); Absent: Garcetti (1)
(Item Nos. 56-58)

ITEM NO. (56) - ADOPTED

05-2368

CD 5 COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of COLDWATER CANYON AVENUE AND SARAH STREET LIGHTING DISTRICT.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated October 31, 2005.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of FEBRUARY 15, 2006 as the hearing date for the maintenance of Coldwater Canyon Avenue and Sarah Street Lighting District, in accordance with Proposition 218, Articles XIII C and XIII D of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$721.50 will be collected annually starting with tax year 2005-06 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: February 6, 2006)

ITEM NO. (57) - ADOPTED

05-2471

CD 13

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of ELYSIAN VALLEY LIGHTING IMPROVEMENT, PHASE 1 LIGHTING DISTRICT.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated November 14, 2005.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of FEBRUARY 15, 2006 as the hearing date for the maintenance of Elysian Valley Lighting Improvement, Phase 1 Lighting District, in accordance with Proposition 218, Articles XIII C and XIII D of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$23,590.96 will be collected annually starting with tax year 2005-06 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: February 6, 2006)

ITEM NO. (58) - ADOPTED

04-0621

CD 14

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION establishing a date for hearing protests against the proposed sewer improvement for the project entitled, JESSICA DRIVE (NEAR CLELAND AVENUE) - A'11-SZC11402 (Assessment Sewer Improvement).

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

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Section I, Class 3(5) of the City's Environmental Guidelines.
2. ADOPT the Director, Bureau of Street Lighting Report recommending the sewer improvement on Jessica Drive between Cleland Avenue and Nob Hill Drive with mainline sanitary sewer, house connection sewers (lateral), appurtenant structures, and related work.
3. ADOPT Map A-21000.
4. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting FEBRUARY 10, 2006, as the date for hearing protests against the above sewer improvement under the 1911 Act and pursuant to Section 6.1 to 6.15 of the Los Angeles Administrative Code and conducting an assessment ballot proceedings in accordance with Proposition 218, Article XIID of the California Constitution and Government Code Section 53753; and advising that public funds shall be allocated.

Fiscal Impact Statement: The cost of this improvement in the estimated amount of \$86,086 will be funded through Assessment Bonds to be paid by property owners in the proposed assessment district. An estimated \$41,171 from the Sewer Capital Fund will be the City's contribution for the project. It will be available in the entitled Assessment Act Sewers Account of Fund No. 761, Dept. 50, FY-06.

ITEM NO. (59) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION - ORDINANCE OVER ONE WEEK TO DECEMBER 21, 2005

Roll Call #15 - Motion (Padilla - Garcetti) Adopted, Ayes (12); Noes: Parks and Smith (2); Absent: Reyes (1)

05-1522

COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to adding Chapter XVIII to the Los Angeles Municipal Code (LAMC) to require grocery stores to provide transitional worker retention when these establishments change control.

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

PRESENT and ADOPT the accompanying ORDINANCE adding Chapter XVIII to the LAMC to require grocery stores to provide transitional worker retention when these establishments change control.

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.

(Housing, Community and Economic Development Committee waived consideration of the above matter.)

ITEM NO. (60) - ADOPTED

Roll Call #14 - Motion (Hahn - Reyes) Adopted, Ayes (15)

05-1224

CD 15

NEGATIVE DECLARATION, COMMUNICATION FROM VICE-CHAIR, PLANNING AND LAND USE MANAGEMENT COMMITTEE and ORDINANCE FIRST CONSIDERATION relative to regulating open storage uses on certain industrially zoned properties within the Wilmington-Harbor City Community Plan.

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

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the 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. 05-1224 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 Negative Declaration [ENV 2005-1781ND] filed April 8, 2005.
2. ADOPT the FINDINGS of the City Planning Commission as the Findings of the Council.
3. PRESENT and ADOPT accompanying ORDINANCE, approved by the City Planning Commission, effecting a Zone Change to add [Q] Conditions to regulate open storage uses on certain industrially zoned properties between the Harbor (I-110) Freeway on the west, Lomita Boulevard on the north, Harry Bridges Boulevard and Alameda Street on the south, and Alameda Street to the east, and parcels between Alameda Street, the San Diego Freeway and the City of Carson, within the Wilmington-Harbor City Community Plan. CPC 2003-6962 ZC

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.

Roll Call #7 - Motion (Weiss - Reyes) Adopted, Ayes (14); Absent: Garcetti (1)
(Item Nos. 61-75)

ITEM NO. (61) - ADOPTED

[05-0005-S475](#)

CD 9 RESOLUTION removing the property at 4025-27 1/2 Morgan Avenue from the Rent Escrow Account Program [REAP], (Case No. 4485), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of December 7, 2005. Assessor I.D. No.5117-014-011
Registration No. 0403576

(Notice of Acceptance into the REAP/Rent Reduction Program was released on October 18, 2001)

ITEM NO. (62) - ADOPTED

[05-0005-S476](#)

CD 2 RESOLUTION removing the property at 9915-23 Marcus Avenue a.k.a. 6910-12 Greeley Street from the Rent Escrow Account Program [REAP], (Case No.4872), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of December 7, 2005. Assessor I.D. No.2568-016-001
Registration No. 0383000

(Notice of Acceptance into the REAP/Rent Reduction Program was released on April 25, 2002)

ITEM NO. (63) - ADOPTED

[05-0005-S485](#)

CD 2 RESOLUTION removing the property at 12155-57 Vanowen Street from the Rent Escrow Account Program [REAP], (Case No.5142), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of December 7, 2005. Assessor I.D. No.2321-026-045
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on March 4, 2002)

ITEM NO. (64) - ADOPTED

05-0005-S486

CD 8 RESOLUTION removing the property at 1547-47 1/2 West 59th Place from the Rent Escrow Account Program [REAP], (Case No.7408), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of December 7, 2005. Assessor I.D. No.6002-010-005
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on October 6, 2004)

ITEM NO. (65) - ADOPTED

05-0005-S487

CD 8 RESOLUTION removing the property at 1080-82 West Browning Avenue from the Rent Escrow Account Program [REAP], (Case No.7970), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of December 7, 2005. Assessor I.D. No.5037-025-001
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on December 9, 2005)

ITEM NO. (66) - ADOPTED

05-0005-S488

CD 9 RESOLUTION removing the property at 1374-76 East 46th Street from the Rent Escrow Account Program [REAP], (Case No.8287), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of December 7, 2005. Assessor I.D. No.5107-011-004
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on May 4, 2005)

ITEM NO. (67) - ADOPTED

05-0005-S489

CD 10 RESOLUTION removing the property 2700-04 West Jefferson Blvd a.k.a. 3405-11 South 7th Avenue from the Rent Escrow Account Program [REAP], (Case 8512), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of December 7, 2005.

Assessor I.D. No.5044-016-050
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on October 6, 2005)

ITEM NO. (68) - ADOPTED

05-0005-S490

CD 9 RESOLUTION removing the property 1034-36 1/2 West 60th Place from the Rent Escrow Account Program [REAP], (Case 8531), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of December 7, 2005.

Assessor I.D. No.6003-021-013
Registration No. None

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

ITEM NO. (69) - ADOPTED

05-0005-S491

CD 10 RESOLUTION removing the property 3536 South 10th Avenue a.k.a. 2925-29 West 36th Street from the Rent Escrow Account Program [REAP], (Case 8587), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of December 7, 2005.

Assessor I.D. No.5044-013-013
Registration No. 5114475

(Notice of Acceptance into the REAP/Rent Reduction Program was released on September 6, 2005)

ITEM NO. (70) - ADOPTED

05-0005-S492

CD 10 RESOLUTION removing the property 2700-02 South Palm Grove Avenue from the Rent Escrow Account Program [REAP], (Case 8617), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of December 7, 2005. Assessor I.D. No.5057-009-002
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on September 28, 2005)

ITEM NO. (71) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

05-2608

CD 2 CATEGORICAL EXEMPTION and COMMUNICATION FROM THE BUREAU OF STREET LIGHTING relative to approving the majority petition for Hortense Street and Irvine Avenue Lighting District.

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article VII, Section I, Class 3(10) of the City's Environmental Guidelines.
2. APPROVE granting Mr. Hector Rodriguez Majority 1913 - Improvement Act Assessment Petition for the installation of a modern lighting system at Hortense Street between Irvine Avenue and Colfax Avenue.
3. INSTRUCT the Board of Public Works and the Director, Bureau of Street Lighting to proceed with this project.

Fiscal Impact Statement: The Bureau of Street Lighting reports that the estimated total cost of the project is \$38,400 half of which would be assessed to all properties benefitting street frontage. The other \$19,200 half of the total cost of the project, will be appropriated to this project from the Gas Tax Fund.

ITEM NO. (72) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

04-2172

CD 4 CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for 1117 North Orange Drive.

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article VII, Class 5(5) of the City's Environmental Guidelines.
2. FIND that this acceptance of the irrevocable offer of dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.
3. ADOPT the City Engineer report dated September 29, 2004, and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 1117 North Orange Drive.
4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of \$1,807.23 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of \$1,689 and a seven percent surcharge in the amount of \$118.23 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.

ITEM NO. (73) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

04-2177

CD 4

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for 3021 West Rowena Avenue.

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article VII, Class 5(5) of the City's Environmental Guidelines.
2. FIND that this acceptance of the irrevocable offer of dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.
3. ADOPT the City Engineer report dated September 29, 2004, and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 3021 West Rowena Avenue.
4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of \$1,807.23 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of \$1,689 and a seven percent surcharge in the amount of \$118.23 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.

ITEM NO. (74) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

05-2249

CD 4

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for 8057 Willow Glen Road.

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article VII, Class 5(5) of the City's Environmental Guidelines.
2. FIND that this acceptance of the irrevocable offer of dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.
3. ADOPT the City Engineer report dated October 19, 2005 and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 8057 Willow Glen Road.
4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of \$1,807.23 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of \$1,689 and a seven percent surcharge in the amount of \$118.23 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.

ITEM NO. (75) - ADOPTED

01-1224

CD 9

CONSIDERATION OF MOTION (PERRY - PARKS) relative to funding for the Beautification and Cleanup Program in the Council District Nine Corridors South of the Santa Monica Freeway Recovery Redevelopment Project Area.

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

AUTHORIZE the Controller to APPROPRIATE funds received from the Community Redevelopment Agency in the amount of \$250,000 to the Board of Public Works, Fund No. 100-74, Account No. 3040, Los Angeles Conservation Corps, South Los Angeles Beautification Team to continue the operation of the Beautification and Cleanup Program in the Council District Nine Corridors South of the Santa Monica Freeway Recovery Redevelopment Project Area.

(Housing, Community and Economic Development Committee waived consideration of the matter)

ITEM NO. (76) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #16 - Motion (Weiss - Zine) to Adopt as Amended, Ayes (13); Absent: Reyes and President Padilla (2)

[05-1494-S1](#)

CDs 2, 3, 4, 5 & 11 CONSIDERATION OF MOTION (WEISS - ROSENDAHL) relative to the proposed sale and purchase of tax defaulted properties to the Mountains Recreation and Conservation Authority (MRCA).

Recommendations for Council action:

1. APPROVE, pursuant to Section 3800 of the Revenue and Taxation Code, the sale and purchase prices of the tax defaulted properties identified on the list attached to the Motion attached to Council file for sale to the MRCA at the listed prices and subject to the imposition of these properties of a suitable, binding requirement that they may be maintained as open space in perpetuity.
2. AUTHORIZE the Mayor to execute on behalf of the City any documents necessary to carry out the intent of Motion.

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

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

ADOPTED

AMENDING MOTION (WEISS - ZINE)

Recommendation for Council action:

INCLUDE the additional properties as indicated on the amendment attached to the Council file to the list of tax defaulted properties identified on the Motion attached to the Council file.

Closed Sessions - Items 77-80

Roll Call #25 - Motion (Huizar - Hahn) Adopted in Open Session, Ayes (12); Absent: Cardenas, Parks and Reyes (3)
(Item Nos. 77-79)

ITEM NO. (77) - MEETING NOT HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

05-2458

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(c), to confer with its legal counsel relative to a proposed settlement of franchise fees owed to the City by Time Warner Cable for the years 1997 through 2001.

(Budget and Finance Committee considered the above matter in Closed Session on November 29, 2005)

ADOPTED IN OPEN SESSION

MOTION (HUIZAR - HAHN)

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

1. APPROVE the proposed settlement of franchise fees owed to the City by Time Warner Cable for the years 1997 through 2001 in the amount of \$350,000.
2. AGREE to forego collection efforts on launch fees, marketing support, co-op advertising support, advertising commissions, and FCC regulatory fees, beginning in 2002 and through the end of the present franchise agreement or until a transfer occurs from Time Warner Cable to a new Time Warner Cable-controlled entity, whichever occurs first.
3. AGREE to release all claims to Internet revenue for the years 1997 and through the date of approval of the settlement by the Council and the Mayor. In the event the law is finally resolved in the City's favor, the City may claim Internet revenue as of the date of the approval of the settlement by the Council and the Mayor.

This matter was approved by the Budget and Finance Committee (Parks - Cardenas - Greuel - Rosendahl"yes") at its meeting of November 29, 2005, in Closed Session as permitted by Government Code Section 54956.9(c).

ITEM NO. (78) - MEETING NOT HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

05-2503

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 EMC Mortgage v. Steve Milner, et al., Case No. PC035473. (This matter involves a quiet title action concerning 17742 Rayen Street.)

(Budget and Finance Committee considered the above matter in Closed Session on December 6, 2005)

ADOPTED IN OPEN SESSION

MOTION (HUIZAR - HAHN)

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

AUTHORIZE the City Attorney to enter into a Stipulation of Non-Participation on behalf of the City, which provides that the City agrees to be bound by any judgment provided that such judgment:

- a. Rescinds the Reconveyance of the Deed of Trust;
- b. Provides that the City of Los Angeles' interest in the property is restored to the status it had prior to January 5, 2004;
- c. Does not include any award of damages, costs, or any other relief in favor of any party against the City of Los Angeles.

This matter was approved by the Budget and Finance Committee (Parks - Cardenas - Greuel - Smith "yes") at its meeting of December 6, 2005, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (79) - MEETING NOT HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

05-2583

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 Jorge Hernandez v. City of Los Angeles, et al., United States District Court Case No. CV 04-09262 FMC. (Plaintiff alleges a violation of civil rights arising from Plaintiff's arrest on July 20, 2003, by Los Angeles Police Department officers.)

(Budget and Finance Committee considered the above matter in Closed Session on December 6, 2005)

ADOPTED IN OPEN SESSION

MOTION (HUIZAR - HAHN)

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

1. AUTHORIZE the City Attorney to expend \$300,000 in settlement of the case entitled Jorge Hernandez v. City of Los Angeles, et al., United States District Court Case No. CV 04-09262 FMC, 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 the Law Office of Robert Berke and Jorge Hernandez.

This matter was considered by the Budget and Finance Committee (Parks - Cardenas - Greuel - Smith "yes") at its meeting of December 6, 2005, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (80) - MEETING HELD - CONTINUED TO DECEMBER 20, 2005

Roll Call #27 - Motion (Smith - Rosendahl) Adopted to Continue, Ayes (11); Absent: Parks, Perry, Reyes and Wesson (4)

05-2696

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to case entitled Environmentalism Through Inspiration and Non-Violent Action ("ETINA"), et al., v. City of Los Angeles, Playa Capital Company, LLC, et al., B174856 (Los Angeles Superior Court Case No. BS 073182).

Items for Which Public Hearings Have Been Held - Items 81-82

ITEM NO. (81) - ADOPTED

Roll Call #24 - Motion (Greuel - Hahn) Adopted, Ayes (12); Absent: Cardenas, Parks and Reyes (3)

05-0002-S13

CONTINUED CONSIDERATION OF PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT requesting that the Southern California Association of Governments (SCAG) establish a new sub-region.

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

RESOLVE to REQUEST the SCAG to establish a new sub-region composed at a minimum of that portion of the City situated in the geographic San Fernando Valley and as otherwise described in California Government Code Section 11093 (as amended 2004).

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

ITEM NO. (82) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #26 - Motion (Rosendahl - Greuel) to Adopt as Amended, Ayes (11); Absent: Cardenas, Parks, Reyes and Weiss (4)

03-2337-S1

CD 11 CONTINUED CONSIDERATION OF TRANSPORTATION COMMITTEE REPORT relative to suspending the Wilshire Boulevard peak period bus-only lanes between Federal Avenue and Centinela Avenue.

Recommendations for Council action, as initiated by Motion (Rosendahl - Greuel):

1. DIRECT the Department of Transportation (LADOT) to retain the peak period bus-only lanes between Barrington Avenue and Centinela Avenue without change.
2. DIRECT the LADOT to defer the operation of the peak period bus-only lanes for the two block segment between Federal Avenue and Barrington Avenue, including the westbound approach to Federal Avenue; remove the bus-only lanes and restore Wilshire Boulevard to its previous condition in this segment; and coordinate the reinstallation of the two blocks of the peak period bus-only lanes when the Metropolitan Transportation Authority (MTA) is ready to extend the bus-only lane easterly towards the 405 Freeway.
3. DIRECT the LADOT, in cooperation with the MTA, to report to the Council on the status of securing \$10 million in funding for the repair/resurfacing of the bus lanes on Wilshire Boulevard.
4. DIRECT the LADOT to reinstall the operation of the peak period bus-only lanes for the two block segment between Federal Avenue and Barrington Avenue, including the westbound approach to Federal Avenue when the County of Los Angeles has completed the implementation of its portion of the Wilshire Boulevard Bus Rapid Transit Project (BRT) and with said reinstallation of the peak period bus-only lanes to be performed without requiring further Council approval.
5. RESOLVE that there will be no further suspension, deferment or reduction of the peak period bus-only lanes on Wilshire Boulevard west of Barrington Avenue.
6. RESOLVE that the Wilshire Boulevard peak period bus-only lanes should extend from the City of Santa Monica to Western Avenue and SUPPORT the completion of Wilshire Boulevard BRT Project in its entirety.
7. RESOLVE that between Centinela Avenue and the City's portions of Wilshire Boulevard SUPPORT for the existing peak period parking restrictions.
8. DIRECT the LADOT and REQUEST the MTA to report to Council in 30 days on the status of the Wilshire BRT Project to include specific recommendations and a timeline for completion of said Project.

9. REQUIRE that the Transportation Committee and Council Districts Four, Five, 10, and 11 be represented in any meetings that the LADOT and MTA hold with the other municipalities relative to the implementation of the Wilshire BRT Project.

Fiscal Impact Statement: The LADOT reports that as part of the Wilshire Bus Lanes Demonstration Project, the MTA has agreed to pay for any removal costs for the bus lanes, so there will be no cost to the City for removing the signs and striping in the two block segment fo Wilshire Boulevard.

ADOPTED

AMENDING MOTION (ROSENDAHL - GREUEL)

Recommendation for Council action:

DIRECT the Department of Transportation to:

- a. Begin monthly updates, with the Los Angeles County Metropolitan Transportation Authority (Metro), to the Transportation Committee relative to the status of extending the Wilshire Bus lane beyond the boundaries of Council District Eleven.
- b. Report to the Transportation Committee in 30 days on potential parking alternatives for local businesses that have lost parking spaces due to the implementation of the Wilshire Boulevard peak period bus-only lanes.
- c. Reactivate the Transit Priority System and synchronize the traffic signals for Metrol Rapid Buses at the intersections of Federal Avenue/Wilshire Boulevard and Barrington Avenue/Wilshire Boulevard east of Federal Avenue.

Item for Which Public Hearing Has Not Been Held - Item 83

(10 Votes Required for Consideration)

ITEM NO. (83) - RECEIVED AND FILED

Roll Call #8 - Motion (Greuel - LaBonge) Adopted to Receive and File, Ayes (15)

[01-2399](#)

CD2 CONTINUED CONSIDERATION OF MOTION (GREUEL - LABONGE) relative to declaring the Studio City Holiday Open House and Parade on December 3, 2005 a Special Event (fees and costs absorbed by the City = \$2,110).

Recommendation for Council action:

DECLARE the Studio City Holiday Open House and Parade, sponsored by the Studio City Chamber of Commerce on December 3, 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.

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

02-2802

MOTION (REYES - PERRY) relative to declaring State Senator Gil Cedillo's Toy Giveaway on December 16, 2005 a Special Event (fees and costs absorbed by the City = \$1,200).

05-0035

MOTION (REYES - PERRY) relative to declaring La Curacao's New Year's Celebration on December 31, 2005 through January 1, 2006 a Special Event (fees and costs absorbed by the City = \$2,000).

05-2749

MOTION (PERRY - WEISS) relative to declaring the Community Christmas Party on December 23, 2005 a Special Event (fees and costs absorbed by the City = \$1,226).

02-2790

MOTION (HAHN - LABONGE) relative to declaring the Parents of Watts Annual Christmas Party on December 15, 2005 a Special Event (fees and costs absorbed by the City = \$1,520).

04-2460

MOTION (HAHN - LABONGE) relative to declaring the Parents of Watts Toys for Watts Bike Run on December 10, 2005 a Special Event (fees and costs absorbed by the City = \$1,720).

02-2840

MOTION (PERRY - WEISS) relative to declaring the GIANT Village New Years Eve Open Air Block Party on December 31, 2005 a Special Event (event sponsor to reimburse the City for all fees and costs incurred).

05-2747

MOTION (LABONGE - GARCETTI) relative to the donation of a first-phase digital wireless video surveillance system for Santa Monica Boulevard and Sycamore Avenue.

05-2748

MOTION (HAHN - LABONGE) relative to a personal services contract with Eric Brown for services related to the 15th Council District.

00-1968-S1

MOTION (PERRY - HAHN) relative to an amendment to the agreement to exchange land in the civic center area to facilitate the construction of the new Caltrans District Seven Headquarters.

05-2750

MOTION (WEISS - PARKS) relative to a contract with the Analysis Group Inc., for pedestrian and traffic stop data in the Los Angeles Police Department.

COUNCILMEMBER'S REQUEST FOR EXCUSE FROM COUNCIL MEETINGS

Upon her request, and without objections, Councilmember Perry was excused to leave at 11:45 a.m. from Council session of Friday, December 16, 2005 due to City business.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

05-2112 - Rich Mancuso

(Zine - All Councilmembers)

Jim Cullen

(Zine - All Councilmembers)

Ayes, Cardenas, Garcetti, Greuel, Hahn, Huizar, LaBonge, Rosendahl, Smith, Weiss, Zine and President Padilla (11); Absent: Parks, Perry, Reyes and Wesson (4).

Whereupon the Council did adjourn.

ATTEST: Frank T. Martinez, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL