

- - - SPECIAL COUNCIL MEETING - - -

11:15 A.M. OR AS SOON THEREAFTER
AS COUNCIL RECESSES ITS REGULAR MEETING

ALL ITEMS FORTHWITH

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

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

Items Noticed for Public Hearing - Items 1-5

**Roll Call #1 - Motion (Miscikowski - Greuel) Adopted, Ayes (13); Absent: Perry and Reyes (2)
(Item Nos. 1-4)**

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

00-2082 - CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CD 2 CONSIDERATION relative to the improvement and maintenance of AMANITA AVENUE AND REID STREET (REBALLOT) LIGHTING DISTRICT.

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

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessment 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 August 6, 2004)

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

02-0876 - CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST
S1 CONSIDERATION relative to the improvement and maintenance of MAYFIELD AVENUE
CD 11 AND BUNDY DRIVE NO. 2 LIGHTING DISTRICT.

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

1. FIND that a majority protest exists in the Street Lighting Maintenance Assessment District and therefore the proposed assessment cannot be enacted.
2. PRESENT and ADOPT the accompanying ORDINANCE abandoning all 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 July 30, 2004)

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

04-0669 - CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST
CD 3 CONSIDERATION relative to the improvement and maintenance of GIFFORD STREET
AND BOTHWELL ROAD LIGHTING DISTRICT.

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

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessment 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 August 6, 2004)

ITEM NO. (4) - PUBLIC HEARING CLOSED - ADOPTED

04-0670 - CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST
CD 11 CONSIDERATION relative to the improvement and maintenance of WESTGATE AVENUE
AND TEXAS AVENUE LIGHTING DISTRICT.

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

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

2. PRESENT and ADOPT the accompanying ORDINANCE abandoning all 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 July 30, 2004)

ITEM NO. (5) - MOTION ADOPTED TO GRANT APPLICATION

Roll Call #2 - Motion (Smith - Weiss) Adopted to Grant Application, Ayes (13); Absent: Perry and Reyes (2)

04-1110 - HEARING COMMENTS relative to application for determination of "Public Convenience or Necessity" for alcohol sales for off/on-site consumption at 8876 Corbin Avenue (Napa in the Valley).

Recommendations for Council action:

1. DETERMINE that the issuance of a liquor license at 8876 Corbin Avenue (Napa in the Valley) will serve the "Public Convenience or Necessity" and will not tend to create a law enforcement problem.
2. GRANT the Application for Determination of "Public Convenience or Necessity" for the sale of alcoholic beverages for off/on-site consumption at 8876 Corbin Avenue.
3. INSTRUCT the City Clerk to transmit this determination to the State Department of Alcoholic Beverage Control as the required findings under Business and Professions Code Section 23958.4.

Applicant: Napa in the Valley, LLC

TIME LIMIT FILE - SEPTEMBER 13, 2004

(LAST DAY FOR COUNCIL ACTION - SEPTEMBER 10, 2004)

Items for Which Public Hearings Have Been Held - Items 6-30

ITEM NO. (6) - ADOPTED

Roll Call #4 - Motion (LaBonge - Hahn) Adopted, Ayes (13); Absent: Perry and Reyes (2)

00-0913 - TRANSFER OF FUNDS relative to the City Attorney's Joint Powers of Verification Unit Program.

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

1. TRANSFER \$560,905 from the Reserve Fund to the Unappropriated Balance and APPROPRIATE this amount therefrom to the funds/accounts listed below, to be reimbursed upon receipt of grant funds from the County:

<u>Fund</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
100/12	1020	Salaries-Grant	\$488,755
100/40	6030	Leasing	65,150
100/32	9350	Communications	<u>7,000</u>
Total			\$560,905

2. TRANSFER \$90,905 from the Reserve Fund to the Unappropriated Balance and APPROPRIATE this amount therefrom to the City Attorney Grant Fund No. 368 into new appropriation accounts as follows:

<u>Fund</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
368/12	W501	Fringe Benefits	\$78,659
368/12	W502	Operating Expenses	10,400
368/12	W503	Travel	<u>1,500</u>
Total			\$90,559

(Budget and Finance Committee report adopted on July 23, 2004)

ITEM NO. (7) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATION - SEE FOLLOWING

Roll Call #8 - Motion (Greuel - Padilla) Adopted, Ayes (13); Absent: Perry and Reyes (2)

04-0002 - RESOLUTION (GREUEL - WEISS - PADILLA - PARKS) and COMMUNICATION FROM S130 THE CHIEF LEGISLATIVE ANALYST relative to establishing a City position on Proposition 71, a November 2004 Ballot Initiative, which would provide funding to support stem cell research.

(Arts, Parks, Health and Aging Committee report to be submitted in Council. If a public hearing is not held in Committee, an opportunity for public comments will be provided.)

(For background reports and materials related to this matter, please contact the Legislative Assistant for the Arts, Parks, Health and Aging Committee at 213-978-1071)

ADOPTED

ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT and RESOLUTION relative to establishing a City position on Proposition 71, the California Stem Cell Research and Cures Act, a November 2004 Ballot Initiative which would provide funding to support stem cell research.

Recommendation for Council action, pursuant to Resolution (Greuel - Weiss - Padilla - Parks), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

ADOPT the accompanying RESOLUTION thereby establishing a position of SUPPORT in the City's 2003-04 Legislative Program for Proposition 71, the California Stem Cell Research and Cures Act, a November 2004 Ballot Initiative which would provide up to \$350 million per year over the next 10 years to support stem cell research at California research facilities.

Fiscal Impact Statement: The Chief Legislative Analyst (CLA) reports that there is no impact on the General Fund.

ITEM NO. (8) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATION - SEE FOLLOWING

Roll Call #12 - Motion (Weiss - Garcetti) Adopted, Ayes (13); Absent: Perry and Reyes (2)

01-0742 - COMMUNICATION FROM THE CITY ATTORNEY relative to the authority to destroy certain obsolete records from the City Clerk's Office, Election Division for the period of April 10, 2001 through December 11, 2001.

(Information Technology and General Services report to be submitted in Council. If a public hearing is not held in Committee, an opportunity for public comments will be provided.)

(These records will be retained for a period of 60 days after the City Council's action to authorize their destruction to allow for public inspection. Contact the Records Management Division at (213) 485-3510 or via e-mail at tgaydowski@clerk.lacity.org to arrange for inspection of records.)

(For copies of related, staff-generated reports for this matter, please contact the Legislative Assistant for the Information Technology and General Services Committee at 213-978-1076.)

ADOPTED

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and RESOLUTION relative to the authority to destroy certain obsolete records from the City Clerk's Office, Election Division.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION authorizing the destruction of certain obsolete records from the City Clerk's Office, Election Division (CLK/03; 1449 boxes) for the period of April 10, 2001 through December 11, 2001.

Fiscal Impact Statement: The City Clerk reports that the retention of 1,449 records boxes beyond the required retention time period, based on industry commercial standard rates, will continue to cost the City the equivalent of a minimum of \$275.31 per month, or \$3,303.72 per year.

These records will be retained for a period of 60 days after the City Council's action to authorize their destruction to allow for public inspection. Contact the Records Management Division at (213) 485-3510 or via e-mail at tgaydowski@clerk.lacity.org to arrange for inspection of records.

Roll Call #4 - Motion (LaBonge - Hahn) Adopted, Ayes (13); Absent: Perry and Reyes (2)
(Item Nos. 9-12)

ITEM NO. (9) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATION -
SEE FOLLOWING

04-0507 - COMMUNICATION FROM THE CITY ATTORNEY relative to the authority to destroy certain obsolete records from the Controller's Office, Check Reconciliation Division for the period of June 30, 1988 through June 28, 1991.

(Information Technology and General Services report to be submitted in Council. If a public hearing is not held in Committee, an opportunity for public comments will be provided.)

(These records will be retained for a period of 60 days after the City Council's action to authorize their destruction to allow for public inspection. Contact the Records Management Division at (213) 485-3510 or via e-mail at tgaydowski@clerk.lacity.org to arrange for inspection of records.)

(For copies of related, staff-generated reports for this matter, please contact the Legislative Assistant for the Information Technology and General Services Committee at 213-978-1076.)

ADOPTED

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and RESOLUTION relative to the authority to destroy certain obsolete records from the Controller's Office - Check Reconciliation Division.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION authorizing the destruction of certain obsolete records from the Controller's Office - Check Reconciliation Division (CTR/44; 794 boxes) for the period of June 30, 1988, through June 28, 1991.

Fiscal Impact Statement: The City Clerk reports that the retention of 794 records boxes beyond the required retention time period, based on industry commercial standard rates, will continue to cost the City the equivalent of a minimum of \$150.86 per month, or \$1,810.32 per year.

These records will be retained for a period of 60 days after the City Council's action to authorize their destruction to allow for public inspection. Contact the Records Management Division at (213) 485-3510 or via e-mail at tgaydowski@clerk.lacity.org to arrange for inspection of records.

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

04-0508 - COMMUNICATION FROM THE CITY ATTORNEY relative to the authority to destroy certain obsolete records from the Controller's Office, Check Reconciliation Division for the period of July 2, 1982 through July 3, 1984.

(Information Technology and General Services report to be submitted in Council. If a public hearing is not held in Committee, an opportunity for public comments will be provided.

(These records will be retained for a period of 60 days after the City Council's action to authorize their destruction to allow for public inspection. Contact the Records Management Division at (213) 485-3510 or via e-mail at tgaydowski@clerk.lacity.org to arrange for inspection of records.)

(For copies of related, staff-generated reports for this matter, please contact the Legislative Assistant for the Information Technology and General Services Committee at 213-978-1076.)

ADOPTED

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT and RESOLUTION relative to the authority to destroy certain obsolete records from the Controller's Office - Check Reconciliation Division.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION authorizing the destruction of certain obsolete records from the Controller's Office - Check Reconciliation Division (CTR/44; 571 boxes) for the period of July 2, 1982 through July 3, 1984.

Fiscal Impact Statement: The City Clerk reported that the retention of 571 records boxes beyond the required retention time period, based on industry commercial standard rates, will continue to cost the City the equivalent of a minimum of \$108.49 per month, or \$1,301.88 per year.

These records will be retained for a period of 60 days after the City Council's action to authorize their destruction to allow for public inspection. Contact the Records Management Division at (213) 485-3510 or via e-mail at tgaydowski@clerk.lacity.org to arrange for inspection of records.

ITEM NO. (11) - ADOPTED

01-0197 - PUBLIC SAFETY COMMITTEE REPORT relative to the Department of Animal Services' S1 2003 Annual Report on the Animal Sterilization Trust Fund.

Recommendation for Council action:

NOTE and FILE the Department of Animal Services' 2003 Annual Report on the Animal Sterilization Trust Fund, inasmuch as the report is submitted for information and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (12) - ADOPTED

03-0359 - PUBLIC SAFETY COMMITTEE REPORT relative to the Department of Animal Services' report on the Animal Welfare Trust Fund.

Recommendation for Council action:

NOTE and FILE the Animal Services Department's April 9, 2004 report on the Animal Welfare Trust Fund for the period of April 1 through September 30, 2003, inasmuch as the report is submitted for information and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (13) - ADOPTED

**Roll Call #13 - Motion (Smith - LaBonge) Adopted, Ayes (12); Noes: Parks (1);
Absent: Perry and Reyes (2)**

00-1073 - PUBLIC WORKS COMMITTEE REPORT and relative to amending and adding various subsections of Section 42.00(f) of the Los Angeles Municipal Code (LAMC) regulating the permitting, aesthetics, and placement of newsracks in the public right-of-way.
S2

Recommendations for Council action:

1. REQUEST the City Attorney to prepare and present an Ordinance amending and adding various subsections of Section 42.00(f) of the LAMC regulating the permitting, aesthetics, and placement of newsracks in the public right-of-way, substantially as attached to the Council file (City Attorney Report No. 04-0345) and as amended to incorporate the following changes:
 - a. Amend Section 42.00(f)(6) of the LAMC, Unlawful Obstructions, to state that "No person shall install, use, or maintain any newsrack:
 - 1) Within 5 feet of any marked crosswalk.
 - 2) Within 5 feet of the curb return of any unmarked crosswalk.
 - 3) Within 5 feet of any bus bench.
 - 4) In front of an entrance to a business, including the curb directly across from such an entrance where the distance between the entry door and the newsrack is less than 10 feet.

- 5) Where placement unreasonably interferes with the use of poles, posts, traffic signs or signals, or other objects legally permitted, but in no event shall the newsrack be closer than one foot from such objects.
 - 6) Where placement interferes with the reasonable use or utility for display purposes of any window of any building abutting the sidewalk or parkway, but in no event within 4 feet of such window.
 - 7) Where placement impedes the flow of pedestrian traffic by reducing the clear space to less than 6 feet or, impedes access to or the use of abutting property, including, but not limited to, residences and places of business.
 - 8) Within one foot of any utility cover, vent screen, or other object that is flush mounted with the sidewalk, except that if the owner or person in control of the below grade sidewalk installation needs additional space for emergency or non-routine maintenance of the installation, any newsrack which interferes with such maintenance may be requested to be temporarily removed to accommodate the required maintenance and then be reinstalled.
 - 9) Within 4 feet to the front and 10 feet to the rear of any parking meter and where there are no parking meters on the curb, 10 feet from the front of any marked parallel parking place.
- b. Amend Section 42.00(f)(3) of the LAMC, Compliance Phase-In, to delete subsection (b) which requires that newsracks which were illegally installed within 90 days of adoption of the Ordinance must comply in all respects, including color, within 90 days following adoption of the Ordinance.
 - c. Add subsection (j) to Section 42.00(f)(2) of the LAMC, Purpose and Criteria, as follows:

Reduce visual blight and improve the aesthetic appearance of the City's streets and sidewalks for the merchants, citizens, and visitors to the City by coordinating the uniform color of all newsracks with the color of the City's extensive multi-million dollar street furniture program; and in Specific Plan Areas, Streetscape Plan Areas, or other Special Planning Districts, which have a standard streetscape color, to allow for a uniform newsrack color from a limited palate of colors in order to coordinate the color of newsracks with their streetscape.
 - d. Amend Section 42.00(f)(3)(a) to establish that those newsracks installed prior to the effective date of the Ordinance shall be brought into compliance with said provisions within 24 months of the effective date thereof. Furthermore, publishers experiencing financial hardship, solely due to compliance with Section 42.00 (f) of the LAMC as it applies to uniform color, may request the Board of Public Works (Board) to approve up to one (1) 12 month extension allowing them a total of 36 months to come into full compliance with the Newsrack Ordinance, if evidence of financial hardship is proven to the satisfaction of the Board.
 - e. Amend Section 42.00(f)(8)(a) to eliminate the requirement that the total area of all publication mastheads on a newsrack be located in the top one-third of the newsrack.

2. REQUEST the City Attorney, with the assistance of the Chief Legislative Analyst (CLA), to report relative to concerns raised by the Metropolitan Transportation Authority (MTA) regarding the placement of newsracks adjacent to bus stops.
3. NOT PRESENT and ORDER FILED the Ordinance (City Attorney Report No. 04-0345).

Fiscal Impact Statement: The CLA reports that adoption of the Ordinance amending Section 42.00(f) of the LAMC will have no impact on the General Fund. However, newsrack permitting and enforcement, as established in the Ordinance, will require personnel and related costs. It is anticipated that an annual permitting fee will be established at levels to recover all, or a portion of, General Fund costs. Authorization of personnel and related program costs, as well as program fees will be established through subsequent action.

(City Council may recess to Closed Session, pursuant to Government Code Section 54956.9(b) to confer with its legal counsel relative to the above matter)

ITEM NO. (14) - ADOPTED

Roll Call #4 - Motion (LaBonge - Hahn) Adopted, Ayes (13); Absent: Perry and Reyes (2)

03-1015 - CATEGORICAL EXEMPTION and PUBLIC WORKS COMMITTEE REPORT relative to a CD 11 request to vacate Westwind Court (portion of southeasterly turnaround) to 11 feet northwesterly thereof.

Recommendation for Council action:

INSTRUCT the City Clerk to schedule a public hearing and place the following on the Council Agenda for OCTOBER 5, 2004, pursuant to Section 8324 of the California Streets and Highways Code:

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 April 5, 2004, as the Findings of Council.
3. ADOPT the City Engineer report dated April 5, 2004, that street vacation proceedings (VAC-E1400856) BE INSTITUTED for the turn-around area on the southeasterly side of the terminus of Westwind Court northeasterly of Via Donte, subject to the conditions enumerated therein.

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

ITEM NO. (15) - ADOPTED

Roll Call #14 - Motion (LaBonge - Smith) Adopted, Ayes (13); Absent: Perry and Reyes (2)

04-1509 - MITIGATED NEGATIVE DECLARATION and PUBLIC WORKS COMMITTEE REPORT
CDs 4 relative to the Silver Lake Reservoir Improvement Project.
&13

Recommendations for Council action:

1. ADOPT the accompanying Mitigated Negative Declaration (Transmittal No. 1 of the City Engineer report dated July 30, 2004) relative to the Silver Lake Reservoir Improvement Project filed on June 28, 2000.
2. ADOPT the accompanying Mitigation Monitoring Plan (Transmittal No. 2 of the City Engineer report dated July 30, 2004) relative to the Silver Lake Reservoir Improvement Project.
3. APPROVE the Silver Lake Reservoir Improvement Project as submitted in the City Engineer report dated July 30, 2004.

Fiscal Impact Statement: The City Engineer reports that there is no fiscal impact to the General Fund. Funding for the Silver Lake Reservoir Improvement Project will be provided from Special Gas Tax Street Improvement Funds. The accounts will be identified upon issuance of Project Task Orders.

ITEM NO. (16) - CONTINUED TO SEPTEMBER 21, 2004

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

04-0002 - RULES AND ELECTIONS COMMITTEE REPORT relative to the City's position in
S49 connection with a State ballot initiative (Proposition 64) to reform California's Unfair Competition Law which would continue to protect consumers from unfair competition and deceptive advertising.

Recommendation for Council action, pursuant to Resolution (Villaraigosa - Weiss):

RESOLVE that the City establish a position of OPPOSITION to Proposition 64 to reform California's Unfair Competition Law (Business and Professional Code Section 17200) which would protect consumers from unfair competition and deceptive advertising, but would enact reforms to discourage private fee-seeking lawyers without clients from shaking down small businesses.

Fiscal Impact Statement: The Chief Legislative Analyst reports that the fiscal impact is unknown at this time. The impact will depend on whether this initiative increases or decreases current workload related to unfair business lawsuits.

**Roll Call #4 - Motion (LaBonge - Hahn) Adopted, Ayes (13); Absent: Perry and Reyes (2)
(Item Nos. 17-24)**

ITEM NO. (17) - ADOPTED

00-1322 - GENERAL EXEMPTION, TRANSPORTATION COMMITTEE REPORT and RESOLUTION CD 13 relative to the renewal of Temporary Preferential Parking District No. 96.

Recommendations for Council action:

1. FIND that an adverse parking impact affecting fewer than six blocks exists, from which the residents deserve immediate relief, adjacent to the Hollywood and Highland Entertainment and Retail Center in Council District 13.
2. FIND that the renewal and expansion of Temporary Preferential Parking District No. 96, pursuant to Los Angeles Municipal Code (LAMC) Section 80.58.d, is exempt from the California Environmental Quality Act (CEQA) under the General Exemption (Article II, Section 1 of the 2002 Los Angeles City CEQA Guidelines).
3. ADOPT the accompanying RESOLUTION renewing Temporary Preferential Parking District No. 96 pursuant to Section 80.58.d of the LAMC. Temporary Preferential Parking District No. 96 will include the residential portions of:
 - a. Both sides of North Orange Drive between Franklin Avenue and Hollywood Boulevard
 - b. Both sides of North Orchid Avenue between Franklin Avenue and the Dead End south of Franklin Avenue
 - c. Both sides of North Sycamore Avenue between Franklin Avenue and Hollywood Boulevard
 - d. Both sides of El Cerrito Place between Franklin Avenue and Hollywood Boulevard
4. AUTHORIZE the following parking restriction for use in all of Temporary Preferential Parking District No. 96:

"NO PARKING ANYTIME; VEHICLES WITH DISTRICT NO. 96 PERMIT EXEMPTED"
5. INSTRUCT the Department of Transportation (DOT) to initiate the necessary procedures for the preparation and sale of parking permits to residents within Temporary Preferential Parking District No. 96, as specified in Section 80.58 of the LAMC.
6. DIRECT the DOT to post the authorized parking restriction signs on the residential portions of the 1700 block of El Cerrito Place between Franklin Avenue and Hollywood Boulevard (2 blocks) upon Council action renewing the District, and after receipt and verification of signatures from residents representing at least 67 percent of the dwelling units on each block.

7. DIRECT the DOT to prepare a Notice of Exemption reflecting Council's actions under Recommendation No. 2 above and file such notice with the City and County Clerks within five working days of the City Council's action.

Fiscal Impact Statement: The DOT reports that there are currently over 75 preferential parking districts Citywide that require a staff of approximately 35 DOT employees to: 1) Process requests for new districts and modifications to existing districts; 2) install and maintain signs; and, 3) enforce the preferential parking restrictions. Approximately \$1.1 million in annual General Fund revenue from the sale of over 175,000 Preferential Parking Permits currently reimburses the City for only 34 percent of the cost of implementation, administration and enforcement of the Preferential Parking Program citywide. This revenue shortfall is due to the fact that Annual, Visitor and Guest Permit fees have not been increased in the last 18, 8 and 21 years, respectively.

ITEM NO. (18) - ADOPTED

03-0426 - GENERAL EXEMPTION, TRANSPORTATION COMMITTEE REPORT and RESOLUTION CD 11 relative to the re-establishment of Temporary Preferential Parking District No. 54.

Recommendations for Council action:

1. FIND that an adverse parking impact affecting fewer than six blocks exists, from which the residents deserve immediate relief, on the 4400 block of Harding Avenue, in Council District 11.
2. FIND that the re-establishment of the Temporary Preferential Parking District No. 54, pursuant to Los Angeles Municipal Code (LAMC) Section 80.58.d, is exempt from the California Environmental Quality Act (CEQA) under the General Exemption (Article II, Section 1 of the 2002 Los Angeles City CEQA Guidelines).
3. ADOPT the accompanying RESOLUTION re-establishing Temporary Preferential Parking District No. 54 pursuant to Section 80.58.d of the LAMC. Temporary Preferential Parking District No. 54 will include the residential portions of:

Both sides of Harding Avenue between the alley west of Centinela Avenue and Short Avenue
4. AUTHORIZE the following parking restriction for use in all of Temporary Preferential Parking District No. 54:

"NO PARKING 2 AM TO 6 AM; VEHICLES WITH DISTRICT NO. 54 PERMIT EXEMPTED"
5. INSTRUCT the Department of Transportation (DOT) to initiate the necessary procedures for the preparation and sale of parking permits to residents within Temporary Preferential Parking District No. 54, as specified in LAMC Section 80.58.

6. DIRECT the DOT to prepare a Notice of Exemption reflecting Council's actions under Recommendation No. 2 above and file such notice with the City and County Clerks within five working days of the City Council's action.

Fiscal Impact Statement: There are currently over 75 preferential parking districts Citywide that require a staff of approximately 35 DOT employees to: 1) Process requests for new districts and modifications to existing districts; 2) install and maintain signs; and, 3) enforce the preferential parking restrictions. Approximately \$1.1 million in annual General Fund revenue from the sale of over 175,000 Preferential Parking Permits currently reimburses the City for only 34 percent of the cost of implementation, administration and enforcement of the Preferential Parking Program citywide. This revenue shortfall is due to the fact that Annual, Visitor and Guest Permit fees have not been increased in the last 18, 8 and 21 years, respectively.

ITEM NO. (19) - ADOPTED

03-0427 - GENERAL EXEMPTION, TRANSPORTATION COMMITTEE REPORT and RESOLUTION CD 11 relative to the re-establishment of Temporary Preferential Parking District No. 58.

Recommendations for Council action:

1. FIND that an adverse parking impact affecting fewer than six blocks exists, from which the residents deserve immediate relief, on the 3800 block of Keystone Avenue, in Council District 11.
2. FIND that the re-establishment of the Temporary Preferential Parking District No. 58, pursuant to Los Angeles Municipal Code (LAMC) Section 80.58.d, is exempt from the California Environmental Quality Act (CEQA) under the General Exemption (Article II, Section 1 of the 2002 Los Angeles City CEQA Guidelines).
3. ADOPT the accompanying RESOLUTION re-establishing Temporary Preferential Parking District No. 58 pursuant to LAMC Section 80.58.d. Temporary Preferential Parking District No. 58 will include the residential portions of:

Both sides of Keystone Avenue between the alley south of Venice Boulevard and the alley north of Washington Boulevard

4. AUTHORIZE the following parking restriction for use in all of Temporary Preferential Parking District No. 58:

"TWO HOUR PARKING 8 AM TO 6 PM; NO PARKING 6 PM TO 8 AM; VEHICLES WITH DISTRICT NO. 58 PERMIT EXEMPTED"

5. INSTRUCT the Department of Transportation (DOT) to initiate the necessary procedures for the preparation and sale of parking permits to residents within Temporary Preferential Parking District No. 58, as specified in LAMC Section 80.58.

6. DIRECT the DOT to prepare a Notice of Exemption reflecting Council's actions under Recommendation No. 2 above and file such notice with the City and County Clerks within five working days of the City Council's action.

Fiscal Impact Statement: There are currently over 75 preferential parking districts Citywide that require a staff of approximately 35 DOT employees to: 1) Process requests for new districts and modifications to existing districts; 2) install and maintain signs; and, 3) enforce the preferential parking restrictions. Approximately \$1.1 million in annual General Fund revenue from the sale of over 175,000 Preferential Parking Permits currently reimburses the City for only 34 percent of the cost of implementation, administration and enforcement of the Preferential Parking Program Citywide. This revenue shortfall is due to the fact that Annual, Visitor and Guest Permit fees have not been increased in the last 18, 8 and 21 years, respectively.

ITEM NO. (20) - ADOPTED

03-1244 - GENERAL EXEMPTION, TRANSPORTATION COMMITTEE REPORT and RESOLUTION
CD 4 relative to the re-establishment and expansion of Temporary Preferential Parking District No. 79.

Recommendations for Council action:

1. FIND that an adverse parking impact affecting fewer than six blocks exists, from which the residents deserve immediate relief, on the following blocks in Council District four:
 - a. El Cerrito Place between Franklin Avenue and Hillside Avenue
 - b. La Brea Avenue between Franklin Avenue and Hillside Avenue
 - c. La Brea Avenue between Hillside Avenue and the dead end north of Hillside Avenue
 - d. Hillside Avenue between La Brea Avenue and El Cerrito Place (west intersection)
 - e. Hillside Avenue between El Cerrito Place (west intersection) and El Cerrito Place (east intersection)
2. FIND that the proposed re-establishment and expansion of Temporary Preferential Parking District No. 79, pursuant to Los Angeles Municipal Code (LAMC) Section 80.58.d, is exempt from the California Environmental Quality Act (CEQA) under the General Exemption (Article II, Section 1 of the 2002 Los Angeles City CEQA Guidelines).
3. ADOPT the accompanying RESOLUTION which re-establishes and expands Temporary Preferential Parking District No.79 pursuant to Section 80.58.d of the LAMC Temporary Preferential Parking District No.79 will include the residential portions of:

- a. El Cerrito Place between Franklin Avenue and Hillside Avenue
 - b. La Brea Avenue between Franklin Avenue and Hillside Avenue
 - c. La Brea Avenue between Hillside Avenue and the dead end north of Hillside Avenue
 - d. Hillside Avenue between La Brea Avenue and El Cerrito Place (west intersection)
 - e. Hillside Avenue between El Cerrito Place (west intersection) and El Cerrito Place (east intersection)
4. AUTHORIZE the following parking restriction for use in all of Temporary Preferential Parking District No.79:

“NO PARKING ANYTIME; VEHICLES WITH DISTRICT NO.79 PERMIT EXEMPTED”

5. INSTRUCT the Department of Transportation (DOT) to initiate the necessary procedures for the preparation and sale of parking permits to residents within Temporary Preferential Parking District No.79, as specified in Section 80.58 of the LAMC.
6. DIRECT the DOT to post the authorized parking restriction signs on any of the residential portions of the following blocks upon Council action re-establishing and expanding the District, and after receipt and verification of signatures from residents representing at least 67 percent of the dwelling units for that specific block:
- a. La Brea Avenue between Franklin Avenue and Hillside Avenue
 - b. La Brea Avenue between Hillside Avenue and the dead end north of Hillside Avenue
 - c. Hillside Avenue between La Brea Avenue and El Cerrito Place (west intersection)
 - d. Hillside Avenue between El Cerrito Place (west intersection) and El Cerrito Place (east intersection)
7. DIRECT the DOT to prepare a Notice of Exemption reflecting Council's actions under Recommendation No. 2 above and file such notice with the City and County Clerks within five working days of the City Council's action.

Fiscal Impact Statement: The DOT reports there are currently over 75 preferential parking districts citywide. Approximately \$1.1 million in annual General Fund revenue from the sale of over 175,000 Preferential Parking Permits (PPP) currently reimburses the City for only 34 percent of the cost of implementation and administration of the PPP citywide. The revenue shortfall is due to the fact that rates have not been increased in 16 years. The DOT has concluded a study to recover full cost of the PPP and will submit its proposal for permit fee increases to the Council for approval.

ITEM NO. (21) - ADOPTED

04-1462 - GENERAL EXEMPTION, TRANSPORTATION COMMITTEE REPORT and RESOLUTION CD 5 relative to the establishment of Temporary Preferential Parking District No. 17.

Recommendations for Council action:

1. FIND that an adverse parking impact affecting fewer than six blocks exists, from which the residents deserve immediate relief, on Marbro Drive between Lanai Road to the dead end east of Lanai Road, in Council District Five.
2. FIND that the proposed establishment of Temporary Preferential Parking District No. 17, pursuant to Los Angeles Municipal Code (LAMC) Section 80.58.d, is exempt from the California Environmental Quality Act (CEQA) under the General Exemption (Article II, Section 1 of the 2002 Los Angeles City CEQA Guidelines).
3. ADOPT the accompanying RESOLUTION establishing Temporary Preferential Parking District No. 17 pursuant to Section 80.58.d of the LAMC Temporary Preferential Parking District No. 17 will include the residential portions of:

Both sides of Marbro Drive between Lanai Road to the dead end east of Lanai Road.

4. AUTHORIZE the following parking restriction for use in all of Temporary Preferential Parking District No.17:

“NO PARKING 7AM TO 4PM, MONDAY TO FRIDAY; VEHICLES WITH DISTRICT NO.17 PERMITS EXEMPTED”

5. INSTRUCT the Department of Transportation (DOT) to initiate the necessary procedures for the preparation and sale of parking permits to residents within Temporary Preferential Parking District No. 17, as specified in Section 80.58 of the LAMC.
6. DIRECT the DOT to post the authorized parking restriction signs on the residential portions of Marbro Drive between Lanai Road to the dead end east of Lanai Road, upon Council action establishing the District.
7. DIRECT the DOT to prepare a Notice of Exemption reflecting Council's actions under Recommendation No. 2 above and file such notice with the City and County Clerks within five working days of the City Council's action.

Fiscal Impact Statement: The DOT reports there are currently over 75 preferential parking districts citywide. Approximately \$1.1 million in annual General Fund revenue from the sale of over 175,000 Preferential Parking Permits (PPP) currently reimburses the City for only 34 percent of the cost of implementation and administration of the PPP citywide. The revenue shortfall is due to the fact that rates have not been increased in 16 years. The DOT has concluded a study to recover full cost of the PPP and will submit its proposal for permit fee increases to the Council for approval.

ITEM NO. (22) - ADOPTED

04-1464 - GENERAL EXEMPTION, TRANSPORTATION COMMITTEE REPORT and RESOLUTION CD 13 relative to the renewal of Temporary Preferential Parking District No. 83.

Recommendations for Council action:

1. FIND that an adverse parking impact affecting fewer than six blocks exists, from which the residents deserve immediate relief, adjacent to the Childrens Hospital-Kaiser Permanente-MTA's Red Line Vermont/Sunset Station complex in Council District 13.
2. FIND that the renewal of Temporary Preferential Parking District No. 83, pursuant to Los Angeles Municipal Code (LAMC) Section 80.58.d, is exempt from the California Environmental Quality Act (CEQA) under the General Exemption (Article II, Section 1 of the 2002 Los Angeles City CEQA Guidelines).
3. ADOPT the accompanying RESOLUTION renewing Temporary Preferential Parking District No. 83 pursuant to Section 80.58.d of the LAMC Temporary District No. 83 includes the residential portions of:

Both sides of Maubert Avenue between Vermont Avenue and Rodney Drive.

4. AUTHORIZE the following parking restriction for use in all of Temporary Preferential Parking District No. 83:

"2 HOUR PARKING, 8 A.M. TO 8 P.M. MONDAY THROUGH SATURDAY; NO PARKING 8 P.M. TO 8 A.M. MONDAY THROUGH SATURDAY; VEHICLES WITH DISTRICT NO. 83 PERMIT EXEMPTED"

5. INSTRUCT the Department of Transportation (DOT) to continue the preparation and sale of parking permits to residents within Temporary Preferential Parking District No. 83, as specified in LAMC Section 80.58.
6. DIRECT the DOT to prepare a Notice of Exemption reflecting Council's actions under Recommendation No. 2 above and file such notice with the City and County Clerks within five working days of the City Council's action.

Fiscal Impact Statement: There are currently over 75 preferential parking districts Citywide that require a staff of approximately 35 DOT employees to: 1) Process requests for new districts and modifications to existing districts; 2) install and maintain signs; and, 3) enforce the preferential parking restrictions. Approximately \$1.1 million in annual General Fund revenue from the sale of over 175,000 Preferential Parking Permits currently reimburses the City for only 34 percent of the cost of implementation, administration and enforcement of the Preferential Parking Program citywide. This revenue shortfall is due to the fact that Annual, Visitor and Guest Permit fees have not been increased in the last 18, 8 and 21 years, respectively.

ITEM NO. (23) - ADOPTED

03-0544 - TRANSPORTATION COMMITTEE REPORT relative to amendment to DASH Downtown CDs 1,8, shuttle bus contract with First Transit, Inc. for the provision of 2004 Olympic Torch Relay 9,11 &14 service.

Recommendations for Council action, pursuant to Motion (Hahn - Perry):

1. AUTHORIZE the Department of Transportation (DOT), retroactively, to utilize six DASH shuttle buses to transport participants of the Olympic Torch Relay event in Los Angeles on Wednesday, June 16, 2004.
2. AUTHORIZE the DOT General Manager to amend the existing DASH Downtown Los Angeles shuttle bus contract with First Transit, Inc., to provide special transportation services for the 2004 Olympic Torch Relay event in Los Angeles, at a total cost not to exceed \$8,000, subject to the approval of the City Attorney as to form and legality.

Fiscal Impact Statement: The DOT reports that sufficient funds are included in the existing DASH Downtown account, Proposition A Fund 385, to cover the additional cost for the event. There is no impact on the budget.

ITEM NO. (24) - ADOPTED

04-1073 - TRANSPORTATION COMMITTEE REPORT relative to recognizing the annual Rail-CD 13 Volution event on September 18-22, 2004 in Hollywood.

Recommendation for Council action, pursuant to Resolution (Villaraigosa - Zine):

RESOLVE to recognize the annual Rail-Volution event on September 18-22, 2004 in Hollywood, California, and encourage everyone to participate in this forum and engage in dialogue to build livable communities.

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

ITEM NO. (25) - ADOPTED

Roll Call #15 - Motion (LaBonge - Ludlow) Adopted, Ayes (13); Absent: Perry and Reyes (2)

04-1164 - TRANSPORTATION COMMITTEE REPORT relative to the "Watch the Road" Traffic Safety and Education Campaign and California Office of Traffic Safety Grant.

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

1. AUTHORIZE the General Manager, Department of Transportation (DOT), by September 15, 2004, to execute a Grant Funding Agreement with the California Office of Traffic Safety (OTS) to accept \$1,500,000 in state reimbursable grant funding, with no City match requirement, for the "Watch the Road" Traffic Safety Education and Awareness campaign for the grant period starting October 1, 2004.

2. AUTHORIZE the General Manager, DOT, to execute a contract amendment with the existing marketing consultant for the Watch the Road Program to:
 - a. Develop and test creative material in support of the “Watch the Road” campaign.
 - b. Employ the services of a media buyer to secure ads on radio, billboards, television, etc. to implement the “Watch the Road” campaign for an additional amount not to exceed \$150,000 subject to the approval of the City Attorney as to form and legality.
3. DETERMINE in accordance with Charter Section 1022 that due to the limited scope of the contract in Recommendation No. 2 above, it is more feasible and economical for the work to be done by contractor than by City employees.

Fiscal Impact Statement: The DOT reports that this program has no impact on the General Fund. Grant funding from the California Office of Traffic Safety is fully reimbursable and does not require a City match component. Previous related City Council action provided front funding for this program as part of the Los Angeles County Metropolitan Transportation Authority (MTA) 2001 Call for Projects Transportation Grant Fund report. Matching funds for the previous MTA grant fund was provided by Proposition C funds as part of the City’s match requirement.

ITEM NO. (26) - ADOPTED

Roll Call #16 - Motion (LaBonge - Hahn) Adopted, Ayes (13); Absent: Perry and Reyes (2)

01-0353 - PUBLIC SAFETY and BUDGET AND FINANCE COMMITTEES’ REPORT relative to Proposition F - Fire Facilities and Animal Facilities bond program status reports.

Recommendation for Council action:

NOTE and FILE the January 2004 and March 2004 quarterly status reports on the Proposition F - Fire Facilities and Animal Facilities bond programs, inasmuch as the reports are submitted for information only and no Council action is necessary.

Fiscal Impact Statement: The Proposition F Administrative Oversight Committee reports that there is no impact to the General Fund. The cost of the Program is funded by Proposition F - Fire/Paramedic, Emergency Helicopter, Animal Shelter Facilities Public Safety General Obligation Bonds.

ITEM NO. (27) - ADOPTED

Roll Call #4 - Motion (LaBonge - Hahn) Adopted, Ayes (13); Absent: Perry and Reyes (2)

91-1169 - RULES AND ELECTIONS and BUDGET AND FINANCE COMMITTEES’ REPORT relative to the sale of surplus City equipment to the Children’s Museum.

Recommendation for Council action:

RECEIVE and FILE the Chief Legislative Analyst report in response to the Motion (Alatorre - Bernardi) relative to the substitute of a non-operating surplus City ambulance for another previously sold to the Children's Museum, inasmuch as this equipment is no longer available and the City also has a new policy for requesting surplus equipment, rendering this request moot. Therefore, no Council action is necessary.

Fiscal Impact Statement: Not applicable.

**Roll Call #3 - Motion (Hahn - Villaraigosa) Adopted to Continue, Unanimous Vote (13);
Absent: Perry and Reyes (2)
(Item Nos. 28-30)**

ITEM NO. (28) - CONTINUED TO SEPTEMBER 21, 2004

04-0523 - CONTINUED CONSIDERATION OF ACCEPTANCE OF BIDS relative to the Notice of Sale for a Pipeline Franchise in the City of Los Angeles.

Recommendations for Council action:

1. FIND that the City of Los Angeles is in need of a pipeline franchise to install, retain, operate and maintain pipelines and their adjunct communication lines associated with the transportation of oil and oil products.
2. ACCEPT and AWARD the BID for the pipeline franchise to the responsible bidder offering to pay the City the highest cash consideration, but not less than \$500 and, if ARCO Terminal Services Corporation is the highest responsible bidder, award the franchise to this company.
3. REQUEST the City Attorney to prepare the pipeline franchise ordinance for the successful bidder for presentation to the Council.
4. INSTRUCT the Department of Transportation to notify the successful bidder and ensure that all good faith deposits are returned to the unsuccessful bidders, subsequent to the award of the bid.
5. REQUIRE that the successful bidder file a faithful performance bond in duplicate with the City Clerk within five days after the award of the pipeline franchise, pursuant to Los Angeles Administrative Code Section 13.30.

(Pursuant to Council action of May 11, 2004 - continued from Council meeting of July 20, 2004)

ITEM NO. (29) - CONTINUED TO SEPTEMBER 21, 2004

04-0524 - CONTINUED CONSIDERATION OF ACCEPTANCE OF BIDS relative to the Notice of Sale for a Pipeline Franchise in the City of Los Angeles.

Recommendations for Council action:

1. FIND that the City of Los Angeles is in need of a pipeline franchise to install, retain, operate and maintain pipelines and their adjunct communication lines associated with the transportation of oil and oil products.
2. ACCEPT and AWARD the BID for the pipeline franchise to the responsible bidder offering to pay the City the highest cash consideration, but not less than \$500 and, if BP West Coast Products LLC is the highest responsible bidder, award the franchise to this company.
3. REQUEST the City Attorney to prepare the pipeline franchise ordinance for the successful bidder for presentation to the Council.
4. INSTRUCT the Department of Transportation to notify the successful bidder and ensure that all good faith deposits are returned to the unsuccessful bidders, subsequent to the award of the bid.
5. REQUIRE that the successful bidder file a faithful performance bond in duplicate with the City Clerk within five days after the award of the pipeline franchise, pursuant to Los Angeles Administrative Code Section 13.30.

(Pursuant to Council action of May 11, 2004 - continued from Council meeting of July 20, 2004)

ITEM NO. (30) - CONTINUED TO SEPTEMBER 21, 2004

04-0525 - CONTINUED CONSIDERATION OF ACCEPTANCE OF BIDS relative to the Notice of Sale for a Pipeline Franchise in the City of Los Angeles.

Recommendations for Council action:

1. FIND that the City of Los Angeles is in need of a pipeline franchise to install, retain, operate and maintain pipelines and their adjunct communication lines associated with the transportation of crude oil.
2. ACCEPT and AWARD the BID for the pipeline franchise to the responsible bidder offering to pay the City the highest cash consideration, but not less than \$500 and, if ARCO MidCon LLC is the highest responsible bidder, award the franchise to this company.
3. REQUEST the City Attorney to prepare the pipeline franchise Ordinance for the successful bidder for presentation to the Council.
4. INSTRUCT the Department of Transportation to notify the successful bidder and ensure that all good faith deposits are returned to the unsuccessful bidders, subsequent to the award of the bid.
5. REQUIRE that the successful bidder file a faithful performance bond in duplicate with the City Clerk within five days after the award of the pipeline franchise, pursuant to Los Angeles Administrative Code Section 13.30.

(Pursuant to Council action of May 11, 2004 - continued from Council meeting of July 20, 2004)

Items for Which Public Hearings Have Not Been Held - Items 31-47
(10 Votes Required for Consideration)

ITEM NO. (31) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

Roll Call #6 - Motion (Hahn - Villaraigosa) Adopted, Ayes (13); Absent: Perry and Reyes (2)

04-1560 - COMMUNICATION FROM THE MAYOR relative to the appointment of Ms. Laura Genao to the Board of Civil Service Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Laura Genao to the Board of Civil Service Commissioners for the term ending June 30, 2009, to fill the vacancy created by the expiration of Ms. Melissa Appelbaum's term, is APPROVED and CONFIRMED. Ms. Genao resides in Council District 14. (Current Commission gender composition: M=2; F=3)

Ethics Commission Review: Pending

TIME LIMIT FILE - SEPTEMBER 20, 2004

(LAST DAY FOR COUNCIL ACTION - SEPTEMBER 15, 2004)

(Personnel Committee waived consideration of the above matter)

ITEM NO. (32) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

Roll Call #10 - Motion (Weiss - Miscikowski) Adopted, Ayes (13); Absent: Perry and Reyes (2)

04-1019 - COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to amending the Westwood Village Specific Plan.

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

PRESENT and ADOPT the accompanying ORDINANCE amending Ordinance Nos. 154305 and 167137, the Westwood Village Specific Plan.

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.

(Pursuant to Council action of August 3, 2004)

**Roll Call #5 - Motion (Parks - LaBonge) Adopted, Ayes (13); Absent: Perry and Reyes (2)
(Item Nos. 33-35)**

ITEM NO. (33) - ADOPTED

04-0005 - RESOLUTION removing the property at 317 West Avenue 37 from the Rent Escrow
S339 Account Program [REAP], (Case No. 4652), inasmuch as the owner has corrected the
CD 8 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 August 13, 2004.

Assessor I.D. No. 5451-011-004
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on April 25,
2002)

ITEM NO. (34) - ADOPTED

04-0005 - RESOLUTION removing the property at 2408-12 West 11th Street a.k.a. 1131-39 South
S341 Hoover Street from the Rent Escrow Account Program [REAP], (Case No. 4973),
CD 1 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 August 13, 2004.

Assessor I.D. No. 5076-014-019
Registration No. 060278

(Notice of Acceptance into the REAP/Rent Reduction Program was released on February
5, 2002)

ITEM NO. (35) - ADOPTED

04-0005 - RESOLUTION removing the property at 552 West Century Boulevard from the Rent
S340 Escrow Account Program [REAP], (Case No. 7079), inasmuch as the owner has corrected
CD 8 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 August 13, 2004.

Assessor I.D. No. 6054-050-015
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on November
25, 2002)

ITEM NO. (36) - ADOPTED, *AS AMENDED - SEE FOLLOWING

Roll Call #9 - Motion (Ludlow - Garcetti) to Adopt as Amended, Ayes (13); Absent: Perry and Reyes (2)

04-1612 - COMMUNICATION FROM CHAIR, CONVENTIONS, TOURISM, ENTERTAINMENT INDUSTRY AND BUSINESS ENTERPRISE COMMITTEE and HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to hotel workers negotiating a contract with area hotels that protects health care benefits, improves working conditions, and increases the hiring of African-Americans.

Recommendations for Council action, pursuant to Resolution (Garcetti - Ludlow - et al.):

~~1. RESOLVE to strongly ENDORSE the efforts of hotel workers to reach a just and decent contract with nine area hotels that protects health care, improves working conditions, increase the hiring of African-Americans, and allows for a national dialogue on these issues which affect the health of the many of communities of Los Angeles.~~

***1. RESOLVE to strongly URGE hotel workers and hotel companies to reach a just and decent contract that protects health care, improves working conditions, ensures that the hotels' hiring reflects the diversity of the workforce in the City, and allows for a national dialogue on these issues which affect the health of the many communities of Los Angeles and the City's tourism industry. *(Ludlow - Garcetti)**

2. RESOLVE to URGE hotel workers and hotel companies to remain in negotiations and to negotiate in good faith until a fair contract is reached.

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

**Roll Call #5 - Motion (Parks - LaBonge) Adopted, Ayes (13); Absent: Perry and Reyes (2)
(Item Nos. 37-47)**

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

00-0075 - COMMUNICATION FROM THE BUREAU OF SANITATION (BOS) relative to comments S3 on the proposed Basin Plan Amendment to incorporate a Total Maximum Daily Load (TMDL) for Metals in the Ballona Creek and Ballona Creek Estuary.

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

AUTHORIZE the BOS to provide written and oral comments to the Regional Water Quality Control Board, U.S. Environmental Protection Agency, and the State Water Resources Control Board on the draft Basin Plan Amendment to incorporate a TMDL for Metals in Ballona Creek and Ballona Creek Estuary.

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

(Environmental Quality and Waste Management Committee waived consideration of the above matter)

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

00-0075 - COMMUNICATION FROM THE BUREAU OF SANITATION (BOS) relative to comments S4 on the proposed Basin Plan Amendment to incorporate a Total Maximum Daily Load (TMDL) for Metals in the Los Angeles River and Tributaries.

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

AUTHORIZE the BOS to provide written and oral comments to the Regional Water Quality Control Board, U.S. Environmental Protection Agency, and the State Water Resources Control Board on the draft Basin Plan Amendment to incorporate a TMDL for Metals in the Los Angeles River and Tributaries.

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

(Environmental Quality and Waste Management Committee waived consideration of the above matter)

ITEM NO. (39) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

04-1250 - COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER (CAO) relative to a S2 request from the City Clerk to unfreeze two positions in the Council and Public Services Division.

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

APPROVE the request from the City Clerk to exempt one time from the hiring freeze one position of Legislative Assistant I, Class Code 1182-1, and one position of Management Analyst II, Class Code 9184-2.

Fiscal Impact Statement: The CAO reports that the 11 month direct cost of the Legislative Assistant I position is \$77,401 and \$60,957 for the Management Analyst II, for a total amount of \$138,358. There are sufficient funds in the City Clerk's Salaries General Account 1010 to cover the cost of these positions.

(Personnel and Budget and Finance Committees waived consideration of the above matters)

ITEM NO. (40) - MOTION ADOPTED TO APPROVE THE SIMPLIFIED DIGEST

04-1500 - CONSIDERATION OF THE SIMPLIFIED "DIGEST" prepared by the Ballot Simplification Committee for the City of Los Angeles measure to be submitted to the voters at the November 2, 2004, Special Municipal Election to be consolidated with the State General Election, pursuant to the Los Angeles Election Code Section 346.2:

Bond Proposition O. Clean Water, Ocean, River, Beach, Bay Storm Water Cleanup Measure General Obligation Bonds.

TIME LIMIT FILE - AUGUST 20, 2004

(LAST DAY FOR COUNCIL ACTION - AUGUST 20, 2004)

ITEM NO. (41) - ADOPTED

04-1471 - CONSIDERATION OF MOTION (PARKS - MISCIKOWSKI) relative to a waiver of potential conflicts of interest with the City.

Recommendations for Council action:

1. APPROVE the waiver of any potential conflicts of interest on behalf of the City for the firm of McDermott, Will and Emery over the firm's representation of Bear, Sterns' Los Angeles Office in a refund claim on the City's business tax for the year ending December 31, 2001.
2. AUTHORIZE the City Attorney, or designee, to execute the waiver on behalf of the City.

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

ITEM NO. (42) - ADOPTED

04-1540 - CONSIDERATION OF MOTION (VILLARAIGOSA - PERRY) relative to the renovation of CD 14 the Para Los Ninos Sixth Street Childcare and Development Center.

Recommendation for Council action:

DIRECT the City Engineer to negotiate and execute an Amendment No. 1 to the Proposition K - L.A. for Kids Grant Agreement between the City and Para Los Ninos (Contract No. C-105015) to approve the selection of the Birba Group as the grantee's architectural firm, in lieu of going out to bid, subject to the review of the City Attorney as to form and legality.

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

ITEM NO. (43) - ADOPTED

03-0531 - CONSIDERATION OF MOTION (VILLARAIGOSA - PERRY) relative to the Department of S2 Transportation (DOT) Metropolitan Transportation Authority (MTA) Transit Priority System (TPS) 3 Work Program.

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

1. AUTHORIZE the General Manager, DOT, to implement the 2004-05 DOT-MTA TPS3 Work Program.
2. AUTHORIZE the DOT to receive up to \$13,500,000 in MTA grant funds, and TRANSFER and APPROPRIATE these funds to the Transportation Grant Fund No. 655, "LADOT-MTA TPS3", Account No. W250.
3. APPROPRIATE and TRANSFER \$2,500,000 in front-funding, as needed, from the Prop C Local Transit Assistance Fund No. 540, Matching Funds - Other Agencies Account No. W700, to the Transportation Grant Fund No. 655, "LADOT-MTA TPS3," Account No. W250.
4. TRANSFER \$720,000, as needed, from the Transportation Grant Fund No. 655, "LADOT-MTA TPS3", Project Account No. W250, to the following DOT accounts:

<u>Fund</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
100/94	1010	Salaries General	\$620,000
100/94	1090	Salaries Overtime	\$100,000

5. AUTHORIZE the expenditure of up to \$4,600,000 directly from the TFG No. 655, "LADOT-MTA TPS3," Project account, to purchase system computer equipment, construction materials and TPS system integration components.
6. AUTHORIZE the Controller, the DOT, and any other involved City department requested and instructed, as appropriate, to take any necessary actions to accomplish the intent of this Motion.

(Transportation Committee waived consideration of the above matter)

ITEM NO. (44) - ADOPTED

04-0002 - CONSIDERATION OF RESOLUTION (PERRY- HAHN) and COMMUNICATION FROM S70 THE CHIEF LEGISLATIVE ANALYST relative to the City's position in connection with granting authority to public institutions of higher education to oversee California's charter schools.

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

RESOLVE to establish a position of SUPPORT in the City's 2003-04 State Legislative Program for Assembly Bill 2764 (Bates) which would grant public institutions of higher education the authority to authorize and oversee California's charter schools, thus fostering competitive school choice within the public school system.

(Education and Neighborhoods Committee waived consideration of the above matter.)

ITEM NO. (45) - MAP APPROVED - CITY ENGINEER REPORT ADOPTED

02-2603 - FINAL MAP OF TRACT NO. 49104 for property lying northerly of Jefferson Boulevard and
CD 11 easterly of Lincoln Boulevard.
(ADOPT City Engineer Report)
Applicants: Playa Capital Company, LLC
Psomas and Associates

ITEM NO. (46) - MAP APPROVED - CITY ENGINEER REPORT ADOPTED

04-1609 - FINAL MAP OF TRACT NO. 52979 for property lying northerly of 30th Street and westerly
CD 15 of Gaffey Street.
(Approve Subdivision Improvement Agreement and Contract with
attached security documents)
(ADOPT City Engineer Report)
(ADOPT Bond No. C-106762)
(Quimby Fee: \$20,475)
Applicants: Phillip Califano
Robert Kameoka

ITEM NO. (47) - MAP APPROVED - CITY ENGINEER REPORT ADOPTED

04-1639 - FINAL MAP OF TRACT NO. 53104 for property located at 15039-41 Dickens Street, east
CD 5 of Noble Avenue.
(Approve Subdivision Improvement Agreement and Contract with
attached security documents)
(ADOPT City Engineer Report)
(ADOPT Bond No. C-106761)
(Quimby Fee: \$20,475)
(Less Dwelling Unit Construction Tax: \$1,800)
Applicants: Benjamin Shavit
Jack Little

Closed Session - Item 48

ITEM NO. (48) - CONTINUED TO SEPTEMBER 7, 2004

Roll Call #7 - Motion (Miscikowski - Smith) Adopted to Continue, Unanimous Vote (13);
Absent: Perry and Reyes (2)

03-2771 - The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to the case entitled Vista Media, Inc., v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BC22832. (This action arises out of a challenge to the City's Off-Site Sign Periodic Inspection Program.)

(Planning and Land Use Management Committee considered the above matter in Closed Session on August 4, 2004. Budget and Finance Committee waived consideration of the above matter.)

Councilmember Miscikowski moved, seconded by Councilmember Greuel, that the Special Council meeting adjourn.

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

Whereupon the Special Council meeting did adjourn.

ATTEST: J. Michael Carey, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL