

Los Angeles City Council, Journal/Council Proceedings  
Tuesday, January 20, 2004  
John Ferraro Council Chamber, Room 340, City Hall - 10 am

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

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

SALUTE TO THE FLAG

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF  
JANUARY 14, 2004

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - NONE

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

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

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## Items for Which Public Hearings Have Been Held - Items 1-24

ITEM NO. (1) - ADOPTED - FORTHWITH

**Roll Call #4 - Motion (LaBonge - Weiss) Adopted, Ayes (12); Absent: Garcetti, Ludlow  
and Perry (3)**

03-2668 - ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to the appointment  
of Mr. Alexander Huf to the Commission for Children, Youth and Their Families.

Recommendation for Council action:

RESOLVE that the Council President's appointment, pursuant to Charter Section 502(b),  
of Mr. Alexander Huf to the Commission for Children, Youth and Their Families for the term  
ending June 30, 2004, is APPROVED and CONFIRMED. Mr. Huf resides in Council District  
Five. (Current Commission gender composition: M=4; F=9)

TIME LIMIT FILE - JANUARY 23, 2004

(LAST DAY FOR COUNCIL ACTION - JANUARY 23, 2004)

**ITEM NO. (2) - ADOPTED**

**Roll Call #6 - Motion (Zine - Villaraigosa) Adopted, Ayes (14); Absent: Perry (1)**

99-1913 - TRANSPORTATION COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION S1 relative to repealing the ordinance that created the Chatsworth Depot and Child Care Center Trust Fund.

Recommendation for Council action, as initiated by Motion (Smith - Zine), SUBJECT TO THE APPROVAL OF THE MAYOR:

PRESENT and ADOPT the accompanying ORDINANCE repealing Chapter 77 of Division 5 of the Los Angeles Administrative Code, the Chatsworth Depot and Child Care Center Trust Fund.

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

**ITEM NO. (3) - ADOPTED**

**Roll Call #1 - Motion (Villaraigosa - LaBonge) Adopted, Ayes (10); Absent: Garcetti, Ludlow, Perry, Reyes and Weiss (5)**

03-2396 - ORDINANCE SECOND CONSIDERATION relative to amending Chapters 10 and 18 of Division 4 of the Los Angeles Administrative Code to make certain changes required by the Internal Revenue Service and to make other technical corrections.

(Pursuant to Charter Section 1168, final adoption of this ordinance cannot occur until at least 30 days after its first presentation to the Council on December 16, 2003)

10 VOTES REQUIRED, PURSUANT TO CHARTER SECTION 1168

**Roll Call #8 - Motion (Parks - Smith) Adopted to Continue, Unanimous Vote (14); Absent: Perry (1) (Item Nos. 4-5)**

**ITEM NO. (4) - CONTINUED TO JANUARY 23, 2004**

02-0985 - AD HOC STADIUM COMMITTEE REPORT relative to the Exposition Park Traffic Management Systems and the proposed Exposition Light Rail project and their potential to assist in securing a National Football League (NFL) franchise.

Recommendations for Council action, as initiated by Motion (Parks - Smith), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

1. REQUEST the General Manager, Department of Transportation, to ensure the expeditious implementation and completion of the Exposition Park Traffic Management System.

2. REITERATE the Council's support of the Exposition Light Rail project and the belief that its completion will assist in the City's efforts to bring an NFL franchise back to the Coliseum, as adopted by Council on May 23, 2003 (Council file No. 03-0002-S95).
3. REQUIRE that the Chairperson of the Ad Hoc Stadium Committee, or designee, a representative from the Community Redevelopment Agency and the General Manager, Los Angeles Memorial Coliseum Commission, be included in the Stadium Proposal Evaluation Working Group (Working Group).
4. INSTRUCT the Working Group to convene and review opportunities which could augment efforts to secure an NFL franchise at the Coliseum and report to the Ad Hoc Stadium Committee within 30 days.

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

**ITEM NO. (5) - CONTINUED TO JANUARY 23, 2004**

03-2189 - AD HOC STADIUM COMMITTEE REPORT relative to the Controller's report on the Economic Impact of the Staples Center on the City of Los Angeles.

Recommendations for Council action:

1. ADOPT the recommendation of the Conventions, Tourism, Entertainment Industry and Business Enterprise Committee report, in connection with the July 21, 2003 Controller's report, referred from Council on January 7, 2004.
2. REQUIRE that the City, as it pursues the possibility of a National Football League franchise at the Coliseum, incorporates the following principles, as outlined in the Controller's report dated July 21, 2003, in negotiating the primary structure of the deal to ensure the good economic impact provided to the City by the Staples Center project:
  - a. Protect taxpayer dollars.
  - b. Secure a dedicated funding source.
  - c. Increase the transparency and public discussion.
  - d. Improve and enhance the quality of life for the surrounding community.
  - e. Ensure that the project has a theme for multiple use and integration throughout the community.

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

**Roll Call #1 - Motion (Villaraigosa - LaBonge) Adopted, Ayes (10); Absent: Garcetti, Ludlow, Perry, Reyes and Weiss (5)  
(Item Nos. 6-20)**

**ITEM NO. (6) - ADOPTED**

01-1393 - ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to the Fiscal Year 2003-04 Closeout and Redistribution of Funds for Senior Services Contracts.

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

1. APPROVE the redistribution of funds and revised contractors' allocations totaling \$539,716 (as identified in Attachments 1 through 7 of the City Administrative Officer [CAO] report dated December 9, 2003).
2. AUTHORIZE the General Manager, Department of Aging (Aging), to:
  - a. Negotiate and execute closeout contract amendments in the amounts set forth in Attachments 1 through 7 of the CAO report dated December 9, 2003.
  - b. Return a total of \$539,716 in 2002-03 program savings to the grantors, consisting of \$293,839 in Older Americans Act (OAA) program savings to the California Department of Aging (CDA); \$2,313 in Older Californians Act (OCA) program savings to the CDA; \$47,741 in Proposition A program savings to the City's Department of Transportation; \$160,657 to the General Fund (\$6,750 reverted on July 10, 2003); and reprogram \$28,416 to the service agencies as One-Time-Only (OTO) funds (as detailed in Attachments 1 through 7 of the CAO report dated December 9, 2003).
  - c. Amend 2002-03 contractors' units of service to reflect actual units performed and expenditures (as indicated in Attachments 1 through 7), subject to the review of the City Attorney as to form and legality, and subject to the availability of funds.
  - d. Utilize unspent OAA Title III-B, III-C1, III-C2, III-D, III-E, VII-A, VII-B and OCA grant funds from the 2002-03 allocation, and returned as OTO funds in 2003-04 upon receipt from the CDA.
  - e. Prepare Controller instructions for any technical adjustments, subject to the approval of the CAO, and authorize the Controller to implement the instructions.
3. AUTHORIZE the Controller to:
  - a. Disburse funds to the recommended service providers upon submission of proper demand from the General Manager, Aging.
  - b. Decrease the appropriation within the Area Plan for the Aging Title III Fund No. 395, Account No. T401 by \$160,657 for the Home-Delivered Meals for Seniors.

- c. Transfer \$160,657 unexpended 2002-03 General City Purposes Funds from the Area Plan for the Aging Title III, Fund No. 395, to Fund 100 Department No. 62.

Fiscal Impact Statement: The CAO reports that Aging's proposed actions involve a total of \$18 million (\$18,011,709), comprised of \$11,914,463 in OAA grant funds, \$1,106,401 in OCA grant funds, \$3,097,000 in Proposition A (Prop A) funds, and \$1,893,845 in General Funds. Of the \$18 million, \$539,716 in program savings require reversion to the grantors. Of the \$539,716 program savings to be returned to the grantors, \$160,657 will revert to the General Fund (\$6,750 reverted on July 10, 2003); \$296,152 in OAA and OCA grant funds will be returned to the California Department of Aging; \$28,416 OAA OTO funds will be reprogrammed to the service agencies as OTO funds; and, \$47,741 in Prop A funds will be returned to the City's Department of Transportation.

**ITEM NO. (7) - ADOPTED**

03-1208 - ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to the increased presence of Africanized honey bees.

Recommendation for Council action:

RECEIVE and FILE Motion (LaBonge - Weiss) relative to the increased presence of Africanized honey bees, inasmuch as the Committee received an oral report and no Council action is required.

Fiscal Impact Statement: Not applicable.

**ITEM NO. (8) - ADOPTED**

03-2695 - ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to the Greater Alarm CD 4 Structure fire in Griffith Park on December 9, 2003.

Recommendation for Council action:

RECEIVE and FILE Motion (LaBonge - Hahn) relative to the Greater Alarm Structure fire in Griffith Park on December 9, 2003, inasmuch as the Committee received an oral report and no Council action is required.

Fiscal Impact Statement: Not applicable.

**ITEM NO. (9) - ADOPTED**

00-0600 - BUDGET AND FINANCE COMMITTEE REPORT relative to funding for 102 facsimile S10 machines for Los Angeles Fire Department stations.

Recommendation for Council action:

RECEIVE and FILE Motion (Chick - Svorinich) and City Administrative Officer report relative to funding for 102 facsimile machines for Los Angeles Fire Department (LAFD) stations, inasmuch as the matter is now obsolete as all LAFD stations are now equipped with facsimile machines, and no Council action is required.

Fiscal Impact Statement: Not applicable.

**ITEM NO. (10) - ADOPTED**

00-0600 - BUDGET AND FINANCE COMMITTEE REPORT relative to amending the Mayor's S12 Proposed Budget for Fiscal Year (FY) 2000-01 to increase funding in the budget for the Cultural Affairs Department (CAD) for the Blues and Jazz Festival.

Recommendation for Council action:

RECEIVE and FILE Motion (Ridley-Thomas - Padilla) relative to amending the Mayor's Proposed Budget for FY 2000-01 to increase funding in the budget for the CAD for the Blues and Jazz Festival, inasmuch as this matter is now obsolete and no Council action is required.

Fiscal Impact Statement: Not applicable.

**ITEM NO. (11) - ADOPTED**

00-0600 - BUDGET AND FINANCE COMMITTEE REPORT relative to continued funding for up to S41 38 as-needed Animal Care Technicians for the period November 5, 2000 to June 30, 2001.

Recommendation for Council action:

RECEIVE and FILE Motion (Miscikowski - Ridley-Thomas) and City Administrative Officer report relative to continued funding for up to 38 as-needed Animal Care Technicians for the period November 5, 2000 to June 30, 2001, inasmuch as this matter involving a Fiscal Year 2001-02 funding request is now obsolete, and no Council action is required.

Fiscal Impact Statement: Not applicable.

**ITEM NO. (12) - ADOPTED**

01-0600 - BUDGET AND FINANCE COMMITTEE REPORT relative to the status of Liability Claims S43 Accounts.

Recommendation for Council action:

NOTE and FILE the City Attorney report relative to the status of the Liability Claims Accounts for the month of November 2003, inasmuch as the report is submitted for information only and no Council action is required.

Fiscal Impact Statement: Not applicable.

**ITEM NO. (13) - ADOPTED**

02-0600 - BUDGET AND FINANCE COMMITTEE REPORT relative to posting on the City's web site  
S2 the Mayor's Proposed Budget for Fiscal Year (FY) 2002-03.

Recommendation for Council action:

RECEIVE and FILE the City Administrative Officer report relative to posting on the City's web site the Mayor's Proposed Budget for FY 2002-03, inasmuch as posting of pertinent budget information is now common practice and no Council action is required.

Fiscal Impact Statement: Not applicable.

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

03-0668 - BUDGET AND FINANCE COMMITTEE REPORT relative to the quarterly report on the  
S1 status of Interest Rate Swap Agreements.

Recommendation for Council action:

NOTE and FILE the City Administrative Officer's quarterly report on the status of Interest Rate Swap Agreements inasmuch as the report is submitted for information only and no Council action is required.

Fiscal Impact Statement: Not applicable.

**ITEM NO. (15) - ADOPTED**

03-0002 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT  
S180 relative to receiving and filing a Resolution to support legislation and administrative action to remove the United States tariffs on imported steel.

Recommendation for Council action:

RECEIVE and FILE the Resolution (Parks - Perry) to support any legislation and administrative action to remove the United States tariffs on imported steel, inasmuch as it has been rendered moot by the action of the President of the United States to repeal the tariffs.

Fiscal Impact Statement: Not applicable.

**ITEM NO. (16) - ADOPTED**

03-2665 - PERSONNEL COMMITTEE REPORT relative to exempting one position of Investment Officer II from Civil Service provisions of the City Charter.

Recommendation for Council action:

APPROVE the exemption of one position of Investment Officer II, Code 9146-2, in the Los Angeles City Employees' Retirement System (LACERS), from the Civil Service provisions of the City Charter, pursuant to City Charter Section 1001(b).

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

TIME LIMIT FILE - JANUARY 20, 2004

(LAST DAY FOR COUNCIL ACTION - JANUARY 20, 2004)

**ITEM NO. (17) - ADOPTED**

01-2476 - TRANSPORTATION COMMITTEE REPORT relative to supporting the construction, operation and maintenance of the Arroyo Seco Bike Path by the County of Los Angeles.  
CD 1

Recommendations for Council action, as initiated by Motion (Reyes - Villaraigosa),  
SUBJECT TO THE CONCURRENCE OF THE MAYOR:

1. SUPPORT the construction, operation and maintenance of the Arroyo Seco Bike Path by the County of Los Angeles, from downstream of Avenue 52 to Avenue 26, as a high priority project for the City.
2. DIRECT the following departments to cooperate with and expedite the requests of the County of Los Angeles for the required rights necessary for the construction, operation and maintenance of the Arroyo Seco Bike Path as follows:
  - a. Department of Transportation (DOT) to coordinate bicycle transportation activities and documentation as-needed.
  - b. Department of General Services to grant the County a right-of-entry permit to allow for construction, and to grant an easement at no cost, for all necessary and related purposes for the Arroyo Seco Bike Path, including construction, operation, maintenance and supporting activities.
  - c. Department of Public Works, Bureau of Engineering to record the design and as-built plans, and to issue all necessary permits at no cost.



- d. Bureau of Street Services to facilitate the County's use of adjacent City water lines for project irrigation.
  - e. Any other departmental actions and cooperation as is necessary to ensure timely completion and to facilitate operation and maintenance of the Arroyo Seco Bike Path Project.
3. AUTHORIZE the departments and offices identified above, to grant those rights and support to the County of Los Angeles at no charge.
  4. REQUIRE the County of Los Angeles to indemnify the City from all liability that may result from the Arroyo Seco Bike Path, including, but not limited to, planning, alignment, design, construction, operation and maintenance, as a condition of granting the rights-of-way and other rights for this project.
  5. DIRECT the DOT to work with the County of Los Angeles and appropriate departments to evaluate the steps necessary for additional phases of the Arroyo Seco Bike Path, extending the entire length of the Arroyo Seco within the City, from the Los Angeles River to the City of South Pasadena, and report back to the Transportation Committee in 180 days.

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

#### **ITEM NO. (18) - ADOPTED**

03-0544 - TRANSPORTATION COMMITTEE REPORT relative to a month-to-month extension of the contract between the City and Connex TCT for the continued operation of the Community Dash Package One shuttle bus services.

Recommendation for Council action:

AUTHORIZE the General Manager, Department of Transportation (DOT) to execute a contract amendment with Connex TCT, for the continued operation of the Community DASH Package One shuttle bus services on a month-to-month basis through March 26, 2004, at a rate of \$50.01 per service hour and a total cost not to exceed \$550,000, subject to the approval of the City Attorney as to form and legality.

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

**ITEM NO. (19) - ADOPTED**

03-2596 - TRANSPORTATION COMMITTEE REPORT relative to a lease agreement with the  
CD 12 Chatsworth Chamber of Commerce at the Chatsworth Metrolink Station.

Recommendation for Council action, as recommended by the Municipal Facilities Committee:

AUTHORIZE the Department of General Services (GSD) to negotiate and execute a lease for the Chatsworth Chamber of Commerce at 10038 Old Depot Plaza Road.

Fiscal Impact Statement: The GSD reports that the Department of Transportation Proposition C Fund will realize an annual revenue of \$9,552.48.

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

**ITEM NO. (20) - ADOPTED**

03-2744 - TRANSPORTATION COMMITTEE REPORT relative to developing a Transit Oriented  
CD 1 Development (TOD) in the vicinity of the Avenue 57 Gold Line Station in Highland Park.

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

1. APPROVE in concept the development of a TOD, including residential, mixed-use retail and public parking, on City Parking Lots 635, 695, 636 and 637 located in the immediate vicinity of the Avenue 57 Gold Line Station in Highland Park.
2. DIRECT the Department of Transportation (DOT) and the Los Angeles Housing Department (LAHD), to:
  - a. Prepare and circulate a Request for Qualifications within 30 days for further development of the above referenced City parking lots as a TOD.
  - b. Assess the proposals within 30 days and recommend the selection of the top three qualified developers to the City Council for approval.
  - c. Issue Request for Proposals to the top three qualified developers within 30 days after City Council approval of these firms.

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

**ITEM NO. (21) - ADOPTED**

**Roll Call #7 - Motion (Ludlow - Villaraigosa) Adopted, Ayes (14); Absent: Perry (1)**

04-0002 - TRANSPORTATION COMMITTEE REPORT and RESOLUTION relative to opposing  
S2 funding reductions proposed by the State Department of Finance and proposed transfer of transportation funds to non-transportation purposes.

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

ADOPT the accompanying RESOLUTION stating the City's OPPOSITION to both the funding reductions proposed by the State Department of Finance and the proposed transfer of transportation funds to non-transportation purposes; and joining the Mobility 21 Coalition in educating the Administration and members of the State Legislature regarding the importance of investing in our transportation system and how it impacts Los Angeles County residents, businesses and visitors.

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

**Roll Call #1 - Motion (Villaraigosa - LaBonge) Adopted, Ayes (10); Absent: Garcetti, Ludlow, Perry, Reyes and Weiss (5)  
(Item Nos. 22-24)**

**ITEM NO. (22) - ADOPTED**

04-0002 - TRANSPORTATION COMMITTEE REPORT and RESOLUTION relative to sponsoring  
S4 legislation to establish a one-hour minimum time period for prearrangement of Charter Party Carrier operations.

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

ADOPT the accompanying RESOLUTION to include in the City's 2003-04 Legislative Program, SPONSORSHIP of legislation to establish a one-hour minimum time period for prearrangement of Charter Party Carrier operations.

Fiscal Impact Statement: The Chief Legislative Analyst reports there is no foreseeable impact on local, State or Federal governments.

**ITEM NO. (23) - ADOPTED**

04-0025 - TRANSPORTATION COMMITTEE REPORT relative to reimbursement by the Metropolitan Transportation Authority (MTA) for expanded services provided by the City during the 2003 MTA mechanics and bus operators strike.

Recommendations for Council action, as initiated by Motion (Villaraigosa - Ludlow)  
SUBJECT TO THE APPROVAL OF THE MAYOR:

1. AUTHORIZE the General Manager, Department of Transportation (DOT), to negotiate and execute any necessary agreement to provide for the receipt of funding from the MTA to reimburse the City for expanded transit services and the acceptance of MTA bus passes during the 2003 MTA mechanics and bus operators strike, subject to the approval of the City Attorney as to form and legality.
2. AUTHORIZE the DOT to deposit the funds into the City's Proposition A Local Transit Assistance Fund No. 385, and APPROPRIATE and TRANSFER these funds into each of the individual project operating accounts for which expanded service was provided, as designated by the DOT.
3. AUTHORIZE the DOT to negotiate and execute any necessary amendments to the affected existing Community DASH, Commuter Express, Downtown DASH Los Angeles and marketing/information contracts to fund the operation of expanded service levels provided during the MTA strike, subject to the approval of the City Attorney as to form and legality.

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

#### ITEM NO. (24) - ADOPTED

03-2547 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT and ARTS, PARKS, HEALTH AND AGING COMMITTEES' REPORT and RESOLUTION relative to authorizing the submittal and execution of Urban Park Act Grant and Land and Water conservation program grant applications for the Gaffey Welcome Park Trail to the Waterfront.

Recommendation for Council action,

ADOPT the accompanying RESOLUTION authorizing the Community Redevelopment Agency (Agency) to submit a grant application to the State of California Land and Water Conservation Fund Program in an amount up to \$500,000 (including matching funds), and to execute the grant agreement, upon award, for the proposed Gaffey Welcome Park Trail to the Waterfront, subject to the approval of the City Attorney as to form and legality.

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

## Items for Which Public Hearings Have Not Been Held - Items 25-36

(10 Votes Required for Consideration)

**Roll Call #2 - Motion (Miscikowski - Greuel) Adopted, Ayes (10); Absent: Garcetti, Ludlow, Perry, Reyes and Weiss (5)  
(Item Nos. 25-36)**

### ITEM NO. (25) - ADOPTED

04-0005 - RESOLUTION removing the property at 1605-07 West 69th Street from the Rent Escrow  
S10 Account Program [REAP], (Case No. 4548), 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 January 13, 2004. Assessor I.D. No. 6015-022-028  
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on  
December 10, 2001)

### ITEM NO. (26) - ADOPTED

04-0005 - RESOLUTION removing the property at 1652 West Cortez Street from the Rent Escrow  
S11 Account Program [REAP], (Case No. 5337), inasmuch as the owner has corrected the  
CD 13 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 January 13, 2004. Assessor I.D. No. 5159-021-008  
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on  
May 30, 2002)

### ITEM NO. (27) - ADOPTED

04-0005 - RESOLUTION removing the property at 447 West 20th Street from the Rent Escrow  
S12 Account Program [REAP], (Case No. 5662), inasmuch as the owner has corrected the  
CD 15 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 January 13, 2004. Assessor I.D. No. 7456-033-004  
Registration No. 8600447

(Notice of Acceptance into the REAP/Rent Reduction Program was released on  
August 22, 2002)

**ITEM NO. (28) - ADOPTED**

04-0005 - RESOLUTION removing the property at 8709-11 1/2 South Hoover Street from the Rent Escrow Account Program [REAP], (Case No. 5686), 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 January 13, 2004. Assessor I.D. No. 6038-016-035  
S13  
CD 8  
Registration No. None

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

**ITEM NO. (29) - ADOPTED**

04-0005 - RESOLUTION removing the property at 1174 West 39th Street from the Rent Escrow Account Program [REAP], (Case No. 6334), 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 January 13, 2004. Assessor I.D. No. 5037-008-008  
S14  
CD 8  
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on July 31, 2003)

**ITEM NO. (30) - ADOPTED**

04-0005 - RESOLUTION removing the property at 3013 South Ninth Avenue from the Rent Escrow Account Program [REAP], (Case No. 6423), 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 January 13, 2004. Assessor I.D. No. 5051-035-024  
S15  
CD 10  
Registration No. None

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

**ITEM NO. (31) - ADOPTED**

04-0005 - RESOLUTION removing the property at 1244-46 Browning Boulevard from the Rent  
S16 Escrow Account Program [REAP], (Case No. 6981), inasmuch as the owner has  
CD 8 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 January 13, 2004. Assessor I.D. No. 5037-001-004  
Registration No. None

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

**ITEM NO. (32) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS**

86-1063 - COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION TO VACATE relative  
CD 5 an alley westerly of La Cienega Avenue from approximately 210 feet to 260 feet  
southwesterly of Venice Boulevard - VAC-21608.

Recommendations for Council action:

1. REAFFIRM the FINDINGS of August 14, 1987, 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. 03-21608, for an alley westerly of La Cienega Avenue from approximately 210 feet to 260 feet southwesterly of Venice Boulevard.
3. APPROVE the City Engineer report dated November 7, 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.

ENVIRONMENTAL WORK COMPLETED FOR THIS PROJECT

**ITEM NO. (33) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS**

00-1046 - COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION TO VACATE relative  
CD 5 to a walk (10 feet) from Rand Drive to approximately 70 feet northeasterly thereof - VAC-  
E1400691.

Recommendations for Council action:

1. REAFFIRM the FINDINGS of August 3, 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. 03-1400691 for a walk (10 feet) from Rand Drive to approximately 70 feet northeasterly thereof.
3. APPROVE the City Engineer report dated October 29, 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.

#### ENVIRONMENTAL WORK COMPLETED FOR THIS PROJECT

#### ITEM NO. (34) - ADOPTED

04-0057 - MOTION (PARKS - PERRY - SMITH - LABONGE) relative to declaring the University of Southern California (USC) National Championship Recognition Parade on January 21, 2004 a Special Event (fees and costs absorbed by the City = \$25,000).

Recommendation for Council action:

DECLARE the USC National Championship Recognition Parade, sponsored by the University of Southern California on January 21, 2004, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance.

#### ITEM NO. (35) - ADOPTED

03-0052 - MOTION (HAHN - LABONGE) relative to declaring the St. Joseph Annual Free Meal CD 15 Celebration at Mary Star of the Sea Church on March 14, 2004 a Special Event (fees and costs absorbed by the City = \$380).

Recommendation for Council action:

DECLARE the St. Joseph Annual Free Meal Celebration at Mary Star of the Sea Church, sponsored by the Saint Joseph Table Society on March 14, 2004, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance.

#### ITEM NO. (36) - ADOPTED



04-0056 - MOTION (MISCIKOWSKI - GREUEL) relative to declaring the Westchester Farmers' Market as a Special Event for an additional year.  
CD 11

Recommendation for Council action:

RE-DECLARE the Westchester Farmers' Market a "Special Event" for one additional year, under the terms and conditions as contained under Council File No. 93-1707.

## Items Called Special

### Motions for Posting and Referral

### Councilmembers' Requests for Excuse from Attendance at Council Meetings

### Closed Sessions - Items 37-39

ITEM NO. (37) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Roll Call #9 - Motion (Parks - Miscikowski) Adopted in Open Session, Ayes (14); Absent: Perry (1)

03-2519 - 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 of the Transient Occupancy Tax Refund Claim brought by Today's V, Inc.

(Budget and Finance Committee considered the above matter in Closed Session on January 13, 2004)

### ADOPTED IN OPEN SESSION

#### MOTION (PARKS - MISCIKOWSKI)

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

1. APPROVE the Transient Occupancy Tax Refund Claim brought by Today's V, Inc. (Taxpayer), for the amount of \$420,000, and AUTHORIZE the Office of Finance to pay said amount in the form of a \$65,000 credit against the Taxpayer's monthly Transient Occupancy Tax remittances.
2. REQUEST the City Attorney, with the assistance of the Office of Finance, to prepare a draft Ordinance that reflects the current City policy relative to the Transient Occupancy Tax.

**ITEM NO. (38) - MEETING HELD - NOTED AND FILED**

03-2782 - The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to the case entitled American International Recovery, et al. v. City of Los Angeles, Los Angeles Superior Court Case No. BC 26694, consolidated with David Nelson v. City of Los Angeles, Los Angeles Superior Court Case No. BC 269472. (This action arises from a traffic accident involving a vehicle driven by a Los Angeles Police Department officer.)

(Budget and Finance Committee considered the above matters in Closed Session on January 13, 2004)

**ITEM NO. (39) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING**

**Roll Call #10 - Motion (Parks - Miscikowski) Adopted in open session, Ayes (14);  
Absent: Perry (1)**

03-2783 - 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 of the case entitled Nara Wenrich, et al. v. City of Los Angeles, Los Angeles Superior Court Case No. BC 280211. (This action arises from a traffic accident involving a Los Angeles Fire Department ambulance.)

(Budget and Finance Committee considered the above matters in Closed Session on January 13, 2004)

**ADOPTED IN OPEN SESSION**

**MOTION (PARKS - MISCIKOWSKI)**

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

- 1. AUTHORIZE the City Attorney to expend \$490,000 in settlement of the case entitled Nara Wenrich, et al., v. City of Los Angeles, Los Angeles Superior Court Case No. BC 280211, from the City Attorney Fund 100, Department 59, Liability Claims Account 9770.**
- 2. AUTHORIZE the City Attorney to draw a demand thereon in said amount payable to Greene, Broillet, Panish & Wheeler, LLP, Nara L. Wenrich, the County of Los Angeles, and the Estate of Michael Savant.**

**Items for Which Public Hearings Have Not Been Held - Items 40-43**  
(10 Votes Required for Consideration)

**ITEM NO. (40) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS -  
ORDINANCE OVER TO JANUARY 28, 2004**

**Roll Call #5 - Motion (Zine - Hahn) Adopted, Ayes (13); Noes: Parks (1); Absent: Perry (1)**

01-0491 - COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER (CAO) and  
ORDINANCE FIRST CONSIDERATION relative to the 2003-06 Memorandum of  
Understanding (MOU) for the Firefighters and Fire Captains Representation Unit.

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

1. PRESENT and ADOPT the accompanying ORDINANCE to provide special pay, hazard pay, assignment pay and longevity pay for employees in the Firefighters and Fire Captains Representation Unit: MOU No. 23.
2. APPROVE the 2003-06 MOU for the Firefighters and Fire Captains Representation Unit.
3. AUTHORIZE the CAO and the Controller to correct any clerical, or if approved by the City Attorney, technical errors in the Ordinance or MOU.

Fiscal Impact Statement: The CAO reports that the first year cost of salary, overtime, pension and benefits contained in MOU No. 23 is approximately \$9.8 million. The annual ongoing cost at the end of the contract is approximately \$41.5 million.

(Personnel Committee waived consideration of the above matter)

**Roll Call #3 - Motion (Zine - Hahn) Adopted, Ayes (12); Absent: Garcetti, Ludlow and Perry (3)**  
(Item Nos. 41-43)

**ITEM NO. (41) - APPROVED**

04-0080 - FINAL MAP OF TRACT NO. 53427 for property lying easterly of Sepulveda Boulevard  
CD 5 on the northside of Dickens Street.

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

(ADOPT Bond No. C-106087)

(Quimby Fee: \$32,670)

(Less Dwelling Unit Construction Tax: \$3,600)

Applicants: Triangle Builders, Inc.  
Robert Kameoka, RCE

**ITEM NO. (42) - APPROVED**

02-2132 - PARCEL MAP L.A. NO. 2001-4628 lying westerly of Barrington Avenue and southerly of  
CD 11 Santa Monica Boulevard.  
(Approve Subdivision Improvement Agreement and Contract with  
attached security documents)  
(ADOPT Bond No. C-106089)  
(Quimby Fee: \$8,060)  
Applicants: Isaac Cohanzad  
Jack Little

**ITEM NO. (43) - APPROVED**

04-0081 - PARCEL MAP L.A. NO. 7093 lying westerly of Nugent Drive and northerly of Simi Valley  
CD 12 Freeway.  
(Approve Subdivision Improvement Agreement and Contract with  
attached security documents)  
(ADOPT Bond No. C-106088)  
(Quimby Fee: \$1,226)  
Applicants: Tom Rumack  
Loren Phillips & Associates

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

00-1073 - MOTION (HAHN - SMITH) relative to funding for the purchase, installation and service  
S22 of five "Flash Cam" vandalism deterrent systems (security cameras), as part of a pilot  
program monitored by the Operation Clean Sweep of the Board of Public Works.

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

04-0108 - RESOLUTION (WEISS - VILLARAIGOSA - ET AL.) relative to supporting future local  
ownership of the Los Angeles Dodgers.

## **COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS**

Upon his request, and without objections, Councilmember LaBonge was excused from Council session of Friday, March 19, 2004 due to City business.

Upon his request, and without objections, Councilmember Parks 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 - Betty Trull	(Hahn)
Joe Angeles Nieto, Sr.	(Ludlow - LaBonge - Villaraigosa)
Ron O'Neal	(Parks)

**Ayes, Cardenas, Garcetti, Greuel, Hahn, LaBonge, Ludlow, Miscikowski, Parks, Reyes, Smith, Villaraigosa, Weiss, Zine and President Padilla (14); Absent: Perry (1).**

**Whereupon the Council did adjourn.**

ATTEST: J. Michael Carey, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL