

Los Angeles City Council, Journal/Council Proceedings
Friday, March 26, 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, Garcetti, Greuel, LaBonge, Miscikowski, Parks, Perry, Reyes, Smith, Villaraigosa, Weiss, Zine and President Padilla (13); Absent: Hahn and Ludlow (2).

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
MARCH 23, 2004

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - NONE

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

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

Items Noticed for Public Hearing - Items 1-3

ITEM NO. (1) - APPLICATION GRANTED - PUBLIC HEARING CLOSED

Roll Call #1 - Motion (Miscikowski - Zine) Adopted to Grant Application, Ayes (13);
Absent: Hahn and Ludlow (2)

03-2729 HEARING COMMENTS relative to application for determination of "Public Convenience
CD 11 or Necessity" for alcohol sales for off/on-site consumption at 11740 San Vicente
Boulevard, No.114 (Moe's Fine Wines).

Recommendations for Council action:

1. DETERMINE that the issuance of a liquor license at 11740 San Vicente Boulevard, No.114, (Moe's Fine Wines) will serve the "Public Convenience or Necessity" and will not tend to create a law enforcement problem.
2. GRANT the Application for Determination of "Public Convenience or Necessity" for the sale of alcoholic beverages for off/on-site consumption at 11740 San Vicente Boulevard, No.114.

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

Applicant: Ada Gurus, Inc.

TIME LIMIT FILE - APRIL 11, 2004

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

ITEM NO. (2) - APPLICATION GRANTED - PUBLIC HEARING CLOSED

Roll Call #5 - Motion (Perry - Villaraigosa) Adopted to Grant Application, Ayes (15)

04-0358 CD 9 HEARING COMMENTS relative to application for determination of "Public Convenience or Necessity" for alcohol sales for off-site consumption at 409 South Main Street (Old Bank General Market).

Recommendations for Council action:

1. DETERMINE that the issuance of a liquor license at 409 South Main Street, (Old Bank General Market, market and deli) will serve the "Public Convenience or Necessity" and will not tend to create a law enforcement problem.
2. GRANT the Application for Determination of "Public Convenience or Necessity" for the sale of alcoholic beverages for off-site consumption at 409 South Main Street.
3. INSTRUCT the City Clerk to transmit this determination to the State Department of Alcoholic Beverage Control as the required findings under Business and Professions Code Section 23958.4.

Applicant: Maryam Jaghori

TIME LIMIT FILE - APRIL 12, 2004

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

ITEM NO. (3) - APPLICATION DENIED - PUBLIC HEARING CLOSED

**Roll Call #2 - Motion (Cardenas - Reyes) Adopted to Deny Application, Ayes (13);
Absent: Hahn and Ludlow (2)**

04-0359 S1 CD 6 - HEARING COMMENTS relative to application for Determination of "Public Convenience or Necessity" for the sale of alcohol for off-site consumption at 15232 Sherman Way, CVS Pharmacy, (retail pharmacy).

Recommendations for Council action:

1. DETERMINE that the "Public Convenience or Necessity" WILL NOT be served by the sale and dispensing of beer and wine for off-site consumption at 15232 Sherman Way, CVS Pharmacy, (retail pharmacy), inasmuch as the site is located in a high crime reporting district and is within an area with a long-term level of an undue concentration of alcoholic beverage outlets.
2. DENY the application for Determination of "Public Convenience or Necessity" for the sale and dispensing of wine only at 15232 Sherman Way, based upon the above findings and the negative influence associated with the sale of alcohol in the concerned community.
3. INSTRUCT the City Clerk to transmit this determination to the State Department of Alcoholic Beverage Control as the required findings under Business and Professions Code Section 23958.4.

Application filed by: CVS Pharmacy, Milestone Management

TIME LIMIT FILE - APRIL 12, 2004

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

Items for Which Public Hearings Have Been Held - Items 4-14

**Roll Call #3 - Motion (Perry - LaBonge) Adopted, Ayes (14); Absent: Hahn (1)
(Item Nos. 4-10)**

ITEM NO. (4) - ADOPTED

03-2676 - ORDINANCE SECOND CONSIDERATION relative to a Power Purchase Agreement between the Department of Water and Power (DWP) and BioConverter Los Angeles, LLC (BioConverter) to purchase power generated from a proposed biogas power plant.

(Continued from Council meeting March 19, 2004)

ITEM NO. (5) - ADOPTED

04-0429 - COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to a proposed Foreign-Trade Zone Operating Agreement between the City of Los Angeles (City) and NYK Logistics, Incorporated, (NYK) for a warehouse and distribution center at 2200 East Carson Street in Carson, California.

Recommendation for Council action:

CONCUR with the Board of Harbor Commissioners' action on December 17, 2003, approving Foreign-Trade Zone Operating Agreement No. 2308 between the City and NYK for a warehouse and distribution center at Los Angeles Foreign-Trade Zone Site No. 11-A, at 2200 East Carson Street in Carson, California, for a five-year term with three possible five-year renewal options, for a total up to 20 years.

Fiscal Impact Statement: The City Administrative Officer reports that the proposed Agreement with NYK, as Foreign Trade Zone Operator, will have no impact on the General Fund. Approval of the proposed Agreement includes an annual administrative fee of \$5,000 and a one-time activation fee of \$5,000, for a total compensation of \$30,000 for five-years and up to \$105,000 over the life of the 20-year Agreement that will be paid to the Harbor Revenue Fund.

TIME LIMIT FILE - MAY 8, 2004

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

ITEM NO. (6) - ADOPTED

04-0430 - COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to CD 15 a proposed Foreign-Trade Zone Developer Agreement between the City of Los Angeles (City) and Prentiss Properties Real Estate Fund I, L.P. (Prentiss) for a warehouse and distribution center at Pacific Gateway Center.

Recommendation for Council action:

CONCUR with the Board of Harbor Commissioners' action on December 17, 2003, approving Foreign-Trade Zone Developer Agreement No. 2309 between the City and Prentiss for a warehouse and distribution center at Site No. 7 at Pacific Gateway Center, for a new five-year term with three possible five-year renewal options, for a total up to 20 years.

Fiscal Impact Statement: The City Administrative Officer reports that the proposed Agreement with Prentiss, as Foreign Trade Zone Developer, will have no impact on the General Fund. Approval of the proposed Agreement includes a one-time application fee of \$2,500 that will be paid into the Harbor Revenue Fund.

TIME LIMIT FILE - MAY 8, 2004

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

ITEM NO. (7) - ADOPTED

04-0431 - COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to
CD 15 a proposed Agreement with Crescent Warehouse Company, Ltd., (Crescent) for continued
operation of municipal and U.S. Customs bonded warehouses and sheds located in the
San Pedro and Wilmington areas.

Recommendation for Council action:

CONCUR with the Board of Harbor Commissioners' action on June 11, 2003, approving Agreement No. 2286 between the City of Los Angeles and Crescent for continued operation of municipal and U.S. Customs bonded warehouses and sheds located in the San Pedro and Wilmington areas for a term of six years and eight months, commencing May 1, 1998 and ending January 1, 2005, with a two-year extension option.

Fiscal Impact Statement: The City Administrative Officer reports that the proposed Agreement with Crescent for continued operation of municipal and U.S. Customs bonded warehouses and sheds in San Pedro and Wilmington will provide net increased annual revenue to the Harbor Revenue Fund of approximately \$250,000, and total revenue of approximately \$4.9 million over the six-year-and-eight-month period. If the two-year extension option is exercised, an additional estimated \$1.8 million will be paid to the Harbor Revenue Fund. A minimal amount of possessory interest tax will accrue to the City General Fund.

TIME LIMIT FILE - APRIL 8, 2004

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

ITEM NO. (8) - ADOPTED

03-1733 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT
CDs 2&6 relative to the Van Nuys Boulevard Auto Row Property and Business Improvement District
(BID) close-out procedure.

Recommendation for Council action:

DIRECT the City Clerk to take the necessary actions to properly record the expiration of the Van Nuys BID with the Los Angeles County Department of Auditor-Controller and to notify said Department that all assessments, including delinquent accounts, associated with the Van Nuys BID are now satisfied and to suspend collection activities of any remaining unpaid assessments for the Van Nuys BID.

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

ITEM NO. (9) - ADOPTED - SEE FOLLOWING

03-2279 - MOTION (PERRY - GARCETTI) relative to increasing, from \$350 million to maximum aggregate total of \$450 million, the authorizations for the issuance by either, and/or both CD 9 the Community Redevelopment Agency and the Community Redevelopment Financing Authority of the City's Community Redevelopment Agency for the refunding of certain Bunker Hill Redevelopment Project Area bonds.

(Housing, Community and Economic Development Committee report to be submitted in Council. If a public hearing is not held in Committee, an opportunity for public comment will be provided.)

ADOPTED

HOUSING, COMMUNITY, AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to increasing, from \$350 million to maximum aggregate total of \$450 million, the authorizations for the issuance and the refunding of certain Bunker Hill Redevelopment Project Area bonds.

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

AMEND Council action of October 31, 2003 (Council file 03-2279) to modify Section 2 of the adopted Resolution as follows:

Pursuant to the Law and/or the requirements of the Los Angeles Administrative Code, the City Council approves the issuance by the Community Redevelopment Agency (Agency) of not to exceed \$450,000,000 in Agency Bonds and the issuance by the Community Redevelopment Financing Authority of the Community Redevelopment Agency of the City of Los Angeles (Authority) of not to exceed \$450,000,000 in Authority Bonds (provided that together both entities shall not issue in the aggregate more than \$450,000,000) in order to provide funds to refinance or restructure all or a portion of the Prior Bonds and to pay the costs incidental hereto, including the funding of reserves or the replacement of reserve fund surety bonds to the extent desirable, in such manner and under such terms and conditions as shall be acceptable to the Agency and/or the Authority.

Fiscal Impact Statement: None submitted by the Agency or the Authority. Neither the City Administrative Officer nor the Chief Legislative Analyst (CLA) has completed a financial analysis of this report.

**ITEM NO. (10) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS
- SEE FOLLOWING**

03-2650 - COMMUNICATION FROM THE GENERAL MANAGER, LOS ANGELES HOUSING DEPARTMENT relative to authority to contract with various service-providers for housing and supportive services for the 2004-05 Housing Opportunities for Persons with AIDS (HOPWA) program, and related actions.

(Housing, Community and Economic Development Committee report to be submitted in Council. If a public hearing is not held in Committee, an opportunity for public comment will be provided.)

ADOPTED

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to contracting with various service-providers for housing and supportive services for the 2004-05 Housing Opportunities for Persons with AIDS (HOPWA) program and related actions.

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

- 1. APPROVE the results of the Request for Proposals for housing and supportive services provided by the HOPWA Program.**
- 2. AUTHORIZE the General Manager, Los Angeles Housing Department (LAHD), or designee, to:**
 - a. Negotiate and execute the proposed contracts as identified in Attachment A for nine HOPWA program categories in the total cumulative amount of \$8,507,133, from April 1, 2004 through March 31, 2005, subject to the approval of the City Attorney as to form and legality, and subject to the review of the City Administrative Officer (CAO), Contract Enforcement Section, as to compliance with the City's contracting requirements.**
 - b. Include in the terms of the contract with Bienestar a six-month probationary period to assess program performance for services to be rendered under the program category of Housing Case Management (wherein failure to meet performance standards during this period would be cause for a reallocation of awarded funds).**
 - c. Prepare Controller instructions for any necessary technical adjustments, subject to the review of the CAO, or designee, and request that the Controller implement the instructions.**

3. AUTHORIZE the Controller to:

- a. Establish accounts within HOPWA Fund No. 569, Department 43, as follows:

<u>Account No.</u>	<u>Account Title</u>
W306	HOPWA Supportive Services
W313	HOPWA Rental Assistance
W315	HOPWA Project Sponsor Administration

- b. Decrease program savings in the amount of \$2,713,959 as a source of funding for the 2004-05 Consolidated Plan within HOPWA Fund No. 569, Department 43, as follows:

<u>Account No.</u>	<u>Account Title</u>	<u>Amount</u>
T306	HOPWA Supportive Services	\$ 589,190
T313	HOPWA Rental Assistance	322,677
V313	HOPWA Rental Assistance	<u>1,802,092</u>
	Total	\$2,713,959

- c. Transfer funds within HOPWA Fund No. 569, Department 43, in the amount of \$500,000, as follows:

	<u>Account No.</u>	<u>Account Title</u>	<u>Amount</u>
From:	W306	HOPWA Supportive Services	\$ 500,000
To:	W313	HOPWA Rental Assistance	\$ 500,000

- d. Expend funds not to exceed \$8,507,133, within HOPWA Fund No. 569, Department 43, upon proper demand by the General Manager, LAHD, or designee, as follows:

<u>Account No.</u>	<u>Account Title</u>	<u>Amount</u>
W306	HOPWA Supportive Services	\$ 5,199,639
W313	HOPWA Rental Assistance	2,779,148
W315	HOPWA Project Sponsor Administration	<u>528,346</u>
	Total	\$ 8,507,133

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. The recommendations above involve the use of federal HOPWA funds in the amount of \$8,507,133 for 29 proposed contract agreements, from April 1, 2004 through March 31, 2005, for HOPWA Program housing and support services to be provided on a Countywide basis to persons and families living with HIV/AIDS.

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

**Roll Call #7 - Motion (Parks - Perry) to Adopt as Amended, Ayes (13);
Absent: Cardenas and Perry (2)**

04-0261 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT
CDs 8,9 relative to executing contract amendments with Community Build, Inc., and Toberman
& 10 Settlement House, Inc., to provide replacement gang prevention and gang intervention
services under the LA Bridges I and II programs for the remainder of Fiscal Year 2003-04.

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

1. AUTHORIZE the General Manager, Community Development Department (CDD), or designee, to:
 - a. Execute an amendment to Community Build, Inc., Contract No. 100032, in the amount of \$155,000 for a term beginning January 21, 2004 and ending June 30, 2004, to provide gang prevention and gang intervention services under the LA Bridges I Program, 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), Contractor Enforcement Section for compliance with the City's contracting requirements.
 - ~~*b. Execute an amendment to Toberman Settlement House, Inc., Contract No. 105782, in the amount of \$235,000 for a term beginning January 21, 2004 and ending June 30, 2004, to provide gang prevention and gang intervention services under the LA Bridges II Program, subject to the approval of the City Attorney as to form and legality, and further subject to the review of the CAO, Contractor Enforcement Section for compliance with the City's contracting requirements.~~
 - *b. Execute an amendment with Toberman Settlement House, Inc., contract No. 105782, in the amount of \$235,000 and \$118,880 for a total of \$353,880 for a term beginning January 21, 2004, and ending June 30, 2004, to provide gang intervention services under the LA Bridges II gang intervention program, subject to the approval of the City Attorney as to form and legality.**
***(Parks - Perry)**
 - c. Prepare any Controller instructions or make technical adjustments consistent with this action, subject to the review of the CAO; and, authorize the Controller to implement these instructions.
2. DIRECT the CDD to conduct an inventory and recover Central Recovery and Development Project's equipment purchased with City funds and report to the CAO within 30 days relative to the status of the effort.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. Funding for the contract amendments with Community Build, Inc. and Toberman Settlement House, Inc. will be provided from unexpended balances allocated to the Central Recovery and Development Project.

**Roll Call #3 - Motion (Perry - LaBonge) Adopted, Ayes (14); Absent: Hahn (1)
(Item Nos. 12-13)**

ITEM NO. (12) - ADOPTED FORTHWITH

04-0276 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT
S1 relative to authorizing a contract with the Universal City - North Hollywood Chamber of
CD 4 Commerce for the NoHo Theater and Arts Festival in the North Hollywood Redevelopment
Project Area.

Recommendation for Council action:

AUTHORIZE the Chief Executive Office, Community Redevelopment Agency, or designee, to enter into a contract with the Universal City - North Hollywood Chamber of Commerce for an amount not to exceed \$72,000 for the 12th Annual NoHo Theater and Arts Festival scheduled for May 15 and 16, 2004.

Fiscal Impact Statement: The Chief Legislative Analyst reports that this action will not impact the General Fund. North Hollywood Tax Increment funds will be used for this project.

ITEM NO. (13) - ADOPTED

00-0211 - PUBLIC SAFETY COMMITTEE REPORT relative to TEAMS II status report.
S61

Recommendation for Council action:

NOTE and FILE the Los Angeles Police Department report dated February 23, 2004, relative to the TEAMS II monthly status report for February 2004, inasmuch as the report is submitted for information only and no Council action is required.

Fiscal Impact Statement: Not applicable.

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

ITEM NO. (14) - CONTINUED TO APRIL 16, 2004

**Roll Call #10 - Motion (Reyes - LaBonge) Adopted to Continue, Unanimous Vote (13);
Absent: Hahn and Ludlow (2)**

03-0539 - CONTINUED CONSIDERATION OF CATEGORICAL EXEMPTION and PUBLIC CD 1 WORKS COMMITTEE REPORT relative to vacating a portion of a T-shaped Alley northeasterly of Olympic Boulevard and southeasterly of Albany Street.

Recommendations for Council action:

1. FIND that this vacation is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article VII, Class 5(3) of the City's Environmental Guidelines.
2. ADOPT the FINDINGS of the City Engineer dated July 23, 2003, as the Findings of Council.
3. ADOPT the City Engineer report dated July 23, 2003, that street vacation proceedings (VAC-E1400850) BE INSTITUTED for a portion of a T-shaped Alley northeasterly of Olympic Boulevard and southeasterly of Albany Street.

Fiscal Impact Statement: The City Engineer reports that an estimated \$845 in charges have been expended in the investigation and processing of this proceeding. Approximately \$6,000 will be required from the General Fund to complete these proceedings. Since Los Angeles Administrative Code Section 7.46 exempts all governmental agencies from the payment of fees, the processing of this report will be absorbed by the Bureau of Engineering. Maintenance of the public easement by City forces will be eliminated.

(Continued from Council meeting March 12, 2004)

Items for Which Public Hearings Have Not Been Held - Items 15-34
(10 Votes Required for Consideration)

ITEM NO. (15) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

Roll Call #6 - Motion (Greuel - LaBonge) Adopted, Ayes (13); Absent: Cardenas and Perry (2)

04-0328 - COMMUNICATION FROM THE MAYOR relative to the appointment of Dr. Jackie Kimbrough to the Commission for Children, Youth and Their Families.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Dr. Jackie Kimbrough to the Commission for Children, Youth and Their Families for the term ending June 30, 2004, to fill the vacancy created by the resignation of Marshall Drummond, is APPROVED and CONFIRMED. Dr. Kimbrough resides in Council District Eight. (Current Commission gender composition: M=6; F=9)

TIME LIMIT FILE - APRIL 5, 2004

(LAST DAY FOR COUNCIL ACTION - APRIL 2, 2004)

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

**Roll Call #4 - Motion (Smith - LaBonge) Adopted, Ayes (15)
(Item Nos. 16-22)**

**ITEM NO. (16) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS -
SET FOR HEARING MAY 28, 2004**

04-0319 - COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE
CD 12 OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the
maintenance of WHITE OAK AVENUE AND RAYEN STREET LIGHTING DISTRICT.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated February 13, 2004.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of MAY 28, 2004 as the hearing date for the maintenance of White Oak Avenue and Rayen Street Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Sections 50078.6, 54954.6 and 54960.1.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$201.65 will be collected annually starting with tax year 2004-05 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: May 19, 2004)

**ITEM NO. (17) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS -
SET FOR HEARING MAY 28, 2004**

04-0121 - COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE
CD 4 OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the
maintenance of MOORPARK STREET AND CAHUENGA BOULEVARD LIGHTING
DISTRICT.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated January 16, 2004.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of MAY 28, 2004 as the hearing date for the maintenance of Moorpark Street and Cahuenga Boulevard Lighting District, in accordance with Proposition 218, Articles XIIIC and XIID of the California Constitution and Government Code Sections 50078.6, 54954.6 and 54960.1.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$157.08 will be collected annually and dedicated to a street lighting maintenance assessment account for the operation and maintenance of this street lighting system. An initial collection of \$314.16 will be collected in 2004-05 for the Fiscal Years of 2003-04 and 2004-05.

(Board of Public Works Hearing Date: May 19, 2004)

ITEM NO. (18) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - SET FOR HEARING MAY 28, 2004

04-0087 - COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE
CD 7 OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of ART STREET AND SAN FERNANDO ROAD (REBALLOT) LIGHTING DISTRICT.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated January 14, 2004.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of MAY 28, 2004 as the hearing date for the maintenance of Art Street and San Fernando Road (reballot) Lighting District, in accordance with Proposition 218, Articles XIIIC and XIID of the California Constitution and Government Code Sections 50078.6, 54954.6 and 54960.1.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$2,640.61 will be collected annually and dedicated to a street lighting maintenance assessment account for the operation and maintenance of this street lighting system. An initial collection of \$5,281.22 will be collected in 2004-05 for the Fiscal Years of 2003-04 and 2004-05.

(Board of Public Works Hearing Date: May 19, 2004)

**ITEM NO. (19) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS -
SET FOR HEARING MAY 28, 2004**

04-0088 - COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE
CD 1 OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the
maintenance of GRAND AVENUE AND CESAR E. CHAVEZ AVENUE LIGHTING
DISTRICT.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated January 14, 2004.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date
of MAY 28, 2004 as the hearing date for the maintenance of Grand Avenue and Cesar
E. Chavez Avenue Lighting District, in accordance with Proposition 218, Articles XIIC
and XIID of the California Constitution and Government Code Sections 50078.6,
54954.6 and 54960.1.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$421 will
be collected annually and dedicated to a street lighting maintenance assessment account
for the operation and maintenance of this street lighting system. An initial collection of
\$842 will be collected in 2004-05 for the Fiscal Years of 2003-04 and 2004-05.

(Board of Public Works Hearing Date: May 19, 2004)

**ITEM NO. (20) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS -
SET FOR HEARING MAY 28, 2004**

01-0051 - COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE
CD 15 OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the
maintenance of WESTMONT DRIVE AND GAFFEY STREET (REBALLOT) LIGHTING
DISTRICT.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated January 14, 2004.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date
of MAY 28, 2004 as the hearing date for the maintenance of Westmont Drive and Gaffey
Street (reballot) Lighting District, in accordance with Proposition 218, Articles XIIC and
XIID of the California Constitution and Government Code Sections 50078.6, 54954.6
and 54960.1.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$1,712 will be collected annually and dedicated to a street lighting maintenance assessment account for the operation and maintenance of this street lighting system. An initial collection of \$3,424 will be collected in 2004-05 for the Fiscal Years of 2003-04 and 2004-05.

(Board of Public Works Hearing Date: May 19, 2004)

ITEM NO. (21) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - SET FOR HEARING MAY 28, 2004

04-0066 - COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE
CD 6 OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of REMICK AVENUE AND KAMLOOPS STREET LIGHTING DISTRICT.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated January 9, 2004.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of MAY 28, 2004 as the hearing date for the maintenance of Remick Avenue and Kamloops Street Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Sections 50078.6, 54954.6 and 54960.1.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$503.99 will be collected annually and dedicated to a street lighting maintenance assessment account for the operation and maintenance of this street lighting system. An initial collection of \$1,007.98 will be collected in 2004-05 for the Fiscal Years of 2003-04 and 2004-05.

(Board of Public Works Hearing Date: May 19, 2004)

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

01-0593 - COMMUNICATION FROM CHAIR AND VICECHAIR, HOUSING, COMMUNITY AND
S18 ECONOMIC DEVELOPMENT COMMITTEE relative to denying an application filed by
CD 4 Whipple BWB, LLC and Whipple RGB, LLC for the property at 10901 Whipple Avenue for 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).

Recommendations for Council action:

1. ADOPT the accompanying Findings of the Los Angeles Housing Department (LAHD) as the Findings of the City Council.

2. DENY the application filed by Whipple BWB, LLC and Whipple RGB, LLC 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 10901 Whipple Avenue.

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

ITEM NO. (23) - MOTION ADOPTED - SEE FOLLOWING

**Roll Call #8 - Motion (Hahn - Villaraigosa) Adopted, Ayes (10); Noes: Parks (1);
Absent: Cardenas, Miscikowski, Perry and President Padilla (4)**

03-0600 - CITY ADMINISTRATIVE OFFICER TO REPORT relative to the transfer of \$2.9 million
S55 from the Public Works, Street Services account to the Unappropriated Balance, Reserve for Economic Uncertainties.

(Pursuant to Council action of March 19, 2004)

ADOPTED

MOTION (HAHN - VILLARAIGOSA)

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

TRANSFER \$700,000 from the Public Works, Street Services Overtime Account to the Unappropriated Balance Fund No. 100/58, Reserve for Economic Uncertainties, keeping the balance of \$2,290,000 for completion of the remaining 23 miles of sidewalk repairs.

ITEM NO. (24) - CONTINUED TO APRIL 2, 2004

**Roll Call #11 - Motion (Garcetti - LaBonge) Adopted to Continue, Ayes (13);
Absent: Hahn and Ludlow (2)**

03-1011 - MOTION (GARCETTI - PERRY) relative to declaring the 11th Annual Cuban Cultural
CD 13 Festival in Echo Park on May 22-23, 2004 a Special Event (fees and costs absorbed by the City = \$4,095).

Recommendation for Council action:

DECLARE the 11th Annual Cuban Cultural Festival in Echo Park, co-sponsored by the Departments of Cultural Affairs and Recreation and Parks on May 22-23, 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.

**Roll Call #4 - Motion (Smith - LaBonge) Adopted, Ayes (15)
(Item Nos. 25-30)**

ITEM NO. (25) - ADOPTED

01-1025 - MOTION (GARCETTI - PERRY) relative to declaring the 27th Annual Lotus Festival on CD 13 July 10-11, 2004 a Special Event (fees and costs absorbed by the City = \$59,057).

Recommendation for Council action:

DECLARE the 27th Annual Lotus Festival, sponsored by the Department of Recreation and Parks and the Asian Pacific Islander Communities on July 10-11, 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. (26) - ADOPTED

04-0512 - MOTION (GARCETTI FOR REYES - PARKS) relative to declaring the CASSAL Community CD 1 Celebration on March 20, 2004 a Special Event (fees and costs absorbed by the City = \$1,000).

Recommendation for Council action:

DECLARE the CASSAL Community Celebration on March 20, 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. (27) - ADOPTED

03-0142 - MOTION (PARKS - SMITH) relative to declaring the Nike Run Hit Wonder on April 25, CD 8 2004 a Special Event (fees and costs absorbed by the City = \$10,000).

Recommendation for Council action:

DECLARE the Nike Run Hit Wonder, sponsored by Nike on April 25, 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. (28) - ADOPTED

04-0515 - MOTION (HAHN - PERRY) relative to declaring the Operation Cease Fire Stop the
CD 15 Violence Peace March on March 27, 2004 a Special Event (fees and costs absorbed by the
City = \$7,419).

Recommendation for Council action:

DECLARE the Operation Cease Fire Stop the Violence Peace March, sponsored by the We Care Outreach Ministries along with the Los Angeles Police Department Southeast Division Weed and Seed Southeast Clergy Council, and the Inner Agency Gang Task Force on March 27, 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. (29) - ADOPTED

02-0642 - MOTION (HAHN - PARKS) relative to declaring the 12th Annual Watts Cinco de Mayo
CD 15 Fiesta on May 1, 2004 a Special Event (fees and costs absorbed by the City = \$2,912).

Recommendation for Council action:

DECLARE the 12th Annual Watts Cinco de Mayo Fiesta, sponsored by the Watts Century Latino Organization, the Watts Neighborhood Council, the Youth Opportunity Movement and the Community Redevelopment Agency on May 1, 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, INCLUDING insurance.

ITEM NO. (30) - ADOPTED

04-0513 - MOTION (SMITH - ZINE) relative to transfer of funds to provide funding to support
CD 12 community programs and groups in Council District 12.

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

TRANSFER \$70,000 in the Council District 12 portion of the Council Fund No. 100-28, Account No. 1010 (Salaries - General) to the General City Purposes Fund No. 100-56, Account No. 0712 (CD 12 Community Services) to provide funding to support community programs and groups in Council District 12.

ITEM NO. (31) - ADOPTED FORTHWITH TO THE MAYOR

Roll Call #9 - Motion (Villaraigosa - LaBonge) Adopted, Ayes (10); Absent: Cardenas, Miscikowski, Perry, Weiss and President Padilla (5)

04-0010 - MOTION (VILLARAIGOSA - PERRY) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Jesus Alejandro Hernandez on March 10, 2004.

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

1. PROVIDE an offer of reward in the amount of \$25,000 for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Jesus Alejandro Hernandez on March 10, 2004.
2. FIND that the subject reward complies with the provisions of Chapter 12, Article 1, Division 19, of the Los Angeles Administrative Code.
3. DIRECT the City Clerk to publish the required notices and/or advertisements to effectuate this reward.

**Roll Call #4 - Motion (Smith - LaBonge) Adopted, Ayes (15)
(Item Nos. 32-34)**

ITEM NO. (32) - ADOPTED

04-0514 - MOTION (SMITH - MISCIKOWSKI) relative to initiating street vacation proceedings for Regent Street from Kelton Avenue to its terminus northeasterly thereof, in Council District 11.

Recommendations for Council action:

1. INITIATE street vacation proceedings, pursuant to California Streets and Highways Code, Division 9, Part 3, Public Streets, Highways and Service Easements Vacation Law for Regen Street from Kelton Avenue to its terminus northeasterly thereof, in Council District 11.
2. DIRECT the Bureau of Engineering to investigate the feasibility of this vacation request.
3. DIRECT the Bureau of Engineering to present its report regarding the feasibility of vacating the requested areas to the Public Works Committee.

ITEM NO. (33) - APPROVED

03-1055 - FINAL MAP OF TRACT NO. 53964 lying westerly of Sylmar Avenue and southerly of CD 7 Gledhill Street.
(Approve Subdivision Improvement Agreement and Contract with attached security documents)
(ADOPT Bond No. C-106332)
(Quimby Fee: \$54,600)
Applicants: Seiji and Toshiko Horio
Wesley K. Olson

ITEM NO. (34) - APPROVED

04-0511 - PARCEL MAP L.A. NO. 2002-0688 and RESOLUTION OF ACCEPTANCE lying southerly CD 6 of Saticoy Street and westerly of Ben Avenue.
(Approve Subdivision Improvement Agreement and Contract with attached security documents)
(ADOPT Bond No. C-106333)
(ADOPT Resolution of Acceptance of Future Street)
(Quimby Fee: \$5,364)
Applicants: Rainier Lopez
Robert Kameoka

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

- 04-0574 - MOTION (MISCIKOWSKI - WEISS) relative to declaring the Annual Obon Festival on July 24-25, 2004 a Special Event (fees and costs absorbed by the City = \$1,400).
- 00-1819 - MOTION (GARCETTI - GREUEL) relative to declaring the Thai Cultural Festival and Parade on April 4, 2004 a Special Event (fees and costs absorbed by the City = \$3,170).
- 04-0577 - MOTION (HAHN - GREUEL) relative to declaring the Neighborhood Council Awareness Program on March 27, 2004 a Special Event (fees and costs absorbed by the City = \$840).
- 04-0010 - MOTION (LUDLOW - VILLARAIGOSA) relative to an offer of reward for information S16 leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Dontray Butler on December 10, 2003.
- 04-0404 - MOTION (PADILLA - PERRY) relative to authorizing the Commission for Children, Youth and Their Families (CCYF) to hold its monthly meeting in the City Hall Tom Bradley Tower on April 8, 2004.

03-2572 - MOTION (MISCIKOWSKI - WEISS) relative to modifying payment in settlement of case entitled Eric Berg, et al. v. City of Los Angeles, et al., United States District Court Case No. CV 01-07046 FMC (Cwx).

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

04-0578 - RESOLUTION (GARCETTI - LABONGE) relative to closing the golf driving range at Los Angeles City College.

COMMUNICATIONS PRESENTED PURSUANT TO RULE NO. 70 - TO BE PLACED ON THE NEXT AVAILABLE AGENDA

03-2697 - COMMUNICATION FROM CHAIR and MEMBER, BUDGET AND FINANCE COMMITTEE relative to Fiscal Year 2003 Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon his request, and without objections, Councilmember Garcetti was excused from Council sessions of Friday, April 16, 2004 and Friday, April 23, 2004 due to City business.

Motion (Villaraigosa - LaBonge) unanimously adopted to excuse Councilmember Reyes at 11:00 a.m. from Council session of Friday, April 16, 2004 due to personal business.

Upon his request, and without objections, Councilmember Cardenas was excused to arrive at 11:30 a.m. to Council session of Friday, April 16, 2004 due to City business.

Upon his request, and without objections, Councilmember Zine was excused to arrive at 11:30 a.m. to Council session of Tuesday, March 30, 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 - Mariana Martinez (Villaraigosa)

Victims of Madrid, Spain tragedy (LaBonge - All Councilmembers)

Mildred Jackson - Jett (Ludlow)

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

Whereupon the Council did adjourn.

ATTEST: J. Michael Carey, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL