ROLL CALL - Members present: Cardenas, Garcetti, Greuel, Hahn, LaBonge, Ludlow, Miscikowski, Perry, Reyes, Smith, Villaraigosa, Weiss, Zine and President Padilla (14); Absent: Parks (1).

SALUTE TO THE FLAG

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF MARCH 24, 2004

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 33

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

Roll Call #1 - Motion (Cardenas - Smith) Adopted, Ayes (13); Absent: Parks and Zine (2) (Item Nos. 1-3)

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

03-1894 - CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CD 12 CONSIDERATION relative to the improvement and maintenance of DEVONSHIRE STREET AND ZELZAH AVENUE LIGHTING DISTRICT.

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

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

(Public Hearing held March 16, 2004)

ITEM NO. (2) - PUBLIC HEARING CLOSED - ADOPTED

03-2019 - CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CD 6 CONSIDERATION relative to the improvement and maintenance of VICTORY BOULEVARD AND KESTER AVENUE LIGHTING DISTRICT.

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

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

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

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

(Public Hearing held March 16, 2004)

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

03-2021 - CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CD 3 CONSIDERATION relative to the improvement and maintenance of BELMAR AVENUE AND GIFFORD STREET LIGHTING DISTRICT.

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

1. DENY the protests and confirm the assessments.

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

(Public Hearing held March 16, 2004)
ITEM NO. (4) - ADOPTED

03-0627 - AD HOC RIVER COMMITTEE REPORT relative to identifying costs associated with the fabrication and installation of “Los Angeles River” signs.

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

1. RECEIVE and FILE the Department of Transportation (DOT) report relative to the costs associated with the fabrication and installation of “Los Angeles River” signs, dated March 15, 2004, inasmuch as it is for information only and no Council action is required.

2. INSTRUCT the General Manager, DOT, to report in 30 days relative to potential funding options including, but not limited to, a year-end Fiscal Year (FY) 2003-04 appropriation from the City’s unallocated balance; an amendment to the DOT FY 04-05 budget proposal; Proposition K, 12, 13, 40, and 50 funds; and, State Gas Tax funds.

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

ITEM NO. (5) - ADOPTED

04-0076 - CONTINUED CONSIDERATION OF ARTS, PARKS, HEALTH AND AGING COMMITTEE CD 15 REPORT relative to naming the stadium at Daniels Field the “Bill ‘Tiger’ Reese Memorial Stadium at Daniels Field.”

Recommendation for Council action, pursuant to Motion (Hahn - LaBonge):

INSTRUCT the Department of Recreation and Parks to begin the process of naming the stadium at Daniels Field the Bill "Tiger" Reese Memorial Stadium at Daniels Field and report to the Arts, Parks, Health and Aging Committee on the progress of its efforts within 60 days.

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

(Continued from Council meeting of March 23, 2004)
ITEM NO. (6) - ADOPTED

03-0600 - BUDGET AND FINANCE COMMITTEE REPORT relative to the status of City Attorney Liability Claims Accounts for the month of January 2004.

Recommendation for Council action:

NOTE and FILE the City Attorney report relative to the status of Liability Claims Accounts 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. (7) - ADOPTED

03-0600 - BUDGET AND FINANCE COMMITTEE REPORT relative to the status of City Attorney Liability Claims Accounts for the month of February 2004.

Recommendation for Council action:

NOTE and FILE the City Attorney report relative to the status of Liability Claims Accounts for the month of February 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

04-0433 - BUDGET AND FINANCE COMMITTEE REPORT relative to a refund claim filed by All Motorist Insurance Agency Inc., for overpayment of business taxes.

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

1. APPROVE the refund claim in the amount of $149,695.37, filed by All Motorist Insurance Agency Inc., for overpayment of business taxes.

2. AUTHORIZE and DIRECT the Office of Finance (OOF) to draw the necessary demands from the General Fund to reimburse Business Tax Account No. 3121.

Fiscal Impact Statement: None submitted by the OOF. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.
ITEM NO. (9) - ADOPTED

04-0434 - BUDGET AND FINANCE COMMITTEE REPORT relative to a refund claim filed by The Southland Corporation for overpayment of business taxes.

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

1. APPROVE the refund claim in the amount of $104,780.97, filed by The Southland Corporation, for overpayment of business taxes.

2. AUTHORIZE and DIRECT the Office of Finance (OOF) to draw the necessary demands from the General Fund to reimburse Business Tax Account No. 3121.

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

ITEM NO. (10) - ADOPTED

04-0435 - BUDGET AND FINANCE COMMITTEE REPORT relative to a refund claim filed by BMW of North America LLC for overpayment of business taxes.

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

1. APPROVE the refund claim in the amount of $195,483.76, filed by BMW of North America LLC for overpayment of business taxes.

2. AUTHORIZE and DIRECT the Office of Finance (OOF) to draw the necessary demands from the General Fund to reimburse Business Tax Account No. 3121.

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

ITEM NO. (11) - ADOPTED

02-0527 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the Block Grant Investment Fund (BGIF) Working Group reviewing the Mercy CD 9 Housing project to assess BGIF eligibility.

Recommendation for Council action:

RECEIVE and FILE the accompanying Motion (Perry - Parks) instructing the BGIF Working Group to review the Mercy Housing project in Council District Nine to assess BGIF eligibility.

Fiscal Impact Statement: Not applicable.
ITEM NO. (12) - ADOPTED

02-1009 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to developing and implementing an education/outreach effort to help landlords and tenants in being more security-conscious with regard to matters of national security.

Recommendation for Council action:

RECEIVE and FILE the accompanying Motion (Perry - Greuel) relative to instructing the Los Angeles Housing and Police Departments to develop and implement an education/outreach effort to help landlords and tenants in being more security-conscious with regard to matters of national security.

Fiscal Impact Statement: Not applicable.

ITEM NO. (13) - ADOPTED

03-0002 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT S61 relative to supporting AB 647 (Nunez) concerning the liability of landlords with respect to the collection of rents or unlawful detainer actions in buildings that have been specified as untenantable by a public officer responsible for the enforcement of housing law.

Recommendation for Council action:

RECEIVE and FILE the accompanying Resolution (Reyes - Greuel - Garcetti) supporting AB 647 (Nunez) relative to the liability of landlords with respect to the collection of rents or unlawful detainer actions in buildings that have been specified as untenantable by a public officer responsible for the enforcement of housing law inasmuch as the AB 647 has already been legislated.

Fiscal Impact Statement: Not applicable.

ITEM NO. (14) - ADOPTED

03-0008 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT CD 13 relative to transferring $50,000 in the Mayor’s Urban Development Action Grant (UDAG) funds originally allocated to the Bellevue Park Master Plan to the Armenian Relief Society to provide support services to at-risk youth and senior citizens, and related matters.

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

1. TRANSFER the $50,000 in Mayor's UDAG funds originally allocated to the Bellevue Park Master Plan in Council District 13 to the Armenian Relief Society for the purpose of providing support services to at-risk youth and senior citizens.
2. AUTHORIZE the Mayor's Office of Economic Development to make technical adjustments to UDAG Fund 303, Industrial/Commercial Revolving Loan Fund, subject to the review of the City Administrative Officer (CAO).

3. AUTHORIZE the Mayor, or designee, to prepare Controller instructions and enabling language and to make the necessary technical adjustments and corrections that are consistent with this action, subject to the review of the CAO, and REQUEST the Controller to implement the approved instructions.

**Fiscal Impact Statement:** None submitted by the Mayor's Office of Economic Development. Neither the CAO nor the Chief Legislative Analyst has completed a financial analysis of this report.

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

03-0112 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to renewing Community Redevelopment Agency (Agency) insurance coverages and other related insurance costs for the period April 1, 2004 through March 31, 2005.

**Recommendation for Council action:**

AUTHORIZE the Chief Executive Officer, Agency, or designee to renew various insurance coverages and related insurance costs through the Agency’s Broker of Record, AON Risk Services of Southern California/Cumbre Insurance Services, Inc., a Joint Venture, for an amount not to exceed $1,722,174 for the period April 1, 2004 through March 31, 2005.

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

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

03-0851 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT CD 9 relative to making Community Development Block Grant (CDBG) funds available for various projects in the Ninth Council District.

**Recommendation for Council action:**

RECEIVE and FILE the accompanying Motion (Perry - Greuel) requesting that CDBG funds be made available for Slauson-Central, Santee Court, and South Park economic development projects; and, for the Eisner Pediatric and Family Medical Center, single-room occupancy housing for the homeless, and a bulky item recycling center in the Ninth Council District inasmuch as it was rendered moot by other CDBG reprogramming actions taken by Council.

**Fiscal Impact Statement:** Not applicable.
ITEM NO. (17) - ADOPTED

03-0911 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT CD 9 relative to reprogramming $122,000 in Community Development Block Grant (CDBG) funds from the East 60th Street Project to the Eisner Pediatric and Family Medical Center at 1500-30 South Olive Street.

Recommendation for Council action:

RECEIVE and FILE the accompanying Motion (Perry - Garcetti) instructing the General Manager, Community Development Department (CDD), to reprogram $122,000 in CDBG funds from the East 60th Street Project to the Eisner Pediatric and Family Medical Center at 1500-30 South Olive Street inasmuch as it was rendered moot by other CDBG reprogramming actions taken by Council.

Fiscal Impact Statement: Not applicable.

ITEM NO. (18) - ADOPTED

03-2212 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT CD 9 relative to acquiring various properties for the development of a mixed-use housing/commercial/childcare project.

Recommendation for Council action:

RECEIVE and FILE Motion (Perry - Garcetti) relative to acquiring three properties located at 2020-30 South Central Avenue and 1305-13 East 21st Street, 2119-35 South Central Avenue, and 2104-14 South Central Avenue for the development of a mixed-use housing/commercial/childcare project by the Canaan Housing Corporation inasmuch as the Council Office reports that this action is no longer needed at this time.

Fiscal Impact Statement: Not applicable.

ITEM NO. (19) - ADOPTED

03-2545 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT CD 14 relative to a proposed eastside soccer fields complex in the Adelante Eastside Redevelopment Project Area.

Recommendation for Council action:
RECEIVE and FILE the Community Redevelopment Agency report dated November 20, 2003 (attached to the Council file) relative to the submittal of grant applications and related action for a proposed eastside soccer fields complex in the Adelante Eastside Redevelopment Project Area.

Fiscal Impact Statement: Not applicable.

ITEM NO. (20) - ADOPTED

03-2548 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT
CD 4 relative to the proposed North Hollywood Natural Canopy Project and Botanical Garden, and related grant applications and agreements.

Recommendation for Council action:

RECEIVE and FILE the Community Redevelopment Agency report dated November 20, 2003 (attached to the Council file) relative to the proposed North Hollywood Natural Canopy Project and Botanical Garden, and the submittal of related grant applications and execution of agreements.

Fiscal Impact Statement: Not applicable.

ITEM NO. (21) - ADOPTED

04-0002 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION relative to supporting legislation to reinstate funding of fair share incremental increases in the number of Section 8 certificates and vouchers allocated to local housing authorities and opposing the proposed $1 billion cut to the Section 8 housing assistance program.

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

1. ADOPT the accompanying RESOLUTION (Garcetti - Greuel - Cardenas) to include in the City’s 2003-04 Legislative Program SPONSORSHIP/SUPPORT for legislation to reinstate the pre-2003 policy of allowing the use of project reserves for temporary over-leasing, and to URGE the United States Department of Housing and Urban Development (HUD) to immediately approve the use of project reserves, or other available funds, to enable the Housing Authority of the City of Los Angeles (HACLA) to maintain its current 44,000 Section 8 contracts and to reinstate the 1,500 vouchers that are currently suspended.
2. REQUEST that the Mayor, HACLA, and the Chief Legislative Analyst (CLA), in consultation with the Eighth Council District Office, prepare a comprehensive analysis of the projected impact of the Section 8 cuts on local housing needs and homelessness, schools, and the resulting demands on City services and the General Fund.

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

ITEM NO. (22) - ADOPTED

04-0420 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT
CD 4 relative to legal services related to the NoHo Commons project in the North Hollywood Redevelopment Project Area.

Recommendation for Council action:

AUTHORIZE the Chief Executive Officer, Community Redevelopment Agency (Agency), or designee, to amend Contract No. 502372 between the Agency and the law firm of Jackson & Associates, to execute amendments to Purchase Orders issued under the contract and to increase compensation by $900,000, from $900,000 to an aggregate total amount not to exceed $1.8 million, for the payment of fees and expenses related to legal services for condemnation proceedings for the NoHo Commons Project, subject to the approval of the City Attorney as to form and legality, and further subject to the review of the City Administrative Officer’s (CAO) Contractor Enforcement Section for compliance with the Agency’s contracting requirements.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. Contract compensation involves $1.8 million of the Agency’s North Hollywood Redevelopment Project Area Tax Allocation Bond Proceeds, General Revenue, and Developer Contribution.

ITEM NO. (23) - ADOPTED

04-0536 - TRANSPORTATION COMMITTEE REPORT relative to submitting a grant application to Caltrans to develop a neighborhood revitalization plan that will ensure transportation is a key component to numerous economic development, housing and school development projects in the Central City area.

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

1. AUTHORIZE the Mayor or designee, to apply for the Caltrans grant funds as described in the Motion, in the amount of $193,000.
2. AUTHORIZE the Department of Transportation (DOT) to accept the Caltrans grant funds in the amount of $173,700, and deposit them into the Transportation Grant Fund, No. 655, “Central City Revitalization Account,” account number to be determined by DOT, to be utilized for the purposes listed above.

3. AUTHORIZE the General Manager, DOT to supply the local match in the amount of $36,300 from the Proposition C, Fund 580, Account V700, Front and Matching Funds.

4. AUTHORIZE the General Manager, DOT to execute an Agreement between the City of Los Angeles and the co-applicant, Central City Neighborhood Partners, for the implementation of the aforementioned project, subject to the approval of the City Attorney, as to form and legality, and release funds accordingly.

5. AUTHORIZE the DOT, with the concurrence of the City Administrative Officer, to make technical corrections to these recommendations, and AUTHORIZE the Controller to process such corrections.

Fiscal Impact Statement: The Mayor reports that matching funds in the amount of $36,300 will be required of the City. There will be no impact to the General Fund.

ITEM NO. (24) - ADOPTED

04-0488 - TRANSPORTATION COMMITTEE REPORT relative to the 2003-04 Transportation Grant Fund Preliminary Annual Work Program.

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

1. AUTHORIZE the General Manager of the Department of Transportation (DOT), the City Engineer and the Directors of the Bureaus of Street Lighting and Street Services to implement their respective work programs for 2003-04 as shown in Attachment A of the City Administrative Officer’s (CAO) report.

2. AUTHORIZE the appropriation of and transfer as needed of $20,754,007 ($14,778,007 for front funds and $5,976,000 for matching funds) from the Proposition C Local Transit Assistance Fund No. 540, Matching Funds - Other Agencies Account No. V700, to the Transportation Grant Fund No. 655, in the amounts listed in Attachment A, Column 4 of the CAO’s report, accounts to be designated by the DOT.

3. AUTHORIZE the DOT to receive Metropolitan Transportation Authority (MTA) grant funds, and TRANSFER those funds into the Transportation Grant Fund No. 655, and APPROPRIATE these funds, less front funding, to the projects in the amounts listed on Attachment A, Column 5, of the CAO’s report.

4. INSTRUCT all Bureaus and Departments to reimburse the General Fund for any appropriate related costs as of June 30, 2004.
5. INSTRUCT all Bureaus and Departments to closely monitor their projects to ensure that the expenditures of funds are for the purposes of each of the projects and that the expenditures of funds are correctly recorded and reported as such, and do not exceed the appropriations.

6. INSTRUCT all Bureaus and Departments to use the information in Attachment B of the CAO’s report in requesting and reporting on expenditures of the Proposition C funds and Transportation Grant Fund monies.

7. DIRECT the DOT to provide front and matching funding for only those projects where the MTA has determined that the project meets MTA criteria for Proposition C Local Return Funding.

8. DIRECT the DOT to provide front funding for only those projects where DOT staff prepares the invoices for grant reimbursement.

9. AUTHORIZE the CAO to approve transfers within the Transportation Grant Fund of up to 25 percent of the project amount, not to exceed $100,000, to or between projects or accounts included in this report as approved by the Mayor and Council.

10. INSTRUCT all Bureaus and Departments to return uncommitted advances at the end of Fiscal Year 2003-04 and all prior year unexpended balances to the Transportation Grant Fund No. 655, to be reappropriated to their respective project accounts.

11. TRANSFER, as needed, $725,482 from the Transportation Grant Fund No. 655 to the DOT Fund No. 100/94, in accordance with Table 1 in the CAO Attachments.

12. AUTHORIZE the expenditure of and TRANSFER, as needed, $2,034,621 for equipment, construction materials, field equipment expense, and Transit Priority System hardware integration, directly from the Transportation Grant Fund No. 655, in accordance with Table 1 in the CAO Attachments.

13. TRANSFER, as needed $2,755,126 from various funds to the DOT Fund No. 100/94, in accordance with Table 2 in the CAO Attachments.

14. TRANSFER, as needed, $20,000 from the Transportation Grant Fund No. 655 to the DOT Fund No. 100/94; $143,758 to the Bureau of Engineering Fund No. 100/78; and $398,806 to the Bureau of Street Services Fund No. 100/84; all in accordance with Table 3 in the CAO Attachments.

15. TRANSFER, as needed $760,000 from the Transportation Grant Fund No. 655 to the DOT Fund No. 100/94, in accordance with Table 4 in the CAO Attachments.

16. TRANSFER, as needed, $295,126 from the Transportation Grant Fund No. 655 to the DOT Fund No. 100/94 in accordance with Table 5 in the CAO Attachments.
17. TRANSFER, as needed, $3,467,300 from the Transportation Grant Fund No. 655 to the Bureau of Engineering Fund No. 100/78; and $32,000 to the DOT Fund No. 100/94 in accordance with Table 6 in the CAO Attachments.

18. TRANSFER, as needed, $1,453,500 from the Transportation Grant Fund No. 655 to the Bureau of Street Lighting Fund No. 100/84, in accordance with Table 7 in the CAO Attachments.

19. TRANSFER, as needed, $1,000 from the ATSAC Trust Fund No. 484/94, ATCS-Century City Account No. 910 to the Bureau of Street Lighting Fund No. 100/84, General Salaries Account 1010.

20. TRANSFER, as needed, $240,000 from the Transportation Grant Fund No. 655 to the Bureau of Engineering Fund No. 100/78 in accordance with Table 8 in the CAO Attachments.

21. TRANSFER, as needed, $20,000 from the Transportation Grant Fund No. 655 to the DOT Fund 100/94, and $7,000 to the Bureau of Engineering Fund 100/78 in accordance with Table 9 in the CAO Attachments.

Fiscal Impact Statement: The CAO reports that the recommended funding is from MTA Grant Funds and the Proposition C Anti-Gridlock Transit Improvement Fund. Proposition C funds have been budgeted in 2003-04 as front or matching funds for grant monies or for staff support. The salaries and related costs for all positions are funded by these sources. There is no impact to the General Fund.

ITEM NO. (25) - MOTION ADOPTED TO APPROVE HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT RECOMMENDATION

03-0002 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT and RULES, ELECTIONS AND INTERGOVERNMENTAL RELATIONS COMMITTEES' REPORTS relative to supporting legislation to modify the existing Costa-Hawkins Housing Act to allow local jurisdictions greater flexibility in determining rent stabilization laws.

ADOPTED

A. HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT

Recommendation for Council action:

RECEIVE and FILE the accompanying Resolution (Garcetti - LaBonge) relative to supporting legislation to modify the existing Costa-Hawkins Housing Act to allow local jurisdictions greater flexibility in determining rent stabilization laws inasmuch as effectuating legislation in the California State Assembly was withdrawn by Assemblymember Koretz.

Fiscal Impact Statement: Not applicable.
B. RULES, ELECTIONS AND INTERGOVERNMENTAL RELATIONS COMMITTEE

Recommendation for Council action, pursuant to Resolution (Garcetti - Greuel), SUBJECT TO THE APPROVAL OF THE MAYOR:

RESOLVE that the City establish a position of SUPPORT in its 2003-04 Legislative Program for Assembly Bill (AB) 1256 (Koretz) which would amend the Costa Hawkins Rental Housing Act to prohibit a locality from imposing rent controls on units less than 25 years old and permits a locality to impose rent controls on all units (including single family) over 25 years old.

Fiscal Impact Statement: The Chief Legislative Analyst has not completed a financial analysis of this report.

Items for Which Public Hearings Have Not Been Held - Items 26-53
(10 Votes Required for Consideration)

Roll Call #3 - Motion (Smith - LaBonge) Adopted, Ayes (13); Absent: Parks and Zine (2) (Item Nos. 26-42)

ITEM NO. (26) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

03-0519 - CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and CD 7 ORDINANCE FIRST CONSIDERATION relative to dedicating City-owned real property as public street - Glenoaks Boulevard and Van Nuys Boulevard.

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 1970, pursuant to Article VII, Class 5(5) of the City's Environmental Guidelines.

2. FIND that this dedication of City-owned real property as public street 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 March 19, 2003, to dedicate the City-owned real property as public street lying on Glenoaks Boulevard and Van Nuys Boulevard.

4. PRESENT and ADOPT the accompanying ORDINANCE effectuating the dedication, acceptance and establishment of the City-owned real property as public street lying on Glenoaks Boulevard and Van Nuys Boulevard.
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 $683.73 was submitted for the processing of this report. It is estimated that $600 will be required for the General Fund.

ITEM NO. (27) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

04-0173 - CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and CD 6 ORDINANCE FIRST CONSIDERATION relative to dedicating City-owned real property as public street - Saticoy Street, Gloria Avenue and Woodley Avenue.

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 1970, pursuant to Article VII, Class 5(4) of the City's Environmental Guidelines.

2. FIND that this dedication of City-owned real property as public street 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 March 9, 2004, to dedicate the City-owned real property as public street lying on Saticoy Street, Gloria Avenue and Woodley Avenue.

4. PRESENT and ADOPT the accompanying ORDINANCE effectuating the dedication, acceptance and establishment of the City-owned real property as public street lying on Saticoy Street, Gloria Avenue and Woodley 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 the cost for processing this request has been estimated at $1,500.

ITEM NO. (28) - ADOPTED

04-0005 - RESOLUTION removing the property at 1138-40 Eubank Avenue from the Rent Escrow S131 Account Program [REAP], (Case No. 4961), 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 23, 2004.

Assessor I.D. No. 7423-027-012
Registration No. 5071030
ITEM NO. (29) - ADOPTED

04-0005 - RESOLUTION removing the property at 511 South Rampart Boulevard from the Rent Escrow Account Program [REAP], (Case No. 5278), 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 23, 2004. Assessor I.D. No. 5155-020-004 Registration No. 0288530

ITEM NO. (30) - ADOPTED

04-0005 - RESOLUTION removing the property at 10564 Kewen Avenue from the Rent Escrow Account Program [REAP], (Case No. 5843), 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 23, 2004. Assessor I.D. No. 2620-011-004 Registration No. None

ITEM NO. (31) - ADOPTED

04-0005 - RESOLUTION removing the property at 3561 West San Marino Street from the Rent Escrow Account Program [REAP], (Case No. 6068), 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 23, 2004. Assessor I.D. No. 5093-001-030 Registration No. None
ITEM NO. (32) - ADOPTED

04-0005 - RESOLUTION removing the property at 1309-11 1/2 West James M. Wood Boulevard (a.k.a. Ninth Street) from the Rent Escrow Account Program [REAP], (Case No. 6282), 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 23, 2004.

Assessor I.D. No. 5143-002-003
Registration No. 9000399

(Note of Acceptance into the REAP/Rent Reduction Program was released on February 4, 2003)

ITEM NO. (33) - ADOPTED

04-0005 - RESOLUTION removing the property at 1735-37 1/2 West 60th Street from the Rent Escrow Account Program [REAP], (Case No. 6676), 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 23, 2004.

Assessor I.D. No. 6002-015-023
Registration No. 5036314

(Note of Acceptance into the REAP/Rent Reduction Program was released on June 18, 2003)

ITEM NO. (34) - ADOPTED

04-0005 - RESOLUTION removing the property at 1609-11 1/2 South Oak Street from the Rent Escrow Account Program [REAP], (Case No. 6749), 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 23, 2004.

Assessor I.D. No. 5135-028-014
Registration No. 5110069

(Note of Acceptance into the REAP/Rent Reduction Program was released on July 8, 2003)
ITEM NO. (35) - ADOPTED

04-0005 - RESOLUTION removing the property at 1934-38 North Gates Street from the Rent Escrow Account Program [REAP], (Case No. 7033), 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 23, 2004. Assessor I.D. No. 5211-004-003
Registration No. None
(Notice of Acceptance into the REAP/Rent Reduction Program was released on January 6, 2004)

ITEM NO. (36) - ADOPTED

04-0005 - RESOLUTION removing the property at 1859-61 West 57th Street (a.k.a. 5611-13 Manhattan Place) from the Rent Escrow Account Program [REAP], (Case No. 7217), 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 23, 2004. Assessor I.D. No. 5005-025-034
Registration No. 5011077
(Notice of Acceptance into the REAP/Rent Reduction Program was released on February 25, 2004)

ITEM NO. (37) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

02-2182 - CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to acceptance of future street as public street - Roxford Street between Borden Avenue and Glenoaks Boulevard.

Recommendations for Council action:

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

2. FIND that this acceptance of the future street as public street is in substantial conformance with the General Plan, pursuant to Section 556 of the Los Angeles City Charter.
3. ADOPT the City Engineer report dated October 3, 2002, and the accompanying RESOLUTION OF ACCEPTANCE for the future street as public street lying on Roxford Street between Borden Avenue and Glenoaks Boulevard.

4. INSTRUCT the Real Estate Division, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

**Fiscal Impact Statement:** The City Engineer reports that a fee of $897.73 was collected for processing this request pursuant to Sections 7.3 and 7.41.1 of the Los Angeles Administrative Code. An additional $600 is needed from the General Fund.

**ITEM NO. (38) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS**

03-1970 - CATEGORICAL EXEMPTION and COMMUNICATION FROM THE CITY ENGINEER CD 4 relative to vacating a T-shaped Alley northerly of Wilshire Boulevard between Bronson and Norton Avenues.

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 December 30, 2003, as the Findings of Council.

3. ADOPT the City Engineer report dated December 30, 2003, that street vacation proceedings (VAC-E1400873) be instituted for the vacation of the public rights-of-way for a T-shaped Alley northerly of Wilshire Boulevard between Bronson and Norton Avenues.

**Fiscal Impact Statement:** The City Engineer reports that the petitioner has paid a fee of $6,540 for the investigation of this request pursuant to Los Angeles Administrative Code (LAAC), Section 7.42. An additional processing fee to recover costs may be required of the petitioner, pursuant to LAAC, Section 7.44.

(Public Works Committee waived consideration of the above matter)

**ITEM NO. (39) - ADOPTED**

03-1619 - CONSIDERATION OF MOTION (MISCIKOWSKI - SMITH) relative to the reinstatement CD 11 of several streets in the Castellammare Mesa area as accepted local hillside streets.

Recommendation for Council action:
REINSTATE the following streets as accepted local hillside streets and return them to public use:

a. Giardiano from Tramonto Drive to terminus.
b. Monte Grigio Drive from Tramonto Drive to terminus.
c. Tranquillo Road from Tramonto Drive to Sabbiadora Way.
d. Sabbiadora Way from Monte Grigio Drive to terminus.
e. Noteargenta Road from Tramonto Drive to Sabbiadora Way.
f. Bellino Drive from Tramonto Drive to terminus.
g. Quadro Vecchio Drive from Tramonto Drive to Bellino Drive.

(Public Works Committee waived consideration of the above matter)

ITEM NO. (40) - ADOPTED

04-0332 - CONSIDERATION OF MOTION (LABONGE - SMITH) relative to proposed Hollywood CD 4 Media Business Improvement District improvements at the intersection of Highland and Melrose Avenues.

Recommendations for Council action:

1. INSTRUCT the Bureau of Engineering to waive all necessary permit fees that may be required for this project.

2. INSTRUCT other City departments that may require a permit to be issued for inspection services, lane closures, and tree planting to waive all permit fees associated with this project.

3. INSTRUCT the Department of Transportation to provide traffic management services, as necessary, for this project.

(Public Works Committee waived consideration of the above matter)

ITEM NO. (41) - ADOPTED

04-0539 - MOTION (GARCETTI - ZINE) relative to declaring the Los Angeles Leather Coalition CD 13 Festival on March 28, 2004 a Special Event (event sponsor to reimburse the City for all fees and cost incurred).
Recommendation for Council action:

DECLARE the Los Angeles Leather Coalition Festival, sponsored by the One Institute and Archives on March 28, 2004, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion.

ITEM NO. (42) - ADOPTED

03-1255 - MOTION (ZINE - PARKS) relative to declaring the Tarzana Classic Car Show and Street Fair on July 11, 2004 a Special Event (fees and costs absorbed by the City = $4,777).

Recommendation for Council action:

DECLARE the Tarzana Classic Car Show and Street Fair, sponsored by the Tarzana Chamber of Commerce on July 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. (43) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #8 - Motion (Perry - Smith) to Adopt as Amended, Ayes (14); Absent: Parks (1)

04-0538 - MOTION (PARKS - PERRY) relative to declaring the Community Celebration on April 3, 2004 a Special Event (fees and costs absorbed by the City = $300).

Recommendation for Council action:

DECLARE the Community Celebration, sponsored by the Helping Our People Excel for Life Foundation on April 3, 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.

ADOPTED

AMENDING MOTION (PERRY for PARKS - SMITH)

Recommendation for Council action:

DECLARE the Community Celebration sponsored by Helping Our People Excel for Life Foundation a Special Event and REQUEST all City departments to waive all fees except insurance.
ITEM NO. (44) - ADOPTED

03-0549 - MOTION (PERRY - PARKS) relative to declaring the Midnight Mission Easter/Passover CD 9 Celebration on April 11, 2004 a Special Event (fees and costs absorbed by the City = $2,810).

Recommendation for Council action:

DECLARE the Midnight Mission Easter/Passover Celebration, sponsored by the Midnight Mission on April 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. (45) - ADOPTED

03-2275 - MOTION (PERRY - PARKS) relative to a request for an exemption from the Convention Center fee waiver policy for the Emergency Response Team Challenge on April 17-18, 2004.

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

1. FIND that the event, sponsored by the City's General Services Department, serves a public purpose in that it will provide safety training for approximately 3,000 neighborhood CERT teams.

2. AUTHORIZE the General Manager, Convention Center, to make an exception to the Council's Convention Center waiver policy by waiving an additional $15,000 in room rental fees for this event, not to exceed a total of $37,7000 (which includes $22,700 previously approved by the City Council on October 24, 2004)

3. INSTRUCT all concerned departments that should unforeseen circumstances change the actual date of the Special Event, the aforementioned departmental instructions continue to apply.

ITEM NO. (46) - ADOPTED

04-0010 - MOTION (CARDENAS - MISCIKOWSKI) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of David Cosgrove on March 14, 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 David Cosgrove on March 14, 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.

ITEM NO. (47) - ADOPTED

04-0537 - MOTION (SMITH - REYES) relative to initiating street vacation proceedings for the alley southeasterly of Lucas Avenue from Emerald Drive to 280 feet northeasterly thereof, located in Council District One.

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 the alley southeasterly of Lucas Avenue from Emerald Drive to 280 feet northeasterly thereof, located in Council District One.

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. (48) - REFERRED TO COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE

Roll Call #6 - Motion (Cardenas - Weiss) Adopted to Refer, Unanimous Vote (14); Absent: Parks (1)

04-0547 - MOTION (SMITH - GREUEL - ET AL.) relative to proposed rate increases in the Department of Water and Power.

Recommendations for Council action:

1. REQUEST that an independent financial review and analysis be conducted on any proposed rate increase by the Department of Water and Power to determine if an increase is justified, and if so, at what amount.
2. PROVIDE that all Neighborhood Councils be given ample opportunity to review the independent reports and submit their comments before the matter is scheduled for full Council consideration.

Roll Call #3 - Motion (Smith - LaBonge) Adopted, Ayes (13); Absent: Parks and Zine (2) (Item Nos. 49-53)

ITEM NO. (49) - ADOPTED

02-0438 - MOTION (GARCETTI - MISCIKOWSKI) relative to agreement with Fototeka to prepare prints for the publishing of certain photographs from Los Angeles Police Department (LAPD) archives.

Recommendation for Council action:

AUTHORIZE the City Clerk to enter into an agreement with Fototeka to prepare prints for the publishing of certain photographs from LAPD archives, in an amount not to exceed $10,400 subject to the approval of the City Attorney as to form and legality.

ITEM NO. (50) - ADOPTED

04-0535 - MOTION (HAHN for LABONGE - PADILLA) relative to use of a City vehicle for attendance at various functions outside the City of Los Angeles.

Recommendation for Council action:

AUTHORIZE Councilmember Tom LaBonge to use his assigned City vehicle in conjunction with attendance at the Local Government Commission meeting in Yosemite on March 18 through March 20, 2004, as well as in conjunction with attendance at the 50th anniversary commemoration of the Japanese American internment camp in Manzanar on April 23 through April 25, 2004, or on any other dates to which these meetings may be rescheduled.

ITEM NO. (51) - ADOPTED

00-1073 - MOTION (REYES - GARCETTI) relative to transit improvements along San Fernando Road, north of Edward Avenue.

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

1. TRANSFER $12,770.29 from the Council District 1 account of the Street Furniture Revenue Fund No. 43D, Department 50, to Fund 100, Department 86 (Bureau of Street Services) Account No. 1090 (Salaries-Overtime).
2. TRANSFER $12,770.29 from the Council District 13 account of the Street Furniture Revenue Fund No. 43D, Department 50, to Fund 100, Department 86 (Bureau of Street Services) Account No. 1090 (Salaries-Overtime).

ITEM NO. (52) - APPROVED

01-1843 - PARCEL MAP L.A. NO. 2000-3347 for property lying southwesterly of Eldridge Avenue and southerly of Polk Street.
(Quimby Fee: $1,341)
Applicants: Oscar Lopez
Ramon A. Gallardo

ITEM NO. (53) - APPROVED

04-0550 - FINAL MAP OF TRACT NO. 50511-01 for property lying westerly of Mason Avenue and northerly of Corbin Avenue.
(Approve Subdivision Improvement Agreement and Contract with attached security documents)
(ADOPT Bond No. C-106334)
Applicants: Porter Ranch Development Company
GM Engineering

Closed Sessions - Items 54-59

ITEM NO. (54) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #10 - Motion (Miscikowski - LaBonge) Adopted in Open Session, Ayes (11);
Absent: Hahn, Parks, Reyes and Villaraigosa (4)

01-0976 - 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 Sergio Salcido v. City of Los Angeles, et al., United States District Court Case No. CV00-06308. (This action arises from an arrest incident on June 4, 1996 involving former Los Angeles Police Department Officer Rafael Perez.)

(Budget and Finance Committee considered the above matter in Closed Session on March 23, 2004)

ADOPTED IN OPEN SESSION

MOTION (MISCIKOWSKI - LABONGE)

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:
1. AUTHORIZE the City Attorney to expend $440,000 in settlement of the case entitled Sergio Salcido v. City of Los Angeles, et al., United States District Court Case No. CV00-06308, from the Extraordinary Liability Claims Account No. 2000.

2. AUTHORIZE the City Attorney to draw demands on said account payable as follows:
   a. $238,168.65 payable to Sergio Salcido and Alma Salcido
   b. $201,831.35 payable to the Law Offices of Vicki I. Sarmiento and the Law Offices of Antonio Govea

This matter was approved by the Budget and Finance Committee (Miscikowski - Garcetti - Smith "yes"; Parks recused himself) at its meeting of March 23, 2004, in Closed Session as permitted by Government Code Section 54956.9(a).

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

Roll Call #11 - Motion (Miscikowski - Ludlow) Adopted in Open Session, Ayes (11); Absent: Hahn, Parks, Reyes and Villaraigosa (4)

01-1613 - 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 Leonard Robinson v. Officer Jeffery Nolte, et al., United States District Court Case No. CV98-4739. (This action arises from a narcotic investigation and arrest.)

(Budget and Finance Committee considered the above matter in Closed Session on March 23, 2004)

ADOPTED IN OPEN SESSION

MOTION (MISCIKOWSKI - LUDLOW)

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

1. AUTHORIZE the City Attorney to expend $2,000,000 in settlement of the case entitled Leonard Robinson v. Officer Jeffery Nolte, et al., United States District Court Case No. CV98-4739, from the Liability Claims Account No. 9770, Fund 100, Department 59.

2. AUTHORIZE the City Attorney to draw a demand thereon in said amount payable to The Law Offices of Phillip K. Fife Client’s Trust Account.
This matter was approved by the Budget and Finance Committee (Miscikowski - Garcetti - Smith "yes"; Parks recused himself) at its meeting of March 23, 2004, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (56) - CONTINUED TO APRIL 2, 2004

Roll Call #9 - Motion (Miscikowski - Smith) Adopted to Continue, Unanimous Vote (11); Absent: Hahn, Parks, Reyes and Villaraigosa (4)

03-0633 - 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. Leo A. Daly, Los Angeles Superior Court Case No. BC 227653. (This action involves a claim brought by the City against Daly for defective plans provided for the construction of the Evergreen Child Care Center.)

(Budget and Finance Committee considered the above matter in Closed Session on March 23, 2004)

ITEM NO. (57) - MEETING HELD - ACTION TAKEN IN CLOSED SESSION

04-0362 - 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 Linda McDaniel v. City of Los Angeles, et al., United States District Court Case No. LACV 037070 JFW. (This case arises out of a Los Angeles Police Department officer involved shooting and search of a residence in the Harbor Division on September 22, 2003.)

(Budget and Finance Committee considered the above matter in Closed Session on March 30, 2004)

ITEM NO. (58) - MEETING HELD - ACTION TAKEN IN CLOSED SESSION

04-0451 - 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 Daniel P. Carvin v. City of Los Angeles, Los Angeles Superior Court Case No. BC290533. (This action involves a former employee of the Office of the Controller who resigned his position as a Special Investigator under threat of termination.)

(Budget and Finance Committee considered the above matter in Closed Session on March 23, 2004)
ITEM NO. (59) - MEETING HELD - ACTION TAKEN IN CLOSED SESSION

04-0502 - 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 Fe Nachor and Oscar Nachor, et al. v. City of Los Angeles, Los Angeles Superior Court Case No. BC286802. (This case arises out of a vehicle vs. pedestrian accident, which occurred on October 16, 2001, at the intersection of Third Street and Hoover/Vendome.)

(Budget and Finance Committee considered the above matter in Closed Session on March 23, 2004)

Item for Which Public Hearing Has Been Held - Item 60

ITEM NO. (60) - ADOPTED

Roll Call #4 - Motion (Smith - Miscikowski) Adopted, Ayes (13); Absent: Parks and Zine (2)

00-2134 - BUDGET AND FINANCE COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a 20 percent Use Tax Incentive Program for Direct Pay Permit holders within the City of Los Angeles.

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

1. PRESENT and ADOPT the accompanying ORDINANCE adding Section 21.6.10 to the Los Angeles Municipal Code, to provide for a 20 percent use tax rebate for State of California Use Tax Direct Payment Permit holders within the City of Los Angeles.

2. REQUEST the City Attorney to prepare an ordinance amending the Los Angeles Administrative Code to require companies that bid for and procure City contracts, and meet the criteria for participation in the Use Tax Incentive Program, to comply with the Program.

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.
ITEM NO. (61) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - TO THE MAYOR FORTHWITH

Roll Call #5 - Motion (LaBonge - Reyes) Adopted, Ayes (13); Absent: Parks and Zine (2)

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.

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

1. APPROVE the Office on Violence Against Women Grant application and ACCEPT the Grant Award for $500,000 for the Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program for the period of September 1, 2003 through August 31, 2005, subject to the approval of the City Attorney as to form and legality.

2. AUTHORIZE the Director, Mayor’s Criminal Justice Planning Office (CJPO) or designee, to execute and submit the Grant Award Acceptance Form to the Office of Violence Against Women on behalf of the City.

3. AUTHORIZE the Controller to establish a receivable in the amount of $500,000 and AUTHORIZE the CJPO to establish appropriation and revenue accounts within Fund 44W, Department 46, Mayor’s Office, as follows:

<table>
<thead>
<tr>
<th>Account</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personnel</td>
<td>$351,141</td>
</tr>
<tr>
<td>Travel</td>
<td>18,996</td>
</tr>
<tr>
<td>Equipment</td>
<td>10,693</td>
</tr>
<tr>
<td>Supplies</td>
<td>2,400</td>
</tr>
<tr>
<td>Contract</td>
<td>83,269</td>
</tr>
<tr>
<td>Fringe Benefits</td>
<td>33,501</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$500,000</strong></td>
</tr>
</tbody>
</table>

4. APPROPRIATE funds to the City Attorney, Mayor and Los Angeles Police Department (LAPD) grant reimbursed salary accounts in the fiscal years referenced below to the following funds and accounts:
<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Fund/Dept. No.</th>
<th>Account</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2003-04</td>
<td>100/12</td>
<td>1020/Grant Reimbursed</td>
<td>$ 57,629</td>
</tr>
<tr>
<td></td>
<td>100/46</td>
<td>1020/Grant Reimbursed</td>
<td>8,250</td>
</tr>
<tr>
<td></td>
<td>100/70</td>
<td>1020/Grant Reimbursed</td>
<td>50,003</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td>$115,882</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Fund/Dept. No.</th>
<th>Account</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2004-05</td>
<td>100/12</td>
<td>1020/Grant Reimbursed</td>
<td>$ 88,172</td>
</tr>
<tr>
<td></td>
<td>100/46</td>
<td>1020/Grant Reimbursed</td>
<td>12,625</td>
</tr>
<tr>
<td></td>
<td>100/70</td>
<td>1020/Grant Reimbursed</td>
<td>76,521</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td>$177,318</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Fund/Dept. No.</th>
<th>Account</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2005-06</td>
<td>100/12</td>
<td>1020/Grant Reimbursed</td>
<td>$ 28,814</td>
</tr>
<tr>
<td></td>
<td>100/46</td>
<td>1020/Grant Reimbursed</td>
<td>4,125</td>
</tr>
<tr>
<td></td>
<td>100/70</td>
<td>1020/Grant Reimbursed</td>
<td>25,002</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td>$ 57,941</td>
</tr>
</tbody>
</table>

5. AUTHORIZE the Director, Mayor’s CJPO, to negotiate and execute a sole source professional services agreement with Project PeaceMakers, Inc., for an amount not to exceed $83,269 for the term of September 1, 2003 to August 31, 2005, subject to the approval of the City Attorney as to form and legality.

6. AUTHORIZE the Mayor’s CJPO to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer (CAO), and AUTHORIZE the Controller to implement the instructions.

7. APPROVE a request by the LAPD to exempt one Detective II position for the duration of the Grant, to perform the grant-related functions.

Fiscal Impact Statement: The CAO reports there is no General Fund impact if new position authorities are not approved. The Mayor’s Office of Criminal Justice Planning will request funds as needed from the United States Department of Justice to finance expenditures under the program.
ITEM NO. (62) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - FORTHWITH

Roll Call #7 - Motion (LaBonge - Cardenas) Adopted, Ayes (14); Absent: Parks (1)

03-0397 - COMMUNICATION FROM THE LOS ANGELES FOR KIDS STEERING COMMITTEE and S1 RESOLUTION relative to the implementation of the City’s Proposition 40 Universal Access (UA) Playground Program.

Recommendations for Council action:

1. ADOPT the accompanying RESOLUTION relative to authorizing the City Department of Recreation and Parks (DRP) to apply to the California Department of Parks and Recreation for up to $9.5 million in Proposition 40 Specified Per Capita funds for the development of UA Playgrounds in Council Districts that do not currently have one within their boundaries.

2. DESIGNATE the DRP as the administrative and program management agent for the Proposition 40 UA Playground Program to be funded out of Proposition 40 (AB 716) Per Capita funds.


4. INSTRUCT the DRP to report back to the Los Angeles for Kids Steering Committee with a detailed scope of work and cost estimate(s) for each of the sites identified in this report prior to submission of the grant(s).

Fiscal Impact Statement: The Los Angeles for Kids Steering Committee reports that adoption of the proposed plan will establish the process for the allocation of $9.5 million in State Proposition 40 Specified Per Capita grant funds to develop universal access playgrounds in Council Districts that do not currently have one within their district. It is anticipated that the construction/completion of 13 facilities will have no General Fund impact, as projects are expected to be constructed within the Proposition 40 $9.5 million allocation. However, once projects have been completed, the City will be required to operate and maintain these facilities. With the exception of Hansen Dam and Temple-Beverly, all of the proposed UA playgrounds will replace existing play areas and, therefore, are not expected to incur costs beyond those currently budgeted. It is anticipated that there will be an annual General Fund impact of $34,000 for ongoing program and maintenance costs at Hansen Dam and Temple-Beverly. In light of the City’s current fiscal constraints, costs are expected to be maintained to a minimum.

(Arts, Parks, Health and Aging Committee waived consideration of the above matter)
MOTIONS PRESENTED PURSUANT TO RULE NO. 16 - TO BE PLACED ON THE NEXT AVAILABLE AGENDA

04-0587 - MOTION (PERRY for PARKS - SMITH) relative to declaring the Motown 45 on Sunday, April 4, 2004 a Special Event (fees and costs absorbed by the City = $5,000).

04-0586 - MOTION (PERRY - VILLARAIGOSA) relative to declaring the Rally to Honor Cesar Chavez on March 31, 2004 a Special Event (fees and costs absorbed by the City = $3,234).

04-0585 - MOTION (PERRY - VILLARAIGOSA) relative to declaring the Easter Personal Care Day for Los Angeles' Homeless on April 3, 2004 a Special Event (fees and costs absorbed by the City = $1,188).

04-0583 - MOTION (PADILLA for PARKS - PERRY) relative to declaring the Annual Community Block Party on April 3, 2004 a Special Event (fees and costs absorbed by the City = $300).

04-0584 - MOTION (HAHN - VILLARAIGOSA) relative to street closures associated with repairs by Union Pacific Railroad to various railroad crossings in the City and County.

03-0954 - MOTION (CARDENAS - SMITH) relative to abandoning street lighting assessment proceedings for the Valerio Street and Fair Avenue Lighting District.

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

00-2480 - RESOLUTION (MISCIKOWSKI - REYES) relative to extending the ordinance temporarily regulating the issuance of building permits for certain areas of the Westchester Playa Del Rey Community Plan.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Motion (Smith - Zine) unanimously adopted to excuse Councilmember Weiss to leave at 11:30 a.m. from Council session of Friday, April 2, 2004 due to City business.
COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

04-0003 - DeMolay (Zine - All Councilmembers)

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

04-0004 - Jan Berry (LaBonge)
    Fidel (last name not released) (Ludlow)
    Mary Rita Alexy (Zine)
    Richard McCauley, Jr. (Zine - Perry)
    Alastair Cooke (Garcetti)

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

Whereupon the Council did adjourn.

ATTEST: J. Michael Carey, CITY CLERK

By

Council Clerk               PRESIDENT OF THE CITY COUNCIL