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200 NORTH SPRING STREET
ROOM 361, CITY HALL
LOS ANGELES, CA 90012

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GENERAL INFORMATION
Tel: 213-978-0261 Fax: 213-978-0278

To the Public Works Committee
Of the Honorable Council
of the City of Los Angeles

Date: AUG 2 0 2009
Council File No.: 06-2748
Council District: 13
Contact Person: Quyen Phan
Phone No.: (213) 977-6955

Transmittal:

Transmitted herewith, is the City Engineer's report dated AUG 2 0 2009 for Council review and approval of:

VACATION REQUEST – VAC E1401019 – Council File No. 06-2748 – Marathon Street and Alvarado Street Vacation District

RECOMMENDATIONS:

1. That the City Council find that it has imposed all of the mitigation measures that are within control of the City, as described in the Final Environmental Impact Report (State Clearinghouse No. 2005061007) that are associated with the impacts of the street vacation and that other mitigation measures that are not within the authority of the City have been or should be imposed as set forth in the findings of the Board of Education of the City of Los Angeles, dated June 26, 2007, a copy of which is attached and incorporated.

2. Adopt the City Engineer report dated AUG 2 0 2009 with the conditions contained therein.

3. Fiscal Impact Statement:

   To date, an estimated $15,816.32 for the investigation of this request pursuant to Section 7.42 of the Administrative Code. Any deficit fee to recover the cost pursuant to Section 7.44 of the Administrative Code will be required of the petitioner.

4. That there is a public benefit to this vacation. Upon vacation of the street and alleys, the City is relieved of its ongoing obligation to maintain the rights of way. In addition, the City is relieved of any potential liability that might result from continued ownership of the involved street and alley easements.

5. There were no objections to the vacation submitted for this project.

Report prepared by:
Land Development Group

Respectfully submitted,

Edmond Yew

Quyen M. Phan
Civil Engineering Associate II
Phone (213) 977-6955

Edmond Yew, Manager
Land Development Group
Bureau of Engineering

EY/qp
LDG

Office of the City Engineer

Los Angeles, California

To the Public Works Committee

Of the Honorable Council

Of the City of Los Angeles

AUG 2 0 2009

Honorable Members:

C. D. No. 13

SUBJECT:

VACATION REQUEST - VAC- E1401019 - Council File No. 06-2748 – Marathon Street and Alvarado Street Vacation District – Revised Report

RECOMMENDATIONS:

A. That the report dated July 20, 2007 recommending the denial of the vacation, be rescinded.

B. That street vacation proceedings pursuant to the Public Streets, Highways and Service Easements Vacation Law be instituted for the vacation of the public rights-of-way indicated below and shown colored blue on the attached Exhibit "B":

1) A portion of Marathon Street from Alvarado Street to the alley southeast of Mohawk Street.
2) The northeast/southwest Alley adjoining Lot 15, Block 1, Bellevue Avenue Tract.
3) The northwest/southeast Alley adjoining Lots 5, 7, 9, 11 and 13, Bellevue Avenue Tract No. 2.
4) The northeast/southwest Alley adjoining Lot 6, Bellevue Avenue Tract No. 2.

C. That the vacation of the area shown colored orange on Exhibit "B" be denied.

D. That the City Council find that it has imposed all of the mitigation measures that are within control of the City, as described in the Final Environmental Impact Report (State Clearinghouse No. 2005061007) that are associated with the impacts of the street vacation and that other mitigation measures that are not within the authority of the City, have been or should be imposed as set forth in the findings of the Board of Education of the City of Los Angeles, dated June 26, 2007, a copy of which is attached and incorporated.

E. That there is a public benefit to this vacation. Upon vacation of the street and alleys, the City is relieved of its ongoing obligation to maintain the rights of way. In addition, the City is relieved of any potential liability that might result from continued ownership of the involved street and alley easements.

F. That, in conformance with Sections 556 of the City Charter, the Council make the findings that the vacation is in substantial conformance with the purposes, intent and provisions of the General Plan.

G. That, in conformance with Section 892 of the California Streets and Highways Code, the Council determines that the vacation areas are not necessary for nonmotorized transportation facilities.

H. That, in conformance with Section 8324 of the California Streets and Highways Code, the Council determines that the vacation areas are not necessary for present or prospective public use.

I. That the Council adopts the City Engineer's report with the conditions contained therein.

J. That the City Clerk schedule the vacation for public hearing at least 30 days after the Public Works Committee approval so the City Clerk and Engineering can process the Public Notification pursuant to Section 8324 of the California Streets and Highways Code.

K. That the payment of fees for the vacation proceedings be waived in accordance with Section 7.46 of the Administrative Code which exempts all governmental agencies.

FISCAL IMPACT STATEMENT:

To date, an estimated $15,816.32 in charges has been expended in the investigation and processing of this proceeding. Since Section 7.46 of the Administrative Code exempts all governmental agencies from payment of fees, the processing of this report will be absorbed by the Bureau of Engineering.

NOTIFICATION:

That notification of the time and place of the Public Works Committee and the City Council meetings to consider this request be sent to:

1. Los Angeles Unified School District
   Attn: Mike Scinto
   1055 W. 7th Street, 10th Floor
   Los Angeles, CA 90017

2. Fred and Lisa Olbrych
   2131 Santa Ynez Street
   Los Angeles, CA 90026

3. Maria Herlinda Velasquez
   2138 Marathon Street
   Los Angeles, CA 90026

4. Carlos G. Aguilar
   2142 Marathon Street
   Los Angeles, CA 90026

5. Jorge Sr. Melendez
   2146 Marathon Street
   Los Angeles, CA 90026

6. June Betschart
   2150 Marathon Street
   Los Angeles, CA 90026

7. Santiago B. and Amy Y. Sabillo
   3350 Wilshire Boulevard, No. 680
   Los Angeles, CA 90010

8. Robin E. Centeno
   1002 Mohawk Street
   Los Angeles, CA 90026

9. L and B Real Estate
   P.O. Box 1380
   Los Angeles, CA 90078

10. Thomas Vasquez
    45335 Essex Lane
    Lancaster, CA 93534

11. Lulu Cresencia
    1011 Mohawk Street
    Los Angeles, CA 90026

12. City of Los Angeles
    1017 Mohawk Street
    Los Angeles, CA 90026

13. Caltrans
Attn: Melanie Bradford (Planning Department)
100 South Main Street
Los Angeles, CA 90012

13. Noel Hyun
Council District 13
200 North Spring Street, Room 470
Los Angeles, CA 90012

CONDITIONS:

The Conditions specified in this report are established as the requirements to be complied with by the petitioner for this vacation. Vacation proceedings in which the conditions have not been completed within two years of the Council's action on the City Engineer's report shall be terminated, with no further Council action.

1. That a suitable map, approved by the Central District Engineering Office, delineating the limits, including bearings and distances of the areas to be vacated be submitted to the Land Development Group prior to the preparation of the Resolution to Vacate.

2. That a suitable legal description describing the areas being vacated and all easements to be reserved, including copies of all necessary supporting documentation, be submitted to the Land Development Group of the Bureau of Engineering prior to preparation of the Resolution to Vacate.

3. That title reports indicating the vestee of the underlying fee title interest in the areas to be vacated be submitted to the City Engineer. That in the event the fee title of any portion of the right of way areas being vacated is vested with the City, said fee title interest be acquired.

4. That the following dedications be provided adjoining the petitioner's properties in a manner satisfactory to the City Engineer:

    a. Dedicate a 10.75-foot wide strip of land along the westerly side of Alvarado Street and 2 feet along the property of Lot 18.

    b. Dedicate a 5.0-foot wide strip of land along the northerly side of Santa Ynez Street.

    c. Dedicate a 20-foot radius property line return or a 15-foot by 15-foot corner cut at the northerly corner of the intersection of Alvarado Street with Santa Ynez Street.

    d. Dedicate sufficient area as necessary to provide for an elbow intersection transition at the intersection of Marathon Street with Mohawk Street.

5. That the following improvements be constructed adjoining the petitioner's properties in a manner satisfactory to the City Engineer:

a.) Alvarado Street

1) From the new property line, construct a 12-foot wide full width concrete sidewalk, integral concrete curb and gutter and asphalt concrete pavement providing for a 40-foot wide half roadway along the northwesterly side of Alvarado Street. Provide a proper transition to join the existing improvements.

2) Construct an access ramp for the handicapped within a new curb return at the northerly corner of the intersection with Santa Ynez Street.

b.) Santa Ynez Street

1) From the new property line, construct a 5-foot wide concrete sidewalk, 5-foot wide grass parkway, integral concrete curb and gutter and asphalt concrete pavement providing for a 20-foot wide half roadway along the northerly side of Santa Ynez Street. Provide a proper transition to join the existing improvements.

c.) Marathon Street

1) Construct an access ramp for the handicapped on the northeast corner of the intersection of Mohawk Street with Marathon Street.

2) Close the street intersection of Marathon Street with Alvarado Street with standard street improvements.

3) Construct an elbow intersection transition at the intersection of Marathon Street with Mohawk Street, including integral curb and gutter and a minimum 7-foot wide sidewalk. Provide a proper transition to join existing improvements.

d.) Alley(s) West of Alvarado Street

1) Close the alley intersections at Marathon Street and at Santa Ynez Street with standard street improvements.

6. That the petitioner makes provisions to collect or divert any surface flows from impounding in the areas to be vacated.

7. That arrangements be made with the Department of Water and Power, AT&T and Southern California Gas Company for the removal of affected facilities or the providing of easements or rights for the protection of affected facilities to remain in place.

8. That satisfactory arrangements be made with the City Engineer for the relocation or abandonment of the existing sewer and storm drain facilities located within the areas to be vacated, unless easements are reserved from the vacation for their protection.

9. That consents to the vacation be secured from the owners of Lot 15, Block 1 of the Bellevue Avenue Tract and Lot 16 of Bellevue Avenue Tract No. 2, adjoining the areas to be vacated.

10. That street lighting facilities be installed as required by the Bureau of Street Lighting.

11. That street trees be planted and tree wells be installed as may be required by the Street Tree Division of the Bureau of Street Services.

12. That the petitioner complies with the requirements identified in the Department of Transportation letter to the L.A.U.S.D. Office of Environmental Health and Safety dated May 17, 2007, to the satisfaction of the Bureau of Engineering and the Department of Transportation.

13. That plot plans be submitted to the Fire Department for their review and approval. Additional conditions of the Fire Department may be required.

TRANSMITTAL:

Application dated August 17, 2006, from Mike Scinto.

DISCUSSION:

Request: The petitioner Mike Scinto representing the Los Angeles Unified School District, owners of the properties shown outlined in yellow on Exhibit "B", is requesting the vacation of the public street and alleys shown colored blue and orange. The purpose of the vacation request is to allow for the construction of Central Region Elementary School #14.

This vacation procedure is being processed under procedures established by Council File No. 01-1459 adopted by the Los Angeles City Council on March 5, 2002.

Resolution to Vacate: The Resolution to Vacate will be recorded upon compliance with the conditions established for this vacation.

Previous Council Action: The City Council on November 14, 2006 under Council File No. 06-2748 adopted a Rule 16 Motion initiating street vacation proceedings.

Zoning and Land Use: The properties adjoining the vacation area to the southwest are zoned RD2-1VL and are developed with single and multiple family dwellings. The properties to the northeast are zoned R3-1VL and C2-1VL and are developed as multiple dwelling units and commercial usage.

Description of Areas to be Vacated: The areas sought to be vacated are Marathon Street from Alvarado Street to the alley southeast of Mohawk Street and the three adjoining alleys that extend from Marathon Street to Santa Ynez Street. This portion of Marathon Street is an improved local street dedicated 60-foot wide with a 40-foot wide roadway, sidewalks and curbs. The alleys are dedicated 10-feet wide, unimproved and gated on both ends.

Adjoining Streets: Alvarado Street is an improved major highway class II dedicated 82.5 feet and 91.25 feet wide with a 58-foot wide half roadway, sidewalks and curbs. Santa Ynez Street is an improved local street dedicated 50 feet wide with a 34-foot wide roadway, sidewalks and curbs.

Surrounding Properties: The property owners of Lot 15, Bellevue Avenue Tract and of Lots 16, 17, 19, 21, 23, 25 and 27, Bellevue Avenue Tract No. 2 adjoining and in the vicinity of the proposed vacation areas have been notified of the proposed street and alley vacation.

Effects of Vacation on Circulation and Access: There should be only certain effect on vehicular circulation due to vacating that portion of Marathon Street westerly of Alvarado Street. The Department of Transportation in the letter dated May 17, 2007 identified project requirements for this project. These requirements have been incorporated in these conditions of this vacation approval.

Reversionary Interest: No determination of the underlying fee interest of the vacation areas has been made as to title or reversionary interest.

Dedication and Improvements: It will be necessary that the petitioner provide for the dedications and improvements as outlined under Conditions.

Sewers and Storm Drains: There are existing sewer and storm drain facilities within the areas proposed to be vacated.

Public Utilities: The Department of Water and Power and AT& T maintain facilities in the areas proposed to be vacated. The Southern California Gas Company did not respond to the BOE's referral letter dated September 21, 2006.

Tract Map: Since the required dedications can be acquired by separate instruments and the necessary improvements can be constructed under separate permit processed, the requirement for the recordation of a new tract map could be waived.

City Department of Transportation: The Department of Transportation (DOT) is not opposed to the vacation request provided that the Los Angeles Unified School District (LAUSD) complies with the project requirements as identified in DOT's letter dated May 17, 2007 to Juliet Arroyo of the LAUSD, office of Environmental Health and Safety.

City Fire Department: The Fire Department states that the subject property has been investigated by their members and that they recommend that plot plans be submitted for their review and approval.

Department of City Planning: The Planning Department did not respond to the BOE's referral letter dated September 21, 2006.

Conclusion: The vacation of the public street and alley areas as shown colored blue on attached Exhibit "B" could be conditionally approved based upon the following:

1. They are unnecessary for present or prospective public use.

2. They are not needed for vehicular circulation or access.

3. They are not needed for nonmotorized transportation purposes.

The areas shown colored orange should not be vacated because they are needed for public street purposes.

Report prepared by:
Land Development Group

Respectfully submitted,

Edmond Yew

Quyen M. Phan
Civil Engineering Associate II
Phone (213) 977-6955

Edmond Yew, Manager
Land Development Group
Bureau of Engineering

EY/qp

IF NOT SUMMARY VACATION:
ATTACH THIS SHEET TO FILE

NOTICES OF PUBLIC HEARING MUST BE SENT BY THIS OFFICE

CRES #14
Alley ('Z') Vac.

8/17/06

APPLICATION FOR VACATION OF PUBLIC RIGHT OF WAY

ORIGINAL – (No copies or faxes)

DATE: ~~7-10-06~~

PROJECT LOCATION AND DESCRIPTION:

(1) Area proposed to be vacated is: Alley Vacation ('Z' shape)
(Street/Avenue/Boulevard/alley/walk:N/S/E/Wof)

and is located between:
Marathon Street & Santa Ynez Street
Rosemont Avenue and Alvarado Street
(Street, Avenue, Boulevard or other limit) (Street, Avenue, Boulevard or other limit)

(2) The vacation area lies within or is shown on:

(a) Engineering District: (check appropriately)

(XX) Central ( ) Harbor ( ) Valley ( ) West Los Angeles

(b) Council District No. 5

(c) District Map No. 139.5A207

(d) Thomas Guide Reference: 594 , D7
(Page No.) (Letter/Number at intersection pt.)

(3) Area (in sq. ft.) of the proposed vacation area is approx. 3,976 sq. ft. If over 10,000 sq. ft. of buildable area, the vacation is not categorically exempt from the California Environmental Quality Act Guidelines and will require a Notice of Determination. Contact a Vacation staff member to discuss the effect of this on the processing of your application prior to submittal. If the vacation is located within a Coastal Development Zone, prior approval from the California Coastal Commission will be required before the vacation application can be submitted.

(4) Purpose of vacation (future use of vacation area) is:
to allow for the construction of Central Region Elementary School #14 (LAUSD).

(5) Vacation is in conjunction with: (Check appropriately)

( ) Revocable Permit ( ) Tract Map ( ) Parcel Map ( ) Zone Change
( ) Other

PETITIONER / APPLICANT:

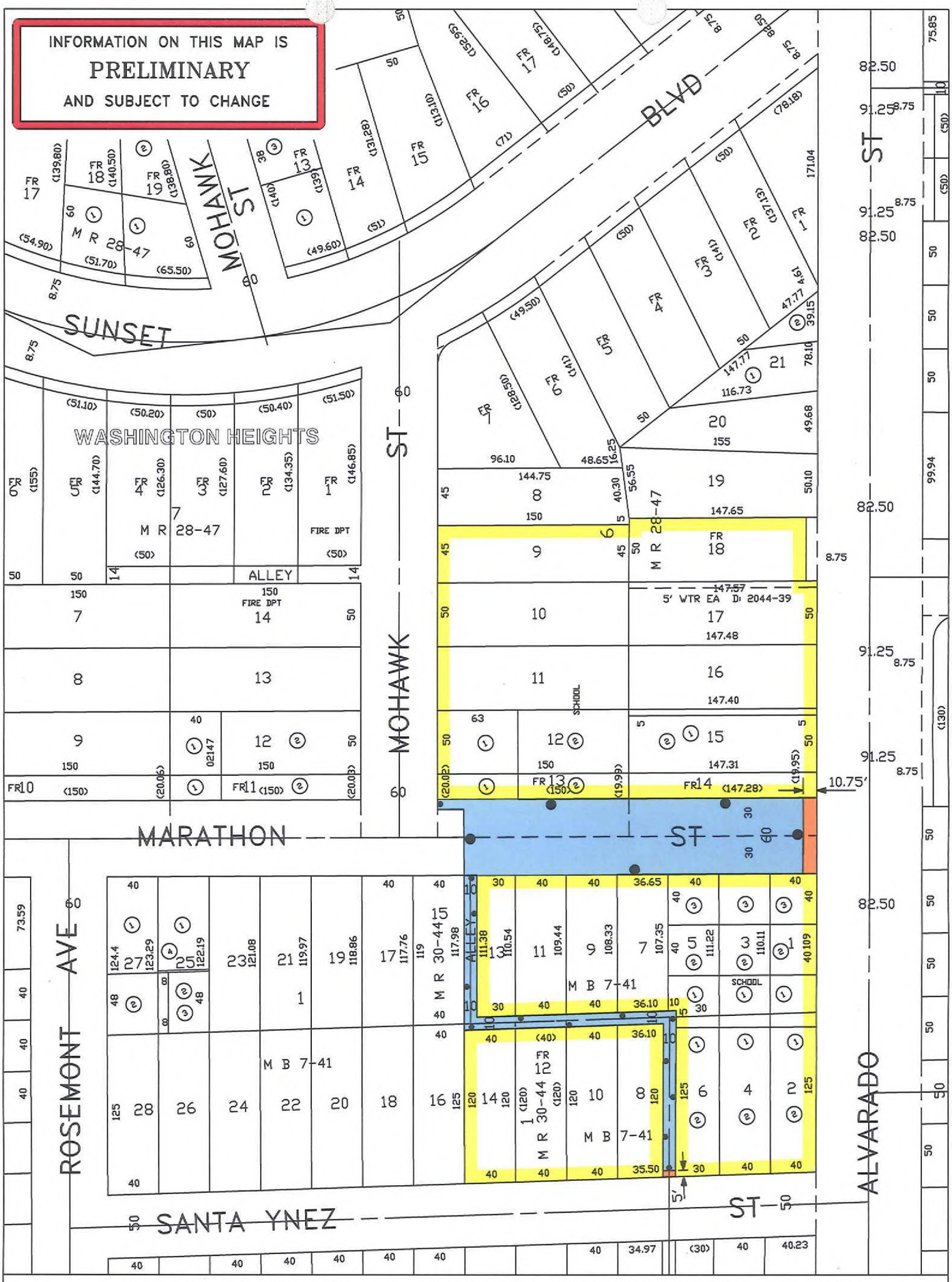
(6) Petitioner(s): Los Angeles Unified School District (LAUSD)
Print Name(s) of Petitioner(s) in full – Name or Company Name

Signature(s):
If Company, Name and Title Michael Scinto, Director of Project Support

(7) Mailing Address: 1055 W. 7th Street, 10th Floor, Los Angeles, CA 90017
(Address, City, State, Zip Code)

(8) Daytime phone number of petitioner is: (213) 972-5105
FAX number: ( )
E-mail number: mike.scinto@lausd.net

(9) Petitioner is: (check appropriately) ( ) Owner **OR** ( ) Representative of Owner



TITLE: MARATHON STREET AND ALVARADO STREET VACATION DISTRICT.

WORK ORDER NO. VAC- E1401019
COUNCIL FILE NO. 06-2748
COUNCIL DIST. 13 DIV. INDEX 32
ENG. DIST. CENTRAL T.G. 594-D7
DISTRICT MAP 139-5 A 207

DEPT. OF PUBLIC WORKS
BUREAU OF ENGINEERING
CITY OF LOS ANGELES

EXHIBIT B

Legend: Vacation boundary as shown

BOARD OF EDUCATION OF THE CITY OF LOS ANGELES
Governing Board of the Los Angeles Unified School District

REGULAR MEETING ORDER OF BUSINESS
333 South Beaudry Avenue, Board Room
10 a.m., Tuesday, June 26, 2007
Recessed to 1 p.m., Thursday, June 28, 2007

Roll Call

Pledge of Allegiance

Inspirational Moment

Roy Romer, Former Superintendent of Schools – Scholarship Award **Thursday, 6/28/07, 1 p.m.**

Reports and Presentations

Recognition for Board Member David Tokofsky

Gangs and School Safety – Ms. LaMotte (presentation with motion) **4:30 Thursday, 6/28/07**

Recognition of Krystle Evans, Former Crenshaw High Student – Ms. LaMotte

Valerio Primary Center Kindgarten Students (Choral Reading and Song) – Ms. Korenstein

Hollenbeck Middle School, Winners of County and State Science Fairs – Ms. García

UrbanPlan High School Program

Facilities Services Division Safety Award Recipient **Thursday, 6/28/07, 1 p.m.**

Public Notice of Bargaining Union's Initial Proposals for 2007-08 (Received June 12, 2007)

1. United Teachers Los Angeles
2. Service Employees International Union, SEIU Local 99

PLEASE NOTE: The Board of Education will be recessing the Regular Board Meeting at 12 noon to convene into Closed Session regarding the following items:

1. Personnel (Government Code §54957)

   Employee Evaluation:

   Superintendent of Schools

Public Employee Employment:

Regional Construction Director
Director of Real Estate
Business Manager
Local District Superintendents (3)
Director of Maintenance & Operations
Director of Operations – New Facilities
Senior Resident Construction Engineer
New Construction Manager
Assistant Superintendent, School Operations
Regional Construction Directors (2)
Director, Benefits Administration
Asst. Supt., Secondary Education & School Support Services
Director of Transportation
Chief of Staff
Executive Director, Innovation Division
Chief Information Officer
Assistant Superintendent, Small Learning Communities
Assistant Superintendent, Staff Relations

Public Employee Discipline/Dismissal/Release

2. Conference with Legal Counsel

Existing Litigation (Government Code §54956.9 (a))

Los Angeles Unified School District v. American International Group, Inc., et.al.
Los Angeles Superior Court Case No. BC 348165

3. Conference with Labor Negotiator (Government Code §54957.6)

Negotiator: Superintendent Brewer

Employee Organizations:

Associated Administrators of Los Angeles
California School Employees Association
Los Angeles County Building and Construction Trades Council
Los Angeles School Police Officers Association
Los Angeles School Police Sergeants and Lieutenants Association
Service Employees International Union, SEIU Local 99
Teamsters
United Teachers Los Angeles
District Represented Employees and Contract Management Personnel

Adoption of Consent Items – Regular Meeting of June 26, 2007

3. Board of Education Report No. 420 – 06/07 **ADOPTED**
   Facilities Services Division
   (Authorization for Staff to Enter into a Development Agreement for the Delivery of Central Region Elementary School No. 19 and Early Education Center) Recommends authorization for staff to enter into an agreement with Pinner Construction Company for $ 65 million for the delivery of 51 classroom elementary school and early education center; adopts the plans and specifications for the school.

4. Board of Education Report No. 427 – 06/07 **ADOPTED**
   Facilities Services Division
   (Authorization to Negotiate and Enter into a Lease Amendment to Extend the Lease for District Field Office Board of Education Member M. LaMotte, 5351 West Adams Boulevard (District Field Office)) Recommends approval of amendment to an existing lease.

5. Board of Education Report No. 428 – 06/07 **ADOPTED**
   Facilities Services Division
   (Authorization to Negotiate and Enter into a Lease Amendment to Extend the Lease for 2400 West 24th Street for the Jesse Owens Community Day School) Recommends authorization for staff to negotiate and enter into a 3 year lease extension.

6. Board of Education Revised Report No. 430 – 06/07 **ADOPTED**
   Facilities Services Division
   (Amendment to New Construction and Existing Facilities Strategic Execution Plans Measure Y Funds) Recommends approval of $50 million allocation of Measure Y funds for specified uses for 5 years previously funded from District General Fund.

7. Board of Education Revised Report No. 432 – 06/07 **ADOPTED**
   Facilities Services Division
   (Amendment to Existing Facilities Strategic Execution Plan for Use of Measure R and Measure Y Funds to Upgrade and Redesign Campuses to Create Small Schools) Recommends approval of amendment to the Strategic Execution Plan for new projects at six high schools to create contiguous space, administrative offices and separate visual identities for small learning communities at the schools for a total cost of approximately $13 million.

8. Board of Education Revised Report No. 433 – 06/07 **ADOPTED**
   Facilities Services Division
   (Amendment to Existing Facilities Strategic Execution Plan to Fund Alteration and Improvement and Board Member Priority Projects at Various Schools) Approves amendment to Strategic Execution Plan to add 63 projects in Local Districts 1, 2, 3, 4, 5, 6, 7 and 8 using Measure K, Measure R and Measure Y school bond construction funds for approximately $11 million.

9. Board of Education Revised Report No. 434 – 06/07 **ADOPTED**
Facilities Services Division
(Amendment to Existing Facilities Strategic Execution Plan to Cancel Twenty-Four Projects) Recommends approval of amendment to the Existing Facilities Strategic Execution Plan to cancel 24 projects that are no longer necessary for specified reasons.

10. Board of Education Revised Report No. 435 – 06/07 **ADOPTED**
Facilities Services Division
(Amendment to Existing Facilities Strategic Execution Plan to Fund a Culinary Arts Facility Upgrade at Dorsey High School) Recommends approval of amendment to the Existing Facilities Strategic Execution Plan to repair and upgrade the Culinary Arts Facility that was partially damaged by fire to be funded by Measure R and Measure Y school construction bond funds for a total cost of approximately $2 million.

11. Board of Education Revised Report No. 436 – 06/07 **ADOPTED**
Facilities Services Division
(Amendment to Existing Facilities Strategic Execution Plan to Fund a Police Substation Project at Local District 1 Offices) Recommends approval of amendment to the Existing Facilities Strategic Execution Plan to renovate two existing buildings to be funded by Measure R and Measure Y school construction bond funds for a total cost of approximately $1.2 million.

12. Board of Education Revised Report No. 437 – 06/07 **ADOPTED**
Facilities Services Division
(Amendment to Existing Facilities Strategic Execution Plan to Include 140 Modified Consent Decree On-Demand Accessibility Projects) Recommends approval of amendment to the Existing Facilities Strategic Execution Plan to include 140 disabled access projects to be funded by Measure K school construction bond funds for a total cost of approximately $15 million.

13. Board of Education Revised Report No. 438 – 06/07 **ADOPTED**
Facilities Services Division
(Amendment to Existing Facilities Strategic Execution Plan to Approve the Methodology for Establishing Core Facilities Priorities and the Approval of 24 Grandstand Renovation Projects Utilizing Measure Y Funding) Recommends approval of amendment to the Existing Facilities Strategic Execution Plan to include a specific methodology to determine core facilities project prioritization. Also recommends approval of 24 grandstand renovation projects to be funded by Measure Y school construction bond funds for a total cost of approximately $34 million.

14. Board of Education Report No. 444 – 06/07 **ADOPTED**
Facilities Services Division
(Fourth Annual Progress Report on Proposition 47 Funded Critically Overcrowded School Program (COS I) Preliminary Apportionments) Presents "Progress Report" to fulfill State reporting requirements and recommends authorization for Facilities staff to submit necessary documents to the State Allocation Board to preserve Preliminary Apportionment of approximately $904 million made in 2003.

15. Board of Education Revised Report No. 445 – 06/07 **ADOPTED**
Facilities Services Division
(Third Annual Progress Report on Proposition 55 Funded Critically Overcrowded School Program (COS II) Preliminary Apportionments) Presents "Progress Report" to fulfill State reporting requirements and recommends authorization for Facilities staff to submit necessary documents to the State Allocation Board to preserve Preliminary Apportionment of approximately $1.776 billion made in 2004.

16. Board of Education Revised Report No. 455 – 06/07 **ADOPTED**
Facilities Services Division
(Existing Facilities Strategic Execution Plan for Track Improvement at Marshall High School) Recommends authorization to use Proposition BB, Measure K, Measure R, and Measure Y school construction bond funds for the completion of Marshall Senior High School Track and Field Renovation Project, approves an amendment to the Existing Facilities Strategic Execution Plan, and authorizes staff to negotiate and revise the existing joint use agreement with the City of Los Angeles.

17. Board of Education Report No. 418 – 06/07 **ADOPTED**
Office of the Chief Financial Officer
(Issuance of General Obligation Bonds, Measure K, Series C (2007), Measure R, Series H (2007), and Measure Y, Series E (2007)) Requests the County of Los Angeles to issue and sell up to $1 billion of Measure K, Measure R and Measure Y school construction bonds for the District. In addition, authorizes staff to enter into various agreements to facilitate the issuance.

18. Board of Education Report No. 439 – 06/07 **ADOPTED**
Educational Services Division
(Supplemental Educational Services Providers Contract) Approves agreements with 39 specified State approved Supplemental Educational Service companies to provide academic assistance and tutoring for identified students for a collective not to exceed amount of $50,700,000.

19. Board of Education Report No. 446 – 06/07 **ADOPTED**
Office of the Chief Operating Officer
(Naming of Island Elementary School) Approves naming of Banning New Elementary School No. 1 as Island Elementary School.

20. Board of Education Report No. 447 – 06/07 **ADOPTED**
Office of the Chief Operating Officer
(Naming of Arleta High School of Science, Math, and Related Technologies) Approves naming of New Tech High School on the Arleta High School campus as Arleta High School of Science, Math, and Related Technologies (S. M. A. R. T.).

21. Board of Education Report No. 448 – 06/07 **ADOPTED**
Educational Services Division
(High School After School Safety and Enrichment for Teens (ASSETS) After School Service Provider Contracts) Recommends authorization to execute 11 after school service provider master service contracts with specified providers for 5 years for a not to exceed amount of approximately $31 million.

22. Board of Education Report No. 458 – 06/07 **ADOPTED**
Office of the General Counsel
(2006-2007 Reopener Agreement Between the Los Angeles Unified School District and the Teamsters Local 572 for Unit S, Classified Supervisors) Recommends approval of MOU, which includes a 6 percent salary increase and an approximately 1.5 percent compensation increase for health and welfare benefits when determined for all eligible employees. The total annual cost is anticipated to be $16.5 million.

23. Board of Education Report No. 459 – 06/07 **ADOPTED**
Office of the General Counsel
(2005-2008 Memorandum of Understanding Between the Los Angeles Unified School District and the Los Angeles School Police Sergeants and Lieutenants Association, Unit H) Recommends approval of MOU, which includes a 10 percent salary increase and an approximately 1.5 percent compensation increase for health and welfare benefits when determined for all eligible employees. The total annual cost is anticipated to be $.5 million.

24. Board of Education Report No. 460 – 06/07 **ADOPTED**
Specially Funded and Parent/Community Programs Division
(Submission of the 2007-08 Consolidated Application for Funding Categorical Aid Programs) Recommends approval of submission to the California Department of Education of applications for categorical aid programs totaling approximately $683 million.

25. Board of Education Revised Report No. 461 – 06/07 **ADOPTED**
Office of the Superintendent
(Request for Board Designation of Senior Management Positions) Recommends the designation of the positions Chief of Staff and Executive Director, Innovation Division, as Senior Management.

26. Board of Education Report No. 440 – 06/07 PUBLIC HEARING **ADOPTED**
Board Secretariat
(Request for Waiver of California Code of Regulations to Permit Scanning of District Records) Approves submission of a request to obtain a waiver from the State Board of Education to allow the District to retain required documents electronically rather than on microfilm.

Receipt of Reports for Action at Next Board Meeting

27. Board of Education Report No. 469 – 06/7 **CONSENT**
Business Services Division
(Agreements and Amendments) Recommends approval of agreements with Public Works Group for evaluation of Small Learning Communities, East Los Angeles Classic Theatre for programs at schools, professional development for teachers at parochial schools, with the City of Los Angeles to collect developer fees and with the Youth Policy Institute for Gear-Up Grant programs at Sepulveda Middle School and Monroe High School.

28. Board of Education Report No. 475 – 06/07 **CONSENT**
Adult and Career Education and Accounting and Disbursements Divisions
(Establishment of Interest Bearing Checking Account to Disburse Federal Title IV Financial Aid to Eligible Division of Adult and Career Education Students Attending Maxine Waters Employment Preparation Center) Recommends the approval of the establishment of a checking account to allow the disbursement of financial aid funds to eligible Adult and Career Education students.

29. Board of Education Report No. 483 – 06/07 **CONSENT**
Facilities Services Division
(Authorization to Enter Into Negotiations with the Westside YMCA for the Development and Joint Use of Facilities at University High School Campus) Recommends approval of the authorization of staff to enter into negotiations for the funding and construction of recreation facilities at University High School.

30. Board of Education Report No. 488 – 06/07 **WITHDRAWN PRIOR TO MEETING**

31. Board of Education Report No. 476 – 06/07 **PUBLIC HEARING**
Charter Schools Division **4 p.m. Thursday, 6/28/07**
(Downtown Value School Charter Renewal) Recommends approval of charter petition for 5 years for a 420 student K-8 school located at 950 W. Washington Blvd. in the downtown Los Angeles area with specific conditions.

32. Board of Education Report No. 477 – 06/07 **3:30 p.m. Thursday, 6/28/07**
Charter Schools Division
(View Park Preparatory Accelerated Charter Middle School Charter Renewal) Recommends approval of charter petition for 5 years for a 300 student 6-8 grade middle school located at 5749 South Crenshaw Blvd. in Los Angeles with specific conditions.

33. Board of Education Report No. 478 – 06/07 **PUBLIC HEARING**
Charter Schools Division **3 p.m. Thursday, 6/28/07**
(Community Harvest Charter School Charter Renewal) Recommends approval of charter petition for 5 years for a 320 student 6-12 grade school located at 3202 W. Adams Blvd. in Los Angeles with specific conditions.

34. Board of Education Report No. 479 – 06/07 **2:30 p.m. Thursday, 6/28/07**
Charter Schools Division
(Para Los Niños Charter School Renewal) Recommends approval of charter petition for 5 years for a 255 student K-5 grade elementary school located at 1617 E. Seventh Street in Los Angeles with specific conditions.

35. Board of Education Report No. 484 – 06/07 **3:30 p.m. Thursday, 6/28/07**
Charter Schools Division
(Thurgood Marshall Charter Middle School Charter Petition) Recommends approval of charter petition for 5 years for a 300 student 6-8 grade middle school to be located in the Cochran Middle School attendance area in Los Angeles with specific conditions.

36. Board of Education Report No. 485 – 06/07 **3:30 p.m. Thursday, 6/28/07**
Charter Schools Division
(Thurgood Marshall Charter High School Charter Petition) Recommends approval of charter petition for 5 years for a 500 student 9-12 grade middle school to be located in the Dorsey High School attendance area in Los Angeles with specific conditions.

37. Board of Education Report No. 486 – 06/07 **3:30 p.m. Thursday, 6/28/07**
Charter Schools Division
(Urban Academy Charter Middle School Charter Petition) Recommends approval of charter petition for 5 years for a 300 student 6-8 grade middle school to be located in the Cochran Middle School attendance area in Los Angeles with specific conditions.

38. Board of Education Report No. 487 – 06/07 **3:30 p.m. Thursday, 6/28/07**
Charter Schools Division
(Urban Academy Charter High School Charter Petition) Recommends approval of charter petition for 5 years for a 500 student 9-12 grade middle school to be located in the Dorsey High School attendance area in Los Angeles with specific conditions.

Reports Postponed from Regular Board Meetings of April 24, May 22, and June 12, 2007

39. Board of Education Revised Report No. 304 – 06/07 **Thursday, 6/28/07**
Facilities Services Division
(Charter School Facilities Expansion Program) Adopts revised policy for Charter School Facilities Expansion Program replacing previously adopted policies and eligible uses for Measure K (May 2003), Measure R (December 2004), Measure K (August 2005) and establishes policy for eligible uses for Measure Y funds; authorizes staff to develop and issue applications in according with this revised policy for future funding. This item was discussed at the April 12 Facilities Committee.

40. Board of Education Report No. 376 – 06/07 **4:30 p.m. Thursday, 6/28/07**
Charter Schools Office
(Full Circle Learning Academy Charter Petition) Recommends approval of a charter petition for a 384 student K-8 school for 5 years to be located at 2100 W. Washington Blvd. in the Crenshaw area of Los Angeles with specific conditions.

41. Board of Education Revised Report No. 392 – 06/07 **6:30 p.m. Thursday, 6/28/07**
Charter Schools Division
(Pacifica Community Charter Renewal) Recommends denial of renewal of the charter for a 165 student K-8 grade school located at 3754 Dunn Dr. in West Los Angeles.

42. Board of Education Revised Report No. 393 – 06/07 **2 p.m. Thursday, 6/28/07**
Charter Schools Division
(Discovery Charter School Charter Petition) Recommends denial of renewal of the charter for a 360 student high school located at 12550 Van Nuys Blvd. in the Pacoima area of the San Fernando Valley.

43. Board of Education Report No. 417 – 06/07 (Direct) **ADOPTED**
Office of the Chief Financial Officer
(Establishment of New Special Reserve Fund – Non-Capital Outlays) Recommends the authorization to establish an account for the purpose of budgeting and accounting of funds for the operations and maintenance of the Vista Hermosa Project and Central Los Angeles High School No. 11 in compliance with the Requirements of the California Department of Toxic Substance Control requirements and for other future purposes as allowed by law.

Adoption of Regular Calendar – Regular Meeting of June 26, 2007

44. Board of Education Revised Report No. 419 – 06/07 **ADOPTED**
Facilities Services Division
(Ratification of Contract Actions and Approval of Professional Services Contracts) Recommends award of 40 existing facilities construction contracts and amendments for approximately $42 million; change orders for new and existing facilities for approximately $9 million; awards 145 unadvertised contracts totaling $2 million; awards 5 architectural and engineering contracts for approximately $3.3 million, 9 architectural and engineering options for approximately $7 million and amendments for approximately $2 million; 12 new contracts for professional services totaling approximately $1 million and 20 option amendments on existing contracts for construction management, real estate, and hazardous materials services for $17million; real estate purchase and sale agreements for approximately $3 million; and an amendment to increase fees for an architectural professional services contract for approximately $200,000.

45. Board of Education Revised Report No. 421 – 06/07 **ADOPTED**
Facilities Services Division
(Approval and Resetting of Facilities Services Division's Delegations of Authority) Recommends approval of 10 delegations authorizing the Superintendent and the Superintendent's designated staff to execute various powers in support of the District's New School Construction and Modernization programs. These delegations will become effective immediately and remain in effect after the December 31, 2007, sunset provision for all currently existing delegations.

46. Board of Education Revised Report No. 423 – 06/07 **ADOPTED**
Office of Environmental Health and Safety
(Certification of Final Environmental Impact Report, Proposed Central Region Elementary School No. 14 Project) Recommends approval of certification of the Final Environmental Impact Report; adopts Findings of Fact, and Mitigation Monitoring and Reporting Plan; and adopts the Statement of Overriding Considerations for an elementary school to be located at the northeast corner of Alvarado and Santa Ynez Streets in the City of Los Angeles.

47. Board of Education Revised Report No. 424 – 06/07 **ADOPTED**
Facilities Services Division
(Project Reapproval for Central Region Elementary School No. 14) Recommends authorization for District staff to proceed with construction of an 875 student K-5 elementary school to be located at the northeast corner of Alvarado and Santa Ynez Streets in the City of Los Angeles for a total cost of approximately $59 million.

48. Board of Education Revised Report No. 425 – 06/07 **ADOPTED**
Office of Environmental Health and Safety
(Certification of Final Environmental Impact Report, Proposed Valley Region Elementary School No. 10 Project) Recommends approval of certification of the Final Environmental Impact Report; adopts Findings of Fact, and Mitigation Monitoring and Reporting Plan; for an elementary school to be located at 7335 N Lubao Avenue in the Winnetka area in the City of Los Angeles.

49. Board of Education Revised Report No. 426 – 06/07 **ADOPTED**
Facilities Services Division
(Project Approval Valley Region Elementary School No. 10) Recommends authorization for District staff to proceed with construction of a 650 student K-5 elementary school located on the existing Sutter Middle School campus at 7335 N Lubao Avenue in the Winnetka area in the City of Los Angeles. The total cost is anticipated at approximately $33 million.

50. Board of Education Report No. 429 – 06/07 **ADOPTED**
Facilities Services Division
(Authorization to Enter into a Development Agreement and Ground Lease for the Development of Joint-Use Project at the District Owned Site of the Proposed Glassell Park Early Education Center) Recommends authorization for staff to enter into development agreement and 66 year ground lease for the development of a joint use project consisting of affordable housing, underground parking and an early education center at a District owned site located at 3000 Verdugo Road in the Glassell Park area of the City of Los Angeles with the Los Angeles Community Design Center.

51. Board of Education Revised Report No. 431 – 06/07 **Thursday, 6/28/07**
Facilities Services Division
(Amendment to Add Eight 2007-2008 Proposition 39 Charter School Renovation Projects to the New Construction Strategic Execution Plan) Recommends approval of amendment to the Strategic Execution Plan to add 8 specific renovation projects designed to allow co-location of existing charter schools on District campuses for a total cost of approximately $5 million.

52. Board of Education Revised Report No. 443 – 06/07 **ADOPTED**
Facilities Services Division
(2006-2007 Qualified Zone Academy Bond Issuance) Recommends ratification of proposals selected by Qualified Zone Academy Bond Steering Committee to be submitted to the California Department of Education and the authorization to issue $15.5 million in tax credit bonds and approval of the use of $3.6 million of available interest.

53. Board of Education Report No. 449 – 06/07 PUBLIC HEARING **Thursday, 6/28/07**
Budget Services and Financial Planning Division
(Adoption of the Superintendent's 2007-08 Provisional Budget Including Policies Followed in Preparing the Superintendent's Provisional Budget) Recommends adoption of the 2007-08 provisional budget and its filing with the County Superintendent of Schools.

54. Board of Education Report No. 452 – 06/07 **Thursday, 6/28/07 SPEAKERS**
Charter Schools Division
(Montague Charter Academy Renewal) Recommends approval of charter petition for 5 years for a 1300 student elementary school located at 13000 Montague Street in the San Fernando Valley area with specific conditions.

55. Board of Education Revised Report No. 456 – 06/07 **ADOPTED – Hold City of Los Angeles, Dept of Building and Safety, #0800048 and Pearson Achievement Solutions #0800285 & 0800304 to 6/28/07**
Business Services Division
(Agreements and Amendments) Recommends approval of 74 arts related master service agreements for a not to exceed total amount of approximately $22 million, agreements to provide School Assistance and Intervention Team monitoring, teacher recruiting, travel agency services, professional development for teachers at parochial schools, with the City of Los Angeles to collect developer fees, with the Los Angeles County Office of Education to provide No Child Left Behind school reviews at 110 Program Improvement schools, and two contracts with Pearson Achievement Solutions for professional development for District teachers.

56. Board of Education Report No. 462 – 06/07 **ADOPTED AS AMENDED (Requesting monthly notice of activities in the account)**
Office of the Chief Financial Officer
(Temporary Expansion of the New Construction Relocation Payment Revolving Account) Recommends authorization to change the Revolving Account amount from $3 million to $30 million to facilitate the payment of all costs associated with the acquisition of property and the relocation of property occupants.

57. Board of Education Report No. 464 – 06/07 **ADOPTED**
Office of the Chief Financial Officer
(Delinquent Tax Financing) Recommends approval of resolution allowing assignment of delinquent tax receivables to the California Statewide Delinquent Tax Finance Authority for three years.

58. Board of Education Report No. 465 – 06/07 **Thursday, 6/28/07**
Office of the Chief Risk Officer
(Authorization to Issue Certificates of Participation for Expected Costs in 2007-08) Recommends authorization for the issuance of Certificates of Participation for up to $37.55 million to provide resources for the final year of the Business Tools for Schools (BTS) technology project.

59. Board of Education Report Revised No. 468 – 06/07 **Thursday, 6/28/07**
Business Services Division
(Amendment to Board Rule 1104 Regarding Daily Schedules of Schools) Recommends approval of a Board Rule policy amendment to specifically include the number and scheduling of lunch periods within the authorization of the Superintendent to prescribe the daily time schedules at schools.

Directs

60. Board of Education Report No. 470 – 06/07 (Direct) **ADOPTED**
Pupil Services
(Student Expulsion Issues) Recommends approval of expulsion and appropriate placement of 10 students, and the suspension of enforcement for the students.

61. Board of Education Report No. 471 – 06/07 (Direct) **ADOPTED**
Pupil Services
(Student Reinstatements) Recommends approval of the reinstatement of 11 previously expelled students.

62. Board of Education Report No. 472 – 06/07 (Direct) **ADOPTED**
Business Services Division
(Various Purchasing Transactions) Recommends ratification of regular purchase orders and other transactions for approximately $26.4 million; and authorization to enter into contracts for various paper products, trash liner bags, telescoping bleachers, food products, wooden doors, and printers and related supplies; awards work orders for technology services.

63. Board of Education Report No. 473 – 06/07 (Direct) **ADOPTED**
Office of the Chief Operating Officer
(Naming of William Jefferson Clinton Middle School) Approves naming of Central Los Angeles Area New Middle School No. 4 in honor of former President William Jefferson Clinton.

64. Board of Education Report No. 489 – 06/07 (Direct) **ADOPTED**
Office of the Chief Operating Officer
(Naming of 4th Street Primary Center) Approves naming of 4th Street New Primary Center as 4th Street Primary Center.

65. Board of Education Report No. 474 – 06/07 (Direct) **ADOPTED**
Human Resources
(Provisional Internship Permit) Recommends approval of request to apply for Provisional Internship Permits for 14 teachers.

66. Board of Education Report No. 480 – 06/07 (Direct) **ADOPTED**
Human Resources
(Routine Personnel Actions) Recommends approval of 315 routine personnel actions such as promotions, transfers, leaves, etc.

67. Board of Education Report No. 481 – 06/07 (Direct) **ADOPTED**
Human Resources
(Nonroutine Personnel Actions) Recommends the dismissal of 4 classified employees, and the rescission of dismissal for 1 classified employee.

68. Board of Education Report No. 482 – 06/07 (Direct) **ADOPTED**
Accounting and Disbursements Division
(Report of Warrants Issued, Request to Reissue Stale-Dated Warrant, and Donation of Money)
Recommends approval of warrants for things such as salary payments for a total value of approximately $714 million.

Board Members Resolutions

Action

69. Mr. Tokofsky – Food for Thought: Nutrition, Learning and Quality of Life (Noticed November 28, 2006) **Thursday, 6/28/07**

Whereas, The Board of Education of the City of Los Angeles is a national leader in transforming its urban school district through school construction, rising test scores in elementary grades and school nutrition reform;

Whereas, The Board has passed four school construction bonds with overwhelming public support (Proposition BB 1997 – approved by 71%; Measure K 2002 – approved by 64%; Measure R 2004 – approved by 63% and Measure Y 2005 – approved by 66%) which has allowed for relief of massive overcrowding in our schools;

Whereas, The Board has passed numerous resolutions (Healthy Foods, 2001; Motion to Promote Healthy Beverage Sales, 2002; Resolution Prohibiting the Use of Irradiated Food, 2003; Obesity Prevention, 2003; Cafeteria Facilities Update & Survey, 2003 and Cafeteria Reform, 2005) to improve school nutrition and lunches;

Whereas, The Los Angeles Unified School District is a district where a super majority of the students are receiving the Federal Free and Reduced Meals program meals which can be in cases the only meal students receive daily; and

Whereas, Students need to have the proper food in their bodies that will help them receive the "food for thought" that teachers daily give to students; now, therefore, be it

Resolved, That the Board of Education of the City of Los Angeles in concert with its Superintendent and staff request that the following data and actions take place:

1. Provide the Board a 2005 list of schools by December 1 documenting where less than 80% of those eligible for free and reduced meals are actually getting their meals due to non-enrollment or nonconsumption and should be targeted for an intervention program in 2007;

2. Provide the Board a preliminary list of schools by December 31 where due to facilities Inadequacies and/or staffing needs less than 90% of those enrolled in food programs are getting their daily meals;

3. Provide the Board by December 1 the industry standard for school meals served per minute and by January 15th the school locations where cafeteria workers are being asked to serve more than 30 meals per minute or more than the industry standard (business division);

4. Provide the Board by December 1st the school locations where multiple lunch programs have been implemented and by January 15th a list of schools which are considered by central office and school site personnel to have implemented multiple lunch programs successfully with proper diligence for both nutritional facilities concerns as well as awareness of academic programs occurring during the lunches (instruction);

5. Provide the Board by December 1st the list of schools with patterns of unfilled regular and substitute cafeteria employee positions by sites/regions (human resources/classified);

6. Provide the Board by December 1st the list of schools planned for cafeteria facilities remodelings (facilities);

7. Provide the Board by January 15th the optimal staffing patterns required to maximize food production, service and consumption under board nutritional standards; and finally

8. Provide the Board by January 15th the school sites where recommended staffing changes (increase and/or redistribution of employee numbers, types, hours and compensation) and/or facilities changes (multiple lunches, remodels, or other suggestions) need to be made in order to optimize immediately students' participation in lunch programs with significant participation gaps, particularly for those who rely upon the free and reduced meals programs and with a plan to establish pilot school sites and objective measurement tools by February 1, 2007 to serve as a model for a district wide rollout of these changes for the 2007-2008 school year (Superintendent).

SUBSTITUTE LANGUAGE:

Mr. Lauritzen, Ms. García, and Ms. LaMotte – "Food for Thought" Resolution (Noticed December 12, 2006) **WITHDRAWN**

Whereas, The mission of Los Angeles Unified School District, which consists of the Board of Education, Personnel Commission, teachers, administrators and support staff, is to educate all students to their maximum potential and that each child has equal worth and dignity;

Whereas, The District is a national leader in transforming an urban school district and serves as a role model to other school districts;

Whereas, The District has passed numerous resolutions to improve the cafeteria, believes children need to be fed healthy meals, and have worked together to spark a national movement to feed children healthy meals;

Whereas, Long lines discourage students from participating in the District's nutrition programs causing participation rates to be as low as 30% at a large number of schools;

Whereas, The District receives state and federal funds to pay for the nutrition program, so as participation increases the District will receive more state and federal dollars;

Whereas, The Health Benefits Committee was able to fully fund health coverage with a $29 million surplus and an expected surplus for next fiscal year;

Whereas, High vacancy rates, low overall pay ($5,997.60 to $7,856 per year) and lack of benefits in the cafeteria create an unstable work environment and prevent students from being fed;

Whereas, It is unjust that the poorest support staff, who work for District and who are serving food to the children of District, do not have health care;

Whereas, Approximately 2,000 Cafeteria Helpers (Personnel Commission Classification codes: 4377, 4379 & 4396) and Cafeteria Workers I, II, III (4391, 4394, 4388, 4387) do not receive health care; and

Whereas, The overwhelming majority of workers in the cafeteria need one more hour per day to qualify for health benefits; now, therefore, be it

Resolved, That effective ~~January~~ July 1, 2007, all workers in the cafeteria series, as defined by the Personnel Commission's "Salary Schedule – Unit C", work at least 4 hours per day in such a manner that they qualify for the same health care benefits as all other employees.

70. Mr. Tokofsky, Ms. Korenstein, Mr. Lauritzen – Magnet Program ASSIGNED TO CURRICULUM AND INSTRUCTION AND EDUCATIONAL EQUITY COMMITTEE (Noticed February 13, 2007 **Thursday, 6/28/07**

Whereas, The Los Angeles Unified School District has one of the most successful magnet programs in the nation;

Whereas, The waitlists for magnets each year exceed spaces available;

Whereas, The choices provided by magnets alleviate the harms of racial isolation; now, therefore, be it

Resolved, That the Governing Board of the Los Angeles Unified School District receive alternative plans and their costs and benefits by April 15 to expand the number of magnets and or magnet seats through general funds, re-allotment of TIIG Funds, or closure and transfer of the lowest performing magnets to new sites;

Resolved further, That the Board receives plans by April 15 to alleviate the bottleneck at middle school magnets due to the comparable lack of seats with respect to elementary and high school magnets;

Resolved further, That the Board receives District data on the number of classrooms in magnets that are not filled to District norms and what plans are in progress to fill those in the years ahead;

Resolved further, That the Board receive the costs and spans of control of the magnet coordinators and their place in the structure of magnets; and be it finally

Resolved, That the Board receive the comprehensive future plans and budgets for the magnets in District.

71. Mr. Tokofsky – Life Skills Course ASSIGNED TO SCHOOL SAFETY, STUDENT HEALTH AND HUMAN SERVICES, AND HUMAN RELATIONS (Noticed February 13, 2007) **Thursday, 6/28/07**

Resolved, That the Los Angeles Unified School District add a third year of either science or social studies to the 9-12 high school requirements by replacing courses that do not require reading as part of their curriculum.

72. Mr. Tokofsky – Developer Fees ASSIGNED TO AUDIT, BUSINESS AND TECHNOLOGY (Noticed February 13, 2007) **ADOPTED**

Resolved, That the Governing Board of the Los Angeles Unified School District receive public quarterly reports of monies collected as Impact Fees by city jurisdictions as well as council districts of Los Angeles; and be it

Resolved further, That the Board receives public quarterly reports of Impact fees expended by projects.

73. Mr. Tokofsky - Resolution in Support of H.R. 648 – No Child Left Behind Improvements Act of 2007 (Noticed March 27, 2007) **Thursday, 6/28/07**

Whereas, On January 8, 2002, President Bush signed into law the No Child Left Behind (NCLB) Act of 2001, which applies to all school districts and schools within states that accept federal Title I dollars;

Whereas, The Los Angeles Unified School District supports the goals of NCLB of raising student achievement; closing the achievement gap; and ensuring that each child has a highly qualified teacher;

Whereas, The District continues to welcome the accountability for improving student and school performance;

Whereas, The District has had four years of operational experience in implementing NCLB;

Whereas, The District has identified improvements that could be made to NCLB that would eliminate barriers to full implementation of the federal law;

Whereas, The National School Boards Association (NSBA) developed draft legislation based on input from local school boards across the nation that would address the concerns of local school boards, and improve the implementation of NCLB;

Whereas, In April 2006 the NSBA Delegate Assembly re-affirmed its support of federal legislation that is consistent with the NSBA draft legislation; and

Whereas, In January 2007, Representative Don Young (R-AK) re-introduced legislation, the No Child Left Behind Improvements Act of 2007, H.R. 648, that is consistent with the NSBA draft legislation; now, therefore, be it

Resolved, That the Governing Board of the Los Angeles Unified School District urges the Los Angeles Congressional Delegation (Representatives Howard P. McKeon, Brad Sherman, Howard Berman, Henry Waxman, Xavier Becerra, Hilda Solis, Diane Watson, Lucille Roybal-Allard, Maxine Waters, Jane Harman, Grace Napolitano, Linda Sanchez and Dana Rohrabacher) to fully support H.R. 648 by becoming a co-sponsor of the bill; be it

Resolved further, That the District seek the support of local community and civic leaders and appropriate members of the California Legislature in encouraging members of the Los Angeles Congressional Delegation to become a co-sponsor of H.R. 648; and be it finally

Resolved, That copies of this resolution be sent to members of California's U.S. congressional delegation, the Governor, the members the California Legislature, local public governing officials, and the State Superintendent of Public Instruction by the Office of Legislation and Governmental Affairs.

74. Mr. Tokofsky – Classified Employee Recognition Program **Thursday, 6/28/07**

Whereas, The achievement of the mission of the Los Angeles Unified School District (to educate all students to their maximum potential and that each child has equal worth and dignity) necessitates and rests upon the commitment and excellence of all District employees - both certificated and classified employees;

Whereas, The District has recently passed a resolution recognizing and honoring classified employees for being "Professionals on the Job, Leaders in the Community" and believes in the value of their service and the significance of their contributions to student achievement;

Whereas, There are approximately 35,000 full and part-time classified professionals serving with dedication and skill in over 1,100 job classifications;

Whereas, The District is a national leader in transforming an urban school district and strives to be revered as an "employer of choice" to qualified prospective and current classified employees;

Whereas, Organizational effectiveness research demonstrates, and District leaders understand, that providing genuine and meaningful appreciation to employees for their service and dedication contributes to creating a motivational work environment and to retaining top talent; and

Whereas, Twenty-one years ago, 1986, the California Legislature adopted the third full week of May each year as Classified Employees Week, by passage of Senate Bill 1552 (Campbell), setting a foundation for recognizing the importance and contribution of classified professionals; now, therefore, be it

Resolved, That the Governing Board of the Los Angeles Unified School District approves the development of a classified Employee Recognition Program that becomes formalized within the District during the 2007/2008 fiscal year;

Resolved further, That the Classified Employee Recognition Program plan and design have as a focus the effect of elevating the awareness level and sense of pride that the administrators, teachers, students, parents and classified employees themselves have for the need, value, and contribution of all District classified professionals;

Resolved further, That the Personnel Commission be identified as the Division to carry out the design and implementation of the Classified Employee Recognition Program; and be it finally

Resolved, That the Board of Education directs the Superintendent to establish a budget to fund this program or seek an ethical sponsor.

75. Mr. Lauritzen – Tenure for Adult Education Teachers **Thursday, 6/28/07**

Whereas, The Los Angeles Unified School District has incorporated the Division of Adult and Career Education within the Secondary Division;

Whereas, Providing educational services to parents of school-age children is one of the most cost-effective ways to improve the school performance of children;

Whereas, Los Angeles has the most undereducated and underemployed adult population of any major metropolitan region in the United States;

Whereas, The District, through its Division of Adult and Career Education, provides educational services to 450,000 adults each year;

Whereas, A quality education program depends on attracting and keeping highly skilled and experienced teachers;

Whereas, It is becoming increasingly difficult to hire and retain highly qualified career and technical education and adult education teachers;

Whereas, Existing policy and practice restrict many adult and career education teachers to part time positions; thus, denying them the opportunity to become tenured teachers; and

Whereas, Denying job security and permanent status to the vast majority of adult education and career and technical education teachers is detrimental to our educational programs; now, therefore, be it

~~Resolved, That the Los Angeles Unified School District Division of Adult and Career Education employ teachers with permanent status for a minimum of 50% of all classes taught.~~

Resolved, That the topic of permanent teachers in adult education be analyzed from programmatic and fiscal perspectives to identify the percentage of teachers that would enhance teacher tenure; and that the goal be for the number of permanent teachers be increased, if fiscally feasible, from its present percentage.

76. Mr. Lauritzen, Ms. García – Support of Healthy Child Act of 2007 **Thursday, 6/28/07**

Whereas, More than nine million children under 19 years old in the United States have no health insurance, and every 46 seconds another child is born uninsured in America;

Whereas, Almost 90% of these children live in households with working parents and more than half live in two-parent households;

Whereas, Many of these children are eligible for coverage under Medicaid and the State Children's Health Insurance Program (SCHIP), but are not enrolled in existing programs because of different eligibility and enrollment barriers;

Whereas, An estimated 307,000 children in Los Angeles are uninsured and millions more children in America are underinsured or at risk of losing coverage if their parents change jobs or more employers drop family coverage;

Whereas, Healthcare is essential to school achievement and to reducing crime and later dependency;

Whereas, Children need comprehensive coverage for all medically necessary care with automated program enrollment with continuous eligibility for at least one year; and

Whereas, An increase in payments to health care providers will increase children's access to health and mental health services and assist in the recruitment and retention of quality health care providers; now, therefore, be it

Resolved, That the Governing Board of the Los Angeles Unified School District fully supports the Children's Defense Fund's Healthy Child Act of 2007 which creates a new, consolidated children's health program within the Social Security Act that combines Medicaid and SCHIP into one children's health coverage program operated by states with federal financial participation.

77. Mr. Lauritzen – Preserving and Sustaining School Gardens **Thursday, 6/28/07**

Whereas, School gardens can provide children access to fresh, healthy food and physical activity programs, which are not otherwise available to them;

Whereas, Such gardens also provide opportunities for family and community involvement in schools, academic achievement, environmental stewardship, work preparedness and appreciation for the natural world;

Whereas, The California Superintendent of Instruction in 1997 announced a state goal of establishing "a garden in every school"; and

Whereas, Governor Schwarzenegger signed legislation this year which provides $15 million for school gardens through the 2008-2009 school years; now, therefore, be it

Resolved, that the Governing Board of the Los Angeles Unified School District directs the Superintendent to:

1. Mandate the preservation of existing gardens in District schools;

2. Promote the use of school garden produce in school cafeterias through salad bars and other means;

3. Develop and evaluate school garden pilots in the District to facilitate a more systematic roll out of "a garden in every school" program;

4. Establish pilot programs which link school and community gardens, similar to those at Venice and North Hollywood High Schools, to evaluate logistical issues, shared resources, cost factors, community engagement with the schools, etc.;

5. Work with the City of Los Angeles and the State of California to establish and ensure ongoing financial support for school gardens;

6. Re-establish horticultural resource centers in the District to provide educational curricula and professional development for garden instructors, students and their gardens.

78. Ms. LaMotte – Creating and Maintaining a Safe School Environment **Thursday, 6/28/07**

Whereas, Improved student achievement requires an environment that is conducive to learning (i.e., clean, secure, and safe for students, teachers, and staff);

Whereas, Low-performing schools are disproportionately located in communities plagued with problems (such as drugs, prostitution, and gangs) that obstruct the free, comfortable use of public educational facilities;

Whereas, Section 370 of the California Penal Code defines a "public nuisance" as an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property by an entire community or neighborhood, or by any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner;

Whereas, Such obstruction caused by loitering gang members violates Los Angeles Ordinance 13.44.010 B, which states it is unlawful for a member of a "criminal street gang" or individual who is in the company of or acting in concert with a member of a street gang to loiter or idle in a "public place"; and

Whereas, The State of California has upheld the enforcement of these laws in communities where gangs have harassed and intimidated residents; now, therefore, be it

Resolved, That the Governing Board of the Los Angeles Unified School District, in providing students with the safest educational environment possible, directs the Superintendent to partner with the Los Angeles City Attorney's Office in the enforcement of Section 370 of the California Penal Code and Los Angeles City Ordinance 13.44.010B around and on school campuses;

Resolved further, That the Board directs the Superintendent to pursue City, State, and Federal funding that is, or may become, available for the enforcement of statutes, including, but not limited to Section 370 of the California Penal Code and Los Angeles City Ordinance 13.44.010B and any other applicable legal authority around and on school campuses; and be it

Resolved further, that the Board of Education directs the Superintendent to provide continued support of the School Safety Collaborative or equivalent school safety group in order to secure a dedicated grant writer for the sole purpose of obtaining funding for the safety collaborative program, for the development of enforcement plans and strategies, dissemination of arrest information, and safety statistics to the respective governing School Site Council or group;

Resolved further, That the Board directs the Superintendent to create an internal/external assessment process of the safety collaborative with PERB as the internal partner; and be it finally

Resolved, That the existing safety collaboratives serve as the Pilot for the mandates of this motion, and the Organizational Facilitator/Operations Coordinators for each Local District provide support and tactical assistance to schools that wish to establish safety collaboratives or equivalent safety groups.

79. Mr. Tokofsky – National Volunteer Week (Waiver of Board Rule 72) **ADOPTED**

Whereas, EmpowerLA is a collaborative of the Volunteer Center of Los Angeles, the Los Angeles Unified School District School Volunteer Program, the Los Angeles Police Department, the Police Activities League, Safe School Ambassadors, School Employees Union, the Mayor's Office, and the City Attorney's Office;

Whereas, Volunteers can connect with local community service opportunities through hundreds of community service organizations like the members of the EmpowerLA collaborative;

Whereas, The entire community can effect positive change with any volunteer action no matter how big or small;

Whereas, Thousands of volunteers working in their communities utilize their time and talent daily to make a real difference in the lives of children;

Whereas, During this week, all over the nation, service projects will be performed and volunteers recognized for their commitment to service;

Whereas, EmpowerLA will work with schools to coordinate the service projects and volunteer recognitions during the National Volunteer Week;

Whereas, The giving of oneself in service to another empowers the giver and the recipient; and

Whereas, Volunteers are vital to our future as a caring and productive nation; now, therefore, be it

Resolved, That the Governing Board of the Los Angeles Unified School District recognizes the significance of volunteers and the importance of National Volunteer Week, which will be held from April 23, 2008, to May 3, 2008; and be it

Resolved further, That the Board urges all schools to participate in the activities of the National Volunteer Week with the help of the EmpowerLA collaborative .

Motion Requested by Superintendent ADOPTED

80. Resolution of Intention to Approve an Amendment to Contract Between the Board of Administration California Public Employees' Retirement System and the Governing Board of the Los Angeles Unified School District.

Whereas, The Public Employees' Retirement Law permits the participation of public agencies and their employees in the Public Employees' Retirement System by the execution of a contract, and sets forth the procedure by which said public agencies may elect to subject themselves and their employees to amendments to said Law;

Whereas, One of the steps in the procedures to amend this contract is t he adoption by the governing board of the public agency of a resolution giving notice of its intention to approve an amendment to said contract, which resolution shall contain a summary of the change proposed in said contract; and

Whereas, The following is a statement of the proposed change:

To provide Section 20904 (two years additional service credit) for miscellaneous members.

Now, therefore be it Resolved, That the governing Board of the Los Angeles Unified School District does hereby give notice of intention to approve an amendment to the contract between said public agency and the Board of Administration of the Public Employees' Retirement System, a copy of said amendment being attached hereto, as an "Exhibit" and by this reference made a part hereof.

Correspondence and Petitions

81. Report of Correspondence **APPROVED**

Approval of Minutes APPROVED

82. 10 a.m., Special Meeting, May 17, 2007
11 a.m., Special Meeting, May 29, 2007
10 a.m., Special Meeting, June 19, 2007

Announcements

Annual Board Meeting at 10 a.m, July 3, 2007

Public Comment

Adjournment

Please note that the Board of Education may consider at this meeting any item referred from a Board Meeting five calendar days prior to this meeting (Education Code 54954.3(b)(3))

The Board of Education may also refer any item on this Order of Business for the consideration of a Standing Committee of the Board of Education, which meets on the Tuesday or Thursday immediately after this meeting.

Members of the public who wish to address the Board regarding items on this agenda should contact the Board Secretariat in person or by calling (213) 241-7002 or toll free (877) 772-6273, extension128, prior to 5 p.m., the Monday prior to the meeting to determine if they may be added to the speakers' list. Requests for disability related modifications or accommodations shall be made 24 hours prior to the meeting to the Board Secretariat.

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If you or your organization is seeking to influence a purchasing, policy, site selection or any other LAUSD decision, registration may be required under the District's Lobbying Disclosure Code. Please visit www.lausd.net/ethics to determine if you need to register or call the LAUSD