ROLL CALL - Members present: Cardenas, Garcetti, Greuel, LaBonge, Miscikowski, Parks, Perry, Smith, Villaraigosa, Weiss, Zine and President Padilla (12); Absent: Hahn, Ludlow, and Reyes (3).

SALUTE TO THE FLAG

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF MARCH 5, 2004

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 34

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 1-4

Roll Call #2 - Motion (Zine - Smith) Adopted to Continue, Unanimous Vote (12); Absent: Hahn, Ludlow and Reyes (3) (Item Nos. 1-3)

ITEM NO. (1) - PUBLIC HEARING HELD - HEARING AND ORDINANCE CONTINUED TO MARCH 30, 2004

03-1894 - HEARING PROTESTS against the proposed improvement and maintenance of the CD 12 DEVONSHIRE STREET AND ZELZAH AVENUE LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Devonshire Street and Zelzah Avenue Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.
(Ordinance of Intention adopted on January 7, 2004 - Continue hearing and present Ordinance on MARCH 30, 2004 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (2) - PUBLIC HEARING HELD - HEARING AND ORDINANCE CONTINUED TO MARCH 30, 2004

03-2021 - HEARING PROTESTS against the proposed improvement and maintenance of the CD 3 BELMAR AVENUE AND GIFFORD STREET LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Belmar Avenue and Gifford Street Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on January 6, 2004 - Continue hearing and present Ordinance on MARCH 30, 2004 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (3) - PUBLIC HEARING HELD - HEARING AND ORDINANCE CONTINUED TO MARCH 30, 2004

03-2019 - HEARING PROTESTS against the proposed improvement and maintenance of the CD 6 VICTORY BOULEVARD AND KESTER AVENUE LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Victory Boulevard and Kester Avenue Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on January 6, 2004 - Continue hearing and present Ordinance on MARCH 30, 2004 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

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

Roll Call #7 - Motion (Garcetti - Reyes) Adopted, Ayes (14); Absent: Ludlow (1)

04-0122 - CATEGORICAL EXEMPTION and PLANNING AND LAND USE MANAGEMENT CD 13 COMMITTEE REPORT relative to an appeal on corrective Conditions of Approval imposed by the City for nuisance abatement at restaurant/night club known as Club Blue at 1642 Las Palmas Avenue.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:
1. FIND that this action is categorically exempt from California Environmental Quality Act, pursuant to Article VII, Section 1, Class 21(2) of the City's Environmental Guidelines.

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

3. RESOLVE TO DENY APPEAL filed by Bruce Edward Perdew, protestant, from the nuisance abatement determination of the Zoning Administrator to impose corrective condition no. 8 (hours of sales, service and consumption of alcoholic beverages) and corrective condition No. 41 (no after hours use), and THEREBY SUSTAIN all Conditions of Approval imposed by the Zoning Administrator to mitigate adverse impacts caused by the operation of the restaurant/nightclub known as “Club Blue” at 1642 Las Palmas Avenue.

   Applicant: City of Los Angeles
   (Office of Zoning Administration)

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

TIME LIMIT FILE - MARCH 20, 2004
(LAST DAY FOR COUNCIL ACTION - MARCH 19, 2004)

Items for Which Public Hearings Have Been Held - Items 5-33

ITEM NO. (5) - MOTION ADOPTED TO APPROVE HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE REPORT

Roll Call #10 - Motion (Garcetti - Miscikowski) Adopted, Ayes (14); Absent: Ludlow (1)
Roll Call #11 - Motion (Garcetti - Miscikowski) Adopted to Receive and File Economic Development and Employment and Rules and Elections Committees’ Reports, Unanimous Vote (14); Absent: Ludlow (1)

00-2441 - ECONOMIC DEVELOPMENT AND EMPLOYMENT, HOUSING AND COMMUNITY DEVELOPMENT and RULES AND ELECTIONS COMMITTEES’ REPORTS and ORDINANCE FIRST CONSIDERATION relative to imposing civil penalties, administrative penalties, and Community Redevelopment Agency (Agency) discipline for violations of the Ethics regulations adopted by the Agency, and related matters.
A. ECONOMIC DEVELOPMENT AND EMPLOYMENT COMMITTEE

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

1. CONCUR with the Agency Board action of January 18, 2001 adopting the accompanying Governmental Ethics Code for the Agency Board (attached to the Council file).

2. PRESENT and ADOPT the accompanying ORDINANCE imposing civil penalties, administrative penalties, and Agency discipline for violations of the Ethics regulations adopted by the Agency, which may be adopted by the Housing Authority of the City of Los Angeles, and authorizing the City Ethics Commission to investigate and conduct administrative proceedings in connection with alleged violations of those regulations.

ADOPTED

B. HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE REPORT

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

1. CONCUR with the Agency Board action of January 18, 2001 adopting the accompanying Governmental Ethics Code for the Agency Board (attached to the Council file).

2. PRESENT and ADOPT the accompanying ORDINANCE imposing civil penalties, administrative penalties, and Agency discipline for violations of the Ethics regulations adopted by the Agency, which may be adopted by the Housing Authority of the City of Los Angeles (HACLA), and authorizing the City Ethics Commission to investigate and conduct administrative proceedings in connection with alleged violations of those regulations.

3. REQUEST the HACLA to adopt and implement the accompanying Governmental Ethics Code.

RECEIVED AND FILED

C. RULES AND ELECTIONS COMMITTEE REPORT

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

1. CONCUR with the recommendations of the Housing, Community and Economic Development Committee in its report dated March 10, 2004.
2. INSTRUCT the Chief Legislative Analyst (CLA) to report back on the adoption and implementation of this Governmental Ethics Code by the Housing Authority of the City of Los Angeles.

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

ITEM NO. (6) - ADOPTED

Roll Call #12 - Motion (Villaraigosa - Garcetti) Adopted, Ayes (14); Absent: Ludlow (1)

04-0002 - ARTS, PARKS, HEALTH AND AGING and EDUCATION AND NEIGHBORHOODS COMMITTEES' REPORT and RESOLUTION relative to opposing a cap on enrollment in the Healthy Families Program.

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

ADOPT the accompanying RESOLUTION (Garcetti - Villaraigosa) relative to establishing a position of OPPOSITION in the City’s 2003-04 State Legislative Program to the Governor’s proposal to cap enrollment on the Healthy Families Program.

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

ITEM NO. (7) - ADOPTED

Roll Call #4 - Motion (Zine - LaBonge) Adopted, Ayes (12); Absent: Hahn, Ludlow and Reyes (3)

02-0488 - BUDGET AND FINANCE COMMITTEE REPORT relative to the financial status of outside counsel contracts for the month of January 2004.

Recommendation for Council action:

NOTE and FILE the City Attorney report relative to the financial status of outside counsel contracts for the month of January 2004, inasmuch as the report is submitted for information only and no Council action is required.

