Items Noticed for Public Hearing - Items 1-6

Roll Call #1 - Motion (Greuel - Garcetti) Adopted to Continue, Unanimous Vote (14); Absent: Perry (1)
(Item Nos. 1-4)

ITEM NO. (1) - PUBLIC HEARING HELD - ORDINANCE TO BE PRESENTED ON JUNE 1, 2004

03-2632 - HEARING PROTESTS against the proposed improvement and maintenance of the CD 13 ACRESITE STREET, GREENSWARD ROAD AND FERNCROFT ROAD LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Acresite Street, Greensward Road and Ferncroft Road Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on March 12, 2004 - Continue hearing and present Ordinance on JUNE 1, 2004 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)
ITEM NO. (2) - PUBLIC HEARING HELD - ORDINANCE TO BE PRESENTED ON JUNE 1, 2004

03-2633 - HEARING PROTESTS against the proposed improvement and maintenance of the CD 2 MARGATE STREET AND VESPER AVENUE LIGHTING DISTRICT.

Recommendation for Council action:

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

(Ordinance of Intention adopted on March 12, 2004 - Continue hearing and present Ordinance on JUNE 1, 2004 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (3) - PUBLIC HEARING HELD - ORDINANCE TO BE PRESENTED ON JUNE 1, 2004

03-2634 - HEARING PROTESTS against the proposed improvement and maintenance of the CD 7 FOOTHILL BOULEVARD AND FILMORE STREET NO. 1 LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Foothill Boulevard and Filmore Street No. 1 Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on March 12, 2004 - Continue hearing and present Ordinance on JUNE 1, 2004 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (4) - PUBLIC HEARING HELD - ORDINANCE TO BE PRESENTED ON JUNE 1, 2004

03-2636 - HEARING PROTESTS against the proposed improvement and maintenance of the CD 7 GLADSTONE AVENUE AND MACLAY STREET LIGHTING DISTRICT.

Recommendation for Council action:

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

(Ordinance of Intention adopted on March 12, 2004 - Continue hearing and present Ordinance on JUNE 1, 2004 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)
ITEM NO. (5) - PUBLIC HEARING CLOSED - ADOPTED

98-1339 - CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST
CD 15 CONSIDERATION relative to the improvement and maintenance of CABRILLO AVENUE
AND TWENTY FOURTH STREET LIGHTING DISTRICT.

Recommendations 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 proceedings 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 April 20, 2004)

ITEM NO. (6) - PUBLIC HEARING CLOSED - ADOPTED

03-1212 - CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST
S1 CONSIDERATION relative to the improvement and maintenance of PACOIMA LIGHTING
CD 7 IMPROVEMENT - PHASE 1 LIGHTING DISTRICT.

Recommendations 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 April 20, 2004)

Items for Which Public Hearings Have Been Held - Items 7-25

ITEM NO. (7) - ADOPTED - FORTHWITH

Roll Call #5 - Motion (Garcetti - Villaraigosa) Adopted, Ayes (14); Absent: Perry (1)

04-0608 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT
relative to the appointment of Mr. Rudy R. Martinez to the Industrial Development
Authority.
Recommendation for Council action:

RESOLVE that the Mayor’s appointment of Mr. Rudy R. Martinez to the Industrial Development Authority for the term ending June 30, 2006 to fill the vacancy created by the withdrawal of Ms. Greta Hutton, is APPROVED and CONFIRMED. Mr. Martinez resides in Council District 14. (New Commission gender composition: M=6; F=1)

ITEM NO. (8) - ADOPTED

Roll Call #6 - Motion (Hahn - LaBonge) Adopted, Ayes (14); Absent: Perry (1)

03-2602 - COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT and CD 15 ORDINANCE FIRST CONSIDERATION relative to a proposed Permanent Order amending Port of Los Angeles Tariff No. 4, Section 19, Item No. 1925, Commercial Fish Vessel Permits.

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

1. CONCUR with the Board of Harbor Commissioners action on August 27, 2003, approving Permanent Board Order No. 6787 amending the Port of Los Angeles Tariff No. 4, Section 19, Item No. 1925, to allow the Harbor to suspend, revoke, cancel or refuse to issue Commercial Fish Vessel Permits for violations of the California Department of Fish and Game Code or Title 14, California Code of Regulations; and AUTHORIZE the execution of the proposed Order and Ordinance and transmit to the Chief Wharfinger for transmittal to the Federal Maritime Commission upon publication.

2. PRESENT and ADOPT the accompanying ORDINANCE approving Permanent Board Order No. 6787 amending the Port of Los Angeles Tariff No. 4 to allow the Harbor to suspend, revoke, cancel or refuse to issue Commercial Fish Vessel Permits for violations of the California Department of Fish and Game Code or Title 14, California Code of Regulations.

3. INSTRUCT the Harbor Department to meet with representatives of the fishing industry in the next month, along with Council District 15, to discuss issues pertaining to the conditions at the San Pedro Fishing Dock (Berth 73), and report back to the Commerce, Energy and Natural Resources Committee in 30 days with recommendations for immediate improvement.

Fiscal Impact Statement: The City Administrative Officer reports that the proposed amendment will have no financial impact on the City’s General Fund. The proposed Tariff No. 4 amendment establishes language to allow the Harbor to suspend, revoke, cancel or refuse to issue commercial fishing vessel permits and will have little or no impact on the Harbor Revenue Fund. The additional cost of any improvements to be made at Berth 73 would be paid from the Harbor Revenue Fund.
ITEM NO. (9) - ADOPTED

04-0526 - TRANSPORTATION COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to reducing the speed limit on Burlingame Avenue between San Vicente Boulevard and Sunset Boulevard from 30 to 25 miles per hour (mph).

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

PRESENT and ADOPT the accompanying ORDINANCE amending Section 80.81 of the Los Angeles Municipal Code to reduce the speed limit on Burlingame Avenue between San Vicente Boulevard and Sunset Boulevard from 30 to 25 mph.

Fiscal Impact Statement: The Department of Transportation reports that implementation of this Ordinance will have minimal fiscal impact.

ITEM NO. (10) - ADOPTED

04-0528 - TRANSPORTATION COMMITTEE REPORT and ORDINANCES FIRST CONSIDERATION relative to changing the speed limits on various streets in Council District 12.

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

1. PRESENT and ADOPT the accompanying ORDINANCE amending Section 80.81 of the Los Angeles Municipal Code (LAMC) to raise the speed limit on Sesnon Boulevard between Reseda Boulevard and Crystal Springs Circle from 40 to 45 miles per hour (mph) and establishing a 50 mph speed limit on Sesnon Boulevard from Crystal Springs Circle to Porter Ranch Drive.

2. PRESENT and ADOPT the accompanying ORDINANCE amending Section 80.81 of the LAMC to reduce the speed limit on Chase Street between Louise Avenue and the dead end west of Wilbur Avenue from 30 to 25 mph.

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

ITEM NO. (11) - ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #9 - Motion (Reyes - LaBonge) Adopted, Ayes (10); Noes: Greuel, Smith, Weiss and Zine (4); Absent: Perry (1)

03-2784 - ORDINANCE SECOND CONSIDERATION amending Water Rate Ordinance No. 170435 and fixing the rates to be charged for water distributed and services supplied by the Department of Water and Power.

(Commerce, Energy and Natural Resources Committee report adopted on May 4, 2004)
ITEM NO. (12) - ADOPTED

Roll Call #7 - Motion (LaBonge - Smith) Adopted, Ayes (13); Absent: Ludlow and Perry (2)

04-0686 - ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to the status of all City-operated swimming pools.

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

INSTRUCT the General Manager, Department of Recreation and Parks, to report to the Arts, Parks, Health and Aging Committee in 30 days relative to the status of all City-operated swimming pools including but not limited to the days in which summer pools will be open, the hours of operation, and information about any summer programs that will be provided at these aquatic facilities.

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

Roll Call #3 - Motion (Miscikowski - Greuel) Adopted, Ayes (14); Absent: Perry (1)

ITEM NO. (13) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS

04-0469 - ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE REPORT relative to the Los Angeles County low flow diversion projects and the Parker Mesa Drain low flow diversion.

Recommendations for Council action,

1. CONCUR with the Los Angeles County (County) Department of Public Works that the projects are categorically exempt.

2. AUTHORIZE the Bureau of Sanitation (BOS) and the City Engineer to approve the final plans and specifications upon receipt from the County.

3. AUTHORIZE the County to occupy and use the City streets to construct the projects, and to operate and maintain the facilities upon their completion.

4. AUTHORIZE the County to connect to City sewers.

5. AUTHORIZE the City Engineer to issue “No Fee” Excavation Permits to the County upon receipt and approval of the projects’ plans and specifications.

6. AUTHORIZE the BOS to waive the Discharge Permit Fees for the projects.

7. WAIVE the Street Damage Restoration Fees for the projects.

8. APPROVE inclusion of the following statement on these projects:
“When installation is complete, the Los Angeles County Department of Public Works shall not be held accountable for the expense of relocation, alteration, nor modification of this project necessitated by future street improvements, realignments, alterations, or reconstruction.”

9. APPROVE inclusion of the following statement to these projects:

“The City of Los Angeles, where legally possible and upon request by the County of Los Angeles, will grant, transfer, or assign prior rights over utility companies when necessary to construct and complete this project.”

Fiscal Impact Statement: The Board of Public Works reports that the issuance of one “no fee” excavation permit will result in reduction in fee revenues of $500, and waiver of one Discharge Permit Fee will result in reduction in fee revenues of another $400. The waiver of the Street Damage Restoration Fee will result in lost revenue to the City estimated at an average of $2,100 per waiver. For the five proposed County projects, the total potential loss in revenue is $12,400.

(Public Works Committee waived consideration of the above matter)

ITEM NO. (14) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATION

04-0688 - ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE REPORT
CD 10 relative to the oil drilling project in the 2100 block of West Adams Boulevard.

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

DIRECT the Environmental Affairs Department, with the participation and assistance of the South Coast Air Quality Management District, to investigate and report to the Environmental Quality and Waste Management Committee within 15 days relative to noxious fumes and other environmental problems emanating from an oil drilling project in the 2100 block of West Adams Boulevard, which are seriously affecting the surrounding residential communities.

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

ITEM NO. (15) - ADOPTED

Roll Call #10 - Motion (Ludlow - Smith) Adopted, Ayes (14); Absent: Perry (1)

04-0688 - ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE REPORT
S1 relative to the oil drilling project in the 2100 block of West Adams Boulevard.
CD 10

Recommendations for Council action, pursuant to Motion (Ludlow - Reyes):
1. INSTRUCT the Department of Building and Safety, with the assistance of the Planning Department, Los Angeles Fire Department and the Environmental Affairs Department to immediately brief the Planning and Land Use Management Committee as to the current oil drilling activities taking place along the 2100 block of West Adams Boulevard, and to present a report that addresses community concerns as it relates, but not limited to, noise and oil fumes impacting abutting neighbors, and that details the permitting process (e.g. entitlements, Conditions imposed, and public hearing) conducted.

2. INSTRUCT the above mentioned Departments, to hold a public hearing in the community within the next 30 days.

3. DIRECT Department staff to communicate and coordinate with the Environmental Protection Agency, the South Coast Air Quality Management District and the Los Angeles County Health Department, to incorporate their comments and/or analysis in the requested report, and request their participation at the public hearing.

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

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

Roll Call #3 - Motion (Miscikowski - Greuel) Adopted, Ayes (14); Absent: Perry (1) (Item Nos. 16-25)

ITEM NO. (16) - ADOPTED

02-0208 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT S1 relative to receiving and filing the Mayor’s nomination of Ms. Greta T. Hutton to the Industrial Development Authority.

Recommendation for Council action:

RECEIVE and FILE the Mayor’s appointment of Ms. Greta T. Hutton to the Industrial Development Authority for the term ending June 30, 2006, inasmuch as the nominee has withdrawn from consideration for this position.

Fiscal Impact Statement: Not applicable.

ITEM NO. (17) - ADOPTED

02-1247 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT S1 relative to establishing a permanent budget for the Urgent Repair Program (URP).

Recommendations for Council action:

1. NOTE and FILE the March 2, 2004 Los Angeles Housing Department (LAHD) report (attached to the Council file) relative to establishing a permanent budget for URP.
2. DIRECT the Community Redevelopment Agency to identify funding for URP.

3. DIRECT the LAHD, the City Administrative Officer and the Chief Legislative Analyst to report to the Housing, Community and Economic Development Committee relative to the feasibility of contracting with private firms for the collection of unpaid fees owed by property owners to the City for URP repairs performed at their properties; and, establishing a revolving account for the receipt of paid fees and the on-going funding of URP.

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

ITEM NO. (18) - ADOPTED

03-2005 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to identifying funds to assist the Studio City Business Improvement District (BID).

Recommendation for Council action:

RECEIVE and FILE Motion (Greuel - LaBonge) relative to identifying funds to assist the Studio City BID, inasmuch as it is rendered moot by the Council action of April 14, 2004 authorizing the City Clerk, to prepare, execute, and administer a contract with the Studio City Improvement Association for activities and expenses related to the re-establishment of the Studio City BID.

Fiscal Impact Statement: Not applicable.

ITEM NO. (19) - ADOPTED

04-0680 - PERSONNEL COMMITTEE REPORT relative to a semiannual tally of management, professional, scientific or expert services Civil Service exemptions.

Recommendation for Council action:

RECEIVE and FILE the Personnel Department’s report dated April 9, 2004, attached to the Council file, relative to a semiannual tally of City Charter Section 1001(b) “management, professional, scientific or expert services” exemptions, inasmuch as the report is submitted for information only and no Council action is required.

Fiscal Impact Statement: Not applicable.

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

03-0354 - PUBLIC SAFETY and TRANSPORTATION COMMITTEES’ REPORT relative to the Los Angeles Police Department’s (LAPD) Request for Proposal (RFP) for the Photo Red Light Program.
Recommendations for Council action:

1. APPROVE the LAPD’s request to release the RFP for the Automated Photo Red Light Program.

2. REQUEST the Los Angeles Board of Police Commissioners (Board) and the LAPD to contact the current contractor, Affiliated Computer Services, to request a month-to-month contract extension to keep the program active, until the award of the new contract. *AUTHORIZE the Chief of Police, subject to the approval of the Police Commission, to negotiate and execute Amendment No. 3, in coordination with the Chief Legislative Analyst and City Administrative Officer and subject to the approval as to form by the City Attorney, with Affiliated Computer Services (C-100595) to extend the contract until award of the new contract is finalized and to change the method of payment to comply with State law. *(Miscikowski - LaBonge)

3. INSTRUCT the Department of Transportation to report back on the status of its Speed Feedback Sign grant.

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

ITEM NO. (21) - ADOPTED

04-0465 - TRANSPORTATION COMMITTEE REPORT relative to amending the Central City CDs 1, 9 & 14 North Community Plan and the Transportation Element of the City’s General Plan to re-designate a segment of College Street as a Collector Street and a segment of North Broadway as a Secondary Highway.

Recommendations for Council action, pursuant to Motion (Reyes - Villaraigosa):

1. DIRECT the Planning Department to amend the Central City North Community Plan and the Transportation Element of the City’s General Plan by re-designating the segment of College Street from North Spring Street to the Pasadena Freeway from its current street classification of Secondary Highway to a Collector Street.

2. DIRECT the Planning Department to amend the Central City North Community Plan and the Transportation Element of the City’s General Plan by re-designating the segment of North Broadway from Alpine Street to the boundary of the Central City North Community Plan area from its current street classification of Major Highway Class II to a Secondary Highway.

3. DIRECT the Planning Department to remove the Station Neighborhood Area Plan from the work plan for the Gold Line Station area.

Fiscal Impact Statement: The Department of Transportation reports that this action has no impact on the General Fund as the Motion requests only that street standards be modified as they relate to future right-of-way dedications and improvements.
ITEM NO. (22) - ADOPTED

04-0523 - TRANSPORTATION COMMITTEE REPORT relative to the application of ARCO Terminal Services Corporation (ARCO Terminal) to operate and maintain existing pipelines within the City.

Recommendations for Council action:

1. FIND that ARCO Terminal is in need of a pipeline franchise to operate and maintain existing pipelines in City streets associated with the transportation of oil and oil products.

2. OFFER for sale a pipeline franchise to install, retain, operate and maintain pipelines and adjunct communication lines within the City of Los Angeles, substantially as shown in the Board of Transportation Commissioners’ report dated March 11, 2004 (attached to Council file), and if ARCO Terminal is the highest responsible bidder, then award the franchise to ARCO Terminal.

3. INSTRUCT the City Clerk to publish the Notice of Sale of a Pipeline Franchise, in accordance with the Los Angeles Administrative Code, Section 13.17.

Fiscal Impact Statement: The Department of Transportation reports that ARCO Terminal’s pipeline franchise fees for 2004 would be $29,851.83.

ITEM NO. (23) - ADOPTED

04-0524 - TRANSPORTATION COMMITTEE REPORT relative to the application of BP West Coast CDs 8, 10 & 15 Products LLC (BP West Coast) to operate and maintain existing pipelines within the City.

Recommendations for Council action:

1. FIND that BP West Coast is in need of a pipeline franchise to operate and maintain existing pipelines in City streets associated with the transportation of oil and oil products.

2. OFFER for sale a pipeline franchise to install, retain, operate and maintain pipelines and adjunct communication lines within the City of Los Angeles, substantially as shown in the Board of Transportation Commissioners’ report dated March 11, 2004 (attached to Council file), and if BP West Coast is the highest responsible bidder, then award the franchise to BP West Coast.

3. INSTRUCT the City Clerk to publish the Notice of Sale of a Pipeline Franchise, in accordance with the Los Angeles Administrative Code, Section 13.17.

Fiscal Impact Statement: The Department of Transportation reports that ARCO Terminal’s pipeline franchise fees for 2004 would be $145,810.62.
ITEM NO. (24) - ADOPTED

04-0525 - TRANSPORTATION COMMITTEE REPORT relative to the application of ARCO CDs 2, 4, MidCon LLC (ARCO MidCon) to maintain an existing idle pipeline within the City. 5, 6, 7, 8, 10 & 15

Recommendations for Council action:

1. FIND that ARCO MidCon is in need of a pipeline franchise to maintain an existing idle pipeline in City streets that was previously associated with the transportation of crude oil.

2. OFFER for sale a pipeline franchise to install, retain, operate and maintain pipelines and adjunct communication lines within the City of Los Angeles, substantially as shown in the Board of Transportation Commissioners’ report dated March 11, 2004 (attached to Council file), and if ARCO MidCon is the highest responsible bidder, then award the franchise to ARCO MidCon.

3. INSTRUCT the City Clerk to publish the Notice of Sale of a Pipeline Franchise, in accordance with the Los Angeles Administrative Code, Section 13.17.

Fiscal Impact Statement: The Department of Transportation reports that ARCO MidCon’s pipeline franchise fees for 2004 would be $308,175.71.

ITEM NO. (25) - ADOPTED

02-1838 - ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT and INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEES REPORTS relative to the status of compliance with SB 989, secondary containment testing of underground storage tanks and dispensing systems.

MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS

A. ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE REPORT

Recommendations for Council action:

1. NOTE and FILE the General Services Department (GSD) reports, dated October 29, 2003 and February 9, 2004, relative to the status of compliance by the City with SB 989, secondary containment testing of underground storage tanks and dispensing systems, inasmuch as the reports are submitted for information only and no Council action is required.

2. INSTRUCT the GSD to report back in November 2004 to the Environmental Quality and Waste Management Committee with an update on its progress on continued testing and repair of the underground storage tanks.

Fiscal Impact Statement: None submitted by the GSD. Neither the City Administrative Officer nor the Chief Legislative Analyst has submitted a financial analysis of this report.
B. INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT

Recommendation for Council action:

NOTE and FILE the General Services Department reports, dated October 29, 2003 and February 9, 2004, relative to the status of compliance by the City with SB 989, secondary containment testing of underground storage tanks and dispensing systems, inasmuch as the 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 26-37
(10 Votes Required for Consideration)

Roll Call #4 - Motion (Reyes - Miscikowski) Adopted, Ayes (14); Absent: Perry (1) (Item Nos. 26-34)

ITEM NO. (26) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION - TO THE MAYOR FORTHWITH

04-0297 - COMMUNICATION FROM THE DIRECTOR OF PLANNING and ORDINANCE FIRST CD 11 CONSIDERATION amending Section 12.04 of the Los Angeles Municipal Code (LAMC) changing the existing zones, height districts and zoning maps associated with the Westchester Playa del Rey Community Plan Update Program.

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

PRESENT and ADOPT the accompanying ORDINANCE amending Section 12.04 of the LAMC changing the existing zones, height districts and zoning maps associated with the Westchester Playa del Rey Community Plan Update Program, including a modified (Q) Condition No. 1 for Subarea 100.

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

ITEM NO. (27) - ADOPTED - FORTHWITH

00-1247 - CONSIDERATION OF RESOLUTION (LABONGE - LUDLOW) relative to imposing temporary interim regulations on the issuance of building and demolition permits within a portion of the Wilshire Community Plan.

Recommendation for Council action:
ADOPT the accompanying RESOLUTION authorizing an additional 90-day period ending October 5, 2004, of the provisions of Ordinance No. 175149 to impose temporary interim regulations on the issuance of building and demolition permits within a portion of the Wilshire Community Plan, inasmuch as the City Planning Department is actively working towards the creation of the Hancock Park Historic Preservation Overlay Zone. (Ordinance No. 175149 is due to expire on July 7, 2004.)

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

ITEM NO. (28) - ADOPTED - FORTHWITH

00-1247 - CONSIDERATION OF RESOLUTION (LABONGE - LUDLOW) relative to imposing temporary interim regulations on the issuance of building and demolition permits within a portion of the Wilshire Community Plan.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION authorizing an additional 90-day period ending October 5, 2004, of the provisions of Ordinance No. 175150 to impose temporary interim regulations on the issuance of building and demolition permits within a portion of the Wilshire Community Plan, inasmuch as the City Planning Department is actively working towards the creation of the Windsor Square Historic Preservation Overlay Zone. (Ordinance No. 175150 is due to expire on July 7, 2004.)

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

ITEM NO. (29) - ADOPTED

04-0873 - MOTION (PARKS - MISCIKOWSKI) relative to declaring the First Annual Community Health and Personal Hygiene Fair on May 8, 2004 a Special Event (fees and costs absorbed by the City = $624).

Recommendation for Council action:

DECLARE the First Annual Community Health and Personal Hygiene Fair, sponsored by the Greater New Unity Baptist Church on May 8, 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. (30) - ADOPTED

04-0874 - MOTION (CARDENAS - GARCETTI) relative to declaring the Economic Development Business Breakfast on March 18, 2004 a Special Event (fees and costs absorbed by the City = $104.40).
Recommendation for Council action:

DECLARE the Economic Development Business Breakfast, sponsored by the Department of Water and Power's Economic Development Group on March 18, 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. (31) - ADOPTED

04-0875 - MOTION (PADILLA - CARDENAS) relative to declaring the St. Didacus Church Carnival on June 4-6, 2004 a Special Event (fees and costs absorbed by the City = $6,682).

Recommendation for Council action:

DECLARE the St. Didacus Church Carnival, sponsored by the St. Didacus Church in conjunction with Council District Seven on June 4-6, 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. (32) - ADOPTED

04-0876 - MOTION (HAHN - GREUEL) relative to declaring the Wilmington Clean-Up on May 8-9, 2004 a Special Event (fees and costs absorbed by the City = $290).

Recommendation for Council action:

DECLARE the Wilmington Clean-Up, sponsored by the Gang Alternatives Program on May 8-9, 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. (33) - ADOPTED

03-0987 - MOTION (HAHN - LABONGE) relative to declaring the Labor Day Parade on September 6, 2004 a Special Event (fees and costs absorbed by the City = $3,880).

Recommendation for Council action:

DECLARE the Labor Day Parade, sponsored by the Los Angeles-Long Beach Harbor Coalition on September 6, 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. (34) - ADOPTED

04-0877 - MOTION (CARDENAS - MISCIKOWSKI) relative to declaring the First Annual Traffic Safety Fair on May 22, 2004 a Special Event (fees and costs absorbed by the City = $578).

Recommendation for Council action:

DECLARE the First Annual Traffic Safety Fair, sponsored by the Los Angeles Police Department’s Valley Traffic Division on May 22, 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. (35) - ADOPTED

Roll Call #11 - Motion (Garcetti - Miscikowski) Adopted, Ayes (13); Absent: Perry and Reyes (2)

04-0878 - MOTION (GARCETTI - MISCIKOWSKI) relative to declaring the Neighbor-2-Neighbor/Bemis-Brunswick Clean-Up on May 8, 2004 a Special Event (fees and costs absorbed by the City = $1,354).

Recommendation for Council action:

DECLARE the Neighbor-2-Neighbor/Bemis-Brunswick Clean-Up, sponsored by the Mayor’s Office and Council District 13 on May 8, 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 AND application requirements.

Roll Call #4 - Motion (Reyes - Miscikowski) Adopted, Ayes (14); Absent: Perry (1)

ITEM NO. (36) - ADOPTED

04-0870 - MOTION (PADILLA - GREUEL - CARDENAS) relative to the Department of Water and Power’s (DWP) Hansen Area Water Recycling Project.

Recommendation for Council action:

REQUEST the DWP to prepare a report on the status of its community outreach efforts in relation to the proposed Hansen Area Water Recycling Project with particular emphasis on what steps were taken to inform Council staff from Districts directly affected by the project as well as citizen groups including but not limited to Neighborhood Councils, including information regarding the current status of the project, feedback in relation to the Initial Study/Draft Mitigated Negative Declaration, information on alternatives to the proposed project and the status of the planning process along with an overview of the future of water recycling in the City and report back in 30 days.
ITEM NO. (37) - MAP APPROVED - CITY ENGINEER REPORT ADOPTED

04-0886 - FINAL MAP OF TRACT NO. 51978 for property lying northerly of Cassatt Street and CD 14 easterly of Hawley Avenue.
(Approve Subdivision Improvement Agreement and Contract with attached security documents)
(ADOPT City Engineer’s Report)
(ADOPT Bond No. C-106538)
(Quimby Fee: $24,138)
Applicants: Francois Ly
Simon Lee

Item for Which Public Hearing Has Been Held - Item 38

ITEM NO. (38) - ADOPTED, *AS AMENDED - FORTHWITH - SEE FOLLOWING

Roll Call #8 - Motion (Zine - Smith) to Adopt as Amended, Ayes (13); Absent: Ludlow and Perry (2)

03-0600 - PERSONNEL COMMITTEE REPORT relative to modifying the Fiscal Year 2003-04 Hiring Freeze Policy.

Recommendations for Council action:

1. ESTABLISH a process that allows for only certain specified positions to be exempted from the hiring freeze, as detailed below. Under this process, no vacant position shall be filled or personnel transaction processed unless a department completes the unfreeze procedure delineated in Recommendation No. 4, below, except for the following positions and categories:

   a. Fire platoon duty (field) positions at the level of Assistant Chief and below, through December 31, 2004;

   b. The following As-needed positions paid out of Account No. 1070 in the Los Angeles Zoo Department, through September 30, 2004:

<table>
<thead>
<tr>
<th>Code</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>1113</td>
<td>Community and Administrative Support Worker II</td>
</tr>
<tr>
<td>2367-2H</td>
<td>Zoo Veterinarian II</td>
</tr>
<tr>
<td>2498A</td>
<td>Recreation Assistant</td>
</tr>
<tr>
<td>2499E</td>
<td>Recreation Instructor</td>
</tr>
<tr>
<td>2415</td>
<td>Special Program Assistant II</td>
</tr>
<tr>
<td>2418</td>
<td>Assistant Park Services Attendant</td>
</tr>
<tr>
<td>4304H</td>
<td>Animal Keeper</td>
</tr>
</tbody>
</table>

   c. Twenty-three as-needed classifications and 11 positions of Aquatic Facility Manager III, Code 2423-3, Seasonal, as detailed in Council File No. 03-1250-S57, through September 30, 2004;
d. The following positions in the General Services Department:

1) Positions paid from Account No. 1100 - Hiring Hall and Account No. 1101 - Hiring Hall, through December 31, 2004 (construction projects and building repair & maintenance)

2) A one-time exemption for one position of Emergency Preparedness Coordinator I, Code 1702-1, and one position of Senior Management Analyst I, Code 9171-1, to design, develop, conduct and evaluate a Civic Center Evacuation Exercise (Homeland Security Grant-funded; time-sensitive project).

e. The following positions in the Department of Transportation:

1) Traffic Officers II, Codes 3214-2 and 3214-2N
2) Traffic Painter and Sign Posters I, II, and III, Codes 3421-1, 3421-1H, 3421-1HN, 3421-2, 3421-2N, 3421-3, 3421-3N

* Six positions of Tax Auditor II, Code 1514-2 and three positions of Tax Compliance Officer in the Office of Finance; *(Parks - Zine)

g. Positions of Equipment Mechanic, Code 3711-5, in the Los Angeles Police Department (LAPD)

h. Positions in the Council and the Mayor’s Offices filled within 30 days of the date the Council approves this recommendation

*i. Unfreeze Sworn Police patrol (field) positions at the level of Captain and below, including Detective I, Detective II and Detective III positions assigned to patrol areas and the following specialized Captain positions, through December 31, 2004:

1) Captain III - Administrative Investigation division, Internal Affairs Group
2) Captain II - Criminal Investigation Division, Internal Affairs Group
3) Captain II - Central Traffic Division

2. REFER Recommendation No. 1a. in the City Administrative Officer’s (CAO) report, dated April 13, 2004, attached to the Council file, to the Personnel Committee for further consideration. Recommendation No. 1a. allows for the following positions to be exempted from the hiring freeze: Sworn Police patrol (field) positions at the level of Captain and below, including Detective I, Detective II and Detective III positions assigned to patrol areas and the following specialized Captain positions, through December 31, 2004: Captain III - Administrative Investigation Division, Internal Affairs Group; Captain II - Criminal Investigation Division, Internal Affairs Group; and Captain II - Central Traffic Division.

*(Zine - Miscikowski)

3. INSTRUCT the LAPD to regularly rotate vehicles from high mileage to low mileage divisions of the LAPD. This is recommended for Council action in connection with Recommendation No. 1g. above.
4. INSTRUCT departments that need to fill critical positions or process personnel transactions not falling within any Council approved hiring freeze exemption category to complete the following unfreeze procedure:

a. Submit an unfreeze request to the CAO.

b. The CAO will review the unfreeze request and report back to Council, if an exemption is recommended, provided the unfreeze request contains all the information needed to complete the analysis.

c. All CAO unfreeze request reports to Council will be processed as follows:
   
   1) The Personnel Committee will consider the report first, and if it approves or waives consideration of the unfreeze request, the report will be forwarded to the Budget and Finance Committee for consideration.

   2) If the Budget and Finance Committee approves or waives consideration of the unfreeze request, the request will be forwarded to the full Council for consideration.

   3) All unfreeze requests approved by the Council are subject to Mayor approval.

   4) If the Personnel Committee, the Budget and Finance Committee, or full Council do not approve the unfreeze request, the request will be sent back to the department. The department has the option of resubmitting the request with a stronger justification.

Fiscal Impact Statement: The CAO reports that the impact of modifying the hiring freeze cannot be estimated at this time.

(Budget and Finance Committee waived consideration of the above matter)

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

03-0799 - MOTION (PARKS - SMITH) relative to declaring the Peace on Streets Rally on May 23, 2004 a Special Event (fees and costs absorbed by the City = $1,250).

04-0935 - MOTION (PERRY - PARKS) relative to declaring the National Endowment for the Arts Youth Event on May 17, 2004 a Special Event (fees and costs absorbed by the City = $2,270).

02-0872 - MOTION (HAHN - LABONGE) relative to declaring the Croatian Independence Day Celebration on May 30, 2004 a Special Event (fees and costs absorbed by the City = $380).
00-0605 - MOTION (HAHN - LABONGE) relative to declaring the 14th Annual Observance of National Maritime Day on May 22, 2004 a Special Event (fees and costs absorbed by the City = none submitted).

04-0938 - MOTION (WEISS - ZINE) relative to declaring the Fourth Annual Share-A-Thon on May 15, 2004 a Special Event (fees and costs absorbed by the City = $1,000).

04-0941 - MOTION (GREUEL - WEISS) relative to declaring the Studio City Farmers’ Market on Sundays a Special Event (fees and costs absorbed by the City = none submitted).

04-0942 - MOTION (GARCETTI - HAHN) relative to declaring the May Fair on May 14-16, 2004 a Special Event (fees and costs absorbed by the City = $4,325).

02-0431 - MOTION (PERRY - SMITH) relative to a request for an exemption from the Convention Center fee waiver policy for the Los Angeles Unified School District (LAUSD) Parent Summit on May 1, 2004.

04-0010 - MOTION (PERRY - PARKS) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the February 21, 2004 death of Miguel Bolaños Barrera.

04-0010 - MOTION (LUDLOW - SMITH) relative to an offer of reward for information leading to the identification, apprehension and conviction of the person(s) responsible for the March 6, 2004 death of Kenneth Ross.

04-0010 - MOTION (LUDLOW - SMITH) relative to an offer of reward for information leading to the identification, apprehension and conviction of the person(s) responsible for the April 26, 2003 injury and subsequent death of Edmundo Vasquez.

04-0010 - MOTION (LUDLOW - SMITH) relative to an offer of reward for information leading to the identification, apprehension and conviction of the person(s) responsible for the March 26, 2004 death of 16-year old Fidel Tizcareno and injuries caused to the 15-year old victim.

03-1250 - MOTION (PADILLA  - ZINE) relative to exempting from the hiring freeze one Captain III position for the new North Valley Area Police Station.

02-1890 - MOTION (ZINE - LABONGE) relative to depositing funds received for the Seventh Annual Oktoberfest on October 17-19, 2003.

04-0943 - MOTION (PARKS - MISCIKOWSKI) relative to transferring funds to pay for overtime to comply with the federal Fair Labor Standards Act.

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

04-0937 - RESOLUTION (PERRY - SMITH) relative to declaring June 5, 2004 as “L.A. Works Day 2004.”
COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon his request, and without objections, Councilmember LaBonge was excused from Council session of Friday, May 14, 2004 due to personal business.

Upon his request, and without objections, Councilmember Villaraigosa was excused to arrive at 11:30 a.m. to Council session of Wednesday, May 12, 2004 due to City business.

Upon her request, and without objections, Councilmember Hahn was excused to arrive at 11:00 a.m. to Council session of Wednesday, May 12, 2004 due to City business.

Upon his request, and without objections, Councilmember Weiss was excused from Council session of Wednesday, June 23, 2004 due to City business.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

04-0606 - Steve Edwards  
Honorable Edward Roybal  
(Garcetti - LaBonge)  
(Perry - Villaraigosa)

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

04-0607 - Corene Mobley-Bowie  
Sheila Epperhart  
Eric Calvin Ward  
Tommy Farrell  
James Beckham, Sr.  
Trayvon Taylor  
(Hahn)  
(Hahn)  
(Parks)  
(Weiss)  
(Villaraigosa - LaBonge)  
(Ludlow - Parks)

Ayes, Cardenas, Garcetti, Greuel, Hahn, LaBonge, Ludlow, Miscikowski, Parks, Smith, Villaraigosa, Weiss, Zine and President Padilla (13); Absent: Perry and Reyes (2).

Whereupon the Council did adjourn.