

Los Angeles City Council, **Journal/Council Proceedings**
Wednesday, **November 8, 2006**
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, LaBonge, Parks, Perry, Rosendahl, Smith, Zine and President Garcetti (11); Absent: Huizar, Reyes, Weiss and Wesson (4).

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
NOVEMBER 3, 2006

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 31

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 1-3

**Roll Call #2 - Motion (Rosendahl - LaBonge) Adopted to Close Public Hearing, Unanimous Vote (11);
Absent: Huizar, Reyes, Weiss and Wesson (4)
(Item Nos. 1-2)**

ITEM NO. (1) - PUBLIC HEARING CLOSED - NO PROTESTS - CITY ENGINEER INSTRUCTED TO PROCEED

95-0606

CD 1 HEARING PROTESTS against the proposed vacation of Artesian Street and Avenue 34 Vacation
District. VAC-04-1400510

ITEM NO. (2) - PUBLIC HEARING CLOSED - NO PROTESTS - CITY ENGINEER INSTRUCTED TO PROCEED

06-0818

CD 10 HEARING PROTESTS against the proposed vacating of Shatto Place (portion of northwesterly side)
from Sixth Street to approximately 360 feet southerly thereof.

VAC-E1400992

(Public Works Committee report adopted on October 10, 2006)

ITEM NO. (3) - CONTINUED TO NOVEMBER 15, 2006

Roll Call #3 - Motion (Greuel - LaBonge) Adopted to Continue, Unanimous Vote (11); Absent: Huizar, Reyes, Weiss and Wesson (4)

06-1465

CD 2 CONTINUED CONSIDERATION OF APPEAL filed by Mark Handel, MWH Development Corporation, on behalf of new Economics for Women (Rob Searcy, Representative) from South Valley Area Planning Commission's disapproval of a zone change from R1 to (T)(Q)RD6-1 and recommendation that Council adopt ENV No. 2005-7880 Mitigated Negative Declaration, for the proposed construction of 19 new detached townhouse style condominium units, two stories and approximately 25 feet, six inches in height for property at 11160 North Victory Boulevard.

Applicant: Mark Handel, MWH Development Corporation

APCSV 2005-7888 ZC

TIME LIMIT FILE - NOVEMBER 8, 2006

(LAST DAY FOR COUNCIL ACTION - NOVEMBER 8, 2006)

(Continued from Council meeting of November 1, 2006)

Items for Which Public Hearings Have Been Held - Items 4-20

ITEM NO. (4) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS, AS AMENDED - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #8 - Motion (Cardenas - Smith) to Adopt as Amended, Ayes (12); Absent: LaBonge, Parks and Weiss (3)

06-2627

COMMUNICATIONS FROM THE CITY ADMINISTRATIVE OFFICER and CITY ATTORNEY, RESOLUTION and ORDINANCES FIRST CONSIDERATION relative to authorization for a \$500 million bond issuance for the new Police Headquarters Facility and the Public Works Building.

(Budget and Finance Committee and Ad Hoc Public Debt, Bonds & Financing Committee reports 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, contact the Legislative Assistants for the Budget and Finance Committee at 213-978-1075, or 978-1071.)

ADOPTED AS AMENDED

06-2627

BUDGET AND FINANCE and AD HOC PUBLIC DEBT, BONDS AND FINANCING COMMITTEES' REPORT, RESOLUTION, and ORDINANCES relative to authorization for a \$500 million bond issuance for the new Parker Center (Police Headquarters Facility) and the Public Works Building.

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

- 1. ADOPT the accompanying RESOLUTION, approving certain documents, including the Preliminary Official Statement (Attachment C of the City Administrative Officer's report attached to the Council file), and requesting bids in an amount not to exceed \$500 million in bonds.**
- 2. PRESENT and ADOPT the accompanying ORDINANCES approving lease/leaseback of properties for Municipal Improvement Corporation of Los Angeles (MICLA) Lease Revenue Bonds, Series 2006-A (Police Headquarters Facility and Public Works Building) and creating related Special Funds.**
- 3. INSTRUCT the Controller to create a new account entitled "MICLA 2006-A (Police Headquarters Facility and Public Works Building)" within the Capital Finance Administration Fund (100/53).**
- 4. AUTHORIZE the City Administrative Officer (CAO) to pay Fiscal Year 2006-07 debt service on the Public Works Building component of the \$500 million bond issuance from savings in the Capital Finance Administration Fund (100/53).**
- 5. INSTRUCT the City Clerk to place on the Council agenda on NOVEMBER 29, 2006, or on an alternate date as specified by the CAO, the adoption of a resolution for final approval of documents and award to the lowest bidder of the sale of bonds, in an amount not to exceed \$500 million.**
- 6. AUTHORIZE the CAO to receive and open bids on the published date and to award the Bonds to the bidder with the lowest true interest cost on behalf of the City, if there is no Council quorum or no meeting at the City Hall, as described in the Notice Inviting Bids for the Bonds.**
- 7. INSTRUCT the CAO to prepare the proper documentation for a negotiated bond issuance thereby giving the Council the flexibility of choosing between a competitive or negotiated bond sale.**
- 8. INSTRUCT the CAO to hereafter refer to the Police Headquarters Facility as the new Parker Center in all correspondence, inasmuch as the new facility is a replacement for the existing Parker Center/Police Administration Building.**

Fiscal Impact Statement: The CAO reports that the proposed \$500 million bond issuance will not impact the General Fund in 2006-07 as debt service and costs of issuance will be paid from bond proceeds and savings from the Capital Finance Administration Fund (100/53). Debt service on the Police Headquarters Facility component of the bond issuance must be paid from the General Fund beginning in Fiscal Year 2010-11, while debt service on the Public Works Building component must be paid from the General Fund beginning in Fiscal Year 2007-08. Annual General Fund debt service payments will average approximately \$24.5 million and \$6.6 million, respectively.

Debt Service Statement: The CAO reports that issuance of the proposed \$500 million in bonds will not cause the City's debt service payments to exceed 6 percent of General Fund revenues for non-voter approved debt as established in the City's Financial Policies, Debt Management Section. The \$500 million bond issuance will result in annual debt service payments of approximately \$24.5 million for the Police Headquarters Facility and \$6.6 million for the Public Works Building.

ADOPTED

AMENDING MOTION (CARDENAS - PARKS)

Recommendations for Council action:

- 1. INSTRUCT that the \$500 million bond issuance for the new Parker Center and Public Works Building be sold on a negotiated basis.**
- 2. INSTRUCT the City Administrative Officer to employ the Department of Water and Power's list of qualified underwriters for this lease revenue bond issuance.**

ADOPTED

AMENDING MOTION (CARDENAS - PARKS)

Recommendation for Council action:

INSTRUCT that 30 percent of the proposed bond issuance for the new Parker Center and Public Works Building be done by a Los Angeles based firm, 30 percent be done by a California based firm, and the remaining 40 percent, be divided among the four remaining syndicate members, with no member receiving more that 20 percent of the issuance.

ADOPTED

AMENDING MOTION (CARDENAS - SMITH)

Recommendations for Council action:

- 1. ADOPT the accompanying RESOLUTION approving certain documents, including the Preliminary Official Statement and requesting bids in an amount not to exceed \$500 million in bonds.**

2. **INSTRUCT the City Administrative Officer to report back to Council next week with the contract with the bond underwriters as outlined in the Motion (Cardenas - Parks).**

ITEM NO. (5) - CONTINUED TO NOVEMBER 22, 2006

Roll Call #1 - Motion (Cardenas - Perry) Adopted to Continue, Unanimous Vote (11); Absent: Huizar, Reyes, Weiss and Wesson (4)

[01-0593-S2](#)

NEGATIVE DECLARATION, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT, and ORDINANCE FIRST CONSIDERATION relative to adding Section 151.28 to the Los Angeles Municipal Code (LAMC) to incorporate provisions of the Ellis Act pertaining to the regulation of newly constructed rental units that replaced demolished rental units.

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

1. FIND that the Negative Declaration has been completed in compliance with the California Environmental Quality Act (CEQA), and the City's CEQA Guidelines and that it reflects the independent judgement of Council, and that on the basis of the whole record before it, there is no substantial evidence that the adoption of the proposed ordinance will have a significant impact on the environment, that the negative declaration reflects the City Council's independent judgment and analysis, and that the record of proceedings are found in Council file No. 01-0593-S2, and in the Los Angeles Housing Department file located at 1200 West Seventh Street, Los Angeles, California, 90017, prior to or concurrent with its action on the Ordinance; and ADOPT the accompanying Negative Declaration.
2. PRESENT and ADOPT the accompanying ORDINANCE thereby adding Section 151.28 to the LAMC to incorporate provisions of the Ellis Act, California Government Code Section 7060, et seq., pertaining to the regulation of newly constructed rental units that replaced demolished rental units.
3. INSTRUCT the City Clerk to file a Notice of Determination in accordance with State CEQA Guidelines Section 15075.

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.

**Roll Call #7 - Motion (Perry - Reyes) Adopted, Ayes (15)
(Item Nos. 6-8)**

ITEM NO. (6) - ADOPTED - TO THE MAYOR FORTHWITH

[05-2332-S2](#)

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to modifying an existing private line telecommunications facility franchise for the University of Southern California.

Recommendations for Council action, pursuant to Board of Information Technology Commissioners Resolution adopted July 28, 2006, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. PRESENT and ADOPT the accompanying ORDINANCE amending a franchise to the University of Southern California to install a private line telecommunications facility in the public rights-of-way of various streets within the City of Los Angeles.
2. APPROVE the granting of the private line telecommunications franchise to the University of Southern California, which will expand the existing facility and will encroach into a portion of the public rights-of-way.

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

ITEM NO. (7) - ADOPTED

04-1880

CDs 1
& 14 EXEMPTION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to Northeast Los Angeles Hillside Interim Control Ordinance (ICO) for the Northeast Community Plan Area.

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 Article II, Section 2(m) of the City's Guidelines.
2. ADOPT the 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, imposing interim regulations on the issuance of building, grading and foundation permits in various portions of the Northeast Community Plan located in: Subarea(s) I - Mt. Olympus, generally bounded by Griffin Avenue to the west; Griffin Avenue, Avenue 39, Bernice Place, Montecito Drive, and Roberta Street to the north; Sierra Street and Alta Street to the east; and Fenn Street, Prewett Street, Abrigo Avenue and Pomona Street to the south. Paradise Hill generally bounded by Eva Terrace to the west; Gillig Avenue and Rising Drive to the north; Amethyst Street and Onyx Drive to the east; and Altura Street and Onyx Drive to the south. Rose Hills generally bounded by Roberta Street to the north, Reynolds Avenue to the east, and Luther Street to the south. A small parcel bounded by Avenue 43 to the south and west, Latona Avenue to the north, and Montecito Drive to the east; Subarea II - El Sereno, generally bounded by Soto Street and Huntington Drive to the west, Turquoise Street and Cato Street to the north, Kewanee Street to the east, and Multinomah Street to the south; and Subarea III - Monterey Hills, generally bounded by Collis Avenue to the east; the City of South Pasadena to the north, Potrola Avenue to the east, and Edison Street and Novgorod Street to the south.

Applicant: City of Los Angeles

CPC 2004-7068 ICO

Fiscal Impact Statement: The City Planning Department reports that there are General Fund impacts, for additional staff resources. The project will require the hiring of one City Planner, for a two-year period (\$179,102) to process the Specific Plan and environmental clearance for projects subject to the ICO. Processing of the Specific Plan will also require consultant contracts for a traffic analysis of development which may occur after completion of the Specific Plan on the area's hillside street system.

Community Impact Statement: At its general meeting on August 4, 2005, the Historic Highland Park Neighborhood Council (HHPNC) voted overwhelmingly 10-1 (one abstention) to support the proposed Northeast Hillside ICO originally proposed by Council Members Ed. P. Reyes (CD 1) Antonio Villaragosa (CD14- now Mayor). The Directors of the HHPNC firmly and strongly believe that the Hillside ICO is necessary to ensure that the many hills and ridges of Northeast Los Angeles retain their scenic and unspoiled beauty and remain natural hillsides free of both overdevelopment and ill-planned developments. The ICO will go far towards limiting damage to natural vegetation, trees and wildlife habitat, and toward limiting the size of hillside homes, grading on ridges and hillsides, and developments near public schools that could undermine the scenic qualities and residential character of Northeast Los Angeles.

12 VOTES REQUIRED - URGENCY CLAUSE

ITEM NO. (8) - ADOPTED

06-2255

CD 3

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCES FIRST CONSIDERATION relative to a zone change and building line removal at 7342-48 De Soto Avenue.

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. 06-2255 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-2005-2524-MND] filed on May 27, 2005.
2. ADOPT the FINDINGS of the South Valley Area Planning Commission (SVAPC) as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCES, approved by the SVAPC effecting a zone change from RA-1 to (T)(Q)RD1.5-1 and building line removal, on that portion of De Soto Avenue, incident to eight (8)-unit condominium subdivision for property at 7342-48 De Soto Avenue, subject to Conditions of Approval.

Applicant: Soheil Navidbakhsh

APCSV-2005-2549 ZC BL

Said rezoning shall be subject to the "Q" Qualified classification zone limitations substantially as shown on the sheet(s) attached to the Committee report.

4. REMOVE the (T) Tentative classification as described in detail on the sheet(s) attached to the Committee report.
5. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.
6. 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.
7. 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 20, 2006

(LAST DAY FOR COUNCIL ACTION - DECEMBER 20, 2006)

ITEM NO. (9) - CONTINUED TO NOVEMBER 15, 2006

Roll Call #9 - Motion (Rosendahl - Zine) Adopted to Continue, Unanimous Vote (14); Absent: LaBonge (1)

06-0362

TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT and ORDINANCES FIRST CONSIDERATION relative to the regulation of hotels in the Gateway to LA (Century Corridor) Property Business District by adding Articles 2, 3, and 4 to Chapter XVIII of the Los Angeles Municipal Code (LAMC).

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

1. PRESENT and ADOPT the accompanying ORDINANCE amending Chapter XVIII of the LAMC and adding Article 2 to Chapter XVIII of the LAMC to require Los Angeles International Airport (LAX)-area hotels to pay certain hotel service workers a living wage.
2. PRESENT and ADOPT the accompanying ORDINANCE adding Article 3 to Chapter XVIII of the LAMC to require LAX-area hotels to provide transitional worker retention when these establishments change control.
3. PRESENT and ADOPT the accompanying ORDINANCE adding Article 4 to Chapter XVIII of the LAMC to require LAX-area hotels to pass along service charges to those hotel service workers who render the services for which the charges are collected.

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.

**Roll Call #4 - Motion (Perry - Rosendahl) Adopted, Ayes (11); Absent: Huizar, Reyes, Weiss and Wesson (4)
(Item Nos. 10-19)**

ITEM NO. (10) - ADOPTED

06-1786

CD 6 ENERGY AND ENVIRONMENT COMMITTEE REPORT relative to initiating an abandoned shopping cart removal pilot program in Council District Six.

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

1. NOTE and FILE the October 20, 2006 Bureau of Sanitation (BOS) report relative to initiating an abandoned shopping cart removal pilot program in Council District Six, inasmuch as the BOS has developed said program.
2. DIRECT the BOS to report to Council in four to six months on the effectiveness of the abandoned shopping cart removal pilot program in Council District Six.

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

ITEM NO. (11) - ADOPTED

06-2288

ENERGY AND ENVIRONMENT COMMITTEE REPORT relative to the July 21-26, 2006 heat storm power outage.

Recommendation for Council action:

NOTE and FILE the October 4, 2006 Department of Water and Power report relative to the July 21-26, 2006 heat storm power outage, inasmuch the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (12) - ADOPTED

05-0428

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to an agreement between the Los Angeles Housing Department (LAHD) and the State of California Department of Housing and Community Development (HCD) for the Workforce Housing Grant Program.

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

1. AUTHORIZE the General Manager, LAHD, or designee, to:
 - a. Execute grant agreement 05-WFH-123 (Attached to the LAHD report dated October 6, 2006), any amendments thereto and any other documents with the HCD for the disbursement of the Workforce Housing Grant in the amount of \$3,575,594, subject to the review of the City Attorney as to form and legality.
 - b. Prepare Controller instructions and any necessary technical adjustments consistent with these actions, subject to the approval of the City Administrative Officer (CAO), and request the Controller to implement the instructions.
2. REQUEST the Controller to:
 - a. Establish a new account and appropriate funds within the Workforce Housing Program Grant Fund No. 49B, Department 43, as follows:

<u>Fund</u>	<u>No.</u>	<u>Title</u>	<u>Amount</u>
49B	A211	Housing Development- Workforce Housing Program Grant II	\$3,575,594

- b. Establish funds not to exceed \$3,575,594 from the above fund and account upon proper written demand of the General Manager of LAHD, or designee, on an as-needed basis.

Fiscal Impact Statement: The CAO reports that there will be no fiscal impact to the City's General Fund as a result of this action. The recommendations are in compliance with the City's Financial Policies and will enable the LAHD to receive \$3,575,594 in State Workforce Housing Grant funds to finance affordable housing to lower income participants.

ITEM NO. (13) - ADOPTED

06-1239

CD 7

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to revision of the terms of a lease agreement with Blackhawk Associates, LLC, for 15545 Devonshire Street, Mission Hills for the Los Angeles Police Department, Internal Affairs Division.

Recommendation for Council action:

AMEND previous Council action of June 30, 2006, to INCLUDE an annual rental increase of \$300 per month, or \$3,600 per year, to commence on the first anniversary of the new lease, substantially as outlined in the report attached to the Council file.

Fiscal Impact Statement: The Department of General Services (GSD) reports that the previously approved rental rate of \$6,525 per month, or \$78,300 per year, would not increase until one year after the new lease start date. All other terms and conditions are the same as previously reported in the June 30, 2006 Council action. An annual increase of \$3,600 will occur in subsequent years of the lease. As previously reported in GSD's May 25, 2006 report, there is a savings to the Leasing Account of \$13,143 in Fiscal Year 2006-07, due to a smaller rental increase than anticipated for budget purposes.

ITEM NO. (14) - ADOPTED

06-2427

CD 6 INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to a lease agreement for Council District Six field office at 9300 Laurel Canyon, Sun Valley.

Recommendation for Council action:

AUTHORIZE the Department of General Services (GSD) to negotiate and execute a new lease for a Council District Six field office at 9300 Laurel Canyon Boulevard, Sun Valley, under the terms and conditions substantially as outlined in the report attached to the Council file.

Fiscal Impact Statement: The GSD reports that the total rent amount is \$6,678 per month, or \$80,136 annually, for an increase of \$5,133 per month over the current rental rate for 8135 San Fernando Road, for a total annual increase of \$61,596. Funding for this expense is not included in the Fiscal Year 2006-07 6030 Leasing Account budget. The GSD will use existing 6030 funds and will request a Financial Report adjustment prior to year-end, if necessary.

ITEM NO. (15) - ADOPTED

06-2426

CD 11 INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to a lease agreement for a new West Los Angeles field office for the Department of Building and Safety (LADBS).

Recommendation for Council action:

AUTHORIZE the Department of General Services (GSD) to negotiate and execute a new lease with 11620 Wilshire, LLC, for office space and parking for a West Los Angeles field office for the LADBS at 11620 Wilshire Boulevard, Los Angeles, under the terms and conditions substantially as outlined in the report attached to the Council file.

Fiscal Impact Statement: The GSD reports that compared to other parts of the City, rent in the West Los Angeles area, known as “the Westside,” is high. A market analysis of this area shows rents ranging from \$2.85 to \$3.85 per square foot. None of the other properties in the study can provide sufficient parking for this group. This landlord is requesting \$3.25 per square foot with no additional cost for the tenant improvement build-outs, new modular furniture and desk chairs for the inspectors and support staff. The new total rent amount is \$67,753 per month, or \$813,036 annually. All lease, communications, tenant improvement and relocation costs will be paid from the LADBS Enterprise Fund. For Fiscal Year 2007-08, LADBS will assume full cost of the lease. There will be no impact to the General Fund.

ITEM NO. (16) - ADOPTED

06-2428

CD 9

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to an Assignment of Lease for retail space for Space 15A in the Los Angeles Mall for “A Cut Above & More” Beauty and Barber Shop.

Recommendations for Council action:

1. APPROVE the Assignment of Lease for retail space in the Los Angeles Mall for Space 15A, “A Cut above & More” Beauty and Barber Shop, from Diana M. Tijerina, Assignor, to Jung Soo Oh, Assignee, substantially as outlined in the report attached to the Council file.
2. REQUEST the City Attorney to prepare the necessary documents to be executed by the respective owner and the Department of General Services (GSD).

Fiscal Impact Statement: The GSD reports that there will be no impact to the General Fund with this Assignment of Lease. Continuation of this business will provide for uninterrupted service to City employees and a continuous revenue stream for the City.

ITEM NO. (17) - ADOPTED

06-2398

PERSONNEL COMMITTEE REPORT relative to the withdrawal of Commission nominee, Ms. Namju Cho, from further consideration for appointment to the Commission on the Status of Women.

Recommendation for Council action:

RECEIVE and FILE the communication from the Mayor, dated October 16, 2006, relative to the withdrawal of Commission nominee, Ms. Namju Cho, from further consideration for appointment to the Commission on the Status of Women, inasmuch as Ms. Cho has requested such withdrawal.

