Los Angeles City Council, Journal/Council Proceedings  
Wednesday, August 4, 2004  
John Ferraro Council Chamber, Room 340, City Hall - 10 am 

(For further details see Official Council Files)  
(For communications referred by the President see Referral Memorandum)  

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

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

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 30 

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 1-13 

ITEM NO. (1) - CONTINUED TO OCTOBER 8, 2004 

Roll Call #1 - Motion (Parks - Miscikowski) Adopted to Continue, Unanimous Vote (11); Absent: Cardenas, Hahn, Perry and Smith (4) 

04-0631 - HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and CD 10 confirmation of assessment to cover the costs of cleaning and fencing the lot at 1871-73 West Jefferson Boulevard. 
(Assessment: $19,600.00) 

ITEM NO. (2) - PUBLIC HEARING CLOSED - NO APPEALS - ASSESSMENT CONFIRMED 

Roll Call #2 - Motion (Greuel - LaBonge) Adopted, Ayes (11); Absent: Cardenas, Hahn, Perry and Smith (4) 

04-0805 - HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and CD 6 confirmation of assessment to cover the costs of barricading and graffiti abatement of the building(s) and the cleaning and fencing of the lot at 12040 Dehougne Street. 
(Assessment: $13,855.51)
ITEM NO. (3) - RECEIVED AND FILED INASMUCH AS THE ASSESSMENT HAS BEEN PAID

Roll Call #3 - Motion (Parks - Reyes) Adopted to Receive and File, Unanimous Vote (11); Absent: Cardenas, Hahn, Perry and Smith (4)

04-0806 - HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and CD 9 confirmation of assessment to cover the cost of fencing the lot at 1625 East 49th Street. (Assessment: $1,146.21)

ITEM NO. (4) - PUBLIC HEARING CLOSED - NO APPEALS - ASSESSMENT CONFIRMED

Roll Call #2 - Motion (Greuel - LaBonge) Adopted, Ayes (11); Absent: Cardenas, Hahn, Perry and Smith (4)

04-0807 - HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and CD 4 confirmation of assessment to cover the costs of barricading and graffiti abatement of the building(s) at 2650 Glendale Boulevard. (Assessment: $1,668.11)

ITEM NO. (5) - PUBLIC HEARING CLOSED - NO APPEALS - ASSESSMENT CONFIRMED, *AS AMENDED

Roll Call #2 - Motion (Greuel - LaBonge) to Adopt as Amended, Ayes (11); Absent: Cardenas, Hahn, Perry and Smith (4)

04-0808 - HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and CD 9 confirmation of assessment to cover the costs of cleaning and fencing the lot at 5701 Long Beach Avenue. (Assessment: $4,028.59*$4,003.59) *(Greuel - LaBonge)

ITEM NO. (6) - CONTINUED TO AUGUST 18, 2004

Roll Call #4 - Motion (Ludlow - Miscikowski) Adopted to Continue, Unanimous Vote (11); Absent: Cardenas, Hahn, Perry and Smith (4)

04-0809 - HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and CD 10 confirmation of assessment to cover the costs of barricading and graffiti abatement of the building(s) and the fencing of the lot at 3939 Wellington Road. (Assessment: $10,240.77)
Roll Call #11 - Motion (Garcetti - LaBonge) Adopted, Ayes (12); Absent: Cardenas, Hahn and President Padilla (3)
(Item Nos. 7-10)

ITEM NO. (7) - PUBLIC HEARING CLOSED - ORDINANCE ADOPTED - TO THE MAYOR FORTHWITH

02-0392 - PUBLIC ANNOUNCEMENT OF BALLOT TABULATION and ORDINANCE FIRST
CDs 2 & 5 CONSIDERATION relative to establishment of the Village at Sherman Oaks Property and Business Improvement District (BID), pursuant to Section 53753 of the California Government Code, Section 36600 et seq. of the California Streets and Highways Code and Article XIII D of the California Constitution.

Recommendations for Council action, if the tabulation of ballots indicates majority support, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. PRESENT and ADOPT the accompanying ORDINANCE establishing the Village at Sherman Oaks Property and BID and confirming the assessments to be levied upon properties within the BID, as described in the Management District Plan.

2. AUTHORIZE the City Clerk, subject to approval of the City Attorney, to prepare, execute and administer an operating agreement between the City and a nonprofit management entity, for administration of the BID.

Fiscal Impact Statement: The City Clerk reports that direct costs associated with Department administrative expenses will be charged to the BID and will be recovered from assessments collected. There is no City-owned, General Fund real property included in the list of properties to be assessed within the boundaries of the BID, as disclosed in the Management District Plan and as required under existing state BID legislation, therefore, there is no potential impact on the General Fund to pay assessments for City-owned property.

(Pursuant to Council action on Tuesday, August 3, 2004 and adoption of Ordinance No. 176013 on June 2, 2004)

ITEM NO. (8) - PUBLIC HEARING CLOSED - ORDINANCE ADOPTED - TO THE MAYOR FORTHWITH

03-0178 - PUBLIC ANNOUNCEMENT OF BALLOT TABULATION and ORDINANCE FIRST
CDs 4, 5 & 13 CONSIDERATION relative to establishment of the Hollywood Media District Property and Business Improvement District (BID), pursuant to Section 53753 of the California Government Code, Section 36600 et seq. of the California Streets and Highways Code and Article XIII D of the California Constitution.

Recommendations for Council action, if the tabulation of ballots indicates majority support, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. PRESENT and ADOPT the accompanying ORDINANCE establishing the Hollywood Media District Property and BID and confirming the assessments to be levied upon properties within the BID, as described in the Management District Plan.
2. AUTHORIZE the City Clerk, subject to approval of the City Attorney, to prepare, execute and administer an operating agreement between the City and a nonprofit management entity, for administration of the BID.

Fiscal Impact Statement: The City Clerk reports that direct costs associated with Department administrative expenses will be charged to the BID and will be recovered from assessments collected. There are currently three City-owned, General Fund real properties included in the list of properties to be assessed within the boundaries of the BID, as disclosed in the Management District Plan and as required under existing state BID legislation. The assessments for the General Fund City-owned property will be paid from the BID 659 Fund, therefore, there is no potential impact on the General Fund to pay assessments on this City-owned property.

(Pursuant to Council action on Tuesday, August 3, 2004 and adoption of Ordinance No. 176031 on June 9, 2004)

ITEM NO. (9) - PUBLIC HEARING CLOSED - ORDINANCE ADOPTED - TO THE MAYOR FORTHWITH

00-1904 - PUBLIC ANNOUNCEMENT OF BALLOT TABULATION and ORDINANCE FIRST CONSIDERATION relative to establishment of the Toy District Property and Business Improvement District (BID), pursuant to Sections 6.600 through 6.620 of the Los Angeles Administrative Code and Article XIII D of the California Constitution.

Recommendations for Council action, if the tabulation of ballots indicates majority support, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. PRESENT and ADOPT the accompanying ORDINANCE establishing the Toy District Property and BID and confirming the assessments to be levied upon properties within the BID, as described in the Management District Plan.

2. FIND that in accordance with Article XIII D of the California Constitution it has been demonstrated by clear and convincing evidence that City-owned property located within the boundaries of the BID will not receive the same amount of special benefit from paying the BID assessment at the full rate as the adjacent or other similarly located, privately-owned properties located in the BID and that the assessments on the City-owned properties be adjusted accordingly.

3. AUTHORIZE the City Clerk, subject to approval of the City Attorney, to prepare, execute and administer an operating agreement between the City and a nonprofit management entity, for administration of the BID.

Fiscal Impact Statement: The City Clerk reports that direct costs associated with Department administrative expenses will be charged to the BID and will be recovered from assessments collected. There is currently one City-owned, General Fund real property
included in the list of properties to be assessed within the boundaries of the BID, as disclosed in the Management District Plan and as required under existing state BID legislation. The assessment for the General Fund City-owned property will be paid from the BID 659 Fund, therefore, there is no potential impact on the General Fund to pay assessments on this City-owned property.

(Pursuant to Council action on Tuesday, August 3, 2004 and adoption of Ordinance No. 176030 on June 9, 2004)

ITEM NO. (10) - PUBLIC HEARING CLOSED - ORDINANCE ADOPTED - TO THE MAYOR FORTHWITH

00-0411 - PUBLIC ANNOUNCEMENT OF BALLOT TABULATION and ORDINANCE FIRST CONSIDERATION relative to establishment of the South Park Property and Business Improvement District (BID), pursuant to Section 53753 of the California Government Code, Section 36600 et seq. of the California Streets and Highways Code and Article XIII D of the California Constitution.

Recommendations for Council action, if the tabulation of ballots indicates majority support, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. PRESENT and ADOPT the accompanying ORDINANCE establishing the South Park Property and BID and confirming the assessments to be levied upon properties within the BID, as described in the Management District Plan.

2. AUTHORIZE the City Clerk, subject to approval of the City Attorney, to prepare, execute and administer an operating agreement between the City and a nonprofit management entity, for administration of the BID.

Fiscal Impact Statement: The City Clerk reports that direct costs associated with Department administrative expenses will be charged to the BID and will be recovered from assessments collected. There are currently four City-owned, real properties included in the list of properties to be assessed within the boundaries of the BID, as disclosed in the Management District Plan and as required under existing state BID legislation. Three of these properties are controlled by the Convention Center and one is controlled by General Services. There is one additional City-owned parcel to be paid by the Staples Center. The Convention Center has indicated there are not sufficient funds to pay their portion of the assessment ($59,709.52). A determination needs to be made as to how this assessment will be funded. Funding is available in the Business Improvement District Trust Fund 659 to pay the General Fund share of assessments for the first operating year. Future funding for the Convention Center’s share of assessments needs to be determined on a year-to-year basis.

(Pursuant to Council action on Tuesday, August 3, 2004 and adoption of Ordinance No. 176038 on June 15, 2004)
ITEM NO. (11) - RECEIVED AND FILED - ADDITIONAL MOTION ADOPTED - SEE FOLLOWING

Roll Call #10 - Motion (Perry - Reyes) Adopted, Ayes (12); Absent: Cardenas, Hahn and President Padilla (3)

99-0172 - PUBLIC ANNOUNCEMENT OF BALLOT TABULATION and ORDINANCE FIRST CD 9 CONSIDERATION relative to establishment of the South Los Angeles Industrial Tract (Goodyear) Business Improvement District (BID), pursuant to Sections 6.600 through 6.620 of the Los Angeles Administrative Code and Article XIII D of the California Constitution.

Recommendations for Council action, if the tabulation of ballots indicates majority support, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. PRESENT and ADOPT the accompanying ORDINANCE establishing the South Los Angeles Industrial Tract (Goodyear) BID and confirming the assessments to be levied upon properties within the BID, as described in the Management District Plan.

2. AUTHORIZE the City Clerk, subject to approval of the City Attorney, to prepare, execute and administer an operating agreement between the City and a nonprofit management entity for the administration of the BID.

Fiscal Impact Statement: The City Clerk reports that direct costs associated with Department administrative expenses will be charged to the BID and will be recovered from assessments collected. There are no City-owned parcels within the boundaries of the District. Therefore, there is no fiscal impact to the General Fund.

(Pursuant to Council action on Tuesday, August 3, 2004, and adoption of Ordinance No. 176012 on June 2, 2004)

ADOPTED

MOTION (PERRY - REYES)

Recommendations for Council action:

1. RECEIVE and FILE the Ordinance establishing the South Los Angeles Industrial Tract (Goodyear) Business Improvement District (BID), inasmuch as the tabulated value of the opposing ballots cast exceeds the tabulated value of the supporting ballots cast. A majority protest, pursuant to Section 4(e) of Article XIII D of the California Constitution and Section 53753(e)(2) of the Government Code, is found to exist and the proposed assessment may not be authorized by the City Council.

2. REQUEST the Community Redevelopment Agency and the management committee to resubmit a revised plan and engineer’s report for future consideration of establishment of the BID.
Roll Call #11 - Motion (Garcetti - LaBonge) Adopted, Ayes (12); Absent: Cardenas, Hahn and President Padilla (3)
(Item Nos. 12-13)

ITEM NO. (12) - PUBLIC HEARING CLOSED - ORDINANCE ADOPTED - TO THE MAYOR FORTHWITH

03-0594 - PUBLIC ANNOUNCEMENT OF BALLOT TABULATION and ORDINANCE FIRST
CD 3   CONSIDERATION relative to establishment of the Historic Old Town Canoga Park Property and Business Improvement District (BID), pursuant to Section 53753 of the California Government Code, Section 36600 et seq. of the California Streets and Highways Code and Article XIII D of the California Constitution.

Recommendations for Council action, if the tabulation of ballots indicates majority support, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. PRESENT and ADOPT the accompanying ORDINANCE establishing the Historic Old Town Canoga Park Property and BID and confirming the assessments to be levied upon properties within the BID, as described in the Management District Plan.

2. AUTHORIZE the City Clerk, subject to approval of the City Attorney, to prepare, execute and administer an operating agreement between the City and a nonprofit management entity, for administration of the BID.

Fiscal Impact Statement: The City Clerk reports that direct costs associated with Department administrative expenses will be charged to the BID and will be recovered from assessments collected. There are currently 11 City-owned, General Fund real property included in the list of properties to be assessed within the boundaries of the BID, as disclosed in the Management District Plan and as required under existing state BID legislation. The assessments for the General Fund City-owned property will be paid from the BID 659 Fund, therefore, there is no potential impact on the General Fund to pay assessments on this City-owned property.

(Pursuant to Council action on August 3, 2004 and adoption of Ordinance No. 176014 on June 2, 2004)

ITEM NO. (13) - PUBLIC HEARING CLOSED - ORDINANCE ADOPTED - TO THE MAYOR FORTHWITH

04-0047 - PUBLIC ANNOUNCEMENT OF BALLOT TABULATION and ORDINANCE FIRST
CD 2   CONSIDERATION relative to establishment of the Studio City Property and Business Improvement District (BID), pursuant to Section 53753 of the California Government Code, Section 36600 et seq. of the California Streets and Highways Code and Article XIII D of the California Constitution.

Recommendations for Council action, if the tabulation of ballots indicates majority support, SUBJECT TO THE APPROVAL OF THE MAYOR:
1. PRESENT and ADOPT the accompanying ORDINANCE establishing the Studio City Property and BID and confirming the assessments to be levied upon properties within the BID, as described in the Management District Plan.

2. AUTHORIZE the City Clerk, subject to approval of the City Attorney, to prepare, execute and administer an operating agreement between the City and a nonprofit management entity, for administration of the BID.

Fiscal Impact Statement: The City Clerk reports that direct costs associated with Department administrative expenses will be charged to the BID and will be recovered from assessments collected. There are currently two City-owned, General Fund real property included in the list of properties to be assessed within the boundaries of the BID, as disclosed in the Management District Plan and as required under existing state BID legislation. The assessments for the General Fund City-owned property will be paid from the BID 659 Fund, therefore, there is no potential impact on the General Fund to pay assessments on this City-owned property.

(Pursuant to Council action on August 3, 2004 and adoption of Ordinance No. 176015 on June 2, 2004)

Items for Which Public Hearings Have Been Held - Items 14-35

Roll Call #7 - Motion (Parks - Miscikowski) Adopted, Ayes (13); Absent: Cardenas and Hahn (2) (Item Nos. 14-18)

ITEM NO. (14) - ADOPTED - TO THE MAYOR FORTHWITH

00-1572 - BUDGET AND FINANCE COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to establishing the Fiscal Year (FY) 2004-05 assessment for Fire Safety Improvements Assessment District No. 1.

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

PRESENT and ADOPT the accompanying ORDINANCE establishing the assessment amounts to be levied on parcels within Fire Safety Improvements Assessment District No. 1 for FY 2004-05.

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. (15) - ADOPTED - TO THE MAYOR FORTHWITH

02-1508 - BUDGET AND FINANCE COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to establishing Fiscal Year (FY) 2004-05 tax levy for Community Facilities District No. 4 (Playa Vista - Phase 1).
Recommendation for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

PRESENT and ADOPT the accompanying ORDINANCE establishing the special tax amounts to be levied on parcels within Community Facilities District No. 4 (Playa Vista - Phase 1) for FY 2004-05.

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. (16) - ADOPTED - TO THE MAYOR FORTHWITH

02-1537 - BUDGET AND FINANCE COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to establishing Fiscal Year (FY) 2004-05 tax levy for Community Facilities District No. 1 (Pershing Square).

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

PRESENT and ADOPT the accompanying ORDINANCE establishing the special tax amounts to be levied on parcels within Community Facilities District No. 1 (Pershing Square) for FY 2004-05.

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. (17) - ADOPTED - TO THE MAYOR FORTHWITH

03-1450 - BUDGET AND FINANCE COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to establishing Fiscal Year (FY) 2004-05 tax levy for Community Facilities District No. 3 (Cascades Business Park and Golf Course).

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

PRESENT and ADOPT the accompanying ORDINANCE establishing the special tax amounts to be levied on parcels within Community Facilities District No. 3 (Cascades Business Park and Golf Course) for FY 2004-05.

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. (18) - ADOPTED - TO THE MAYOR FORTHWITH

03-2285 - COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT and CDs 2,3,4,5,7&12 ORDINANCE FIRST CONSIDERATION relative to the Department of Water and Power’s (DWP) quitclaim of nine easements for water and power distribution purposes, situated within the City and County of Los Angeles.
Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. CONCUR with the Board of Water and Power Commissioners’ action on April 20, 2004, Resolution No. 004-255, authorizing the quitclaim of nine easements for water and power distribution purposes situated within the City and County of Los Angeles to the property owners of record.

2. PRESENT and ADOPT the accompanying ORDINANCE authorizing the quitclaim of the aforementioned nine easements.

Fiscal Impact Statement: The City Administrative Officer reports that approval of this request will have no impact on the General Fund or the Water and Power Revenue Funds because the nine easements will be quitclaimed at no cost to the property owners of record.

ITEM NO. (19) - ADOPTED, *AS AMENDED - SEE FOLLOWING

Roll Call #5 - Motion (Villaraigosa - LaBonge) to Adopt as Amended, Ayes (11); Absent: Cardenas, Hahn, Perry and Smith (4)

02-1996 - PERSONNEL COMMITTEE REPORT relative to an amendment to the 2001-04 S1 Memorandum of Understanding (MOU) for the Department of Water and Power (DWP) Management Employees Unit to establish a new mileage per diem formula allowance.

Recommendations for Council action:

1. APPROVE the Amendment to the 2001-04 MOU for the DWP Management Employees Unit to establish a new mileage per diem formula allowance for employees who are required to use or make their personal vehicles available to conduct City business.

2. REQUEST the DWP to negotiate a side letter of agreement to ensure that those employees who use pool vehicles do not receive the mileage per diem allowance.

3. REQUEST the DWP to provide a report to the Personnel Committee in 60 days showing the mileage claimed by each employee receiving a per diem allowance during 2003, for all DWP bargaining units.

Fiscal Impact Statement: The DWP reports that there are currently 27 employees in the Management Employees Unit on mileage per diem. The purchase and maintenance of vehicles by the DWP for these employees could result in a cost of approximately $181,512. The aggregate cost of increasing the mileage per diem allowance from $3 to $7.04* $9.24 per day would be approximately $27,216 annually. As a result of not having to purchase and maintain vehicles for these 27 employees, potential savings to the DWP is approximately $154,296 annually ($181,512 - $27,216 = $154,296). *(Zine - Parks)
ITEM NO. (20) - ADOPTED

Roll Call #12 - Motion (Reyes - Smith) Adopted, Ayes (12); Absent: Cardenas, Hahn and President Padilla (3)

04-0409 - PUBLIC WORKS COMMITTEE REPORT relative to the redevelopment of the Taylor Yard CD 1 F2 site.

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

1. AUTHORIZE the Department of General Services (GSD), with the assistance and cooperation of the City Attorney, the City Administrative Officer (CAO), the Chief Legislative Analyst (CLA), the Department of Water and Power (DWP), and the Bureaus of Street Services (BSS), Sanitation (BOS), and Engineering, as well as any other appropriate departments, to negotiate a long-term land tenure arrangement, such as a long-term lease swap or other property agreement as appropriate, at parcel F2 of Taylor Yard that will facilitate the collaborative master planning of this site in a manner to allow for the following City projects and related public purposes:

   a. Relocate and upgrade the BSS Street Tree Yard currently located at San Fernando Road and Avenue 19.

   b. Expand parking necessary for the BOS at its Media Center facility.

   c. Support the establishment of:

      1) The DWP’s water quality testing facility.

      2) The Santa Monica Mountains Conservancy/Mountains Recreation and Conservation Authority's Los Angeles River Confluence Park.

      3) Joint-use facilities with the Los Angeles Unified School District, Los Angeles Conservation Corps, Department of Recreation and Parks, California State Parks, and any other parties as appropriate.

2. INSTRUCT the GSD to report to Council in 30 days relative to the status of the aforementioned negotiations.

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

Community Impact Statement: The Glassel Park Neighborhood Council (GPNC) reports that the community, through its Youth and Education Committee, Community Forums, surveys, and petitions, supports the development of a high school and educational facility at Parcel F. Further, the GPNC requests continued participation in the review of possibilities of joint-use with the City Departments and Council Offices involved. The GPNC appreciates its continued representation at appropriate meetings, the timely receipt of memos, reports, and agendas prior to hearings, and support for its community outreach.
ITEM NO. (21) - ADOPTED

04-0999 - PUBLIC WORKS COMMITTEE REPORT relative to issuing “no fee” permits to property owners wishing to repair or reconstruct sidewalks in front of their homes.

Recommendation for Council action, as initiated by Motion (Cardenas - Smith):

REQUEST the Board of Public Works to:

a. Establish a six-month pilot program whereby “no fee” permits will be issued to property owners wishing to repair or reconstruct sidewalks in front of their homes.

b. Provide a status report to Council at the conclusion of the above described pilot program including the miles of sidewalks affected, the number and dollar amount of permits waived, and any other relevant information.

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

ITEM NO. (22) - ADOPTED

99-1807 - RULES AND ELECTIONS COMMITTEE REPORT relative to issuance of badges for the Disabled Access Appeals Commissioners.

Recommendation for Council action:

RECEIVE and FILE the report from the Department of Building and Safety’s Disabled Access Appeals Commission relative to a request for issuances of badges for its commissioners, inasmuch as the policy for issuance of badges has been amended recently to issue badges for commissioners of the Los Angeles Fire Department, Los Angeles Police Department, Department of Water and Power, Airport and Harbor Departments only, no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (23) - ADOPTED

99-1896 - RULES AND ELECTIONS COMMITTEE REPORT relative to issuance of a badge for an Emergency Operations Board Commission representative from the Board of Public Works.

Recommendation for Council action:
RECEIVE and FILE the report from the Board of Public Works relative to a request for issuance of a badge for its representative on Emergency Operations Board, inasmuch as the policy for issuance of badges has been amended recently to issue badges for commissioners of the Los Angeles Fire Department, Los Angeles Police Department, Department of Water and Power, Airport and Harbor Departments only, no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (24) - CONTINUED TO SEPTEMBER 7, 2004

Roll Call #13 - Motion (Miscikowski - LaBonge) Adopted to Continue, Ayes (13); Absent: Hahn and President Padilla (2)

03-2341 - RULES AND ELECTIONS COMMITTEE REPORT relative to a Code of Conduct Ordinance for members of City boards and commissions.

Recommendation for Council action:

RECEIVE and FILE the Motion (Parks - Miscikowski) relative to the preparation of a Code of Conduct Ordinance for members of City Boards and Commissions, inasmuch as the City Ethics Commission has advised that the City has a Code of Ethics which sets standards, codifies, and enforces actions of elected officials and members of City boards and commissions, no Council action is necessary.

Fiscal Impact Statement: Not applicable.

Roll Call #5 - Motion (Villaraigosa - LaBonge) Adopted, Ayes (11); Absent: Cardenas, Hahn, Perry and Smith (4)

(Item Nos. 25-28)

ITEM NO. (25) - ADOPTED

04-0007 - RULES AND ELECTIONS COMMITTEE REPORT relative to donation of pro bono management consulting services to the City Ethics Commission.

Recommendation for Council action:

APPROVE the donation of pro bono management consulting services from The Canyon Group, Inc., valued at approximately $1,000 per day on an as-needed basis, to the City Ethics Commission.

Fiscal Impact Statement: None submitted by the City Ethics Commission. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a finance analysis of this report.
ITEM NO. (26) - ADOPTED

04-0883 - RULES AND ELECTIONS COMMITTEE REPORT relative to donation of use of facilities and food from the Skirball Cultural Center to the City Ethics Commission.

Recommendation for Council action:

APPROVE the donation of the use of facilities and food from the Skirball Cultural Center, valued at $475, to the City Ethics Commission for a City Ethics Commission Special Meeting held on April 3, 2004.

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

ITEM NO. (27) - ADOPTED

04-1132 - RULES AND ELECTIONS COMMITTEE REPORT relative to donation of a coupon to attend a one-day computer training class from the New Horizons Computer Learning Center to the City Ethics Commission.

Recommendation for Council action:

APPROVE the donation of a coupon to attend a one-day computer training class from the New Horizons Computer Learning Center on June 5, 2004, valued at $345, to the City Ethics Commission.

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

ITEM NO. (28) - ADOPTED

04-0722 - TRANSPORTATION COMMITTEE REPORT relative to improving the safety of CD 9 pedestrians at the intersection of Hooper Avenue and 23rd Street.

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

DIRECT the Department of Transportation (DOT) to install a marked crosswalk on Hooper Avenue at 23rd Street.

Fiscal Impact Statement: The DOT reports that this action has no impact on the General Fund since the work involved will be handled by the DOT.
ITEM NO. (29) - ADOPTED

Roll Call #14 - Motion (LaBonge - Villaraigosa) Adopted, Ayes (13); Absent: Hahn and President Padilla (2)

04-0824 - TRANSPORTATION COMMITTEE REPORT relative to requiring that parking meter funds be used within the Council District where they were generated, and related matters.

Recommendation for Council action:

NOTE and FILE the Motion (LaBonge - Hahn), dated April 27, 2004 relative to directing the City Administrative Officer (CAO), the Chief Legislative Analyst (CLA), and the Department of Transportation (DOT) to report to the Transportation Committee, within the context of the Special Parking Revenue Fund (SPRF) Task Force report, on the implications of requiring that parking meter funds be used within the Council District where they were generated and to recommend guidelines that will allow money to be loaned to other areas of the City for appropriate projects under limited circumstances, inasmuch as the directions in the Motion have been addressed in a May 7, 2004 CLA, CAO, and DOT SPRF Task Force Report attached to Council file No. 04-0824-S1.

Fiscal Impact Statement: Not applicable.

ITEM NO. (30) - ADOPTED

Roll Call #5 - Motion (Villaraigosa - LaBonge) Adopted, Ayes (11); Absent: Cardenas, Hahn, Perry and Smith (4)

04-0824 - TRANSPORTATION COMMITTEE REPORT relative to Special Parking Revenue Fund S1 (SPRF) Task Force report.

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

1. RETAIN the current "single fund" structure of the SPRF, and implement an annual SPRF funding cycle that is part of the City’s budget process which includes:

   a. New guidelines and conceptual selection criteria for evaluating proposed SPRF funding allocations for current, expanded and new off-street parking projects.

   b. Adoption of a policy, outlined in this report, for returning unexpended SPRF funds to productive use, which requires:

      1) Annual evaluations of projects that are not moving forward in a timely manner.

      2) A parking project assessment to be conducted by the Department of Transportation (DOT) on a regular basis that identifies immediate needs and proposed solutions, which will be reported to the Board of Transportation Commissioners, the Mayor and the City Council in the context of the annual and mid-term budget reviews.
3) The expeditious close-out of completed DOT parking projects to be conducted by the Department of Public Works, Bureaus of Contract Administration and Engineering, with unexpended funds returned to the unappropriated balance of the SPRF within one year following project completion.

2. ESTABLISH an SPRF Capital Project Oversight Committee comprised of representatives from the Mayor’s Office, DOT, City Administrative Officer (CAO), Chief Legislative Analyst (CLA), and the Chair of the Transportation Committee, with the assistance of the City Attorney and the City Engineer, and DIRECT this Committee to report to the Mayor and City Council prior to adoption of the 2005-06 Budget with the following:

   a. Review of the backlog of current projects and recommendations as to which are ready for development within the next two years.

   b. Review of the City’s current parking lot inventory for viability and need.

   c. Development of a review mechanism to evaluate existing inactive projects and their benefits to the surrounding community, in order to make a determination whether previously appropriated funds should revert to the unallocated balance in the SPRF.

   d. Development of an annual performance assessment process to evaluate the impact of completed parking developments within one year of operation.

   e. Development of a process that would track revenues generated in each parking meter zone, with first priority given to expenditure of funds within the zone.

   f. An analysis of the existing parking meter zones and any appropriate changes that would better reflect current conditions.

   g. Identification of opportunities to leverage SPRF funds with other public and private resources such as joint development for projects approved by the Mayor and City Council consistent with the eligible uses as defined in the SPRF Ordinance (Los Angeles Administrative Code Sections 5.117-119).

3. DIRECT the DOT to conduct an assessment of current parking rates at all off-street parking facilities to determine if these rates are appropriate and to report back to the Transportation Committee with the findings.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.
ITEM NO. (31) - ADOPTED

Roll Call #15 - Motion (LaBonge - Villaraigosa) Adopted, Ayes (13); Absent: Hahn and President Padilla (2)

04-0825 - TRANSPORTATION COMMITTEE REPORT relative to the feasibility of developing a new City parking structure on current Department of Transportation (DOT) Lot 694 in the Larchmont commercial district.

Recommendation for Council action, as initiated by Motion (LaBonge - Ludlow):

DIRECT the DOT to report back to the Transportation Committee within 120 days on the process, construction feasibility, and funding options for establishing a new City parking structure on Lot 694.

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

ITEM NO. (32) - CONTINUED TO SEPTEMBER 7, 2004

Roll Call #18 - Motion (Perry - Ludlow) Adopted to Continue, Unanimous Vote (13); Absent: Hahn and President Padilla (2)

04-1134 - TRANSPORTATION COMMITTEE REPORT relative to application of Southern California CDs 9,10,Water Company (SCWC) for a pipeline franchise to operate existing pipelines within the City.

Recommendations for Council action:

1. FIND that SCWC is in need of a pipeline franchise to maintain existing pipelines in City streets associated with the transportation of potable water.

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 25, 2004 (attached to the Council file), and if SCWC is the highest responsible bidder, then award the franchise to SCWC.

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 SCWC’s pipeline franchise fees for 2004 would be $54,163.20.
ITEM NO. (33) - ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #16 - Motion (LaBonge - Villaraigosa) Adopted, Ayes (13); Absent: Hahn and President Padilla (2)

02-2084 - CONTINUED CONSIDERATION OF TRANSPORTATION COMMITTEE REPORT relative to short and mid-term projects proposed by the Citizens Advisory Committees (CAC) for the 101 Freeway Corridor.

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

1. APPROVE the list of the US-101 Freeway Corridor short and mid-term projects proposed by the CAC (Attachment “A”) attached to the Council file.

2. URGE the California Department of Transportation and the Metropolitan Transportation Authority to continue to collaborate with the Department of Transportation (DOT) to expedite feasibility studies and preliminary engineering analyses of the 101 Freeway related High Priority projects.

3. AUTHORIZE the DOT and the Bureau of Engineering (BOE) to proceed with the feasibility and engineering studies of the proposed High Priority arterial projects, as well as the implementation of some of the minor near-term improvements.

4. AUTHORIZE the DOT to transfer up to $400,000, as needed, from Proposition “C” Fund No. 540, Matching Funds Account No. W700 to the Transportation Grant Fund No. 655, 101 Freeway Corridor Improvements Account No. W901, and expend the project funds to implement items 2 and 3 above.

5. AUTHORIZE the transfer of $400,000 from the 101 Freeway Corridor Improvements Account No. 901 to:

<table>
<thead>
<tr>
<th>DOT, Fund No. 100/94</th>
<th>Account</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salary General Account</td>
<td>1010</td>
<td>$170,000</td>
</tr>
<tr>
<td>Salary Overtime Account</td>
<td>1090</td>
<td>30,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>BOE, Fund No. 100/78</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salary General Account</td>
</tr>
<tr>
<td>Salary Overtime Account</td>
</tr>
</tbody>
</table>

6. AUTHORIZE the DOT to transfer $20,000 within Proposition “C” Fund No. 540, from Matching Funds Account No. W700 to Technology and Communications Equipment Account No. W243 for the purchase of computer software.

7. DIRECT the DOT to continue community participation in the analysis and implementation of projects in the 101 Freeway Corridor through bi-annual CAC and Task Force meetings.
8. DIRECT the DOT to report back to the Transportation Committee within six months on the status of the recommended projects.

**Fiscal Impact Statement:** The DOT reports that there is no impact on the General Fund; $420,000 of Proposition “C” funds will be used for this project in Fiscal Year 2004-05.

(Continued from Council meeting of July 23, 2004)

**Roll Call #5 - Motion (Villaraigosa - LaBonge) Adopted, Ayes (11); Absent: Cardenas, Hahn, Perry and Smith (4)**

**ITEM NO. (34) - ADOPTED**

03-1250 - PERSONNEL and BUDGET AND FINANCE COMMITTEES’ REPORT relative to hiring freeze exemption for one Principal Clerk Police II position for the Los Angeles Police Department (LAPD).

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

EXEMPT one time from the hiring freeze one position of Principal Clerk Police II, Code 1152-2, assigned to the Specialized Services Section, Records and Identification Division, LAPD.

**Fiscal Impact Statement:** The City Administrative Officer reports that the 11-month direct cost of filling the Principal Clerk Police II position is $53,342.

**ITEM NO. (35) - ADOPTED**

03-1250 - PERSONNEL and BUDGET AND FINANCE COMMITTEES’ REPORT relative to hiring freeze exemptions for one Senior Management Analyst (SMA) II position and one SMA I position for the Los Angeles Police Department (LAPD).

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

EXEMPT one time from the hiring freeze one position of SMA II, Code 9171-2, and one position of SMA I, Code 9171-1, in the Fiscal Operations Division of the LAPD.

**Fiscal Impact Statement:** The City Administrative Officer reports that the 11-month direct cost of filling the positions is $169,678.
Items for Which Public Hearings Have Not Been Held - Items 36-53
(10 Votes Required for Consideration)

ITEM NO. (36) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION - FORTHWITH

Roll Call #8 - Motion (Miscikowski - Reyes) Adopted, Ayes (13); Absent: Cardenas and Hahn (2)

04-0948 - COMMUNICATION FROM MAYOR relative to reappointment of Ms. Veronica Gutierrez to the Board of Los Angeles Fire Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor’s reappointment of Ms. Veronica Gutierrez to the Los Angeles Board of Fire Commissioners for the new term ending June 30, 2009, is APPROVED AND CONFIRMED. Ms. Gutierrez resides in Council District One. (Current Commission gender composition; F=2; M=3).

TIME LIMIT FILE - AUGUST 16, 2004

(LAST DATE FOR COUNCIL ACTION - AUGUST 13, 2004)

(Public Safety Committee waived consideration of the above matter)

Roll Call #6 - Motion (Garcetti - Greuel) Adopted, Ayes (12); Absent: Cardenas, Hahn and Smith (3)

ITEM NO. (37) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION - SET FOR HEARING AUGUST 11, 2004

03-2259 - COMMUNICATION FROM THE BUREAU OF STREET SERVICES relative to hearing appeals from the proposed 2003-04 Weed and Brush Abatement Assessment Roll Schedule for locations stated on personal appeals attached to the file.

Recommendation for Council action:

ESTABLISH AUGUST 11, 2004 as the date for hearing appeals for the proposed assessment.

ITEM NO. (38) - ADOPTED

04-0005 - RESOLUTION removing the property at 1444 Glendale Boulevard from the Rent Escrow Account Program [REAP], (Case No. 4311), 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 July 28, 2004.
ITEM NO. (39) - ADOPTED

04-0005 - RESOLUTION removing the property at 1920 South Harcourt Avenue from the Rent Escrow Account Program [REAP], (Case No. 5459), 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 July 28, 2004.

Assessor I.D. No. 5061-016-041

(Notice of Acceptance into the REAP/Rent Reduction Program was released on May 28, 2002)

ITEM NO. (40) - ADOPTED

04-0005 - RESOLUTION removing the property at 1511 South Wilton Place from the Rent Escrow Account Program [REAP], (Case No. 5740), 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 July 28, 2004.

Assessor I.D. No. 5073-003-002

(Notice of Acceptance into the REAP/Rent Reduction Program was released on September 3, 2002)

ITEM NO. (41) - ADOPTED

04-0005 - RESOLUTION removing the property at 1324 Keniston Avenue from the Rent Escrow Account Program [REAP], (Case No. 6160), 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 July 28, 2004.

Assessor I.D. No. 5083-024-019

(Notice of Acceptance into the REAP/Rent Reduction Program was released on December 19, 2002)
ITEM NO. (42) - ADOPTED
04-0005 - RESOLUTION removing the property at 3262-64 East 2nd Street a.k.a. 203 South Concord Street from the Rent Escrow Account Program [REAP], (Case No. 6976), 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 July 28, 2004.
Assessor I.D. No. 5179-010-034
(Notice of Acceptance into the REAP/Rent Reduction Program was released on October 14, 2003)

ITEM NO. (43) - ADOPTED
04-0005 - RESOLUTION removing the property at 2258 Duane Street from the Rent Escrow Account Program [REAP], (Case No. 6996), 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 July 28, 2004.
Assessor I.D. No. 5423-028-006
(Notice of Acceptance into the REAP/Rent Reduction Program was released on December 18, 2003)

ITEM NO. (44) - ADOPTED
04-0005 - RESOLUTION removing the property at 2110-18 North Keith Street from the Rent Escrow Account Program [REAP], (Case No. 7052), 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 July 28, 2004.
Assessor I.D. No. 5211-011-012
(Notice of Acceptance into the REAP/Rent Reduction Program was released on November 10, 2003)

ITEM NO. (45) - ADOPTED
04-0005 - RESOLUTION removing the property at 1601 West Court Street from the Rent Escrow Account Program [REAP], (Case No. 7147), 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 July 28, 2004.
ITEM NO. (46) - ADOPTED

04-0005 - RESOLUTION removing the property at 1146 Gordon Street from the Rent Escrow Account Program [REAP], (Case No. 7345), 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 July 28, 2004.

(Notice of Acceptance into the REAP/Rent Reduction Program was released on December 23, 2003)

ITEM NO. (47) - ADOPTED

04-0005 - RESOLUTION removing the property at 131-33 East Avenue 32 from the Rent Escrow Account Program [REAP], (Case No. 7402), 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 July 28, 2004.

(Notice of Acceptance into the REAP/Rent Reduction Program was released on July 8, 2004)

ITEM NO. (48) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION - TO THE MAYOR FORTHWITH

Roll Call #9 - Motion (Garcetti - LaBonge) Adopted, Ayes (12); Absent: Cardenas, Hahn and President Padilla (3)

04-0002 - COMMUNICATION FROM CHAIR, ARTS, PARKS, HEALTH AND AGING COMMITTEE and RESOLUTION relative to establishing City positions on House of Representatives Bill (HR) 832 (Nadler) and Senate Bill (S) 1510 (Leahy), the Permanent Partners Immigration Act.

Recommendation for Council action, pursuant to Resolution (Garcetti - LaBonge), SUBJECT TO THE CONCURRENCE OF THE MAYOR:
ADOPT the accompanying RESOLUTION thereby establishing positions of SUPPORT in the City’s 2003-04 Federal Legislative Program for HR 832 and S 1510, the Permanent Partners Immigration Act, which would amend the Immigration and Nationality Act (INA) to provide a mechanism for United States citizens and lawful permanent residents to sponsor their same-sex partners for residency in the United States.

**Fiscal Impact Statement:** The Chief Legislative Analyst reports that there is no impact on the General Fund as a result of this action.

Roll Call #6 - Motion (Garcetti - Greuel) Adopted, Ayes (12); Absent: Cardenas, Hahn and Smith (3)
(Item Nos. 49-53)

**ITEM NO. (49) - NOTED AND FILED**

04-1299 - CITY ADMINISTRATIVE OFFICER TO REPORT relative to the bid and award of sale of the 2004 General Obligation Bond Issuance for Citywide Security Bond Programs (Proposition Q).


**ITEM NO. (50) - ADOPTED, AS AMENDED - SEE FOLLOWING**

03-0008 - CONSIDERATION OF MOTION (GARCETTI - GREUEL) relative to amending a previous Council action in connection with the authorized date to reprogram the use of funds from operating activities to renovation activities for the Year Round Emergency Shelter - Hollywood at 5627 Fernwood Avenue.

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

1. AMEND Council action of March 3, 2004 relative to reprogramming of Community Development Block Grant (CDBG) funds for the Year Round Emergency Shelter - Hollywood, to designate October 17, 2003 as the effective date of the City’s authorization to reprogram $238,449 from the $400,000 in 29th Program Year CDBG grant funds awarded to the Year Round Emergency Shelter - Hollywood from program activities to renovation activities.

2. AUTHORIZE the General Manager, Community Development Department (CDD), or designee, to prepare any additional Controller instructions, including any technical adjustments needed, consistent with this action, subject to the review of the City Administrative Officer, and, AUTHORIZE the Controller to implement the instructions.

(Housing, Community and Economic Development Committee waived consideration of the above matter)
ADOPTED

AMENDING MOTION (GARCETTI - LABONGE)

Recommendations for Council action:

AMEND the Motion (Garcetti - Greuel) to include:

3. AUTHORIZE the General Manager, CDD, or designee, to negotiate and execute a fourth amendment to City agreement No. 105001 to:

   a. Extend the Time of Performance to March 31, 2005 to complete the renovations and to secure a certificate of occupancy for the Year Round Emergency Shelter - Hollywood.

   b. Add the $100,00 from the 30th Year (2004-2005) Action Plan (Project ID 167) to the Agreement to complete the renovations and to secure a certificate of occupancy for the Year Round Emergency Shelter - Hollywood.

4. AUTHORIZE the Controller to expend funds within the Community Development Trust Fund No. 424 Account W356 LAHSA Year Round Hollywood I for $100,000 and upon proper demand of the General Manager of the Community Development Department.

ITEM NO. (51) - MAP APPROVED - CITY ENGINEER REPORT ADOPTED

04-1495 - PARCEL MAP L.A. NO. 2003-0766 lying northerly of 256th Street and easterly of Western Avenue.
(Approve Subdivision Improvement Agreement and Contract with attached security documents)
(ADOPT City Engineer Report)
(ADOPT Bond No. C-106755)
(Quimby Fee: $6,056)
Applicants: Abraham A. Mirrashidi
Jennifer Rosen

ITEM NO. (52) - MAP APPROVED - CITY ENGINEER REPORT AND RESOLUTION ADOPTED

04-1503 - FINAL MAP OF TRACT NO. 54311 and RESOLUTION for property lying westerly of Topanga Canyon Boulevard and southerly of Mayall Street.
(Approve Subdivision Improvement Agreement and Contract with attached security documents)
(ADOPT City Engineer Report)
(ADOPT Bond No. C-106756)
(ADOPT Resolution of Acceptance of Future Street)
(Quimby Fee: $31,850)
Applicants: Pauline Amond & Associates
Robert Kameoka
ITEM NO. (53) - MAP APPROVED - CITY ENGINEER REPORT ADOPTED

04-1504 - FINAL MAP OF TRACT NO. 51034 for property lying easterly of Benedict Canyon CD 5 Drive and northerly of Tower Grove Drive.
(Approve Subdivision Improvement Agreement and Contract with attached security documents)
(ADOPT City Engineer Report)
(ADOPT Bond No. C-106757)
(Quimby Fee: $9,084)
Applicants: Merv Griffin Trust
GLM Associates

Closed Sessions - Items 54-55

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

Roll Call #19 - Motion (Parks - Ludlow) Adopted in Open Session, Ayes (13); Absent: Hahn and President Padilla (2)

03-0523 - The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to City Attorney report relative to request for approval of a Memorandum of Understanding regarding resolution and pending litigation issues of property acquisition and construction of the North Portal Site of the East Central Interceptor Sewer project.

(Budget and Finance and Environmental Quality and Waste Management Committees to consider the above matter on August 3 and August 4, respectively)

ADOPTED IN OPEN SESSION

MOTION (PARKS - LUDLOW)

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

1. AUTHORIZE the City Attorney to execute the Memorandum of Understanding (MOU) on behalf of the City, and to draft the necessary deeds, documents and Final Agreement in conformance with the terms of the MOU.

2. AUTHORIZE the City Attorney to execute the Final Agreement in conformance with the terms of the MOU.

3. AUTHORIZE the Public Works, Bureau of Accounting to issue warrants and payments, of approximately $511,000, according to the terms of the Final Agreement from the the Sewer Construction and Maintenance Fund.

(Budget and Finance and Environmental Quality and Waste Management Committee's considered the above matter in Closed Session on August 3 and 4, 2004, respectively)
ITEM NO. (55) - MEETING HELD - ACTION TAKEN IN CLOSED SESSION

04-1375 - The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(b), to confer with its legal counsel relative to settlement in the case entitled City of Los Angeles v. Mahendra Family Limited Partnership Inc., Los Angeles Superior Court Case No. BC 292172. (This is an Eminent Domain action concerning property located at 4601-4613 Washington Boulevard, Los Angeles.)

(Budget and Finance Committee considered the above matter in Closed Session on July 20, 2004)

Item for Which Public Hearing Has Been Held - Item 56

ITEM NO. (56) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #17 - Motion (Reyes - Smith) to Adopt as Amended, Ayes (13); Absent: Hahn and President Padilla (2)

03-2009 - CONTINUED CONSIDERATION OF CATEGORICAL EXEMPTION and PUBLIC WORKS CD 1 COMMITTEE REPORT relative to vacating Valencia Street between Wilshire Boulevard and Ingraham Street and the Ingraham Street Vacation District.

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 February 10, 2004, as the Findings of Council.

3. ADOPT the City Engineer report dated February 10, 2004, that street vacation proceedings (VAC-E1400875) BE INSTITUTED for Valencia Street between Wilshire Boulevard and Ingraham Street and the Ingraham Street Vacation District, subject to conditions enumerated therein.

Fiscal Impact Statement: The City Engineer reports that an estimated $3,400 in charges have been expended in the investigation and processing of this proceeding. Approximately $6,000 will be required from the General Fund to complete these proceedings. Since Los Angeles Administrative Code Section 7.46 exempts all governmental agencies from the payment of fees, the processing of this report will be absorbed by the Bureau of Engineering.

ADOPTED
AMENDING MOTION (REYES - PERRY)

Recommendations for Council action:

AMEND to include the following changes to the City Engineer report dated February 10, 2004, relative to the involved street vacation proceedings (VAC-E1400875):

1. AMEND Condition No. 2.b. to read:

   Dedicate 2.5 feet as public street, over Lots 17 and 18, Block 8 of Part of the Fairmount Tract, along the southeasterly side of Union Avenue to provide for a 45-foot wide half street (secondary Highway standards) OR dedicated 3.5 feet as public street to provide for a drop-off lane at Los Angeles Unified School District (LAUSD) option satisfactory to the City Engineer.

2. ADD New Condition No. 10:

   LAUSD shall supply two (2) light fixtures in the alley area from the adjacent parking structure in consultation with the Bureau of Street Lighting.

3. ADD New Condition No. 11:

   For the proposed passenger drop off areas along the eastside of Union and a portion along the westside of Valencia Street, a standard Department of Transportation (DOT) sign will be posted at the proper location to be determined by the DOT to read as follows:

   "PASSENGER LOADING ONLY 6:30AM TO 9AM, 1:30 PM TO 4PM SCHOOL DAYS; 2 HOUR PARKING 9AM TO 1:30PM SCHOOL DAYS"

   For the other portion along the westside of Valencia proposed for bus drop off (noting that this drop is only for smaller buses, for special education school buses not the large school buses), the parking restriction shall be posted at the proper location to be determined by the DOT to read as follows:

   "TOW AWAY, NO STOPPING 7AM-5PM, SCHOOL BUSES EXEMPTED"

4. ADD New Condition No. 12:

   LAUSD shall record a covenant agreement stating that in the operation of the bus for this school, the LAUSD agrees to prevent awkward maneuvers by the proposed school buses and that the suggested school bus route shall be as follows: traveling on Wilshire Boulevard; south on Witmer Street; west on Ingraham Street; south on Valencia Street and west on Seventh Street.
5. ADD New Condition No. 13:

To preserve neighborhood street parking, the LAUSD will work with the Council Office and DOT to remove as soon as possible the existing parking meters on the north side of Seventh Street between Union Avenue and Valencia Street and to ensure no parking restriction is posted beyond street cleaning services during and after construction. Also, no parking restriction shall be posted on Ingraham Street along the LAUSD frontage beyond street cleaning services during and after construction; the Council Office will work with the Department of Transportation and the property owner at northeast corner of Seventh Street and Valencia Street to possibly remove or change the existing 1 hour parking restriction along the easterly portion of Valencia Street at Seventh Street.


LAUSD (petitioner) shall obtain consent to the proposed vacation from the adjoining property owner of Lot 16 and of Lot 18 at the northeast corner of Seventh Street and Union Avenue that no objection to the vacation exists.

7. DELETE Condition No. f(2) on page 4 relative to a corner cut at westerly corner of Lot 18 at the intersection of Union Avenue with Seventh Avenue.

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

04-0867 - MOTION (ZINE - LABONGE - VILLARAIGOSA) relative to the impact of the recent court order barring the Metropolitan Transportation Authority from carrying out the Metro Orange Line busway project.

02-1953 - MOTION (PARKS - VILLARAIGOSA) relative to declaring the Fifth Annual Latin Grammy Awards on September 1, 2004 a Special Event (fees and costs absorbed by the City = $25,000).

04-1538 - MOTION (SMITH - GARCETTI) relative to initiating street vacation proceedings for a portion of the southwest side of the walk southeasterly of Sunbeam Drive from Ackerman Drive to 102 feet northwesterly thereof, in Council District 13.

04-0046 - MOTION (PERRY - GARCETTI) relative to transferring funds for the LAMP Community S4 Safehaven Project.

04-1539 - MOTION (PERRY - PARKS) relative to sale of surplus equipment to Communities Actively Living Independent and Free.
RESOLUTION PRESENTED PURSUANT TO RULE NO. 16 - TO BE PLACED ON THE NEXT AVAILABLE AGENDA

04-1537 - RESOLUTION (GARCETTI - PERRY) relative to designating August 2004 as “Low-Income and Homeless Voter Registration Month” in the City of Los Angeles.

COUNCILMEMBER REQUEST FOR EXCUSE FROM COUNCIL MEETINGS

Upon her request, and without objections, Councilmember Hahn was excused to leave at noon from Council session of Friday, August 6, 2004 due to City business.

COMMENDATORY RESOLUTION ADOPTED IN HONOR OF:

04-1297 - Detective Rhonda L. Von Gober (Smith - Zine)

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

04-1298 - David Manella (LaBonge - All Councilmembers)  
Taiji James (Parks)  
Dan Knapp (Villaraigosa - All Councilmembers)  
Gerald L. Sexton (Zine - Weiss)  
Gene Snowden Miller (Zine)  
Margaret Marie Ott (Zine - All Councilmembers)

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

Whereupon the Council did adjourn.

ATTEST: J. Michael Carey, CITY CLERK

By

Council Clerk  
PRESIDENT OF THE CITY COUNCIL