Fiscal Impact Statement: Not applicable.
ITEM NO. (8) - ADOPTED

Roll Call #13 - Motion (Zine - Smith) Adopted, Ayes (14); Absent: Ludlow (1)

03-1687 - BUDGET AND FINANCE COMMITTEE REPORT relative to Systematic Code Enforcement Program (SCEP) alternate fee penalty structures and related actions.

Recommendations for Council action:

1. AUTHORIZE a two-tier late fee structure for the SCEP, charging a 50 percent penalty fee for payment of fees received after the initial delinquency date (last day of February), and an additional 100 percent penalty if the Los Angeles Housing Department (LAHD) must administer further delinquency billings.

2. AUTHORIZE SCEP penalty fee waivers for validated and just causes, consistent with provisions in the Rent Stabilization Ordinance.

3. LIMIT recovery of SCEP fees ($2.27 per unit monthly passthrough to tenants) to only those property owners paying annual SCEP fees on time.

4. REQUEST the City Attorney, with the LAHD’s assistance, to draft the necessary changes to the SCEP and Rent Stabilization Ordinances, as identified in the City Administrative Officer’s (CAO) report, attached to the Council file, and consistent with the LAHD’s report dated December 4, 2003, and additionally include the following:
   a. Develop language that allows landlords to recover SCEP fees in the amount equal to 1/12 of the full value of the SCEP fees, thereby eliminating the necessity to amend said Ordinances each time SCEP fees are changed.
   b. Include language that allows landlords to collect additional SCEP fees as necessary, to cover the period from the date the fee increase became effective (January 2004) to the date eligible landlords are able to passthrough the fee increase to tenants, to recoup the full value of the SCEP fee increase.

5. INSTRUCT the LAHD to send notices to landlords with full details of amendments to the SCEP and Rent Stabilization Ordinances relative to the SCEP fees.

Fiscal Impact Statement: The CAO reports that there is no impact to the General Fund. The recommendations within the CAO report would impact special fund sources only, including the Code Enforcement and Rent Stabilization Trust Funds.
ITEM NO. (9) - ADOPTED

04-0255 - BUDGET AND FINANCE COMMITTEE REPORT relative to revenue enhancements available to the City under Senate Bill (SB) 566 as enacted in 2003.

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

INSTRUCT the Chief Legislative Analyst (CLA) to report to the Council on the impact of the one half cent transactions and use tax increase proposed by Sheriff Lee Baca, to include recommendations on how the City would spend the additional funds generated if the County initiative passes, as well as recommendations on how the City would spend additional funds generated if the City pursues and is successful with its own transactions and use tax increase; and further, to include an analysis of other revenue enhancements available to the City under SB 566 as enacted in 2003, or other revenue options that are available for public safety funding.

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

ITEM NO. (10) - ADOPTED

04-0267 - ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE REPORT relative to establishment of a pilot food waste collection program.

Recommendation for Council action:

APPROVE the proposed agreement with Norcal Waste Services, Inc. for the establishment of a pilot food waste collection program and return the Agreement to the Board of Public Works for execution and further processing.

Fiscal Impact Statement: The City Administrative Officer reports that funding for the first year of the proposed Agreement is available in the Citywide recycling Trust Fund. Future year funding will be provided from the same funding source subject to Mayor and Council approval. There is no impact to the General Fund.

ITEM NO. (11) - ADOPTED, *AS AMENDED - SEE FOLLOWING

01-0593 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to denying a hardship exemption from the Interim Control Ordinance (ICO) moratorium on evictions for the purpose of major rehabilitation under the provisions of the City’s Rent Stabilization Ordinance (RSO) for the property at 4613-19 Ambrose Avenue.
Recommendation for Council action:

*DIRECT the Chief Legislative Analyst (CLA) and the Los Angeles Housing Department (LAHD) to prepare a Resolution for Council to DENY the application filed by Damien Perillo for a hardship exemption from the ICO moratorium on evictions for the purpose of major rehabilitation under the provisions of the City’s RSO for the property at 4613-19 Ambrose Avenue. *(Garcetti - Parks)

Fiscal Impact Statement: None submitted by the LAHD. Neither that City Administrative Officer nor the CLA has completed a financial analysis of this report.

ITEM NO. (12) - ADOPTED, *AS AMENDED - SEE FOLLOWING

01-0593 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT
S10 relative to denying a hardship exemption from the Interim Control Ordinance (ICO) CD 1 moratorium on evictions for the purpose of major rehabilitation under the provisions of the City’s Rent Stabilization Ordinance (RSO) for the property at 2808 Silver Street.

Recommendation for Council action:

*DIRECT the Chief Legislative Analyst (CLA) and the Los Angeles Housing Department (LAHD) to prepare a Resolution for Council to DENY the application filed by Luis Guzman for a hardship exemption from the ICO moratorium on evictions for the purpose of major rehabilitation under the provisions of the City’s RSO for the property at 2808 Silver Street. *(Garcetti - Parks)

Fiscal Impact Statement: None submitted by the LAHD. Neither that City Administrative Officer nor the CLA has completed a financial analysis of this report.

ITEM NO. (13) - ADOPTED, *AS AMENDED - SEE FOLLOWING

01-0593 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT
S11 relative to denying a hardship exemption from the Interim Control Ordinance (ICO) CD 4 moratorium on evictions for the purpose of major rehabilitation under the provisions of the City’s Rent Stabilization Ordinance (RSO) for the property at 4545 Vineland Avenue.

Recommendation for Council action:

*DIRECT the Chief Legislative Analyst (CLA) and the Los Angeles Housing Department (LAHD) to prepare a Resolution for Council to DENY the application filed by Judith Meuli for a hardship exemption from the ICO moratorium on evictions for the purpose of major rehabilitation under the provisions of the City’s RSO for the property at 4545 Vineland Avenue. *(Garcetti - Parks)

Fiscal Impact Statement: None submitted by the LAHD. Neither that City Administrative Officer nor the CLA has completed a financial analysis of this report.
ITEM NO. (14) - ADOPTED, *AS AMENDED - SEE FOLLOWING

01-0593 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT
S12 relative to denying a hardship exemption from the Interim Control Ordinance (ICO)
CD 5 moratorium on evictions for the purpose of major rehabilitation under the provisions of the
City’s Rent Stabilization Ordinance (RSO) for the property at 114-16 1/2 North Sycamore
Avenue.

Recommendation for Council action:

*DIRECT the Chief Legislative Analyst (CLA) and the Los Angeles Housing Department
(LAHD) to prepare a Resolution for Council to DENY the application filed by Victor J. and
Francine N. Cowley for a hardship exemption from the ICO moratorium on evictions for the
purpose of major rehabilitation under the provisions of the City’s RSO for the property at
114-16 1/2 North Sycamore Avenue. *(Garcetti - Parks)

Fiscal Impact Statement: None submitted by the LAHD. Neither that City Administrative
Officer nor the CLA has completed a financial analysis of this report.

ITEM NO. (15) - ADOPTED, *AS AMENDED - SEE FOLLOWING

01-0593 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT
S13 relative to denying a hardship exemption from the Interim Control Ordinance (ICO)
CD 4 moratorium on evictions for the purpose of major rehabilitation under the provisions of the
City’s Rent Stabilization Ordinance (RSO) for the property at 1511-13 3/4 Rosalia Road.

Recommendation for Council action:

*DIRECT the Chief Legislative Analyst (CLA) and the Los Angeles Housing Department
(LAHD) to prepare a Resolution for Council to DENY the application filed by Scott E.
Williams for a hardship exemption from the ICO moratorium on evictions for the purpose
of major rehabilitation under the provisions of the City’s RSO for the property at 1511-13
3/4 Rosalia Road. *(Garcetti - Parks)

Fiscal Impact Statement: None submitted by the LAHD. Neither that City Administrative
Officer nor the CLA has completed a financial analysis of this report.

ITEM NO. (16) - ADOPTED, *AS AMENDED - SEE FOLLOWING

01-0593 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT
S14 relative to denying a hardship exemption from the Interim Control Ordinance (ICO)
CD 4 moratorium on evictions for the purpose of major rehabilitation under the provisions of the
City’s Rent Stabilization Ordinance (RSO) for the property at 1410-12 Murray Drive.
Recommendation for Council action:

*DIRECT the Chief Legislative Analyst (CLA) and the Los Angeles Housing Department (LAHD) to prepare a Resolution for Council to DENY the application filed by Mike Javid for a hardship exemption from the ICO moratorium on evictions for the purpose of major rehabilitation under the provisions of the City’s RSO for the property at 1410-12 Murray Drive. *(Garcetti - Parks)

Fiscal Impact Statement: None submitted by the LAHD. Neither that City Administrative Officer nor the CLA has completed a financial analysis of this report.

ITEM NO. (17) - ADOPTED, *AS AMENDED - SEE FOLLOWING

01-0593 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT
S15 CD 9 relative to denying a hardship exemption from the Interim Control Ordinance (ICO) moratorium on evictions for the purpose of major rehabilitation under the provisions of the City’s Rent Stabilization Ordinance (RSO) for the property at 4814-16 Ascot Avenue and 1401-09 East 48th Place.

Recommendation for Council action:

*DIRECT the Chief Legislative Analyst (CLA) and the Los Angeles Housing Department (LAHD) to prepare a Resolution for Council to DENY the application filed by American Loan & Services, Inc. for a hardship exemption from the ICO moratorium on evictions for the purpose of major rehabilitation under the provisions of the City’s RSO for the property at 4814-16 Ascot Avenue and 1401-09 East 48th Place. *(Garcetti - Parks)

Fiscal Impact Statement: None submitted by the LAHD. Neither that City Administrative Officer nor the CLA has completed a financial analysis of this report.

ITEM NO. (18) - ADOPTED, *AS AMENDED - SEE FOLLOWING

01-0593 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT
S16 CD 14 relative to denying a hardship exemption from the Interim Control Ordinance (ICO) moratorium on evictions for the purpose of major rehabilitation under the provisions of the City’s Rent Stabilization Ordinance (RSO) for the property at 2210 City View Avenue.

Recommendation for Council action:

*DIRECT the Chief Legislative Analyst (CLA) and the Los Angeles Housing Department (LAHD) to prepare a Resolution for Council to DENY the application filed by John and Adial Arredondo for a hardship exemption from the ICO moratorium on evictions for the purpose of major rehabilitation under the provisions of the City’s RSO for the property at 2210 City View Avenue. *(Garcetti - Parks)
ITEM NO. (19) - ADOPTED, *AS AMENDED - SEE FOLLOWING

01-0593 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT
S17 relative to denying a hardship exemption from the Interim Control Ordinance (ICO) moratorium on evictions for the purpose of major rehabilitation under the provisions of the City’s Rent Stabilization Ordinance (RSO) for the property at 4424 Tujunga Avenue.

Recommendation for Council action:

*DIRECT the Chief Legislative Analyst (CLA) and the Los Angeles Housing Department (LAHD) to prepare a Resolution for Council to DENY the application filed by James L. Mullins and Harold Rishe for a hardship exemption from the ICO moratorium on evictions for the purpose of major rehabilitation under the provisions of the City’s RSO for the property at 4424 Tujunga Avenue. *(Garcetti - Parks)

Fiscal Impact Statement: None submitted by the LAHD. Neither that City Administrative Officer nor the CLA has completed a financial analysis of this report.

ITEM NO. (20) - ADOPTED, *AS AMENDED - SEE FOLLOWING

01-0593 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT
S19 relative to denying a hardship exemption from the Interim Control Ordinance (ICO) moratorium on evictions for the purpose of major rehabilitation under the provisions of the City’s Rent Stabilization Ordinance (RSO) for the property at 3907-09 Vineland Avenue.

Recommendation for Council action:

*DIRECT the Chief Legislative Analyst (CLA) and the Los Angeles Housing Department (LAHD) to prepare a Resolution for Council to DENY the application filed by George Fecske for a hardship exemption from the ICO moratorium on evictions for the purpose of major rehabilitation under the provisions of the City’s RSO for the property at 3907-09 Vineland Avenue. *(Garcetti - Parks)

Fiscal Impact Statement: None submitted by the LAHD. Neither that City Administrative Officer nor the CLA has completed a financial analysis of this report.
ITEM NO. (21) - ADOPTED, *AS AMENDED - SEE FOLLOWING

01-0593 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT
S20 relative to denying a hardship exemption from the Interim Control Ordinance (ICO) CD 4 moratorium on evictions for the purpose of major rehabilitation under the provisions of the City’s Rent Stabilization Ordinance (RSO) for the property at 2139-41 Beachwood Terrace.

Recommendation for Council action:

*DIRECT the Chief Legislative Analyst (CLA) and the Los Angeles Housing Department (LAHD) to prepare a Resolution for Council to DENY the application filed by Natalia Kokoteeva for a hardship exemption from the ICO moratorium on evictions for the purpose of major rehabilitation under the provisions of the City’s RSO for the property at 2139-41 Beachwood Terrace. * (Garcetti - Parks)

Fiscal Impact Statement: None submitted by the LAHD. Neither that City Administrative Officer nor the CLA has completed a financial analysis of this report.

ITEM NO. (22) - ADOPTED, *AS AMENDED - SEE FOLLOWING

01-0593 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT
S21 relative to denying a hardship exemption from the Interim Control Ordinance (ICO) CD 13 moratorium on evictions for the purpose of major rehabilitation under the provisions of the City’s Rent Stabilization Ordinance (RSO) for the property at 222-24 1/2 South Burlington Avenue.

Recommendation for Council action:

*DIRECT the Chief Legislative Analyst (CLA) and the Los Angeles Housing Department (LAHD) to prepare a Resolution for Council to DENY the application filed by Jesulito C. Aralar and Stella Oyo-Aralar for a hardship exemption from the ICO moratorium on evictions for the purpose of major rehabilitation under the provisions of the City’s RSO for the property at 222-24 1/2 South Burlington Avenue. * (Garcetti - Parks)

Fiscal Impact Statement: None submitted by the LAHD. Neither that City Administrative Officer nor the CLA has completed a financial analysis of this report.

ITEM NO. (23) - ADOPTED, *AS AMENDED - SEE FOLLOWING

01-0593 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT
S22 relative to denying a hardship exemption from the Interim Control Ordinance (ICO) CD 10 moratorium on evictions for the purpose of major rehabilitation under the provisions of the City’s Rent Stabilization Ordinance (RSO) for the property at 1128 South Carmona Avenue.
Recommendation for Council action:

*DIRECT the Chief Legislative Analyst (CLA) and the Los Angeles Housing Department (LAHD) to prepare a Resolution for Council to DENY the application filed by Gena Lofton for a hardship exemption from the ICO moratorium on evictions for the purpose of major rehabilitation under the provisions of the City’s RSO for the property at 1128 South Carmona Avenue. *(Garcetti - Parks)

Fiscal Impact Statement: None submitted by the LAHD. Neither that City Administrative Officer nor the CLA has completed a financial analysis of this report.

ITEM NO. (24) - ADOPTED, *AS AMENDED - SEE FOLLOWING

01-0593 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT
S23  relative to denying a hardship exemption from the Interim Control Ordinance (ICO) CD 10  moratorium on evictions for the purpose of major rehabilitation under the provisions of the City’s Rent Stabilization Ordinance (RSO) for the property at 1837-43 South Arlington Avenue.

Recommendation for Council action:

*DIRECT the Chief Legislative Analyst (CLA) and the Los Angeles Housing Department (LAHD) to prepare a Resolution for Council to DENY the application filed by Byung-Sun Choi for a hardship exemption from the ICO moratorium on evictions for the purpose of major rehabilitation under the provisions of the City’s RSO for the property at 1837-43 South Arlington Avenue. *(Garcetti - Parks)

Fiscal Impact Statement: None submitted by the LAHD. Neither that City Administrative Officer nor the CLA has completed a financial analysis of this report.

ITEM NO. (25) - ADOPTED, *AS AMENDED - SEE FOLLOWING

01-0593 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT
S24  relative to denying a hardship exemption from the Interim Control Ordinance (ICO) CD 1  moratorium on evictions for the purpose of major rehabilitation under the provisions of the City’s Rent Stabilization Ordinance (RSO) for the property at 1320 South Burlington Avenue.

Recommendation for Council action:

*DIRECT the Chief Legislative Analyst (CLA) and the Los Angeles Housing Department (LAHD) to prepare a Resolution for Council to DENY the application filed by DNA Properties, Inc. for a hardship exemption from the ICO moratorium on evictions for the purpose of major rehabilitation under the provisions of the City’s RSO for the property at 1320 South Burlington Avenue. *(Garcetti - Parks)
ITEM NO. (26) - ADOPTED

04-0002 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and S40 RESOLUTION relative to supporting Senate Bill 1627 and H.R. 1261 re-authorizing the Workforce Investment Act.

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

ADOPT the accompanying RESOLUTION to include in the City's 2003-04 Federal Legislative Program, SPONSORSHIP/SUPPORT of S. 1627 (Enzi) and H.R. 1261 (McKeon) re-authorizing the Workforce Investment Act of 1998 through Fiscal Year 2009.

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

ITEM NO. (27) - ADOPTED

04-0317 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT CD 3 relative to executing a construction and permanent loan agreement with Cohasset Manor Apartments, LP, for the development of a 32-unit family apartment complex at 20422 Cohasset Street.

Recommendations for Council action:

1. AUTHORIZE the Community Redevelopment Agency (Agency) Chief Executive Officer, or designee, to:

   a. Execute a Construction and Permanent Loan Agreement in an amount not to exceed $2 million and any other related loan documents with Cohasset Manor Apartments LP, a California Limited Partnership, for an affordable housing project at 20422 Cohasset Street in the Reseda-Canoga Park Disaster Assistance Project Area, subject to the approval of the City Attorney as to form and legality, and further subject to the review of the City Administrative Officer (CAO)'s Contractor Enforcement Section for compliance with the Agency's contracting requirements.

   b. Adopt the accompanying Resolution (attached to the Council file), adopted by the Agency Board at its meeting held February 19, 2004, making the finding that an economically feasible alternative method for financing on substantially comparable terms without subordination of the Agency Deed of Trust and Covenant is not reasonably available.
c. Amend the Agency’s adopted 2003-04 Work Program and Budget to:

1) Create a new Work Objective RP1060 (Cohasset Manor Apartments).

2) Transfer a total of $2,042,575 in Reseda-Canoga Park Housing Trust Funds [$625,000 from RP1050 (Tierra del Sol) and $1,417,575 from RP1990 (Response to Housing Opportunities)] to RP1060 (Cohasset Manor Apartments).

2. DIRECT the Agency to include in the Construction and Permanent Loan Agreement a local employment and hiring program as used in similar projects.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. The recommendations above involve the use of $2,042,575 in Reseda-Canoga Park Housing Trust Funds.

ITEM NO. (28) - ADOPTED

04-0318 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to amending the lease agreement with AG/Touchstone Daley, LLC, for additional space at 5200 Lankershim Boulevard for the Community Redevelopment Agency’s (Agency) East Valley Regional Office.

Recommendation for Council action:

AUTHORIZE the Chief Executive Officer, Agency, or designee to amend the lease agreement with AG/Touchstone Daley, LLC, for additional space at 5200 Lankershim Boulevard for the Agency’s East Valley Regional Office.

Fiscal Impact Statement: The Chief Legislative Analyst reports that this action will not impact the General Fund. Funding for the lease agreement is provided by North Hollywood Bond proceeds, Laurel Canyon Tax Increment, and Pacoima/Panorama City Tax Increment funds.

ITEM NO. (29) - ADOPTED

03-2366 - PERSONNEL COMMITTEE REPORT relative to the City’s policy on notification of health care plan changes or potential problems.

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

NOTE and FILE the Personnel Department’s report, dated January 6, 2004, relative to the City’s policy to notify current and retired City employees, and their families, of health care plan changes or potential problems, inasmuch as the report is submitted for information only, and no Council action is required.

Fiscal Impact Statement: Not applicable.
ITEM NO. (30) - ADOPTED

03-0385 - PERSONNEL COMMITTEE REPORT relative to proposed contract extension for Mercer Human Resource Consulting.

Recommendation for Council action:

AUTHORIZE the General Manager, Personnel Department, to execute an amendment to the contract with Mercer Human Resource Consulting, benefits consultant on the Civilian Modified Flex-Benefits-by-Request (FLEX) Program. The First Amendment to the Third Supplemental Agreement will extend the duration of the contact period to cover April 27, 2004 through April 26, 2005. This represents an extension of the current contract by one additional year bringing the contract period to five years.

Fiscal Impact Statement: The Personnel Department reports that there is no fiscal impact to the General Fund. The contract maximum amount for April 27, 2004 through April 26, 2005 is $598,000. The contractor is paid from the Employee Benefits Trust Fund, and there will only be a three percent increase in fees. There was no fee increase in last year’s contract.

TIME LIMIT FILE - APRIL 9, 2004
(LAST DAY FOR COUNCIL ACTION - APRIL 7, 2004)

ITEM NO. (31) - ADOPTED

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

03-1066 - TRANSPORTATION COMMITTEE REPORT relative to the City becoming a participant in the proposed magnetic levitation technology (Maglev) high speed rail Joint Powers Authority (JPA).

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

1. SUPPORT the City of Los Angeles’ interest in participating in the Southern California Association of Governments (SCAG) JPA for Maglev high speed rail.

2. REQUEST the Chief Legislative Analyst (CLA) to research all funding sources, including Proposition A, to provide the matching funds requested by the SCAG for their Maglev project should the Los Angeles World Airport be unable to fund the entire amount.

3. INSTRUCT the Department of Transportation (DOT) to begin negotiations with the SCAG on Major Investment Study (MIS) issues the City would like as part of the initial study done by the SCAG, including how the City would be a participant, and report back to the City Council after those negotiations.
4. REQUEST the SCAG to notify all affected Neighborhood Councils of the proposed Maglev high speed rail project and solicit resident input.

Fiscal Impact Statement: None submitted by the DOT. Neither the City Administrative Officer nor CLA have conducted a financial analysis of this report.

ITEM NO. (32) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT AND COMMUNICATION RECOMMENDATION

Roll Call #4 - Motion (Zine - LaBonge) Adopted, Ayes (12); Absent: Hahn, Ludlow and Reyes (3)

00-1068 - INFORMATION TECHNOLOGY AND GENERAL SERVICES and PERSONNEL COMMITTEES’ REPORT and COMMUNICATION FROM CHAIR AND MEMBER BUDGET AND FINANCE COMMITTEE relative to a personal services contract with Premier Building Maintenance Services to provide custodial services for the City's computer center.

Recommendation for Council action:

RECEIVE and FILE the City Administrative Officer report, dated May 30, 2000, relative to a personal services contract with Premier Building Maintenance Services to provide custodial services for the City's computer center, inasmuch as the City utilized in-house staff and no Council action is required.

Fiscal Impact Statement: Not applicable.

ITEM NO. (33) - REFERRED TO BUDGET AND FINANCE COMMITTEE

Roll Call #3 - Motion (Parks - Smith) Adopted to Refer, Unanimous Vote (12); Absent: Hahn, Ludlow and Reyes (3)

03-2445 - TRANSPORTATION and PERSONNEL COMMITTEES’ REPORT relative to a contract award to ACS State and Local Solutions for parking citation processing and collection.

Recommendations for Council action:

1. APPROVE the proposed contract between the City and ACS State and Local Solutions for parking citation processing and collection.

2. DIRECT that a Taskforce be established, comprised of members of the Department of Transportation, Personnel Department, the City Administrative Officer (CAO) and any other concerned departments and representatives from the Labor Unions, to determine the effective options for City forces to assume one or more of the services currently provided on contract.
3. **DIRECT** the Taskforce to report back to the Transportation Committee on its findings within 19 months.

**Fiscal Impact Statement:** The CAO reports that funds to pay the estimated first year cost of $9.7 million are included in the 2003-04 Department of Transportation Contractual Services account. Funding for future years is anticipated to be provided through the annual Budget process.

**Items for Which Public Hearings Have Not Been Held - Items 34-52**

(10 Votes Required for Consideration)

Roll Call #5 - Motion (Hahn - Greuel) Adopted, Ayes (14); Absent: Ludlow (1)

(Item Nos. 34-48)

**ITEM NO. (34) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION**

03-1460 - COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to adding the Los Angeles Retired Fire and Police Association (LARFPA) Political Action Committee (PAC) program to the list of non-Union employee organizations for which voluntary payroll deductions are authorized.

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

PRESENT and ADOPT the accompanying ORDINANCE amending Section 4.203 of the Los Angeles Administrative Code to add the LARFPA PAC program to the list of non-Union employee organizations for which voluntary payroll deductions are authorized.

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

(Personnel Committee waived consideration of the above matter)

**ITEM NO. (35) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION(S)**

04-0208 - CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and CD 2 ORDINANCE FIRST CONSIDERATION relative to dedication of City-owned real property as public street - Foothill Boulevard between Haines Canyon Avenue and Marcus Avenue - Right of Way No. 36000-1454.

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

1. **FIND** that this project is categorically exempt from the California Environmental Quality Act of 197, pursuant to Article VII, Class 5(4) of the City's Environmental Guidelines.
2. FIND that this dedication, acceptance, and establishment, of City-owned real property as public street is in substantial conformance with the purpose, intent, and provisions of the General Plan, pursuant to Section 556 of the Los Angeles City Charter.

3. ADOPT the City Engineer report dated February 3, 2004, for the dedication of City-owned real property as public street along Foothill Boulevard between Haines Canyon Avenue and Marcus Avenue - Right of Way No. 36000-1454.

4. PRESENT and ADOPT the accompanying ORDINANCE effectuating the dedication, acceptance and establishment of the City-owned real property as public street for Foothill Boulevard between Haines Canyon Avenue and Marcus Avenue.

5. INSTRUCT the Real Estate Division of the Bureau of Engineering to record the Ordinance with the County Recorder.

Fiscal Impact Statement: The City Engineer reports that a fee of $1,070 was collected for processing this request pursuant to Section 7.3 of the Los Angeles Administrative Code.

ITEM NO. (36) - ADOPTED

98-0005 - RESOLUTION removing the property at 676 South Coronado Street from the Rent Escrow S17 Account Program [REAP], (Case No. 2365), inasmuch as the owner has corrected the CD1 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 March 9, 2004. Assessor I.D. No. 5141-007-009 Registration No. 0091488

(Council action of April 7, 1998 placed property into REAP)

ITEM NO. (37) - ADOPTED

98-0005 - RESOLUTION removing the property at 676 South Coronado Street from the Rent Escrow S17 Account Program [REAP], (Case No. 2859), inasmuch as the owner has corrected the CD1 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 March 9, 2004. Assessor I.D. No. 5141-007-009 Registration No. 0091488

(Council action of April 12, 2000 placed property into REAP)
ITEM NO. (38) - ADOPTED

04-0005 - RESOLUTION removing the property at 13508 Victory Boulevard from the Rent Escrow Account Program [REAP], (Case No. 5201), 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 March 9, 2004.

Assessor I.D. No. 2330-009-020
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on April 1, 2002)

ITEM NO. (39) - ADOPTED

04-0005 - RESOLUTION removing the property at 948 South New Hampshire Avenue from the Rent Escrow Account Program [REAP], (Case No. 5406), 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 March 9, 2004.

Assessor I.D. No. 5078-009-020
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on June 20, 2002)

ITEM NO. (40) - ADOPTED

04-0005 - RESOLUTION removing the property at 320-24 1/2 South Columbia Avenue from the Rent Escrow Account Program [REAP], (Case No. 5517), 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 March 9, 2004.

Assessor I.D. No. 5153-026-009
Registration No. 5072608

(Notice of Acceptance into the REAP/Rent Reduction Program was released on July 3, 2002)
ITEM NO. (41) - ADOPTED

04-0005 - RESOLUTION removing the property at 7835 Claybeck Avenue from the Rent Escrow Account Program [REAP], (Case No. 5900), 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 March 9, 2004. Assessor I.D. No. 2405-015-006 Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on October 9, 2002)

ITEM NO. (42) - ADOPTED

04-0005 - RESOLUTION removing the property at 2126-26 1/2 West Norwalk Avenue from the Rent Escrow Account Program [REAP], (Case No. 6449), 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 March 9, 2004. Assessor I.D. No. 5685-017-007 Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on April 10, 2003)

ITEM NO. (43) - ADOPTED

04-0005 - RESOLUTION removing the property at 6618-20 North Darby Avenue from the Rent Escrow Account Program [REAP], (Case No. 6585), 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 March 9, 2004. Assessor I.D. No. 2125-017-011 Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on May 27, 2003)
ITEM NO. (44) - ADOPTED

04-0005 - RESOLUTION removing the property at 15231 Acre Street from the Rent Escrow Account Program [REAP], (Case No. 6988), 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 March 9, 2004. Assessor I.D. No. 2654-009-019 Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on January 14, 2004)

ITEM NO. (45) - ADOPTED

04-0005 - RESOLUTION removing the property at 4708-12 1/2 Fourth Avenue from the Rent Escrow Account Program [REAP], (Case No. 7041), 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 March 9, 2004. Assessor I.D. No. 5014-027-023 Registration No. 0412957

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

ITEM NO. (46) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

04-0002 - COMMUNICATION FROM THE CHIEF LEGISLATIVE ANALYST (CLA) and RESOLUTION relative to the Cal Grants Program.

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

ADOPT the accompanying RESOLUTION to include in the City’s 2003-04 State Legislative Program OPPOSITION to the proposed tightening of qualifications for the Cal Grants Program.

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

(Education and Neighborhoods Committee waived consideration of the above matter)
ITEM NO. (47) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION(S)

04-0207 - CATEGORICAL EXEMPTION and COMMUNICATION FROM THE CITY ENGINEER CD 14 relative to an offer to dedicate sidewalk easements - Runway Road and Pacific Promenade between Seabluff Drive and Para Way - Right of Way No. 36000-1458.

Recommendations for Council action:

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

2. FIND that this acceptance of an offer to dedicate sidewalk easements 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 February 3, 2004 to an offer to dedicate the easements for sidewalk purposes lying on Runway Road and Pacific Promenade between Seabluff Drive and Para Way - Right of Way No. 36000-1458.

4. AUTHORIZE the Board of Public Works to acquire the dedication.

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. (48) - ADOPTED - TO THE MAYOR FORTHWITH

04-0321 - CONTINUED CONSIDERATION OF MOTION (MISCIKOWSKI - PARKS) relative to approving a contract with the ICF Consulting Group to facilitate the development of the Los Angeles Urban Area Security Initiative (UASI) grant budget funds.

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

1. FIND, in accordance with Charter Section 1022, that the work to be performed during implementation of this project can be performed more feasibly by independent contractors, rather than by City employees, in view that the work is of limited scope and short-term duration.

2. APPROVE the contract with ICF Consulting Group in the amount of $18,400 for the contract period February 27, 2004 to April 23, 2004, to facilitate the development of the UASI grant budget funds, subject to the approval of the City Attorney as to form and legality; and AUTHORIZE the Mayor to execute the contract on behalf of the City.
3. AUTHORIZE the Department of General Services to make payment in an amount not to exceed $18,400 from the Emergency Operations Fund No. 392, to ICF Consulting Group in accordance with the contract.

4. AUTHORIZE the Controller to transfer $18,400 from the Emergency Operations Fund, Fund No. 392, from the Homeland Security Assistance Fund upon the City’s receipt of the UASI grant reimbursement.

(Continued from Council meeting of March 2, 2004)

ITEM NO. (49) - CONTINUED TO MARCH 23, 2004

Roll Call #1 - Motion (Padilla - Reyes) Adopted to Continue, Unanimous Vote (12); Absent: Hahn, Ludlow and Reyes (3)

04-0303 - CONTINUED CONSIDERATION OF MOTION (PADILLA - SMITH - GREUEL) relative to CD 7 developing a regional horse trail plan for the San Fernando Valley.

Recommendation for Council action:

INSTRUCT the Department of Recreation and Parks to research and find funds for hiring a consultant team to work with the community to develop a regional horse trail plan for the San Fernando Valley and report back to the Arts, Parks, Health and Aging Committee within 45 days on such funding opportunities and an outline of steps needed to develop such a master planning effort.

(Continued from Council meeting of February 25, 2004)

ITEM NO. (50) - ADOPTED

Roll Call #15 - Motion (Miscikowski - Greuel) Adopted, Ayes (14); Absent: Ludlow (1)

04-0399 - MOTION (MISCIKOWSKI - GREUEL) relative to consolidating audits and reviews of the process, procedures and policies utilized in the City to ensure best management practices in the City.

Recommendation for Council action:

DIRECT the City Administrative Officer and the Chief Legislative Analyst to report to the City Council with recommendations to consolidate any and all audits and reviews relative to the process, procedures, and policies utilized in the City at all levels to ensure best management practices for the good of doing business in the City.
ITEM NO. (51) - ADOPTED

Roll Call #5 - Motion (Hahn - Greuel) Adopted, Ayes (14); Absent: Ludlow (1)

04-0002 - RESOLUTION (LUDLOW - VILLARAIGOSA - GREUEL) relative to the reappointment of Dolores Huerta to the University of California Board of Regents.

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

ADOPT the accompanying RESOLUTION to include in the City’s 2003-04 State Legislative Program SUPPORT for the reappointment of Dolores Huerta to the University of California Board of Regents and URGE the Governor to reappoint Dolores Huerta as regent.

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

(Education and Neighborhoods Committee waived consideration of the above matter)

ITEM NO. (52) - APPROVED

Roll Call #16 - Motion (Smith - Zine) Adopted, Ayes (14); Absent: Ludlow (1)

04-0439 - FINAL MAP OF TRACT NO. 54071 for property lying westerly of De Soto Avenue on the south side of Chase Street.

(Quimby Fee: $9,084.00)

Applicants: Lexington West Homes, LLC
Robert Kameoka

Closed Sessions - Items 53-62

Roll Call #6 - Motion (Parks - Smith) Adopted to Continue, Unanimous Vote (14);
Absent: Ludlow (1)
(Item Nos. 53-54)

ITEM NO. (53) - CONTINUED TO MARCH 24, 2004

04-0311 - 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 Francisco Martinez v. City of Los Angeles, Los Angeles Superior Court Case No. BC 285751. (This action arises from a traffic accident involving a Los Angeles City Fire Department vehicle.)

(Budget and Finance Committee considered the above matter in Closed Session on March 2, 2004)
ITEM NO. (54) - CONTINUED TO MARCH 24, 2004

04-0312 - 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 Kelly Cooper v. City of Los Angeles, Stanley Ludwig and Thomas Murrell, Los Angeles Superior Court Case No. BC 295165. (Plaintiff alleges that he was subjected to discrimination and unlawful retaliation during the course of his employment with the Los Angeles Police Department.)

(Budget and Finance Committee considered the above matter in Closed Session on March 2, 2004)

ITEM NO. (55) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #20 - Motion (Parks - Smith) Adopted in Open Session, Ayes (11); Absent: Garcetti, Ludlow, Padilla and Weiss (4)

04-0313 - 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 Francis Howard v. City of Los Angeles, Claim No. 9003-1962-3653. (Plaintiff alleges he sustained personal injuries during the course and scope of his employment with the Los Angeles Fire Department.)

(Budget and Finance Committee considered the above matter in Closed Session on March 2, 2004)

ADOPTED IN OPEN SESSION

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 Francis Howard v. City of Los Angeles, Claim No. 9003-1962-3653, by Stipulated Award in the sum of $106,375.00 payable at $230.00 per week, plus a life pension of $54.11 per week payable at the conclusion of permanent disability payments.

2. AUTHORIZE the City Attorney to execute the Stipulated Award with all appropriate parties for submission to the Workers’ Compensation Appeals Board for its award of payment.

This matter was approved by the Budget and Finance Committee (Parks - Miscikowski - Garcetti - Cardenas - Smith "yes") at its meeting of March 2, 2004, in Closed Session as permitted by Government Code Section 54956.9(a).
ITEM NO. (56) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #17 - Motion (Parks - Smith) Adopted in Open Session, Ayes (11); Absent: Garcetti, Ludlow, Padilla and Weiss (4)

02-0815 - The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(B), to confer with its legal counsel relative to settlement in the case entitled City of Los Angeles v. Southwestern Properties, LLC, et al., Los Angeles Superior Court Case No. BC 285400. (This action involves condemnation of property located at 5975 Western Avenue, 1801 and 1821 West 60th Street, for the South Los Angeles Animal Shelter.)

(Budget and Finance Committee considered the above matter in Closed Session on March 9, 2004)

ADOPTED IN OPEN SESSION

MOTION (PARKS - SMITH)

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

1. AUTHORIZE the City Attorney or outside retained counsel to execute the necessary settlement documents to carry out the settlement agreement as to the defendant property owner.

2. AUTHORIZE the expenditure of Proposition F Animal Facilities Bond funds from Fund 15G, Account No. S306 and Fund 15L, Account No. T306 for this settlement, including the additional $1,000,000, together with interest as approved by the City Attorney necessary to complete the settlement.

This matter was approved by the Budget and Finance Committee (Parks - Garcetti “yes”) at its meeting of March 9, 2004, in Closed Session as permitted by Government Code Section 54956.9(B).

ITEM NO. (57) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #18 - Motion (LaBonge - Parks) Adopted in Open Session, Ayes (11); Absent: Garcetti, Ludlow, Padilla and Weiss (4)

03-0254 - The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(b), to confer with its legal counsel relative to settlement in the case entitled Anne Jacobsen and Kevin Jacobsen v. City of Los Angeles, Claim No. C03-3578. (This is an inverse condemnation claim concerning 1974 North Sycamore Avenue.)

(Budget and Finance Committee considered the above matter in Closed Session on March 9, 2004)
ADOPTED IN OPEN SESSION

MOTION (LABONGE - PARKS)

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

1. AUTHORIZE the City Attorney to execute a settlement agreement and all other documents necessary to implement the settlement.

2. AUTHORIZE the City Attorney to draw the necessary demand in the sum of $189,343.20, payable to Anne Jacobsen and Kevin Jacobsen, from the Liability Claims Account No. 9770, Department 59.

This matter was approved by the Budget and Finance Committee (Parks - “yes”) at its meeting of March 9, 2004, in Closed Session as permitted by Government Code Section 54956.9(b).

ITEM NO. (58) - CONTINUED TO MARCH 24, 2004

Roll Call #6 - Motion (Parks - Smith) Adopted to Continue, Unanimous Vote (14); Absent: Ludlow (1)

04-0355 - 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 Elva Palacios v. City of Los Angeles, Los Angeles Superior Court Case No. BC 290502. (This action arises from a March 14, 2002 trip and fall upon a badly eroded section of curb at 2444 Gates Street)

(Budget and Finance Committee considered the above matter in Closed Session on March 9, 2004)

ITEM NO. (59) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #19 - Motion (Parks - Smith) Adopted in Open Session, Ayes (11); Absent: Garcetti, Ludlow, Padilla and Weiss (4)

04-0228 - 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 City of Los Angeles v. RWR Development, Inc., et al., Los Angeles Superior Court Case No. BC 291326. (This action alleges failure on the part of the developer and its surety to complete all public improvements required under a written subdivision improvement agreement.)
ADOPTED IN OPEN SESSION

MOTION (PARKS - SMITH)

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

1. APPROVE the settlement agreement wherein American Motorists Insurance Company agrees to pay $220,000 to the City in full settlement of the City's claims.

2. APPROVE deposit of said funds into the Department of Public Works Trust Fund.

This matter was approved by the Budget and Finance Committee (Miscikowski - Garcetti - Smith "yes") at its meeting of February 24, 2004, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (60) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #21 - Motion (Parks - Smith) Adopted in Open Session, Ayes (11); Absent: Garcetti, Ludlow, Padilla and Weiss (4)

04-0245 - 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 Kurt Wiese v. City of Los Angeles, Workers' Compensation Appeals Board Case Nos. VNO 418297; VNO 418298; VNO Unassigned; Claim Nos. 9003-1961-5284; 9003-1951-5285; 9003-1998-1124. (Plaintiff alleges he sustained personal injury during the course and scope of his employment with the Los Angeles Fire Department.)

(Budget and Finance Committee considered the above matter in Closed Session on February 24, 2004)

(Continued from Council meeting of March 3, 2004)

ADOPTED IN OPEN SESSION

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 Kurt Wiese v. City of Los Angeles, Workers’ Compensation Appeals Board Case Nos. VNO 418297; VNO 418298; VNO Unassigned; Claim Nos. 9003-1961-5284; 9003-1951-5285; 9003-1998-1124, through a Stipulated Award at 90 percent in permanent disability, which equals $139,495.00, plus a life pension thereafter at the weekly rate of $115.96.

2. AUTHORIZE the City Attorney to execute the Stipulated Award with all appropriate parties for submission to the Workers’ Compensation Appeals Board for its award of payment.

This matter was approved by the Budget and Finance Committee (Miscikowski - Garcetti - Smith "yes") at its meeting of February 24, 2004, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (61) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #22 - Motion (Parks - Smith) Adopted in Open Session, Ayes (11); Absent: Garcetti, Ludlow, Padilla and Weiss (4)

04-0266 - 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 Frank Morales v. City of Los Angeles, Workers’ Compensation Appeals Board Case Nos. MON 239591; MON 196348; MON 184955; Claim Nos. 9001-1997-3887; 9001-1993-4646; 9001-1986-4950. (Plaintiff alleges he sustained personal injury during the course and scope of his employment as a Detention Officer.)

(Budget and Finance Committee considered the above matter in Closed Session on February 24, 2004)

(Continued from Council meeting of March 3, 2004)

ADOPTED IN OPEN SESSION

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 Frank Morales v. City of Los Angeles, Workers’ Compensation Appeals Board Case Nos. MON 239591; MON 196348; MON 184955; Claim Nos. 9001-1997-3887; 9001-1993-4646; 9001-1986-4950, through a Stipulated Award at 79.75 percent which equals $118,277.50, to be paid at a weekly rate of $230.00 per week for 514 weeks plus a life pension at the weekly rate of $76.34 per week payable at the conclusion of permanent disability payments.
2. AUTHORIZE the City Attorney to execute the Stipulated Award with all appropriate parties for submission to the Workers’ Compensation Appeals Board for its award of payment.

This matter was approved by the Budget and Finance Committee (Miscikowski - Garcetti - Smith "yes") at its meeting of February 24, 2004, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (62) - CONTINUED TO MARCH 17, 2004

04-0354 - 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 Los Lomas v. Santa Clarita, City of Los Angeles RPI, Los Angeles Superior Court Case No. BS 082219.

(Planning and Land Use Management Committee waived consideration of the above matter)

(Continued from Council meeting of March 3, 2004)

MOTION ADOPTED UPON FINDINGS BY COUNCIL THAT THE NEED TO TAKE ACTION AROSE SUBSEQUENT TO THE POSTING OF THE COUNCIL AGENDA FOR TUESDAY, MARCH 16, 2004, PURSUANT TO GOVERNMENT CODE SECTION 54954.2(b)(2) AND COUNCIL RULE 23

ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #8 - Motion (Miscikowski - Parks) Findings on Need to Act - Adopted, Ayes (14); Absent: Ludlow (1)
Roll Call #9 - Motion (Miscikowski - Parks) Adopted, Ayes (14); Absent: Ludlow (1)

04-0474 - MOTION (MISCIKOWSKI - PARKS) relative to a shortage in the Los Angeles Police Department sworn overtime account for the pay period ending March 6, 2004.

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

AUTHORIZE the Los Angeles Police Department to TRANSFER $1,500,000 from Department No. 70, Account No. 1012, Sworn Salaries to Department No. 70, Account No. 1092, Sworn Overtime.

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

02-0612 - MOTION (WEISS - ZINE) relative to declaring the Achievable 5K Walk/Run on April 18, 2004 a Special Event (fees and costs absorbed by the City = $4,120).
04-0480 - MOTION (WEISS - ZINE) relative to declaring the Sefer Torah Dedication on March 28, 2004 a Special Event (fees and costs absorbed by the City = $3,730).

04-0478 - MOTION (VILLARAIGOSA - REYES) relative to declaring the Neighbor-to-Neighbor/Fayette-Aldama Resource Fair on March 20, 2004 a Special Event (fees and costs absorbed by the City = $1,354).

04-0477 - MOTION (VILLARAIGOSA - PADILLA) relative to declaring the Budget Update Town Hall on March 26, 2004 a Special Event (fees and costs absorbed by the City = $474).

04-0476 - MOTION (VILLARAIGOSA - PADILLA) relative to declaring the Cesar Chavez Day and Walk on March 27, 2004 a Special Event (fees and costs absorbed by the City = $7,374).

04-0475 - MOTION (SMITH - HAHN) relative to initiating street vacation proceedings for the alley westerly of Main Street between 108th Street and 109th Street, located in Council District 15.

03-1066 - MOTION (PADILLA - VILLARAIGOSA - SMITH) relative to the California High Speed Rail Authority's draft Environmental Impact Report (EIR) and Environmental Impact Statement (EIS).

01-0733 - MOTION (CARDENAS - PADILLA) and ORDINANCE relative to Purchase and Sale Agreement with the Los Angeles Unified School District (LAUSD) for the Anthony Office Building (AOB) at 8501 Arleta Avenue in Sun Valley.

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

04-0479 - RESOLUTION (PERRY - PARKS) relative to declaring April 14, 2004 as “Deaf Women’s Awareness Day” in the City of Los Angeles.

COUNCILMEMBERS’ REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon his request, and without objections, Councilmember Weiss was excused from Council session of Wednesday, March 31, 2004 due to City business and from Council session of Tuesday, April 20, 2004 due to personal business.

Upon her request, and without objections, Councilmember Perry was excused to leave at 11:30 a.m. from Council session of Friday, March 26, 2004 due to City business.

Motion (Cardenas - Hahn) unanimously adopted to excuse Councilmember Greuel from Council session of March 17, 2004 due to City business.
Upon her request, without objections, Councilmember Miscikowski was excused from Council session of Wednesday, April 7, 2004 due to City business.

Upon his request, and without objections, President Padilla was excused from Council session of Friday, June 4, 2004 due to personal business.

Motion (Garcetti - LaBonge) unanimously adopted to excuse Councilmember Cardenas from Council session of April 2, 2004 due to personal business.

Upon his request and without objections, Councilmember Parks was excused from Council session of Tuesday, March 30, 2004 due to City business and motion (Reyes - Perry) was unanimously adopted to excused him from Council session of Wednesday, March 31, 2004 due to City business.

Motion (Parks - Perry) was unanimously adopted to excused President Padilla from Council session of Wednesday, March 31, 2004 due to personal business.

**COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:**

04-0003 - Ada Mayer  
Dr. Seuss  
H. E. Sergio Vento  
Donald P. Bellisario  

(Greuel - LaBonge)  
(Garcetti - LaBonge)  
(Garcetti - All Councilmembers)  
(Garcetti - LaBonge)

At the conclusion of this day's Council Session  
**ADJOURNING MOTIONS WERE ADOPTED** in tribute to the memory of:

04-0004 - Roxie Campenella  
Chuck Niles  
Cheryl Lynn Mabey-Ruebensaal  
Blanche Morton Herget  
Charles “Chuck” Bloomfield  
Betty Pyfer  

(Parks - Perry - Reyes - Zine)  
(Parks)  
(Cardenas)  
(Zine)  
(Zine)  
(LaBonge)

Ayes, Cardenas, Greuel, Hahn, LaBonge, Miscikowski, Parks, Perry, Reyes, Smith, Villaraigosa and Zine (11); Absent: Garcetti, Ludlow, Weiss and President Padilla (4).
Whereupon the Council did adjourn.

ATTEST: J. Michael Carey, CITY CLERK

By

Council Clerk                           PRESIDENT OF THE CITY COUNCIL