Fiscal Impact Statement: Not applicable.

TIME LIMIT FILE - NOVEMBER 20, 2006

(LAST DAY FOR COUNCIL ACTION - NOVEMBER 17, 2006)

ITEM NO. (18) - ADOPTED

06-2063

CD 5

MITIGATED NEGATIVE DECLARATION and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an appeal on a Specific Plan Exception, Specific Plan Project Permit Adjustment and a Project Permit Compliance for property at 15214-22 Ventura Boulevard.

Recommendations for Council action; SUBJECT OF 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. 06-2063 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 2004-7123 MND] filed on March 5, 2005.
2. ADOPT the FINDINGS of the City Planning Commission, including the Site Plan Review Findings, as the Findings of the Council.
3. RESOLVE TO DENY APPEAL filed by Sherman Oaks Homeowners Association and Homeowners of Encino (Gerald Silver/President Homeowners of Encino, and David Rankell, Board Member Sherman Oaks Homeowners Association, Representatives), from the entire determination of the City Planning Commission, and THEREBY APPROVE the following: (a) a Specific Plan Exception from the Ventura/Cahuenga Boulevard Corridor Specific Plan (Ordinance No. 174052) to permit a floor area ratio of approximately 3.6:1 in lieu of the maximum 1.5:1 permitted for projects within the Regional Commercial plan designation east of the San Diego Freeway; (b) a Specific Plan Project Permit Adjustment to permit a maximum height of 82 feet, five inches, including roof top projections in lieu of the maximum 75 feet permitted, and to permit 82 percent lot coverage in-lieu of the maximum 75 percent of the lot area permitted; and (c) a Project Permit Compliance with the Ventura/Cahuenga Boulevard Corridor Specific Plan, for the proposed construction of a mixed use project having a total of approximately 75,000 square feet of floor area, including approximately 70,410 square feet of residential uses composed of 50 condominium units above approximately 4,590 square feet of ground level commercial/retail uses, etc. for the project at 15214-22 Ventura Boulevard, all subject to Conditions of Approval.

Applicant: Sherman Oaks Homeowners Association and Homeowners of Encino (Gerald Silver/President Homeowners of Encino, and David Rankell, Board Member Sherman Oaks Homeowners Association, Representatives)

CPC 2004-7122 SPE SPPA SPP SPR

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

TIME LIMIT FILE - NOVEMBER 29, 2006

(LAST DAY FOR COUNCIL ACTION - NOVEMBER 29, 2006)

ITEM NO. (19) - ADOPTED

06-1159

ADMINISTRATIVE EXEMPTION and TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT relative to the First Amendment to Agreement No. LAA-8357 with the Convention and Visitors Bureau (LA INC.) to add a China travel promotion office to the Strategic International Marketing Alliance.

Recommendations for Council action:

1. FIND that approval of the First Amendment to Agreement No. LAA-8357 with the LA INC. to add a China travel promotion office to the Strategic International Marketing Alliance is administratively exempt from the requirements of the California Environmental Quality Act (CEQA), as provided by Article II, Section 2 (f) of the Los Angeles City CEQA Guidelines.
2. APPROVE the proposed First Amendment to Agreement No. LAA-8357 with the LA INC.; and CONCUR with the Board of Airport Commissioners' action on September 18, 2006, Resolution 23101, authorizing the Executive Director of the Los Angeles World Airports (LAWA) to execute said amendment.
3. DIRECT the LAWA to report back to the Trade, Commerce, and Tourism Committee in 60 days with a specific plan and a status report on the progress made to have airlines offer direct flights from and to Ontario Airport.

Fiscal Impact Statement: The City Administrative Officer reports that approval of the proposed \$4 million Amendment to increase the contract with the LA INC. to add a China Travel Promotion Office to the Strategic International Marketing Alliance will not impact the General Fund because the contract will be funded from LAX Revenue Fund 700. In addition, the LAWA is only bound by the City Debt Management Policies. Therefore, the City Financial Policies are not applicable.

TIME LIMIT FILE - NOVEMBER 26, 2006

(LAST DAY FOR COUNCIL ACTION - NOVEMBER 22, 2006)

ITEM NO. (20) - ADOPTED

Roll Call #13 - Motion (Greuel - Hahn) Adopted, Ayes (12); Absent: Cardenas, LaBonge and Padilla (3)

06-1421

TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT relative to the San Fernando Valley Conference and Visitors Bureau (SFVCVB) and Transient Occupancy Tax revenues.

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

1. REQUEST the Convention and Visitors Bureau (LA INC.) and the SFVCVB to discuss, identify and provide cost estimates for marketing and promotional services desired by the San Fernando Valley that are not addressed by LA INC.'s San Fernando Valley Regional Sales Initiative Program.

2. REQUEST the LA INC. and SFVCVB to report to the Trade, Commerce and Tourism Committee on the results of such discussions within 60 days.
3. REQUEST the LA INC. to provide a status report on the San Fernando Valley Pilot Regional Sales Initiative Program within 60 days.

Fiscal Impact Statement: The City Administrative Officer reports that the recommendations of this report will have no General Fund impact. The 2006-07 Adopted Budget assumes 13 percent of the 14 percent Transient Occupancy Tax (TOT) revenue will be General Fund receipts and one percent will be deposited directly to the Los Angeles Convention and Visitors Bureau Trust Fund (for LA INC.). The June 16, 2006 Greuel - Smith Motion is unclear as to which portion of the TOT is proposed to be allocated to the SFVCVB. A reduction of the allocation to LA INC. to fund the SFVCVB would require a revision of the 2006-07 Adopted City Budget. An allocation of TOT revenue from the General Fund to the SFVCVB would decrease the Reserve Fund and would not be in compliance with the City Financial Policies in that General Fund requests for new or expanded programs should only be considered during the course of the annual budget process.

Items for Which Public Hearings Have Not Been Held - Items 21-47

(10 Votes Required for Consideration)

**Roll Call #5 - Motion (LaBonge - Greuel) Adopted, Ayes (12); Absent: Huizar, Reyes and Wesson (3)
(Item Nos. 21-24)**

ITEM NO. (21) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

06-2265

CD 4

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of CARTWRIGHT AVENUE AND MAGNOLIA BOULEVARD NO. 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 September 22, 2006.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of JANUARY 12, 2007 as the hearing date for the maintenance of Cartwright Avenue and Magnolia Boulevard No. 1 Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$172.12 will be collected annually starting with tax year 2007-08 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: January 8, 2007)

ITEM NO. (22) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

06-2245

CD 2

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

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated September 21, 2006.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of JANUARY 12, 2007 as the hearing date for the maintenance of Strathern Street and Fulton Avenue Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$1,025.10 will be collected annually starting with tax year 2007-08 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: January 8, 2007)

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

06-2244

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 MORRISON STREET AND AQUEDUCT AVENUE LIGHTING DISTRICT.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated September 21, 2006.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of JANUARY 12, 2007 as the hearing date for the maintenance of Morrison Street and Aqueduct Avenue Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$198.90 will be collected annually starting with tax year 2007-08 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: January 8, 2007)

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

05-1904

CD 11 COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION relative to establishing a hearing date for the maintenance of SUNSET BOULEVARD AND MANDEVILLE CANYON ROAD (REBALLOT) 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 September 22, 2006.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of JANUARY 12, 2007 as the hearing date for the maintenance of Sunset Boulevard and Mandeville Canyon Road (Reballot) Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$4,836.16 will be collected annually starting with tax year 2007-08 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: January 8, 2007)

ITEM NO. (25) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #11 - Motion (Greuel - Zine) Adopted, Ayes (13); Absent: LaBonge and Padilla (2)

07-1100-S3

COMMUNICATION FROM THE CITY CLERK and ORDINANCE TO BE SUBMITTED relative to options to fill a potential vacancy in the Seventh Council District.

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

ADOPT an ORDINANCE TO BE SUBMITTED calling, ordering, providing for and giving notice of a Special Election to be held and consolidated with the City of Los Angeles Primary Nominating Election on Tuesday, March 6, 2007, and, if necessary, a Special Runoff Election to be held and consolidated with the City of Los Angeles General Municipal Election on Tuesday, May 15, 2007, for the purpose of filling a prospective vacancy in the Seventh Council District of the City of Los Angeles for the portion of the unexpired term remaining through June 30, 2009.

Fiscal Impact Statement: The Office of the City Clerk will not require an additional appropriation of funds to conduct a consolidated Special Election since full funding to conduct the 2007 municipal elections is already included in the City Clerk's operating budget.

(Rules and Elections Committee waived consideration of the above matter)

ADOPTED

MOTION (GREUEL - ZINE)

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

PRESENT and ADOPT the accompanying ORDINANCE calling, ordering, providing for and giving notice of, a Special Election to be held and consolidated with the City of Los Angeles Primary Nominating Election on Tuesday, March 6, 2007, and, if necessary, a Special Runoff Election to be held and consolidated with the City of Los Angeles General Municipal Election on Tuesday, May 15, 2007, for the purpose of filling a prospective vacancy in the Seventh Council District of the City of Los Angeles for the portion of the unexpired term remaining through June 30, 2009.

Fiscal Impact Statement: The Office of the City Clerk will not require an additional appropriation of funds to conduct a consolidated Special Election since full funding to conduct the 2007 municipal elections is already included in the City Clerk's operating budget.

(Rules and Elections Committee waived consideration of the above matter)

ITEM NO. (26) - CONTINUED TO NOVEMBER 22, 2006

Roll Call #10 - Motion (Reyes - Wesson) Adopted to Continue, Unanimous Vote (14); Absent: LaBonge (1)

06-2229

CD 10

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and ORDINANCE FIRST CONSIDERATION relative to dedicating City-owned real property as Public Street lying on La Cienega Boulevard south of Jefferson Boulevard.

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, Class 5(4) of the City's Environmental Guidelines.**
- 2. FIND that this dedication, acceptance, and establishment, of the City-owned real property as public street is in substantial conformance with the General Plan pursuant to Section 556 of the Los Angeles City Charter.**
- 3. ADOPT the City Engineer report dated August 3, 2006, to dedicate the City-Owned real property as Public Street lying on La Cienega Boulevard south of Jefferson Boulevard.**

4. PRESENT and ADOPT the accompanying ORDINANCE effectuating the dedication, acceptance and establishment of the City-Owned real property as Public Street lying on La Cienega Boulevard south of Jefferson Boulevard.
5. INSTRUCT the Real Estate Division of the Bureau of Engineering to record the Ordinance with the County Recorder.

Fiscal Impact Statement: The City Engineer reports that this project is being processed in conjunction with the Police Department Safety Bond Program under Work Order No SZC11547.

ITEM NO. (27) - ADOPTED, AS AMENDED - SEE FOLLOWING

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

05-0550

CD 14 TRANSPORTATION and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to amending the Colorado Boulevard Specific Plan (Ordinance No. 168046) to create a Community Parking Pilot Program.

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

1. PRESENT and ADOPT the accompanying ORDINANCE amending Ordinance No. 168046, commonly known as the Colorado Boulevard Specific Plan to create a pilot program for a portion of the specific plan area.
2. FIND in accordance with Charter Section 556, the Ordinance, as detailed above in Recommendation No. 1, is in substantial conformance with the purposes, intent, and provisions of the General Plan and AFFIRM that said Ordinance will encourage the use and re-use of the pedestrian-scaled buildings for commercial uses that serve the needs of the community, while preserving the unique identify of the Eagle Rock community, as stated in the General Plan.
3. FIND in accordance with Charter Section 558 (b)(2), the Ordinance, as detailed above in Recommendation No. 1, will have no adverse effect upon the General Plan, the Colorado Boulevard Specific Plan, or any other plans being created by the Department of City Planning because said Ordinance is consistent with the General Plan and carries out the General Plan goals, policies and objectives discussed above.
4. DIRECT the City Planning Department to report to Council in six months on the status of the Community Parking Pilot Program.

Fiscal Impact Statement: Neither the City Administrative Officer or the Chief Legislative Analyst has completed a financial analysis of this report.

ADOPTED

MOTION (HUIZAR - REYES)

Recommendations for Council approval:

1. **AMEND the Ordinance as shown on the amending pages attached to the Council file:**
 - a. **In Section 1 add the phrase “Subarea II of this Specific Plan which generally consists of” to the beginning of the definition of Community Parking Pilot Area.**
 - b. **In Section 4, B3, correct the second sentence to reference “Subdivision 4c” instead of “Subdivision 3c”.**
2. **ADOPT the Mitigated Negative Declaration ENV 2006 1959-MND in conjunction with the adoption of the Ordinance.**

ITEM NO. (28) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

Roll Call #5 - Motion (LaBonge - Greuel) Adopted, Ayes (12); Absent: Huizar, Reyes and Wesson (3)

06-2435

COMMUNICATION FROM CHAIR, ENERGY AND ENVIRONMENT COMMITTEE and RESOLUTION relative to authorization to accept grant funding from the California Integrated Waste Management Board (CIWMB) for local oil collection programs for Fiscal Year (FY) 2006-07.

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

1. **AUTHORIZE the Director, Bureau of Sanitation (BOS), or designee, to accept the grant funds from the CIWMB for local oil collection programs for FY 2006-07.**
2. **AUTHORIZE the Director, BOS, or designee, to conduct all negotiations, provide additional information, and to execute and submit all documents, including, but not limited to, applications, agreements, amendments, subject to the approval of the City Attorney as to form and legality, which may be necessary to secure funding with respect to the Used Oil Block Grant for FY 2006-07, 12th Cycle (authority to apply for grant funding was authorized on May 30, 2006 per Council file No. 06-0626).**
3. **ADOPT the accompanying RESOLUTION approving the acceptance of grant funding estimated at \$1,018,309 and appointing the Director, BOS, or designee, to conduct all negotiations and to execute and submit all documents necessary to accept grant funding for maintaining a used oil collection program.**

Fiscal Impact Statement: The Board of Public Works reports that the receipt of the grant funds will maintain the existing used oil and used oil filter collection program. Failure to accept the funds in the approximate amount of \$1,018,309 from the CIWMB will eliminate the funding available to the City to conduct its used oil and used oil filter collection program. There is no fiscal impact on the General Fund, as the General Fund does not fund this program.

ITEM NO. (29) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - TO THE MAYOR FORTHWITH

Roll Call #6 - Motion (Hahn - Greuel) Adopted, Ayes (15)

05-0831

COMMUNICATION FROM THE CHIEF LEGISLATIVE ANALYST and RESOLUTION relative to adopting Ischia, Italy as a Sister City.

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

1. ADOPT the accompanying RESOLUTION to adopt Ischia, Italy as a Sister City.
2. APPOINT Los Angeles-Ischia Sister City Committee members.
3. APPROVE the Los Angeles-Ischia Sister City work program.
4. AUTHORIZE the Mayor, Council President, or Councilmember of the 15th District to execute on behalf of the City any Memoranda of Understanding and other formal agreements in furtherance of the sister city relationship with Ischia, Italy.

(Intergovernmental Relations and Arts, Parks, Health and Aging Committees waived consideration of the above matter)

ITEM NO. (30) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

Roll Call #5 - Motion (LaBonge - Greuel) Adopted, Ayes (12); Absent: Huizar, Reyes and Wesson (3)

04-1274

CD 11 COMMUNICATION FROM CITY ENGINEER and RESOLUTION TO VACATE relative to Frederick Street from Commonwealth Avenue to the Alley Southeasterly thereof - VAC-E1400907.

Recommendations for Council action:

1. REAFFIRM the FINDINGS of July 19, 2005, that this vacation is in substantial conformance with the General Plan pursuant to Section 556 of the Los Angeles City Charter (subject to the conditions contained therein).
2. ADOPT the accompanying RESOLUTION TO VACATE No. 06-1400907 for Frederick Street from Commonwealth Avenue to the Alley Southeasterly thereof.
3. APPROVE the City Engineer report dated October 5, 2006, for the vacation.
4. INSTRUCT the Department of Public Works, Bureau of Engineering, Land Development Group, to record the Resolution with the Los Angeles County Recorder.

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

ITEM NO. (31) - ADOPTED

Roll Call #21 - Motion (Garcetti - Rosendahl) Adopted, Ayes (10); Absent: Cardenas, Huizar, LaBonge, Padilla and Wesson (5)

05-2258

CONSIDERATION OF MOTION (GARCETTI - ROSEHDAHL) relative to extending the Ad Hoc Committee on Homelessness for an additional six months for a new expiration date of May 2, 2007.

Recommendation for Council action:

RESOLVE to extend the term of the Ad Hoc Committee on Homelessness for an additional six months for a new expiration date of May 2, 2007.

(Rules and Elections Committee waived consideration of the above matter.)

ITEM NO. (32) - LEFT ON DESK TOGETHER WITH SUBSTITUTE MOTION - SEE FOLLOWING

05-2417

CD 8 MOTION (PARKS - LABONGE) relative to declaring the 33rd Annual American Music Awards on November 22, 2006 a Special Event (fees and costs absorbed by the City = \$20,000).

Recommendation for Council action:

DECLARE the 33rd Annual American Music Awards on November 22, 2006, 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.

LEFT ON DESK

SUBSTITUTE MOTION (PARKS - LABONGE) relative to declaring the 34th Annual American Music Awards on November 21, 2006 a Special Event (fees and costs absorbed by the City = \$30,000).

Recommendation for Council action:

DECLARE the 34th Annual American Music Awards on November 21, 2006, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Substitute Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance.

ITEM NO. (33) - ADOPTED

Roll Call #14 - Motion (SMITH - PERRY) Adopted, Ayes (12); Absent: Cardenas, LaBonge and Padilla (3)

06-2690

CD 6 MOTION (CARDENAS - SMITH) relative to declaring the Van Nuys Holiday Festivity event on November 25, 2006 a Special Event (fees and costs absorbed by the City = \$1,500).

Recommendation for Council action:

DECLARE the Van Nuys Holiday Festivity event, sponsored by the Van Nuys Neighborhood Council, the Knights of Columbus, the Mid Valley Y's Men, and the business owners on Van Nuys Boulevard on November 25, 2006, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance.

ITEM NO. (34) - LEFT ON DESK

06-2692

CD 9 MOTION (PERRY - ROSENDAHL) relative to declaring the Annual Harley Davidson Toy Ride on December 10, 2006 a Special Event (fees and costs absorbed by the City = \$3,370).

Recommendation for Council action:

DECLARE the Annual Harley Davidson Toy Ride, sponsored by the Glendale Harley Davidson Owners Group on December 10, 2006, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance AND application requirements.

ITEM NO. (35) - ADOPTED

Roll Call #5 - Motion (LaBonge - Greuel) Adopted, Ayes (12); Absent: Huizar, Reyes and Wesson (3)

05-2511

CD 9 MOTION (PERRY - ROSENDAHL) relative to declaring the Thanksgiving Dinner on November 22, 2006 a Special Event (fees and costs absorbed by the City = \$2,565).

Recommendation for Council action:

DECLARE the Thanksgiving Dinner, sponsored by the Los Angeles Mission on November 22, 2006, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance AND application requirements.

ITEM NO. (36) - LEFT ON DESK

06-2693

CD 9 MOTION (PERRY - GARCETTI) relative to declaring the Annual Out Reach Fair on November 18, 2006 a Special Event (fees and costs absorbed by the City = \$2,547).

Recommendation for Council action:

DECLARE the Annual Out Reach Fair, sponsored by the Downtown Business Improvement District on November 18, 2006, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance AND application requirements.

ITEM NO. (37) - LEFT ON DESK TOGETHER WITH SUBSTITUTE MOTION - SEE FOLLOWING

06-2718

CD 1 MOTION (REYES - ROSENDAHL) relative to declaring the Veterans Day Remembrance Day Event on November 11, 2006 a Special Event (fees and costs absorbed by the City = \$1,000).

Recommendation for Council action:

DECLARE the Veterans Day Remembrance Day Event, sponsored by the Greater Cypress Park Neighborhood Council on November 11, 2006, 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.

LEFT ON DESK

SUBSTITUTE MOTION (REYES - PERRY) relative to declaring the Veterans Day Remembrance Day Event on November 11, 2006 a Special Event (fees and costs absorbed by the City = \$1,000).

Recommendation for Council action:

DECLARE the Veterans Day Remembrance Day Event, sponsored by the Greater Cypress Park Neighborhood Council on November 11, 2006, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Substitute Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance.

**Roll Call #5 - Motion (LaBonge - Greuel) Adopted, Ayes (12); Absent: Huizar, Reyes and Wesson (3)
(Item Nos. 38-45)**

ITEM NO. (38) - ADOPTED

06-2717

CD 1 MOTION (REYES - ROSENDAHL) relative to declaring the Grand Opening of the Frank E. Baxter Education Complex on November 17, 2006 a Special Event (fees and costs absorbed by the City = \$700).

Recommendation for Council action:

DECLARE the Grand Opening of the Frank E. Baxter Education Complex, sponsored by the Alliance for College Ready Public Schools on November 17, 2006, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance.

ITEM NO. (39) - ADOPTED

06-2716

CD 8 MOTION (PARKS - HUIZAR) relative to declaring the University of Southern California (USC) Homecoming Weekend 2006 on November 8-11, 2006 a Special Event (fees and costs absorbed by the City = \$3,000).

Recommendation for Council action:

DECLARE the USC Homecoming Weekend, sponsored by USC on November 8-11, 2006, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance AND application requirements.

ITEM NO. (40) - ADOPTED

05-2154

CD 14 MOTION (HUIZAR - CARDENAS) relative to declaring the Boyle Heights Multi-Cultural Parade and Festival on November 19, 2006 a Special Event (fees and costs absorbed by the City = \$4,118).

Recommendation for Council action:

DECLARE the Boyle Heights Multi-Cultural Parade and Festival, sponsored by the Boyle Heights Neighborhood Council and the Boyle Heights Wolfpack on November 19, 2006, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance AND application requirements.

ITEM NO. (41) - ADOPTED

06-2719

CD 9 MOTION (GARCETTI for PERRY - HUIZAR) relative to declaring the Christian McBride Jazz Master Class on November 8, 2006 a Special Event (fees and costs absorbed by the City = 1,226).

Recommendation for Council action:

DECLARE the Christian McBride Jazz Master Class, sponsored by the Los Angeles Philharmonic on November 8, 2006, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance.

ITEM NO. (42) - LEFT ON DESK TOGETHER WITH SUBSTITUTE MOTION - SEE FOLLOWING

06-2676

MOTION (WEISS - ROSENDAHL) relative to authorizing the University of California, Los Angeles (UCLA) to use the City Hall Tom Bradley Room to host a reception on November 8, 2006.

Recommendation for Council action:

AUTHORIZE UCLA to use the City Hall Tom Bradley Room to host a reception for recently appointed Federal Judges on November 8, 2006 from 6:00 p.m. to 8:00 p.m.

LEFT ON DESK

SUBSTITUTE MOTION (WEISS - WESSON) relative to authorizing a transfer of funds for the University of California, Los Angeles (UCLA) use the City Hall Tom Bradley Room to host a reception on November 8, 2006.

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

TRANSFER from the Reserve Fund to the Unappropriated Balance Fund No. 100-58 and be appropriated therefrom to the General Services Fund No. 100-40 as follows: \$122 to Account No. 1070 (Salaries - As Needed) and \$306 to Account No. 1090 (Salaries - Overtime), for services in connection with the November 8, 2006 Council District Five reception for the UCLA and for recently appointed Federal Judges, in the City Hall Tom Bradley Room - said funds to be reimbursed to the General Fund by UCLA.

ITEM NO. (43) - ADOPTED

05-0946-S1

MOTION (ZINE - SMITH) relative to authorizing Councilmember Zine to use a City vehicle while attending the League of Cities Congress in Reno, Nevada on December 5-9, 2006.

Recommendation for Council action:

AUTHORIZE Councilmember Dennis Zine to use his assigned City vehicle, or any other City vehicle, in conjunction with attendance at the National League of Cities Congress of Cities in Reno, Nevada which is scheduled to take place on December 5-9, 2006 (or on any other dates to which this meeting may be rescheduled).

ITEM NO. (44) - ADOPTED

06-2402-S2

CD 7 MOTION (PADILLA - CARDENAS) relative to providing funding for any aspect of the programs of Pacoima Beautiful in Council District Seven.

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

1. ALLOCATE \$10,000 in the Council District Seven Real Property Trust Fund No. 689 to provide funding for any aspect of the programs of Pacoima Beautiful, including general operating expenses.
2. DIRECT the City Clerk to prepare the necessary agreement or other document(s) with Pacoima Beautiful, or any other agency or organization, as appropriate, in the above amount, for the above purpose, subject to the approval of the City Attorney as to form and legality, if needed, and that the Councilmember of the District and the City Clerk be authorized individually to execute such agreement or other document(s) on behalf of the City, if needed.

ITEM NO. (45) - ADOPTED

05-1073-S74

CD 12 MOTION (SMITH - REYES) relative to a transfer of funds for the trimming of overgrown trees in Council District 12.

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

1. AUTHORIZE the Department of Public Works, Bureau of Street Services to perform the tree trimming.
2. TRANSFER \$5,000 from the Council District 12 portion of the Street Furniture Revenue Fund No. 43D Department 50 Account S12 to Street Services fund No. 100 Department 86, Account No. 1090 (Salaries/Overtime) to cover the costs of trimming the trees that have been identified by Council District 12 staff.

3. AUTHORIZE the Chief Legislative Analyst, or designee, to make technical corrections or revisions as may be necessary to implement the intent of this motion.

ITEM NO. (46) - LEFT ON DESK

06-2714

CD 7 MOTION (PADILLA - CARDENAS) relative to funding any aspect of the 2006-08 Fourth of July community celebrations at Hansen Dam in Council District Seven.

Recommendations for Council action:

1. UTILIZE \$30,000 in the Lopez Canyon Landfill Community Amenities Trust Fund No. 531-14, Account No. L302, to fund any aspect of the 2006, 2007 and 2008, Fourth of July community celebrations at Hansen Dam, including general operating expenses.
2. DIRECT the City Clerk to prepare the necessary document(s) and/or agreement(s) with Fourth of July Celebration at Hansen Dam, Inc., or any other agency or organization, as appropriate, in the above amount, for the above purpose, subject to the approval of the City Attorney as to form and legality, if needed, and that the Councilmember of the District or the City Clerk be authorized individually to execute such agreement or other document(s) on behalf of the City if needed.
3. AUTHORIZE the City Clerk to make any technical corrections or clarifications to the above instructions in order to effectuate the intent of this Motion.

ITEM NO. (47) - ADOPTED

Roll Call #5 - Motion (LaBonge - Greuel) Adopted, Ayes (12); Absent: Huizar, Reyes and Wesson (3)

06-2694

RESOLUTION (GARCETTI - WEISS) relative to declaring October 23, 2006 as Hungarian Freedom Day in the City of Los Angeles.

Recommendation for Council action:

RESOLVE to DECLARE the 23rd of October, 2006 as Hungarian Freedom Day in the City of Los Angeles and commend the people of Hungary as they mark the 50th anniversary of the 1956 Hungarian Revolution.

Closed Sessions - Items 48-51

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

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

05-0412-S1

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 Rene Flores (deceased) v. City of Los Angeles, Workers' Compensation Appeals Board Case No. VN0515481, Claim No. 9001-2004-2055.

(Budget and Finance Committee considered the above matter in Closed Session on October 30, 2006)

ADOPTED IN OPEN SESSION

MOTION (ROSENDAHL - HUIZAR)

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

- 1. AUTHORIZE the City Attorney to enter into a settlement in the case entitled Rene Flores (deceased) v. City of Los Angeles, Workers' Compensation Appeals Board Case No. VN0515481, Claim No. 9001-2004-2055 through a Stipulated Award in the amount of \$145,000.**
- 2. AUTHORIZE the City Attorney to execute the Stipulated Award with all appropriate parties for submission to the Workers' Compensation Appeals Board for its award of payment.**

This matter was approved by the Budget and Finance Committee (Greuel - Smith - Rosendahl - Huizar "yes") at its meeting of October 30, 2006, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (49) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #19 - Motion (Smith - Huizar) Adopted, Ayes (11); Noes: Zine (1); Absent: Cardenas, LaBonge and Padilla (3)

06-1305

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 Tennie Pierce v. City of Los Angeles, Los Angeles Superior Court Case No. BC 345845 (allegations of racial harassment by a Los Angeles Fire Department firefighter).

(Budget and Finance Committee considered the above matter in Closed Session on October 30, 2006)

ADOPTED IN OPEN SESSION

MOTION (SMITH - HUIZAR)

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

- 1. AUTHORIZE the City Attorney to expend \$2,700,000 in settlement of the case entitled Tennie Pierce v. City of Los Angeles, Los Angeles Superior Court Case No. BC 345845 from City Attorney Fund 100, Department 59, Account No. 9770.**
- 2. AUTHORIZE the City Attorney to draw the necessary demands thereon as follows:**
 - a. \$1,300,000 payable to Litt, Estuar, Harrison, Miller and Kitson client trust fund and Tennie Pierce**
 - b. \$1,400,000 payable to Tennie Pierce and drawn no later than July 30, 2007**

This matter was approved by the Budget and Finance Committee (Parks - Greuel - Smith - Huizar "yes"; Rosendahl "no") at its meeting of October 30, 2006, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (50) - CONTINUED TO NOVEMBER 15, 2006

Roll Call #17 - Motion (Smith - Huizar) Adopted to Continue, Unanimous Vote (12); Absent: Cardenas, LaBonge and Padilla (3)

06-2481

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to the case entitled Angela Krieg v. City of Los Angeles, Los Angeles Superior Court Case No. BC 345781 (plaintiff alleges retaliation and discrimination in violation of the California Fair Employment and Housing Act).

(Budget and Finance Committee considered the above matter in Closed Session on October 30, 2006)

ITEM NO. (51) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #20 - Motion (Rosendahl - Huizar) Adopted in Open Session, Ayes (12); Absent: Cardenas, LaBonge and Padilla (3)

05-2631

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to the case entitled 20th Century Architecture Alliance, et al., v. City of Los Angeles, Los Angeles Lincoln Place Investors LTD, et al., Los Angeles Superior Court Case No. BS 083089, B174028.

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

ADOPTED IN OPEN SESSION

MOTION (ROSENDAHL - HUIZAR)

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

AUTHORIZE the City Attorney to issue payments in the amounts below, plus statutory interest at the annual rate of 7 percent from the date of entry, and made payable to petitioners' counsels' trust accounts from the City Attorney Liability Fund 100, Department 59, Account 9770, as follows:

- a. **\$168,213.98 (plus interest) payable to "Chatten-Brown & Carstens Trust Account" tax identification number 95-4525716. This represents \$162,102.48 for fees and \$6,111.51 for costs.**
- b. **\$16,397.52 (plus interest) payable to "Brandt-Hawley Trust Account" tax identification number 94-263400. This represents fees only.**

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

MOTION ADOPTED UPON FINDINGS BY COUNCIL THAT THE NEED TO TAKE ACTION AROSE SUBSEQUENT TO THE POSTING OF THE COUNCIL AGENDA FOR WEDNESDAY, NOVEMBER 8, 2006, PURSUANT TO GOVERNMENT CODE SECTION 54954.2(b)(2) AND COUNCIL RULE 23

ADOPTED - FORTHWITH

**Roll Call #15 - Motion (Weiss - Garcetti) Findings on Need to Act - Adopted, Ayes (12);
Absent: Cardenas, LaBonge and Padilla (3)**

**Roll Call #16 - Motion (Weiss - Garcetti) Adopted, Ayes (12);
Absent: Cardenas, LaBonge and Padilla (3)**

06-2760

MOTION (WEISS - GARCETTI) relative to the employment of Mayer, Brown, Row & Maw LLP (Mayer, Brown) as outside counsel to work with the City Attorney's Office in defense of the Education Reform Act of 2006 in the lawsuit entitled Mendoza, et al. v. State of California, et al. (Mendoza), in which the Mayor is named as a Defendant/Respondent.

Recommendation for Council action:

APPROVE the employment of Mayer, Brown by the City Attorney's Office for the defense of the Mendoza litigation and TRANSFER funds to pay for the contract in an amount of up to \$100,000 from the Unappropriated Balance, Outside Counsel including Workers' Compensation line item, to the City Attorney, Fund No. 100, Department 12, Account 9301, City Attorney Outside Counsel. The contract should return to the City Council if it is proposed to extend beyond December 2, 2006.

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

06-2762

MOTION (CARDENAS - PADILLA) relative to declaring the Valley's Christmas Tree Lighting Event on December 3, 2006 a Special Event (fees and costs absorbed by the City = \$578).

06-2766

MOTION (PERRY - GARCETTI) relative to declaring the United Jewish Communities General Assembly on November 12-15, 2006 a Special Event (fees and costs absorbed by the City = \$40,000).

06-2717

MOTION (REYES - PERRY) relative to declaring the Grand Opening of Frank E. Baxter Education Complex on November 11, 2006 a Special Event (fees and costs absorbed by the City = \$700).

06-2766

MOTION (WEISS - ROSENDAHL) relative to declaring the United Jewish Communities 2006 General Assembly event at the Simon Wiesenthal Center on November 15, 2006 a Special Event (fees and costs absorbed by the City = \$1,200).

06-2767

MOTION (ROSENDAHL - GREUEL) relative to declaring the 28th Avenue Block Party on November 18, 2006 a Special Event (fees and costs absorbed by the City = \$1,314).

06-2763

MOTION (ROSENDAHL - WEISS) relative to initiating street vacation proceedings for Tione Road from Stradella Road to its northwesterly terminus.

06-2764

MOTION (ROSENDAHL - WESSON) relative to initiating street vacation proceedings for Seventh Street from Catalina Street to its westerly terminus.

06-2604-S1

MOTION (PERRY - REYES) relative to authorizing the Department of Neighborhood Empowerment to hold a reception in the City Hall Tom Bradley Room on December 19, 2006.

06-2460

MOTION (PERRY - WEISS) relative to amending Council action of October 18, 2006 relative to the United Jewish Communities General Assembly special event.

05-1073-S76

MOTION (LABONGE - GARCETTI) relative providing partial funding for a study to look at the feasibility of creating a "Hollywood Central Park" above the U.S. 101 - Hollywood Freeway.

02-0648

MOTION (WESSON - PERRY) relative to reaffirming Council action of May 26, 2006 in connection with the Wilshire Center Farmer's Market.

07-1100-S7

MOTION (CARDENAS - SMITH - ROSENDAHL, et al) relative to placing before the voters an infrastructure bond measure for repairing and maintaining 4,000 miles of City streets.

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

06-2761

RESOLUTION (GARCETTI - LABONGE) relative to declaring November 12, 2006 as Artist Day in the City of Los Angeles.

COMMENDATORY RESOLUTION ADOPTED IN HONOR OF:

06-2346 - Richard A. Lugo

(Zine - All Councilmembers)

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

Ayes, Greuel, Hahn, Parks, Perry, Reyes, Rosendahl, Smith, Weiss and President Garcetti (9); Absent: Cardenas, Huizar, LaBonge, Padilla, Wesson and Zine (9).

Whereupon the Council did adjourn.

ATTEST: Frank T. Martinez, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL