ROLL CALL - Members present: Cardenas, Greuel, Hahn, LaBonge, Miscikowski, Parks, Perry, Villaraigosa, Zine and President Padilla (10); Absent: Garcetti, Ludlow, Reyes, Smith and Weiss (5).


COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - NONE

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

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

Items Noticed for Public Hearing - Items 1-7

Roll Call #5 - Motion (Miscikowski - Zine) Adopted, Ayes (13); Absent: Garcetti and Ludlow (2) (Item Nos. 1-5)

ITEM NO. (1) - PUBLIC HEARING CLOSED - ADOPTED

03-1444 - CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CD 11 CONSIDERATION relative to the improvement and maintenance of CENTINELA AVENUE AND JEFFERSON BOULEVARD LIGHTING DISTRICT.

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

1. DENY the protests and confirm the assessments.

2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting system, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Sections 50078.6 and 54954.6 (Proposition 218).

(Public Hearing held December 16, 2003)
ITEM NO. (2) - PUBLIC HEARING CLOSED - ADOPTED

03-1445 - CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST
CD 3 CONSIDERATION relative to the improvement and maintenance of AURA AVENUE AND MIRANDA STREET LIGHTING DISTRICT.

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

1. DENY the protests and confirm the assessments.

2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting system, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Sections 50078.6 and 54954.6 (Proposition 218).

(Public Hearing held December 16, 2003)

ITEM NO. (3) - PUBLIC HEARING CLOSED - ADOPTED

03-1446 - CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST
CD 2 CONSIDERATION relative to the improvement and maintenance of HILLHAVEN AVENUE AND APPERSON STREET LIGHTING DISTRICT.

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

1. FIND that a majority protest exists in the Street Lighting Maintenance Assessment District and therefore the assessment cannot be enacted.

2. PRESENT and ADOPT the accompanying ORDINANCE abandoning all proceeding for the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Sections 50078.6 and 54954.6 (Proposition 218).

3. INSTRUCT the Director, Bureau of Street Lighting, to assure that the streetlights are not installed or are removed from service if previously installed.

(Public Hearing held December 16, 2003)

ITEM NO. (4) - PUBLIC HEARING CLOSED - ADOPTED

03-1447 - CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST
CD 3 CONSIDERATION relative to the improvement and maintenance of OSO AVENUE AND ENADIA WAY LIGHTING DISTRICT.

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

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting system, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Sections 50078.6 and 54954.6 (Proposition 218).

(Public Hearing held December 16, 2003)

ITEM NO. (5) - PUBLIC HEARING CLOSED - ADOPTED

03-1448 - CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of ORO VISTA AVENUE AND WENTWORTH STREET LIGHTING DISTRICT.

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

1. FIND that a majority protest exists in the Street Lighting Maintenance Assessment District and therefore the proposed assessment cannot be enacted.

2. PRESENT and ADOPT the accompanying ORDINANCE abandoning all proceedings for the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Sections 50078.6 and 54954.6 (Proposition 218).

3. INSTRUCT the Director, Bureau of Street Lighting, to assure that the streetlights are not installed or are removed from service if previously installed.

(Public Hearing held December 16, 2003)

ITEM NO. (6) - PUBLIC HEARING CLOSED - MOTION ADOPTED,* AS AMENDED TO GRANT APPLICATION

Roll Call #1 - Motion (Zine - Cardenas) Adopted, Ayes (11); Absent: Garcetti, Ludlow, Reyes and Weiss (4)

03-2727 - HEARING COMMENTS relative to application for determination of “Public Convenience or Necessity” for alcohol sales for off-site consumption at 22915 West Victory Boulevard *6433 Fallbrook Avenue (Fallbrook Mall Shopping Center - Wal-Mart).

Recommendations for Council action:

1. DETERMINE that the issuance of a liquor license at 22915 West Victory Boulevard *6433 Fallbrook Avenue (Fallbrook Mall Shopping Center - Wal-Mart) will serve the “Public Convenience or Necessity” and will not tend to create a law enforcement problem.
2. GRANT the Application for Determination of “Public Convenience or Necessity” for the sale of alcoholic beverages for off-site consumption at 22915 West Victory Boulevard *6433 Fallbrook Avenue (Fallbrook Mall Shopping Center - Wal-Mart).

*(Zine - Cardenas)*

3. INSTRUCT the City Clerk to transmit this determination to the State Department of Alcoholic Beverage Control (ABC) as the required findings under Business and Professions Code Section 23958.4.

Applicant: Wal-Mart Stores, Inc.

TIME LIMIT FILE - JANUARY 31, 2004

(LAST DATE FOR COUNCIL ACTION - JANUARY 30, 2004)

ITEM NO. (7) - PUBLIC HEARING CLOSED - MOTION ADOPTED TO GRANT APPLICATION

Roll Call #2 - Motion (Zine - Cardenas) Adopted, Ayes (11); Absent: Garcetti, Ludlow, Reyes and Weiss (4)

03-2730 - HEARING COMMENTS relative to application for determination of “Public Convenience or Necessity” for alcohol sales for off-site and on-site consumption located at 6520 Canoga Avenue. (Beverages and More - Liquor Store).

Recommendations for Council action:

1. DETERMINE that the issuance of a liquor license at 6520 Canoga Avenue (Beverages and More - Liquor Store) will serve the “Public Convenience or Necessity” and will not tend to create a law enforcement problem.

2. GRANT the Application for Determination of “Public Convenience or Necessity” for the sale of alcoholic beverages for off-site and on-site consumption 6520 Canoga Avenue (Beverages and More - Liquor Store).

3. INSTRUCT the City Clerk to transmit this determination to the State Department of Alcoholic Beverage Control (ABC) as the required findings under Business and Professions Code Section 23958.4.

Applicant: Steve McLaren - Beverages and More

TIME LIMIT FILE - JANUARY 31, 2004

(LAST DATE FOR COUNCIL ACTION - JANUARY 30, 2004)
ITEM NO. (8) - ADOPTED

00-2154 - BUDGET AND FINANCE COMMITTEE REPORT relative to the 2003-04 Local Law Enforcement Block Grant (LLEBG).

Recommendation for Council action, pursuant to Motion (Miscikowski - Parks), SUBJECT TO THE APPROVAL OF THE MAYOR:

1. APPROVE the 2003-04 LLEBG City/County Joint Spending Plan and AUTHORIZE the Mayor to execute the LLEBG Award for the period of October 1, 2003 through September 30, 2004, subject to the approval of the City Attorney as to form and legality.

2. EXEMPT the equipment items included in the Joint Spending Plan from the Citywide Equipment Freeze and AUTHORIZE the Los Angeles Police Department and Mayor’s Office of Criminal Justice Planning to purchase the items.

3. TRANSFER $25,000 from Fund No. 40B, Account No. V170 to Fund No. 100, Department 70, Account No. 7340.

4. AUTHORIZE the Mayor’s Office of Criminal Justice Planning to prepare technical adjustments to the Controller’s instructions if necessary, subject to the review and approval of the City Administrative Officer (CAO).

Fiscal Impact Statement: The CAO reports that the City will receive approximately $1.4 million less than originally budgeted in LLEBG funds for 2003-04. However, the adjustments included in the City/County Joint Spending Plan for this grant will reduce the shortfall to approximately $680,000. To resolve this General Fund impact, the CAO will include in the next Financial Status Report several recommendations for minor adjustments to the City’s 2003-04 expenditure and revenue budgets.

ITEM NO. (9) - ADOPTED

02-0488 - BUDGET AND FINANCE COMMITTEE REPORT relative to the financial status of outside counsel contracts for the month of October 2003.

Recommendation for Council action:

RECEIVE and FILE the City Attorney report relative to the financial status of outside counsel contracts for the month of October 2003, inasmuch as the report is submitted for information only and no Council action is required.

Fiscal Impact Statement: Not applicable.
ITEM NO. (10) - REFERRED TO COMMERCE, ENERGY & NATURAL RESOURCES COMMITTEE

Roll Call #7 - Motion (Cardenas - Hahn) Adopted to Refer, Unanimous Vote (13); Absent: Garcetti and Ludlow (2)

99-1925 - COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to the operation of the Van Nuys Public Golf Course.

Recommendation for Council action:

RECEIVE and FILE the February 11, 2000 and the March 2, 2000 joint reports from the Departments of Airports and Recreation and Parks relative to the operation of the Van Nuys Public Golf Course, inasmuch as the reports are submitted for information only and no Council action is required.

Fiscal Impact Statement: Not applicable.

(Art, Parks, Health and Aging Committee waived consideration of the above matter)

Roll Call #3 - Motion (Smith - Parks) Adopted, Ayes (11); Absent: Garcetti, Ludlow, Reyes and Weiss (4)

(Item Nos. 11-12)

ITEM NO. (11) - ADOPTED

03-1692 - COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to the Department of Water and Power’s (DWP) Low-Income Discount Rate Program.

Recommendation for Council action, as initiated by Motion (Cárdenas - Padilla):

NOTE and FILE the DWP’s October 15, 2003 report relative to its 2003 Low-Income Discount Rate Outreach Maintenance Plan, inasmuch as the concerns expressed in the above-referenced Motion are addressed in the report and no Council action is required.

Fiscal Impact Statement: Not applicable.

ITEM NO. (12) - ADOPTED

00-1487 - CONVENTIONS, TOURISM, ENTERTAINMENT INDUSTRY AND BUSINESS ENTERPRISE COMMITTEE REPORT relative to the broadcasting of the Democratic National Convention (DNC) on Channel 35.

Recommendation for Council action:
RECEIVE and FILE the Motion (Padilla - Galanter), dated July 21, 2000, relative to instructing the Information Technology Agency to work with representatives of the DNC to discuss the feasibility of providing live coverage of the DNC on Channel 35 Cityview, and to report to the Ad Hoc Committee on the DNC during the week of July 24-28 outlining relevant issues and recommendations, inasmuch as this matter is no longer relevant and no Council action is required.

**Fiscal Impact Statement:** Not applicable.

**ITEM NO. (13) - REFERRED TO AD HOC STADIUM COMMITTEE**

Roll Call #13 - Motion (Perry - Ludlow) Adopted to Refer, Unanimous Vote (15)

**03-2189 - CONVENTIONS, TOURISM, ENTERTAINMENT INDUSTRY AND BUSINESS ENTERPRISE COMMITTEE REPORT** relative to a study on the economic impact of the Staples Center on the City of Los Angeles conducted by Doctor Robert Baade.

Recommendation for Council action:

NOTE and FILE the July 21, 2003 City Controller report relative to a study on the economic impact of the Staples Center on the City of Los Angeles conducted by Doctor Robert Baade, inasmuch as the report is submitted for information only and no Council action is required.

**Fiscal Impact Statement:** Not applicable.

Roll Call #3 - Motion (Smith - Parks) Adopted, Ayes (11); Absent: Garcetti, Ludlow, Reyes and Weiss (4)

**ITEM NO. (14) - ADOPTED**

**03-2330 - CONVENTIONS, TOURISM, ENTERTAINMENT INDUSTRY AND BUSINESS ENTERPRISE COMMITTEE REPORT** relative to current activities and efforts relating to cultural tourism.

Recommendations for Council action:

1. NOTE and FILE the October 23, 2003 report from the Cultural Affairs Department and the October 22, 2003 report from LA INC relative to its current activities and efforts relating to cultural tourism, inasmuch as the reports are submitted for information only and no Council action is required.

2. REQUEST the LA INC to report to the Conventions, Tourism, Entertainment Industry and Business Enterprise Committee in 30 days with a comparison between the Los Angeles’ budget and that of the top 25 cities around the world to promote tourism and to include the amount of income received by Los Angeles and those cities from tourism.
ITEM NO. (15) - ADOPTED

98-0095 - ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE REPORT S1 relative to methods to calculate sewer service charges for new homeowners.

Recommendation for Council action, as initiated by Motion (Holden - Hernandez - Miscikowski):

RECEIVE and FILE the Bureau of Sanitation’s August 2, 2002 report relative to new methods to calculate sewer service charges for new homeowners, inasmuch as the report is submitted for information only and no Council action is required.

Fiscal Impact Statement: Not applicable.

ITEM NO. (16) - ADOPTED

03-0002 - ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE REPORT S149 relative to supporting S.265 (Clinton).

Recommendation for Council action as initiated by Resolution (Garcetti - Perry), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

RESOLVE that the City include in its 2003-04 Legislative Program, SUPPORT of S. 265 (Clinton) that would amend the Internal Revenue Code of 1986 to include sport utility vehicles in the limitation on the depreciation of certain luxury automobiles.

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

ITEM NO. (17) - ADOPTED

03-2505 - ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE REPORT relative to grant funding for the improved aeration basin off-gas measurement equipment.

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

1. APPROVE the submission of the grant application to the California Energy Commission, administered by the Southern California Edison Company, for building a fully automated Oxygen Transfer Efficiency instrument to optimize aeration basin of wastewater treatment facilities.
2. AUTHORIZE the Director, Bureau of Sanitation, to conduct all negotiations, to provide additional information, to execute and submit all documents, including but not limited to, applications, agreements and amendments, subject to the approval of the City Attorney as to form and legality.

Fiscal Impact Statement: The Board of Public Works reports there is no fiscal impact on the General Fund. The Bureau is requesting $579,074 in grant funding and will provide an in-kind contribution of $944,751 from the Sewer Construction and Maintenance Fund.

ITEM NO. (18) - ADOPTED

03-2686 - ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE REPORT relative to grant application for the installation of alternative fuel infrastructure at the South Los Angeles District Refuse Collection Yard.

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

1. AUTHORIZE the Director, Bureau of Sanitation (BOS), to accept, on behalf of the City, $150,000 from the U.S. Department of Energy (DOE) to be used toward the installation of alternative fuel infrastructure at the South Los Angeles District Refuse Collection Yard.

2. AUTHORIZE the Controller to deposit the grant receipts from the DOE into BOS Account, Fund 45T, Department 50.

3. AUTHORIZE the Director, BOS, to negotiate and execute, on behalf of the City, all grant contracts, agreements and amendments with grantor agencies and contractors as necessary to fully implement the above projects, subject to the approval of the City Attorney as to form and legality.

4. DIRECT the BOS to report on project status to the Interdepartmental Alternative Fuels Taskforce, chaired by the Environmental Affairs Department (EAD), and to coordinate with the EAD in the preparation of required quarterly and final reports to the DOE.

Fiscal Impact Statement: The EAD reports that acceptance of the DOE grant provides $150,000 for the purchase of equipment associated with the planned installation of alternative fuel infrastructure at the South Los Angeles District Refuse Collection Yard. There would be no impact to the General Fund from accepting the grant funds. Grant funds can be used to offset other City resources. City funds and reimbursable front-funding have been appropriated through Sanitation Equipment Charge Revenue Bonds, Series 2003-B.
ITEM NO. (19) - ADOPTED, *AS AMENDED

Roll Call #9 - Motion (Smith - Reyes) to Adopt as Amended, Ayes (15)

03-1597 - CONTINUED CONSIDERATION OF MITIGATED NEGATIVE DECLARATION and CD 12 PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to a variance to permit existing vehicle sales, and vehicle storage to continue for property at 8330 North Canoga 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 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. 03-1597 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 2002-5004 MND] filed on October 11, 2002.

2. ADOPT the FINDINGS of the Zoning Administrator as the Findings of Council.

3. RESOLVE TO DENY IN PART/GRANT IN PART APPEAL filed by Brad Barnes from the determination in part (perimeter wall and landscaping) of the North Valley Area Planning Commission (NVAPC) in sustaining the decision of the Zoning Administrator, THEREBY APPROVING a variance to permit existing vehicle sales, and vehicle storage to continue for property located at 8330 North Canoga Avenue, subject to Conditions of Approval Nos. 10, 15, and 23, as modified by the NVAPC, and Conditions Nos. 7 and 17, as further modified by the Planning and Land Use Management Committee, as follows: *(Smith - Perry)

Condition No. 7:

Along the inside of the northern fence, Italian Cypress trees shall be planted close enough together in the ground so they will cover the northern fence. In addition, 11 ceramic containers with low palm trees planted therein shall be placed along the Canoga Avenue and Roscoe Boulevard frontages. At time of planting the trees shall be 24-inch box in size and shall be spaced along the entire frontages, except at driveway openings. All planting shall be watered by automatic sprinkler and be maintained in good condition at all times.

Condition No. 17:

The east and north property lines shall include a solid, six-foot high fence thereon. Any gates along these frontages shall also be made of a solid material and six feet in height. The south and west property lines are not required to include fencing.

Applicant: Eyal Saemesh ZA 2002-5003 ZV-A1
Fiscal Impact Statement: None submitted by the Planning Department. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

TIME LIMIT FILE - JANUARY 7, 2004

(LAST DAY FOR COUNCIL ACTION - JANUARY 7, 2004)

(Continued from Council meeting of November 25, 2003)

ITEM NO. (20) - ADOPTED

Roll Call #3 - Motion (Smith - Parks) Adopted, Ayes (11); Absent: Garcetti, Ludlow, Reyes and Weiss (4)

99-2457 - TRANSPORTATION COMMITTEE REPORT relative to a 2003-04 rate adjustment for the private ambulance industry.

Recommendations for Council action:

1. FIND that due to general increases in industry costs, rate increases for private ambulance services in the City are appropriate.

2. FIND that the use of a modified rate study as approved by the Mayor and Council in February 2000, for the 2003-04 private ambulance service rate increase is acceptable.

3. FIND that the proposed schedule of rates and charges as shown in Board Order No. 574 is just, reasonable, non-discriminatory and non-preferential for all permitted private ambulance transportation services.

4. RESCIND Board Order No. 570 and ADOPT Board Order No. 574 establishing the rates and charges for private ambulance service in the City of Los Angeles.

5. REQUEST the City Attorney to prepare an ordinance, substantially as proposed by the Board of Transportation Commissioners, and included as Attachment 2 to the City Administrative Officers (CAO) December 10, 2003 report (attached to the Council file), which establishes new rates for private ambulance companies that operate in the City.

Fiscal Impact Statement: The CAO reports there is no fiscal impact to the City. The rates are those charged to customers and do not affect the fees paid to the City for permitting of ambulances.
ITEM NO. (21) - ADOPTED - ADDITIONAL MOTION REFERRED TO TRANSPORTATION COMMITTEE, AS AMENDED - SEE FOLLOWING

Roll Call #10 - Motion (Villaraigosa - LaBonge) to Adopt as Amended, Ayes (15)

03-0002 - TRANSPORTATION COMMITTEE REPORT relative to supporting legislation which would ban the use of hand-held cellular phones while driving a car unless using hands-free devices.

Recommendation for Council action, as initiated by Resolution (LaBonge - Miscikowski), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

RESOLVE that the City include in its 2003-04 Legislative Program, SUPPORT for AB 45 (Simitian) which would make driving a car while talking on wireless phones illegal, unless using a hands-free device, making an emergency call, or if a driver is an emergency services professional operating an emergency vehicle.

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

ADOPTED, *AS AMENDED

MOTION (MISCIKOWSKI - HAHN)

Recommendations for Council action:

INSTRUCT the Chief Legislative Analyst (CLA) and Department of Transportation (DOT) to report to the Transportation Committee relative to other cities in the State of California which have banned the use of hand-held cellular phones while driving a car, cities outside the state which have banned the use of hand-held cellular phones, the types of bans that have been enacted, and the possibility of enacting City legislation to ban the use of hand-held cellular phones while driving car unless using hands-free devices; *and further, INSTRUCT the CLA and DOT to report to the Transportation Committee on the costs and effects of enacting a policy requiring City employees to use hands-free cell phone devices while driving City vehicles. *(Hahn - LaBonge)

ITEM NO. (22) - ADOPTED

Roll Call #11 - Motion (Villaraigosa - Hahn) Adopted, Ayes (15)

03-0002 - TRANSPORTATION COMMITTEE REPORT relative to supporting legislation which amends federal motor carrier safety regulations so that companies that own intermodal equipment are responsible for their maintenance and safe condition.

Recommendation for Council action, as initiated by Resolution (Hahn - LaBonge), SUBJECT TO THE CONCURRENCE OF THE MAYOR:
RESOLVE that the City include in its 2003-04 Legislative Program, SUPPORT for HR 2863, which amends federal motor carrier safety regulations so that companies that own intermodal equipment are responsible for their maintenance and safe condition.

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

Roll Call #3 - Motion (Smith - Parks) Adopted, Ayes (11); Absent: Garcetti, Ludlow, Reyes and Weiss (4)
(Item Nos. 23-24)

ITEM NO. (23) - ADOPTED

03-2590 - TRANSPORTATION COMMITTEE REPORT relative to the installation of speed humps on CD 7 Saddle Ridge Road in Council District Seven.

Recommendation for Council action, pursuant to Motion (Padilla - Smith):

AUTHORIZE the Department of Transportation (DOT) to receive $4,600 from the residents of Saddle Ridge Road and deposit the same into the DOT's Fund No. 100/94, Contractual Services Account No. 3040.

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

ITEM NO. (24) - ADOPTED

01-1679 - ARTS, PARKS, HEALTH AND AGING and BUDGET AND FINANCE COMMITTEES' REPORT relative to the Department of Aging (Aging) 2003-04 Area Plan Update (Plan Update).

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


2. AUTHORIZE the General Manager, Aging, or designee, to:
   a. Submit the Letter of Transmittal (Attachment I of the CAO report dated September 4, 2003) and the Plan Update to the PSA 25 Plan to the CDA for review and approval.
   b. Execute the Plan Update upon State approval.
3. INSTRUCT Aging to report back to Council on the new Ombudsman Initiative Program upon State notification.

**Fiscal Impact Statement:** The CAO reports that there is no fiscal impact to the General Fund as a result of this action.

**ITEM NO. (25) - ADOPTED**

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

03-0209 - CONTINUED CONSIDERATION OF HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT and COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEES’ REPORT relative to the Department of Water and Power (DWP) providing $10 million over a nine-year period to the Los Angeles Housing Department (LAHD) to assist in funding affordable rental housing developments.

Recommendation for Council action:

CONCUR with the October 7, 2003 determination of the Board of Water and Power Commissioners authorizing DWP to provide $10 million over a nine-year period to the LAHD to assist in funding affordable rental housing developments within the City of Los Angeles.

**Fiscal Impact Statement:** The City Administrative Officer reports that this action will not impact the General Fund. Approval of the proposed agreement will result in expenditure of $10 million from DWP Economic Development funds over nine years.

(Continued from Council meeting of December 17, 2003)

**Roll Call #3 - Motion (Smith - Parks) Adopted, Ayes (11); Absent: Garcetti, Ludlow, Reyes and Weiss (4)**

(Item Nos. 26-29)

**ITEM NO. (26) - ADOPTED**

01-0600 - INFORMATION TECHNOLOGY AND GENERAL SERVICES AND BUDGET AND FINANCE COMMITTEES’ REPORT relative to receiving and filing a Fiscal Year (FY) 2001-02 budget motion.

Recommendation for Council action:

RECEIVE and FILE the FY 2001-02 Budget Motion (Padilla - Galanter) relative to funds to lease a parking lot from the Department of Water and Power for use by the Los Angeles Police Department, Devonshire Division, inasmuch as the matter was resolved by the Council action of January 28, 2003, on Council file 01-0676 and no further action is required.

**Fiscal Impact Statement:** Not applicable.
ITEM NO. (27) - ADOPTED

01-0600 - INFORMATION TECHNOLOGY AND GENERAL SERVICES AND BUDGET AND FINANCE
S14 COMMITTEES’ REPORT relative to receiving and filing a Fiscal Year (FY) 2001-02 budget
CD 9 motion.

Recommendation for Council action:

RECEIVE and FILE the FY 2001-02 Budget Motion (Hernandez - Padilla) relative to
providing two garage attendants to operate the executive fleet pool and fuel site in City
Hall, inasmuch as this item was considered in relation to other Citywide needs as part of
the 2001-02 budget and no further action is required.

Fiscal Impact Statement: Not applicable.

ITEM NO. (28) - ADOPTED

01-0600 - INFORMATION TECHNOLOGY AND GENERAL SERVICES AND BUDGET AND FINANCE
S23 COMMITTEES’ REPORT relative to receiving and filing a Fiscal Year (FY) 2001-02 budget
CD 15 motion.

Recommendation for Council action:

RECEIVE and FILE the FY 2001-02 Budget Motion (Svorinich - Galanter) relative to
providing funds within the General City Purposes for the Bannings Landing Community
Center and the Community Redevelopment Agency’s Watts Cultural Crescent project for
security purposes, inasmuch as this item was considered in relation to other Citywide
needs as part of the 2001-02 budget and no further action is required.

Fiscal Impact Statement: Not applicable.

ITEM NO. (29) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT AND
COMMUNICATION RECOMMENDATION

02-2144 - CONVENTIONS, TOURISM, ENTERTAINMENT INDUSTRY AND BUSINESS
S2 ENTERPRISE COMMITTEE REPORT and COMMUNICATION FROM CHAIR, AUDITS AND
GOVERNMENTAL EFFICIENCY COMMITTEE, relative to the Controller’s Financial and
Performance Audit of the Entertainment Industry Development Corporation (EIDC).

Recommendation for Council action:

NOTE and FILE the March 13, 2003 Controller’s Financial and Performance Audit of the
EIDC, inasmuch as the report is submitted for information only and no Council action is
required.

Fiscal Impact Statement: Not applicable.
Items for Which Public Hearings Have Not Been Held - Items 30-46
(10 Votes Required for Consideration)

Roll Call #4 - Motion (Perry - LaBonge) Adopted, Ayes (13); Absent: Garcetti and Ludlow (2) (Item Nos. 30-43)

ITEM NO. (30) - ADOPTED

03-2259 - ORDINANCE OF INTENTION FIRST CONSIDERATION relative to setting the date for
hearing objections against the 2004 Annual Weed and Brush Abatement Program.

Recommendation for Council action, pursuant to Government Code Sections 39560 to
39588, and approved by the Board of Public Works, SUBJECT TO THE APPROVAL OF
THE MAYOR:

PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION establishing
MARCH 3, 2004, as the date for hearing objections to the proposed removal of weeds
and/or rubbish, refuse and dirt upon certain streets, sidewalks, parkways and/or are on or
in front of certain private properties in the City of Los Angeles, and are a public nuisance,
and declaring Council’s intention to order the abatement of said nuisance.

ITEM NO. (31) - ADOPTED

01-0005 - RESOLUTION removing the property at 1717 Miramar Street from the Rent Escrow
Account Program [REAP], (Case No. 3479), inasmuch as the owner has corrected the
cited REAP violations and provided proof of compliance with the Los Angeles Housing
Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No.
173810, and ADOPT the Findings contained in the Los Angeles Housing Department’s

Assessor I.D. No. 5153-002-025
Registration No. None

(Council action of March 14, 2001 placed property into REAP)

ITEM NO. (32) - ADOPTED

03-0005 - RESOLUTION removing the property at 3401-03 Isabel Drive from the Rent Escrow
Account Program [REAP], (Case No. 4720), inasmuch as the owner has corrected the
cited REAP violations and provided proof of compliance with the Los Angeles Housing
Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No.
173810, and ADOPT the Findings contained in the Los Angeles Housing Department’s

Assessor I.D. No. 5464-024-022
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on December
12, 2001)
ITEM NO. (33) - ADOPTED

03-0005 - RESOLUTION removing the property at 6113-17 South Hobart Boulevard from the Rent Escrow Account Program [REAP], (Case No. 5313), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No. 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of December 31, 2003.

Assessor I.D. No. 6002-023-011
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on April 15, 2002)

ITEM NO. (34) - ADOPTED

03-0005 - RESOLUTION removing the property at 1442-44 West 84th Street from the Rent Escrow Account Program [REAP], (Case No. 5674), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No. 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of December 31, 2003.

Assessor I.D. No. 6034-021-004
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on September 3, 2002)

ITEM NO. (35) - ADOPTED

03-0005 - RESOLUTION removing the property at 658-60 1/2 West Amador Street from the Rent Escrow Account Program [REAP], (Case No. 6012), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No. 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of December 31, 2003.

Assessor I.D. No. 5415-028-004
Registration No. 0480657

(Notice of Acceptance into the REAP/Rent Reduction Program was released on December 12, 2002)
ITEM NO. (36) - ADOPTED

03-0005 - RESOLUTION removing the property at 234 North New Hampshire Avenue from the Rent Escrow Account Program [REAP], (Case No. 6121), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No. 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of December 31, 2003.

Assessor I.D. No. 5518-033-027
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on January 7, 2003)

ITEM NO. (37) - ADOPTED

03-0005 - RESOLUTION removing the property at 1303 South Cloverdale Avenue from the Rent Escrow Account Program [REAP], (Case No. 6456), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No. 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of December 31, 2003.

Assessor I.D. No. 5070-011-001
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on July 3, 2003)

ITEM NO. (38) - ADOPTED

03-0005 - RESOLUTION removing the property at 1424-26 1/2 East Warren Street from the Rent Escrow Account Program [REAP], (Case No. 6505), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No. 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of December 31, 2003.

Assessor I.D. No. 5174-020-009
Registration No. 0297481

(Notice of Acceptance into the REAP/Rent Reduction Program was released on June 5, 2003)
ITEM NO. (39) - ADOPTED

03-0005 - RESOLUTION removing the property at 3833 Lockland Drive from the Rent Escrow S476 Account Program [REAP], (Case No. 6562), inasmuch as the owner has corrected the CD 8 cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No. 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of December 31, 2003.

Assessor I.D. No. 5032-019-004
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on June 12, 2003)

ITEM NO. (40) - ADOPTED

03-0005 - RESOLUTION removing the property at 1529-31 West 58th Street from the Rent Escrow S477 Account Program [REAP], (Case No. 7012), inasmuch as the owner has corrected the CD 8 cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No. 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of December 31, 2003.

Assessor I.D. No. 5003-031-022
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on November 25, 2003)

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

97-1451 - COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION TO VACATE relative to the T-shaped alley southerly of Santa Monica Boulevard between McCadden Place and Las Palmas Avenue - VAC-E1400587.

Recommendations for Council action:

1. REAFFIRM the FINDINGS of July 14, 1998, 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. 03-1400587 for the T-shaped alley southerly of Santa Monica Boulevard between McCadden Place and Las Palmas Avenue.

3. APPROVE the City Engineer report dated October 15, 2003 for the vacation.

4. INSTRUCT the 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. (42) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

99-2093 - COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION TO VACATE of a walk adjoining northerly side of Santa Monica Freeway between Western Avenue and Oxford Avenue - VAC-E1400693.

Recommendations for Council action:

1. REAFFIRM the FINDINGS of November 27, 2001, 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. 03-1400693 of a walk northerly of the Santa Monica Freeway between Western Avenue and Oxford Avenue.

3. APPROVE the City Engineer report dated November 25, 2003 for the vacation.

4. INSTRUCT the 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. (43) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

03-2376 - CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to acceptance of a future street as public street lying on Harmony Avenue north of Magnolia Boulevard.

Recommendations for Council action:

1. FIND that this acceptance is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article VII, Class 5(4) of the City’s Environmental Guidelines.

2. FIND that this acceptance of the future street as public street lying on Harmony Avenue north of Magnolia Boulevard 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 October 22, 2003, and the accompanying RESOLUTION OF ACCEPTANCE for the future street as public street lying on Harmony Avenue north of Magnolia Boulevard.
4. INSTRUCT the Real Estate Division, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

**Fiscal Impact Statement:** The City Engineer reports that a fee of $897.73 was collected for processing this request pursuant to Sections 7.3 and 7.41.1 of the Los Angeles Administrative Code.

**ITEM NO. (44) - NOTED AND FILED**

Roll Call #8 - Motion (Perry - Garcetti) Adopted to Note and File, Unanimous Vote (15)

03-1642 - MOTION (PERRY - GARCETTI) relative to a briefing by the Harbor Department and the City Attorney on the history of the Lancer Site.

Recommendation for Council action:

REQUEST the Harbor Department and the City Attorney to appear before the City Council to provide a history of the Lancer Site in Council District Nine.

(Council may recess to Closed Session pursuant to Government Code Section 54956.9 (a) to confer with its legal counsel relative to the above matter)

**ITEM NO. (45) - APPROVED**

03-2776 - FINAL MAP OF TRACT NO. 53401 for property lying easterly of Wilton Place on the south side of Elmwood Avenue.

(Approve Subdivision Improvement Agreement and Contract with attached security documents)

(ADOPT Bond No. C-106081)

(Quimby Fee: $18,135.00)

Applicants: Elmwood Development, Inc.
Tritech Associates

**ITEM NO. (46) - APPROVED**

03-2777 - PARCEL MAP L.A. NO. 2000-3230 lying southeasterly of Indiana Avenue.

(Approve Subdivision Improvement Agreement and Contract with attached security documents)

(ADOPT Bond No. C-106082)

(Quimby Fee: $1,994.85)

Applicants: Mericos Real Estate Company, Inc.
Christopher C. Chan
Closed Sessions - Items 47-50

ITEM NO. (47) - MEETING HELD - CONTINUED TO JANUARY 14, 2004

03-2507 - The City Council shall recess to Closed Session, pursuant to Government Code section 54956.9(b) and/or (c) to confer with its legal counsel relative to a status report in connection with potential litigation against the State to recover funding provided by the Vehicle License Fee.

(Scheduled pursuant to Council action of December 16, 2003)

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

Roll Call #14 - Motion (Parks - Smith) Adopted in Open Session, Ayes (15)

03-2518 - The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(b)(1), to confer with its legal counsel relative to settlement in the case involving collection of Parking Occupancy Taxes from parking lots owned or operated by the Los Angeles Memorial Coliseum Commission.

(Budget and Finance Committee considered the above matter in Closed Session on December 2, 2003)

ADOPTED

MOTION (PARKS - SMITH)

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

1. ACCEPT the settlement offer from the Los Angeles Memorial Coliseum Commission (Taxpayer) to begin collecting Parking Occupancy Taxes at seven parking lots owned or operated by the Taxpayer on a prospective basis.

2. WAIVE any pending assessments by the Office of Finance on the subject parking lots.

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

Roll Call #15 - Motion (Parks - Smith) Adopted in Open Session, Ayes (15)

03-2604 - 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 Gary Larsen v. City of Los Angeles, Workers’ Compensation Appeals Board Case Nos. VNO409029; VNO414137; VNO414138; Claim Nos. 9001-1999-1572; 9001-1999-3390; 9001-1998-2791. (Plaintiff alleges he sustained personal injury during the course and scope of his employment, as a result of placements from the hiring hall, as a carpenter.)
(Budget and Finance Committee considered the above matter in Closed Session on December 16, 2003)

ADOPTED

MOTION (PARKS - SMITH)

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 Gary Larsen v. City of Los Angeles, Workers' Compensation Appeals Board Case Nos. VNO409029; VNO414137; VNO414138; Claim Nos. 9001-1999-1572; 9001-1999-3390; 9001-1998-2791, by Compromise and Release Agreement in the sum of $130,000.

2. AUTHORIZE the City Attorney to execute the Compromise and Release Agreement with all appropriate parties for submission to the Workers' Compensation Appeals Board for approval and order of payment.

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

Roll Call #16 - Motion (Parks - Smith) Adopted in Open Session, Ayes (15)

03-2605 - 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 James Young v. City of Los Angeles, Workers' Compensation Appeals Board Case Nos. VNO410783; VNO410787; Claim Nos. 9003-1962-3654; 9003-1997-0063. (Plaintiff alleges he sustained personal injury during the course and scope of his employment as a firefighter with the Los Angeles Fire Department.)

(Budget and Finance Committee considered the above matter in Closed Session on December 16, 2003)

ADOPTED

MOTION (PARKS - SMITH)

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

1. AUTHORIZE the City Attorney, and associated counsel, to enter into a settlement in the case entitled James Young v. City of Los Angeles, Workers' Compensation Appeals Board Case Nos. VNO410783; VNO410787; Claim Nos. 9003-1962-3654; 9003-1997-0063, through a Stipulated Award in the sum of $112,585.00, equivalent to 77 percent permanent disability and payable at $230.00 weekly for a total of 489.50 weeks. Thereafter a life pension of $65.71 weekly will issue.
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.

Item for Which Public Hearing Has Not Been Held - Item 51
(10 Votes Required for Consideration)

ITEM NO. (51) - MOTION ADOPTED TO REPEAL ORDINANCE

Roll Call #6 - Motion (Parks - Reyes) Adopted, Ayes (13); Absent: Garcetti and Ludlow (2)

02-1277 - ORDINANCE FIRST CONSIDERATION relative to repealing Ordinance No. 174943, which established the Sunset and Vine Business Improvement District (BID).

S1 CD 13

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

PRESENT and ADOPT the accompanying ORDINANCE repealing Ordinance No. 174943, which established the Sunset and Vine BID.

(Pursuant to adoption of Housing, Community and Economic Development Committee report on January 6, 2004)

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

04-0024 - MOTION (PERRY - PARKS) relative to declaring the Exclusive Preview of Street Credibility on January 24, 2004 a Special Event (fees and costs absorbed by the City = $886).

00-0819 - MOTION (HAHN - LABONGE) relative to declaring the Farmers’ Market every Friday beginning January 9, 2004 to June 25, 2004 a Special Event (fees and costs absorbed by the City = $14,810).

02-0639 - MOTION (HAHN - LABONGE) relative to declaring the First Thursday on the first Thursday of every month, beginning February 5, 2004 to June 3, 2004 a Special Event (fees and costs absorbed by the City = $7,548).

03-2409 - MOTION (VILLARAIGOSA - LUDLOW) relative to a request for an exemption from the Convention Center fee waiver policy for the Metropolitan Transportation Authority mechanics union meeting on December 28, 2003.

02-2816 - MOTION (VILLARAIGOSA - REYES) relative to the sale of one surplus pickup truck to the Los Angeles Police Historical Society.
03-1610 - MOTION (LABONGE - REYES) relative to the status of current litigations pertaining to Third and Highland and legal options regarding prior settlement with Etz Chaim.

03-1404 - MOTION (ZINE - SMITH) relative to recalling the service of Detective III Jerry Stephens for an additional 90 days for continued service on a civil case.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon her request, and without objections, Councilmember Hahn was excused to leave at 12:30 p.m. from Council session of Friday, January 16, 2004 due to City business.

Upon his request, and without objections, Councilmember Padilla was excused from Council session of Wednesday, January 21, 2004 due to City business.

At the conclusion of this day's Council Session

ADJOURNING MOTIONS WERE ADOPTED in tribute to the memory of:

04-0004 - Camille (Mimi) Robbins
   Brady Harasick
   Leon Wagner
   Stuart D. Buchalter
   Joseph T. Brehm
   Bill Schepler
   Richard Torres

(Cardenas - Padilla - Greuel - All Councilmembers)

(LaBonge)

(LaBonge)

(Miscikowski - Weiss - Perry - Zine)

(Perry)

(Smith)

(Zine)

Ayes, Cardenas, Garcetti, Greuel, Hahn, LaBonge, Ludlow, Miscikowski, Parks, Perry, Reyes, Smith, Villaraigosa, Weiss, Zine and President Padilla (15); Absent: (0).

Whereupon the Council did adjourn.

ATTEST: J. Michael Carey, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL