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

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF MARCH 30, 2004

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 12

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

ITEMS FOR WHICH PUBLIC HEARINGS HAVE BEEN HELD - ITEMS 1-4

Roll Call #2 - Motion (Parks - Reyes) Adopted, Ayes (10); Absent: Cardenas, Hahn, Perry, Zine and President Padilla (5)

ITEM NO. (1) - ADOPTED

04-0002 - PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and RESOLUTION S43 relative to broadening access to State joint-use funding for parks, cultural arts centers, recreational centers, technology centers, health clinics, and athletic fields within the joint-use facilities category.

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

ADOPT the accompanying RESOLUTION which establishes a position of SUPPORT in the City’s 2003-04 Legislative Program for Assembly Bill (AB) 2446 (Montanez) which would broaden access to State joint-use funding for parks, cultural arts centers, recreational centers, technology centers, health clinics, and athletic fields within the joint-use facilities category, as recommended by the City Planning Department.
ITEM NO. (2) - ADOPTED

00-0211 - PUBLIC SAFETY COMMITTEE REPORT relative to status of Los Angeles Police Department (LAPD) Consent Decree implementation and compliance.

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

1. DIRECT the Chief Legislative Analyst (CLA) to report to the Public Safety Committee next month regarding the discussions being held with the Department of Justice and the Independent Monitor regarding potential clarifications/modifications to the Consent Decree.

2. REQUEST the Los Angeles Board of Police Commissioners (Police Commission) and the LAPD to report in writing to the Public Safety Committee next month regarding: a) The personnel, equipment, and funding needs for the transition of the investigation of Categorical Uses of Force from Detective Bureau under the command of the Office of Operation to the Professional Standards Bureau; and, b) the real time monitoring procedures that will be implemented by the LAPD to ensure the Categorical Uses of Force investigation are being appropriately completed and administered by the Professional Standards Bureau and that the associated revised investigative procedures are effective and appropriate.

3. REQUEST the Police Commission to report to the Public Safety Committee next month with a written short- and long-term implementation schedule, including a listing of all tasks required to implement each recommendation and projected dates for completion of such tasks, for the various anti-retaliation policy recommendations included in the Inspector General’s February 2004 retaliation report.

4. REQUEST the Police Commission, and the LAPD as appropriate, to report in writing to the Public Safety Committee next month on the status of the Police Commission’s approved mental illness program enhancements, any required modifications to those enhancements, and a comprehensive schedule for full implementation of all outstanding and modified enhancements.

5. DIRECT the LAPD to report monthly, in writing, to the Public Safety Committee regarding the City’s current level of compliance for all gang unit related Consent Decree provisions.

Fiscal Impact Statement: None submitted by the CLA. The City Administrative Officer has not completed a financial analysis of this report.
ITEM NO. (3) - ADOPTED

00-0211 - PUBLIC SAFETY COMMITTEE REPORT relative to Los Angeles Police Department S62 (LAPD) gang related Consent Decree mandates.

Recommendation for Council action:

NOTE and FILE the LAPD report dated March 22, 2004 relative to gang related Consent Decree mandates, inasmuch as the report is submitted for information only and no Council action is required.

Fiscal Impact Statement: Not applicable.

ITEM NO. (4) - ADOPTED

00-0211 - PUBLIC SAFETY COMMITTEE REPORT relative to Los Angeles Police Department S67 (LAPD) review of the Retaliation Investigation process.

Recommendation for Council action:

NOTE and FILE the Los Angeles Board of Police Commissioners reports dated February 17 and March 17, 2004 relative to reviewing the LAPD Retaliation Investigation process, inasmuch as these reports are submitted for information only and no Council action is required.

Fiscal Impact Statement: Not applicable.

Items for Which Public Hearings Have Not Been Held - Items 5-19

(10 Votes Required for Consideration)

Roll Call #3 - Motion (Hahn - Villaraigosa) Adopted, Ayes (10); Absent: Cardenas, Hahn, Perry, Zine and President Padilla (5)

ITEM NO. (5) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - ORDINANCE OVER TO APRIL 13, 2004

04-0353 - 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 SAN FERNANDO ROAD AND EL CAJON STREET LIGHTING DISTRICT.

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

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of JUNE 4, 2004 as the hearing date for the maintenance of San Fernando Road and El Cajon Street Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID 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, $861.97 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 $1,723.94 will be collected in 2004-05 for the Fiscal Years of 2003-04 and 2004-05.

(Board of Public Works Hearing Date: May 26, 2004)

ITEM NO. (6) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - ORDINANCE OVER TO APRIL 13, 2004

04-0288 - 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 NORDHOFF STREET AND LEMONA AVENUE LIGHTING DISTRICT.

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


2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of JUNE 4, 2004 as the hearing date for the maintenance of Nordhoff Street and Lemona Avenue Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID 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, $814.52 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 $1,629.04 will be collected in 2004-05 for the Fiscal Years of 2003-04 and 2004-05.

(Board of Public Works Hearing Date: May 26, 2004)

ITEM NO. (7) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - ORDINANCE OVER TO APRIL 13, 2004

04-0289 - 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 TELFAIR STREET AND DAVID LANE LIGHTING DISTRICT.
Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:


2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of JUNE 4, 2004 as the hearing date for the maintenance of Telfair Street and David Lane Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIIID 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, $480.79 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 $961.58 will be collected in 2004-05 for the Fiscal Years of 2003-04 and 2004-05.

(Board of Public Works Hearing Date: May 26, 2004)

ITEM NO. (8) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - ORDINANCE OVER TO APRIL 13, 2004

03-1945 - COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of 35TH STREET AND PATTON AVENUE (REBALLOT) LIGHTING DISTRICT.

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


2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of JUNE 4, 2004 as the hearing date for the maintenance of 35th Street and Patton Avenue (reballot) Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIIID 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, $273.83 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 $547.66 will be collected in 2004-05 for the Fiscal Years of 2003-04 and 2004-05.

(Board of Public Works Hearing Date: May 26, 2004)
ITEM NO. (9) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - ORDINANCE OVER TO APRIL 13, 2004

04-0130 - 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 FOOTHILL BOULEVARD AND GRIDLEY STREET LIGHTING DISTRICT.

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


2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of JUNE 4, 2004 as the hearing date for the maintenance of Foothill Boulevard and Gridley Street Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID 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, $300.94 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 $601.88 will be collected in 2004-05 for the Fiscal Years of 2003-04 and 2004-05.

(Board of Public Works Hearing Date: May 26, 2004)

ITEM NO. (10) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - ORDINANCE OVER TO APRIL 13, 2004

04-0216 - COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE CDs 9 & 14 OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of COMMERCIAL STREET AND VIGNES STREET LIGHTING DISTRICT.

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


2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of JUNE 4, 2004 as the hearing date for the maintenance of Commercial Street and Vignes Street Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID 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, $5,096.88 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 26, 2004)

ITEM NO. (11) - CONTINUED TO APRIL 13, 2004

Roll Call #5 - Motion (Garcetti - Villaraigosa) Adopted to Continue, Unanimous Vote (10); Absent: Cardenas, Perry, Smith, Weiss and President Padilla (5)

03-2685 - CONTINUED CONSIDERATION OF COMMUNICATION FROM THE CULTURAL HERITAGE COMMISSION (CHC) relative to the inclusion of the El Cadiz Apartments, at 1721 North Sycamore Avenue, in the list of Historic-Cultural Monuments.

Recommendation for Council action:

APPROVE the inclusion of the El Cadiz Apartments, at 1721 North Sycamore Avenue, in the list of Historic-Cultural Monuments.

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

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

(Continued from Council meeting of March 12, 2004)

Roll Call #3 - Motion (Hahn - Villaraigosa) Adopted, Ayes (10); Absent: Cardenas, Hahn, Perry, Zine and President Padilla (5)

(ITEM Nos. 12-14)

ITEM NO. (12) - ADOPTED

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).

Recommendation for Council action:

DECLARE the Annual Obon Festival, sponsored by the West Los Angeles Buddhist Temple on July 24-25, 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. (13) - ADOPTED

00-1819 - MOTION (GARCETTI - GREUEL) relative to declaring the Thai Cultural Festival and CD 13 Parade on April 4, 2004 a Special Event (fees and costs absorbed by the City = $3,170).

Recommendation for Council action:

DECLARE the Thai Cultural Festival and Parade, sponsored by the Thai Counsel General on April 4, 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. (14) - ADOPTED

04-0577 - MOTION (HAHN - GREUEL) relative to declaring the Neighborhood Council Awareness CD 15 Program on March 27, 2004 a Special Event (fees and costs absorbed by the City = $840).

Recommendation for Council action:

DECLARE the Neighborhood Council Awareness Program, sponsored by the Central San Pedro Neighborhood Council 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, INCLUDING insurance.

ITEM NO. (15) - ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #4 - Motion (Ludlow - Villaraigosa) Adopted, Ayes (10); Absent: Cardenas, Perry, Smith, Zine and President Padilla (5)

04-0010 - MOTION (LUDLOW - VILLARAIGOSA) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Dontray Butler on December 10, 2003.

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 Dontray Butler on December 10, 2003.

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. (16) - ADOPTED

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.

Recommendation for Council action:

AUTHORIZE the CCYF to use the City Hall Tom Bradley Tower on Thursday, April 8, 2004 from 8:30 a.m. until 12:30 p.m.

ITEM NO. (17) - ADOPTED

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).

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

AUTHORIZE the City Attorney to expend $1.2 million from the Liability Claims Account No. 9770, Fund 100, Department 59, and to draw two demands thereon: one in the amount of $13,000 payable to Scott McCandless; and, one in the amount of $1,187,000 payable to Mann & Cook in trust for the Berg Class Action.

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

03-1011 - CONTINUED CONSIDERATION OF MOTION (GARCETTI - PERRY) relative to declaring the 11th Annual Cuban Cultural Festival in Echo Park on May 22-23, 2004 a Special Event (fees and costs absorbed by the City = None submitted).

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.

(Continued from Council meeting of March 26, 2004)
ADOPTED

AMENDING MOTION (GARCETTI - REYES)

Recommendation for Council action:
AMEND the motion, relative to the 11th Annual Cuban Cultural Festival, to indicate that the Department of Recreation and Parks is not a co-sponsor of this event.

ITEM NO. (19) - ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #6 - Motion (Garcetti - LaBonge) Adopted, Ayes (10); Absent: Cardenas, Perry, Smith, Weiss and President Padilla (5)

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

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

ADOPT the accompanying RESOLUTION requesting the Los Angeles Community College Board to immediately and permanently close the golf driving range at Los Angeles City College.

Closed Session - Item 20

ITEM NO. (20) - CONTINUED TO APRIL 6, 2004

Roll Call #1 - Motion (Parks - Garcetti) Adopted to Continue, Unanimous Vote (10); Absent: Cardenas, Hahn, Perry, Zine and President Padilla (5)

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

02-0275 - MOTION (GREUEL for PERRY - PARKS) relative to declaring the Festival of Life - Easter Celebration on April 10, 2004 a Special Event (fees and costs absorbed by the City = $4,106).

04-0611 - MOTION (WEISS - GREUEL) relative to declaring the Chometz burning on April 5, 2004 a Special Event (fees and costs absorbed by the City = $1,285).

01-0679 - MOTION (VILLARAIGOSA - REYES) relative to declaring the Festival de Los Ninos on April 10-11, 2004 a Special Event (fees and costs absorbed by the City = $14,307).

02-0010 - MOTION (PARKS - ZINE) relative to reinstating the reward offer in the death of Isaac Lamont Miller for an additional 60 days.

04-0010 - MOTION (GREUEL for PERRY - PARKS) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the hate crime property destruction of the Go For Broke Monument occurring between March 14-18, 2004.


04-0600 - MOTION (PARKS - MISCIKOWSKI) relative to holding public hearings on the Mayor’s Proposed 2004-05 Budget.

04-0612 - MOTION (GARCETTI - LABONGE) relative to authorizing a $2 million loan from the Public Works Trust Fund for the Temple Beverly Park Project.

04-0614 - MOTION (GARCETTI - LABONGE) relative to authorizing appropriations to the Department of General Services for structural retrofit and improvements to the Stone House.

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

04-0002 - RESOLUTION (PARKS - MISCIKOWSKI) relative to supporting AB 2805 (Ridley-Thomas) authorizing the City Council to amend the Hoover Redevelopment Project area by ordinance.
COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Motion (Reyes - Parks) unanimously adopted to excuse Councilmember Villaraigosa to arrive late to Council session of Friday, April 16, 2004 due to City business.

Upon his request, and without objections, Councilmember Garcetti was excused to leave at noon from Council session of Wednesday, April 21, 2004 and to arrive at 10:45 a.m. to Council session of Friday, April 30, 2004 due to City business.

Upon his request, and without objections, President Padilla was excused from Council session of Wednesday, May 12, 2004 due to City business.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

04-0606- Rabbi Menachem Mendel Schneerson
Million Mom March Mothers’ Day 2004

(Weiss - All Councilmembers)

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

04-0607 - Miriam "Mimi" West
Dr. Samuel McNeal, Jr.
Victor Carter
Robert E. Zardeneta
Victims of Iraq Murders

(Hahn - All Councilmembers)

(Ludlow)

(Garcetti - All Councilmembers)

(Villaraigosa - Reyes)

(LaBonge - All Councilmembers)

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

Whereupon the Council did adjourn.

ATTEST: J. Michael Carey, CITY CLERK

By

Council Clerk

PRESIDENT PRO TEMPORE

FRIDAY 04-02-04