

Los Angeles City Council, Journal/Council Proceedings  
Tuesday, September 21, 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: Cardenas, Garcetti, Greuel, Hahn, LaBonge, Miscikowski, Reyes, Smith, Villaraigosa, Weiss and Zine(11); Absent: Ludlow, Parks, Perry, and President Padilla (4).**

SALUTE TO THE FLAG

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF  
SEPTEMBER 14, 2004

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 32

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

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

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## Items Noticed for Public Hearing - Items 1-9

**ITEM NO. (1) - PUBLIC HEARING CLOSED - NO APPEALS - ASSESSMENT CONFIRMED**

**Roll Call #1 - Motion (Reyes - Weiss) Adopted, Ayes (11); Absent: Ludlow, Parks, Perry  
and President Padilla (4)**

02-0183 - HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and  
CD 8 confirmation of assessment to cover the costs of barricading of all openings and graffiti  
abatement of the building(s) at 4127 South Leimert Boulevard.  
(Assessment: \$4,581.84)

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

**Roll Call #11 - Motion (Perry - Reyes) Adopted, Ayes (12); Absent: Ludlow, Parks and  
President Padilla (3)**

04-0930 - HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and  
CD 9 confirmation of assessment to cover the costs of barricading of all openings and graffiti  
abatement of the building(s) and the cleaning and fencing of the lot at 625 West 47th  
Street.  
(Assessment: \$3,319.20)

**Roll Call #1 - Motion (Reyes - Weiss) Adopted, Ayes (11); Absent: Ludlow, Parks, Perry and President Padilla (4)  
(Item Nos. 3-5)**

**ITEM NO. (3) - PUBLIC HEARING CLOSED - NO APPEALS - ASSESSMENT CONFIRMED**

04-0931 - HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and CD 5 confirmation of assessment to cover the costs of demolishing the building(s) and the cleaning of the lot at 2438 North Beverly Glen Boulevard. (Assessment: \$9,793.00)

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

04-0932 - HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and CD 10 confirmation of assessment to cover the costs of barricading of all openings and the cleaning and fencing of the lot at 3039 South Chesapeake Avenue. (Assessment: \$9,916.07)

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

04-0969 - HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and CD 1 confirmation of assessment to cover the costs of asbestos monitoring, asbestos removal, barricading and demolition of the building(s) and the cleaning and fencing of the lot at 3419 North Reynolds Avenue. (Assessment: \$21,606.76)

**ITEM NO. (6) - PUBLIC HEARING CLOSED - NO PROTESTS - CONTINUED TO SEPTEMBER 22, 2004 FOR BALLOT TABULATION RESULTS**

**Roll Call #2 - Motion (Zine - Garcetti) Adopted to Continue for Ballot Tabulation Results, Unanimous Vote (11); Absent: Ludlow, Parks, Perry and President Padilla (4)**

03-0078 - HEARING PROTESTS relative to the establishment of the Tarzana Safari Walk CD 3 Property and Business Improvement District, 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.

(Pursuant to Council adoption of Ordinance No. 176119 on July 23, 2004. Public announcement of the tabulation of ballots scheduled Wednesday, September 22, 2004.)

**ITEM NO. (7) - PUBLIC HEARING CLOSED - PROTESTS DENIED - CITY ENGINEER INSTRUCTED TO PROCEED**

**Roll Call #12 - Motion (Garcetti - Smith) Adopted, Ayes (12); Absent: Ludlow, Parks and President Padilla (3)**

03-1897 - CONTINUED CONSIDERATION OF HEARING PROTESTS against the proposed vacation CD 13 of Vista Del Mar Avenue northerly of Yucca Street to terminus at the Hollywood Freeway. VAC-E1400882

(Continued from Council meeting of September 10, 2004)

**ITEM NO. (8) - PUBLIC HEARING CLOSED - NEW ORDINANCE OF INTENTION ADOPTED - SET FOR HEARING DECEMBER 8, 2004 - SEE FOLLOWING**

**Roll Call #13 - Motion (Zine - Smith) to Adopt Substitute Motion, Adopted, Ayes (12);  
Absent: Ludlow, Parks and President Padilla (3)**

04-0750 - CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST  
CD 3 CONSIDERATION relative to the improvement and maintenance of CLARENDON STREET  
AND TOPANGA CANYON BOULEVARD NO. 1 LIGHTING DISTRICT.

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

PRESENT and ADOPT the accompanying ORDINANCE confirming assessment and ordering the work, if there was not a majority protest as a result of balloting, and if protests are denied, 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 18, 2004 - continued from Council meeting of September 10, 2004)

**ADOPTED**

**SUBSTITUTE MOTION (ZINE - SMITH)**

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

PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the hearing date of DECEMBER 8, 2004, pursuant to the provisions of Sections 6.95 - 6.127 of the Los Angeles Administrative Code, Section 53753 of the California Government Code, and Proposition 218 (Articles XIII C and XIII D of the California Constitution), on the proposed improvement and assessment of the CLARENDON STREET AND TOPANGA CANYON BOULEVARD NO. 1 LIGHTING DISTRICT.

**ITEM NO. (9) - PUBLIC HEARING CLOSED - MOTION ADOPTED TO GRANT APPLICATION**

**Roll Call #14 - Motion (Villaraigosa - Reyes) Adopted to Grant Application, Ayes (12);  
Absent: Ludlow, Parks, and President Padilla (3)**

04-1743 - HEARING COMMENTS relative to application for determination of "Public Convenience  
CD 14 or Necessity" for alcohol sales for off-site consumption at 700 South Los Angeles Street  
(Santee Court/Rite Aid No. 6449).

Recommendations for Council action:

1. DETERMINE that the issuance of a liquor license at 700 South Los Angeles Street (Santee Court / Rite Aid No. 6449, retail pharmacy) 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-site consumption at 700 South Los Angeles Street.

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: Thrifty Payless Inc., dba Rite Aid No. 6449

TIME LIMIT FILE - OCTOBER 22, 2004

(LAST DAY FOR COUNCIL ACTION - OCTOBER 22, 2004)

## Items for Which Public Hearings Have Been Held - Items 10-33

### ITEM NO. (10) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATION - FORTHWITH

**Roll Call #8 - Motion (Garcetti - Smith) Adopted, Ayes (12); Absent: Ludlow, Parks and President Padilla (3)**

04-1437 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the appointment of Ms. Jaye Young to the Community Redevelopment Agency (Agency) Board of Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Jaye Young to the Agency's Board of Commissioners for the term ending November 4, 2007 to fill the vacancy created by the resignation of Mr. Douglas R. Ring, is APPROVED and CONFIRMED. Ms. Young resides in Council District Four. (Current Commission gender composition: M=4; F=2; Vacancy=1)

Ethics Commission Review: Pending.

### ITEM NO. (11) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATION - FORTHWITH

**Roll Call #9 - Motion (Garcetti - Villaraigosa) Adopted, Ayes (12); Absent: Ludlow, Parks and President Padilla (3)**

04-1439 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the appointment of Ms. E. Felicia Brannon to the Los Angeles Homeless Services Authority (LAHSA).

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. E. Felicia Brannon to LAHSA to fill the vacancy created by the expiration of the term served by Mr. Thomas Gilmore for the term ending June 30, 2007, is APPROVED and CONFIRMED. Ms. Brannon resides in Council District 14. (Current Commission gender composition: M=0; F=3; Vacancy=2)

Ethics Commission Review: Complete.

**ITEM NO. (12) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATION  
- FORTHWITH**

**Roll Call #10 - Motion (Garcetti - Weiss) Adopted, Ayes (12); Absent: Ludlow, Parks and  
President Padilla (3)**

04-1634 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT  
relative to the appointment of Ms. Lisette M. Arsuaga to the Rent Adjustment Commission.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Lisette M. Arsuaga to the Rent Adjustment Commission for the term ending May 20, 2006 to fill the vacancy created by the resignation of Mr. John Boyajian, is APPROVED and CONFIRMED. Ms. Arsuaga resides in Council District Five. (Current Commission gender composition: M=3; F=3; Vacancy=1)

Ethics Commission Review: Complete.

TIME LIMIT FILE - SEPTEMBER 27, 2004

(LAST DAY FOR COUNCIL ACTION - SEPTEMBER 24, 2004)

**ITEM NO. (13) - ADOPTED, AS AMENDED - SEE FOLLOWING**

**Roll Call #15 - Motion (Miscikowski - Zine) to Adopt as Amended, Ayes (13); Absent: Parks and  
President Padilla (2)**

03-0028 - PUBLIC SAFETY, EDUCATION AND NEIGHBORHOODS, AND BUDGET AND FINANCE  
COMMITTEES' REPORTS and ORDINANCE FIRST CONSIDERATION relative to  
incorporation of a verified response alarm system policy and providing false alarm service  
fees and penalties.

**A. PUBLIC SAFETY COMMITTEE REPORT**

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

1. PRESENT and ADOPT the accompanying ORDINANCE relative to amending Section 103.206 of the Los Angeles Municipal Code relative to incorporating an alarm verification policy and provide false alarm service fees and penalties.
2. INSTRUCT the Los Angeles Police Department (LAPD) to review these fees, and the costs of providing these services, on an annual basis.
3. INSTRUCT the Office of Finance to report back after the first quarter, on the status of the fee collection and processing.
4. INSTRUCT the Information Technology Agency (ITA) and LAPD's Technology Division to report back after the first quarter, on the tracking of false alarms.
5. INSTRUCT the LAPD, Communications Division, with the assistance of the ITA, to establish incident data entry standards for Alarm Company Operation (ACO) information.

6. INSTRUCT the LAPD, Communications Division, with the assistance of the ITA to establish incident data entry standards for the "APT" field.
7. INSTRUCT the LAPD, Communications Division, with the assistance of the ITA, to assess the feasibility of compiling an appropriate list of addresses containing multi-unit buildings, and including the addresses in the Computer Aided Dispatch (CAD) "Special Locations" database.
8. INSTRUCT the LAPD, Commission Investigative Division (CID) and the ITA to implement the capability in the False Alarm System (FAS) to "flag" false alarm incidents when waiver requests are received by the CID. An incident in "waiver status" shall not be counted for tracking purposes, but any subsequent (undisputed) false alarm incident shall continue to be tracked.
9. AUTHORIZE the Office of Finance (OOF), in coordination with the Police Commission's Alarm Section, City Administrative Officer (CAO), City Attorney and Chief Legislative Analyst (CLA), to arrange for a Permit Compliance Project as described in the Client Lists and Permit Compliance section of the CLA report dated April 9, 2004, and to report back in 45 days concerning the progress of such action.
10. INSTRUCT the CAO, with the assistance of the CLA, to report back in 45 days with a financial analysis that is based on the final recommendations and adoption of the Alarm Ordinance.
11. REQUEST the Police Commission to review and modify its current operations and procedures to conform with the Alarm Dispatch Policy and Alarm Ordinance, and to report back in 45 days on the progress of such action.
12. INSTRUCT the CLA, City Attorney, and CID to monitor the legality of the City of Oakland Ordinance (making both the alarm company and alarm owners responsible for paying false alarm fees) and DRAFT an education campaign similar to the City of Oakland.
13. INSTRUCT the OOF, with the assistance of the CID, to bill elected City officials for false alarm dispositions.
14. INSTRUCT the City Attorney and CLA to investigate the possibility of setting standards for, or licensing of, alarm companies.
15. INSTRUCT the CLA, City Attorney, ITA and LAPD to report back every four months on the progress of the above issues.
16. REQUEST the City Attorney to draft an ordinance to establish a Burglar Alarm System Penalty Trust Fund, to receive the penalties as outlined in the draft Ordinance (in Recommendation No. 1), Section 103.206(e)(i)(ii).

Fiscal Impact Statement: The CLA reports that adoption of the Ordinance in its current form, will have a positive impact on the General Fund. However, a financial analysis should be completed after final adoption of the Ordinance. Projected revenue items include the current and future increases in alarm permit applications; elimination of free false alarms; increase in the false alarm fee; application of false alarm penalties; and, increased use of the collection agencies on contract with the City.

Projected revenue items may be offset by proposed expenditures, such as the enhancement of the Emergency Command Control Communications System dispatch and False Alarm System; OOF temporary staffing needs to process the projected increase in permit applications; printing and mailing costs; and, technology adjustments to provide for on-line permitting and payment processing. In addition, the Dispatch Policy provides that after two false alarms in a rolling year, police response is based on the availability of an officer (if no verification is provided), which may create an overall decrease in the number of false alarm citations issued.

The ITA reports that modifications to the False Alarms System will not impact the General Fund as the work will be done by existing support staff. The cost to implement false alarm tracking in the new Printrak CAD is approximately \$145,000. The initial cost to implement online alarm permit registration and payment is \$12,901.

## B. EDUCATION AND NEIGHBORHOODS COMMITTEE REPORT

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

1. CONCUR in the recommendations of the Public Safety Committee in its report dated July 21, 2004.
2. INSTRUCT the Chief Legislative Analyst (CLA), Los Angeles Police Department (LAPD) and Office of Finance (OOF) to meet with industry experts and report to the Education and Neighborhoods (EN) Committee with a detailed report of the outreach efforts to be implemented for instructions and information on the new ordinance and false alarm penalties.
3. REQUEST the City Attorney and INSTRUCT the CLA, LAPD and OOF to review and report on the possibility of changing the false alarm penalty determined to be a misdemeanor to an infraction and report to the EN Committee.
4. REQUEST the City Attorney and INSTRUCT the CLA, LAPD and OOF to implement an amnesty program which will provide an incentive for alarm permit application by delaying the institution of the false alarm fee penalty to January 1, 2005 and provides a waiver of a portion of back-owed fees from alarm penalties.
5. REQUEST the City Attorney and INSTRUCT the CLA, LAPD and OOF to keep exploring the idea of involving the alarm companies in the permit application and renewal process.

Fiscal Impact Statement: The CLA reports that it is expected that the draft alarm ordinance, in its current form, will have a positive impact on the General Fund. However, a financial analysis should be completed after the final adoption of the ordinance. The projected revenue items include the current and future increases in alarm permit applications; elimination of free false alarms; increase in the false alarm fee; application of false alarm penalties, and increased use of the collection agencies which are on contract with the City.

## C. BUDGET AND FINANCE COMMITTEE REPORT

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

1. CONCUR in the recommendations of the Public Safety Committee in its report dated July 21, 2004.
2. CONCUR with Recommendations two, three and five of the Education and Neighborhoods (EN) Committee in its report dated August 4, 2004.
3. APPROVE a waiver of additional penalties that may be assessed on uncollected false alarm fees, up to the statute of limitations of three years.
4. DISAPPROVE the January 1, 2005 implementation date for false alarm and permit penalties, as recommended by EN Committee.

Fiscal Impact Statement: The Chief Legislative Analyst reports that the draft Alarm Ordinance, in its current form, will have a positive impact on the General Fund. However, a financial analysis should be completed after final adoption of the Ordinance. Projected revenue items include the current and future increases in alarm permit applications; elimination of free false alarms; increase in the false alarm fee; application of false alarm penalties; and, increased use of the collection agencies on contract with the City. The projected revenue items may be offset by proposed expenditures, such as the enhancement of the Emergency Command Control Communications System dispatch and False Alarm System; Office of Finance temporary staffing needs to process the projected increase in permit applications; printing and mailing costs; and, technology adjustments to provide for on-line permitting and payment processing. In addition, the Dispatch Policy provides that after two false alarms in a rolling year, police response is based on the availability of an officer (if no verification is provided), which may create an overall decrease in the number of false alarm citations issued.

## ADOPTED

### AMENDING MOTION (MISCIKOWSKI - ZINE)

Recommendations for Council action:

1. INCLUDE a February 1, 2005 effective date for the new Los Angeles Municipal Code Section 103.206 (d) (Permit Denial, suspension and Revocation) in order to allow sufficient time for the Office of Finance to undertake its permit compliance project.
2. TRANSFER, subject to the approval of the approval of the Mayor, \$99,567 from the Reserve Fund to the Unappropriated Balance and appropriate therefrom to the Office of Finance, Fun No. 100/39 as follows: \$57,040 to Account No. 3040 - Contractual Services; \$33,255 to Account No. 2120 - Printing and Binding; and, \$9,272 to Account No. 1070 - As needed, to pay for printing and mailing, as well as temporary staffing costs relative to purchasing new alarm permit applications, as identified in the Chief Legislative Analyst's report, dated September 13, 2004.



3. **SUBSTITUTE Public Safety Committee Report Recommendation No. 16 to request the City Attorney to PREPARE and PRESENT an ORDINANCE to create a Burglar Alarm System Trust Fund, which will receive the payments resulting from penalties imposed per the new Los Angeles Municipal Code Ordinance Section 103.206; (e) (2) (i) and (ii) to finance replacement technology for the City's False Alarm System, upon approval by the Council.**

**Roll Call #6 - Motion (Zine - Smith) Adopted, Ayes (11); Absent: Ludlow, Parks, Perry and President Padilla (4)  
(Item Nos. 14-18)**

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

00-2215 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the receipt of a \$100,000 United States Housing and Urban Development (HUD) Economic Development Initiative (EDI) Grant for a feasibility study on the concept of a Downtown red car trolley line.

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

1. AUTHORIZE the Chief Executive Officer, Community Redevelopment Agency (Agency), or designee, to:
  - a. Amend the Agency's Fiscal Year 2005 Budget by recognizing the receipt of \$100,000 HUD EDI funds to conduct a feasibility study on the concept of implementing a historic downtown red car circular trolley line in Downtown Los Angeles.
  - b. Create Objective CT4200, Red Car Circular Study, and placing said funds in that Objective.
  - c. Execute a grant agreement with the HUD that provides for the funding of the projects as provided for in Congressional Appropriation in 2002.
2. INSTRUCT the Community Development Department to work with the Agency to complete the steps necessary for the environmental clearances for the red line trolley study.

Fiscal Impact Statement: The Chief Legislative Analyst reports that this action will not impact the General Fund. The source of funding is a \$100,000 HUD EDI grant.

**ITEM NO. (15) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATION**

01-0224 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the quarterly status of Community Redevelopment Agency (Agency) investments for the period ending June 30, 2004.

Recommendation for Council action:

NOTE and FILE the Agency report dated August 20, 2004 (attached to the Council file) relative to the status of the Agency's investments for the quarter ending June 30, 2004, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

**ITEM NO. (16) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATION**

04-0002 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT S136 relative to S198 (Smith), the "New Homestead Economic Opportunity Act," and HR 839 (Portman), the "Renewing the Dream Tax Credit Act."

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

RESOLVE to include in the City's 2003-04 Federal Legislative Program SUPPORT of S198 (Smith), the "New Homestead Economic Opportunity Act," and HR 839 (Portman), the "Renewing the Dream Tax Credit Act," which would create an incentive for developers to build more affordable housing units in deserving areas by offering tax credits enabling low-income residents to purchase said developments once they are built.

Fiscal Impact Statement: None submitted by the Chief Legislative Analyst. The City Administrative Officer has not completed a financial analysis of this report.

**ITEM NO. (17) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATION**

04-1075 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the service location map for the Los Angeles Business Assistance Program (LABAP).

Recommendation for Council action:

NOTE and FILE Community Development Department (CDD) report dated August 4, 2004 and accompanying service location map for LABAP (attached to the Council file), inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

**ITEM NO. (18) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATION**

04-1683 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to amending the Community Redevelopment Agency (Agency) contracts with Automated Data Processing, Inc. for employee benefits and payroll processing services.

Recommendation for Council action:

AUTHORIZE the Chief Executive Officer, Agency, or designee, to amend the contracts with Automated Data Processing, Inc. by increasing the contract amounts as follows:

- a. Payroll servicing contract by \$41,001 from \$13,999 to \$55,000.
- b. Employee benefits processing services contract by \$23,000 from \$11,000 to \$34,000.

Fiscal Impact Statement: The Chief Legislative Analyst reports that this action will not impact the General Fund. The source of funds are general administrative overhead funds available in the Agency's current operating budget.

**ITEM NO. (19) - WITHDRAWN AND REFERRED TO INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE**

**Roll Call #3 - Motion (Weiss - Reyes) Adopted to Refer, Unanimous Vote (11); Absent: Ludlow, Parks, Perry and President Padilla (4)**

04-0839 - CONTINUED CONSIDERATION OF COMMUNICATION FROM THE CHIEF LEGISLATIVE ANALYST and MOTION (ZINE - WEISS - PARKS - GREUEL) relative to the consolidated operations of Channels 35 and 36 by the Los Angeles Cable Television Access Corporation.

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

(Continued from Council meeting of August 18, 2004)

**Roll Call #6 - Motion (Zine - Smith) Adopted, Ayes (11); Absent: Ludlow, Parks, Perry and President Padilla (4)  
(Item Nos. 20-28)**

**ITEM NO. (20) - ADOPTED**

00-1543 - PERSONNEL COMMITTEE REPORT relative to Employment Authority for one position of Senior Project Coordinator to implement the Traffic Safety Education Program.

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

RESOLVE that Employment Authority for one new position of Senior Project Coordinator, Code 1538, to replace an expiring Employment Authority in the Community Development Department (CDD) to implement the Traffic Safety Education Program from July 1, 2004 through June 30, 2005, subject to classification determination by the Board of Civil Service Commissioners, is APPROVED.

Fiscal Impact Statement: The City Administrative Officer reports that there is no General Fund impact. Approval of the recommendation will authorize the CDD to continue staff support to implement the Traffic Safety Education Program. Full funding for the requested position is provided by the State of California Business, Transportation and Housing Agency Office of Traffic Safety.

**ITEM NO. (21) - ADOPTED**

02-0938 - PERSONNEL COMMITTEE REPORT relative to Amendment No. 6 to the 2001-04 Memorandum of Understanding (MOU) for the Management Employees Unit (MOU No. 36).

Recommendation for Council action:

APPROVE Amendment No. 6 to MOU No. 36 regarding the Management Employees Unit, to provide salary protection for Ms. Julia Nagano. Ms. Nagano will be Z-rated for two years and Y-rated thereafter.

Fiscal Impact Statement: The City Administrative Officer reports that the Z-rate and Y-rate will have no impact on the General Fund.

**ITEM NO. (22) - ADOPTED**

04-1608 - PERSONNEL COMMITTEE REPORT relative to exempting one position of Finance Specialist III, for the Office of the Treasurer (Treasury), from Civil Service provisions of the City Charter.

Recommendation for Council action, as recommended by the Personnel Committee:

APPROVE, for six months, pending reorganization and reallocation of Treasury positions, the exemption of one position of Finance Specialist III, Code 1552-3, in the Treasury, from the Civil Service provisions of the City Charter, pursuant to City Charter Section 1001(b).

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

TIME LIMIT FILE - SEPTEMBER 22, 2004

(LAST DAY FOR COUNCIL ACTION - SEPTEMBER 22, 2004)

**ITEM NO. (23) - ADOPTED**

04-0600 - PERSONNEL AND BUDGET AND FINANCE COMMITTEES' REPORT relative to the S22 2004-05 Managed Hiring Process.

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

1. APPROVE the 2004-05 Managed Hiring Process shown in the City Administrative Officer's (CAO) and Chief Legislative Analyst's (CLA) report, dated July 1, 2004, attached to the Committees' report.
2. REQUEST the City Attorney, CLA and CAO to report to the Personnel Committee in 60 days with a list of liability payouts by category of liability and Department for 2003.

Fiscal Impact Statement: The CAO and CLA report that the impact of the 2004-05 Managed Hiring Process will create budgetary savings in departments affected by the restrictions placed on processing personnel transactions; however, actual dollar amounts cannot be estimated at this time.

**ITEM NO. (24) - ADOPTED - TO THE MAYOR FORTHWITH**

04-0002 - PUBLIC SAFETY COMMITTEE REPORT relative to providing federal funding for security S119 enhancements for non-profit agencies for protection against terrorism attacks.

Recommendations for Council action, as initiated by Resolution (Smith - Miscikowski), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

1. RESOLVE to establish a position of SUPPORT in the City's 2003-04 Federal Legislative Program for House Resolution 4108 (Nethercutt) and Senate Bill 2275 (Mikulski) to provide federal funds for high risk non-profit agencies to make security improvements to protect against the threat of international terrorism.
2. INSTRUCT the Los Angeles Police Department to work with the City Administrative Office (CAO), Emergency Preparedness Department, the Community Development Department, the Los Angeles Housing Department and other agencies, as necessary, to identify organizations eligible for grants within the City of Los Angeles.

Fiscal Impact Statement: None submitted by the Chief Legislative Analyst. The CAO has not completed a financial analysis of this report.

**ITEM NO. (25) - ADOPTED**

86-1500 - RULES AND ELECTIONS COMMITTEE REPORT relative to authorizing specific S14 individuals to engage in the activities of lobbyists on behalf of the City for the 1987-88 State Legislative session.

Recommendation for Council action:

RECEIVE and FILE the Chief Legislative Analyst report relative to authorizing Norman D. Boyer, Ron Cagle, Karen Mills-Alston, and Jill Pascal Ellman to engage in the activities of lobbyists as defined in Title 9, Chapter 2, Section 82039 of the California Government Code, on the behalf of the City for the 1987-88 Session of the Legislature, inasmuch as this matter is no longer timely and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

**ITEM NO. (26) - ADOPTED**

95-1836 - RULES AND ELECTIONS COMMITTEE REPORT relative to a proposal to prohibit City S1 Commissioners from soliciting political contributions on behalf of elected City Officers.

Recommendation for Council action:

RECEIVE and FILE the City Attorney report relative to a proposal to prohibit City Commissioners from soliciting political contributions on behalf of elected City Officers, inasmuch as this prohibition is included in sections of the Government Code and, therefore, no Council action is necessary.

Fiscal Impact Statement: Not applicable.

**ITEM NO. (27) - ADOPTED**

97-0677 - RULES AND ELECTIONS COMMITTEE REPORT relative to redesignating Chapter Four (Officeholder Controlled funds) of Division 24 of the Los Angeles Administrative Code as Chapter Five.

Recommendation for Council action:

RECEIVE and FILE the City Attorney report and draft Ordinance relative to redesignating Chapter Four (Officeholder Controlled funds) of Division 24 of the Los Angeles Administrative Code as Chapter Five, inasmuch as a previous Council action accomplished this redesignation, and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

**ITEM NO. (28) - ADOPTED**

03-1923 - RULES AND ELECTIONS COMMITTEE REPORT relative to the sale of one surplus GMC Van to Youth Opportunity Movement - Valley Office (YO Valley) for one dollar.

Recommendation for Council action:

RECEIVE and FILE the Chief Legislative Analyst report relative to the sale of one surplus GMC Van (Equipment No. 16439) to the YO Valley, pursuant to Motion (Padilla - Parks), for one dollar, inasmuch as this action was previously approved by the Council on September 12, 2003, and no further Council action is necessary.

Fiscal Impact Statement: Not applicable.

**ITEM NO. (29) - CONTINUED TO SEPTEMBER 22, 2004**

**Roll Call #4 - Motion (Zine - Weiss) Adopted to Continue, Unanimous Vote (11); Absent: Ludlow, Parks, Perry and President Padilla (4)**

04-0002 - CONTINUED CONSIDERATION OF RULES AND ELECTIONS COMMITTEE REPORT S49 relative to the City's position in 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), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

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.

(Continued from Council meeting of August 18, 2004)

**ITEM NO. (30) - MOTION ADOPTED TO APPROVE COMMITTEES REPORTS  
RECOMMENDATIONS - TO THE MAYOR FORTHWITH**

**Roll Call #6 - Motion (Zine - Smith) Adopted, Ayes (11); Absent: Ludlow, Parks, Perry and  
President Padilla (4)**

04-1250 - PERSONNEL AND BUDGET AND FINANCE COMMITTEES' REPORTS relative to hiring  
S4 freeze exemptions for various positions in the Library Department.

**A. PERSONNEL COMMITTEE REPORT**

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

1. EXEMPT from the hiring freeze throughout the fiscal year the 98.5 positions, in the Library Department, as noted in the "CAO Recommended Number of Positions" column in the attachment to this Committee's report, and AUTHORIZE the backfilling of a vacancy created by filling the exempted Assistant City Librarian position.
2. EXEMPT from the hiring freeze throughout the fiscal year one position of Assistant City Librarian, Code 9232; one position, or equivalent, of Division Librarian, Code 6157; and one position of Principal Accountant II, Code 1525-2; in the Library Department.
3. REQUEST the City Attorney and the City Administrative Officer (CAO) to report to the Personnel Committee on a strategy to have the ability to include start-up operational costs, including personnel, in future bond measures.

**B. BUDGET AND FINANCE COMMITTEE REPORT**

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

1. EXEMPT from the hiring freeze throughout the fiscal year the 98.5 positions, in the Library Department, as noted in the "CAO Recommended Number of Positions" column in the attachment to this Committee's report, and AUTHORIZE the backfilling of a vacancy created by filling the exempted Assistant City Librarian position.

2. EXEMPT from the hiring freeze throughout the fiscal year one position of Assistant City Librarian, Code 9232; one position, or equivalent, of Division Librarian, Code 6157; and one position of Principal Accountant II, Code 1525-2; in the Library Department.

Fiscal Impact Statement: The City Administrative Officer reports that the total annual direct cost for the positions being recommended is about \$4.6 million. The total direct cost for the remainder of Fiscal Year 2004-05 is about \$2.8 million. The Library Department will maintain an average of 74 vacancies in various classifications to ensure salary savings equal to seven percent in accordance with the 2004-05 Adopted Budget.

**Roll Call #5 - Motion (Hahn - LaBonge) Adopted to Continue, Unanimous Vote (11);  
Absent: Ludlow, Parks, Perry and President Padilla (4)  
(Item Nos. 31-33)**

**ITEM NO. (31) - CONTINUED TO OCTOBER 5, 2004**

04-0523 - CONTINUED CONSIDERATION OF ACCEPTANCE OF BIDS relative to the Notice of Sale  
CD 15 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 August 18, 2004)



**ITEM NO. (32) - CONTINUED TO OCTOBER 5, 2004**

04-0524 - CONTINUED CONSIDERATION OF ACCEPTANCE OF BIDS relative to the Notice of Sale  
CDs 8,10 & 15 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 August 18, 2004)

**ITEM NO. (33) - CONTINUED TO OCTOBER 5, 2004**

04-0525 - CONTINUED CONSIDERATION OF ACCEPTANCE OF BIDS relative to the Notice of Sale  
CDs 2,4, 5,6,7,8, 10 & 15 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 August 18, 2004)

## **Items for Which Public Hearings Have Not Been Held - Items 34-65**

(10 Votes Required for Consideration)

**Roll Call #7 - Motion (Hahn - Smith) Adopted, Ayes (11); Absent: Ludlow, Parks, Perry and President Padilla (4)  
(Item Nos. 34-51)**

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

04-0005 - RESOLUTION removing the property at 1615 Champlain Terrace from the Rent Escrow S368 Account Program [REAP], (Case No. 5175), inasmuch as the owner has corrected CD 13 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 September 14, 2004. Assessor I.D. No. 5420-019-017

(Notice of Acceptance into the REAP/Rent Reduction Program was released on March 4, 2002)

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

04-0005 - RESOLUTION removing the property at 530-30 1/2 East Avenue 39 from the Rent Escrow S369 Account Program [REAP], (Case No. 5639), inasmuch as the owner has corrected CD 1 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 September 14, 2004. Assessor I.D. No. 5207-018-007

(Notice of Acceptance into the REAP/Rent Reduction Program was released on July 30, 2002)

### **ITEM NO. (36) - ADOPTED**

04-0005 - RESOLUTION removing the property at 14765 Erwin Street from the Rent Escrow Account S370 Program [REAP], (Case No. 5857), inasmuch as the owner has corrected the cited REAP CD 6 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 September 14, 2004. Assessor I.D. No. 2241-009-026

(Notice of Acceptance into the REAP/Rent Reduction Program was released on September 24, 2002)

**ITEM NO. (37) - ADOPTED**

04-0005 - RESOLUTION removing the property at 813 Vernon Avenue from the Rent Escrow  
S371 Account Program [REAP], (Case No. 6070), inasmuch as the owner has corrected the  
CD 11 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 September 14, 2004. Assessor I.D. No. 4240-016-059

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

**ITEM NO. (38) - ADOPTED**

04-0005 - RESOLUTION removing the property at 1027 Leighton Avenue from the Rent Escrow  
S372 Account Program [REAP], (Case No. 6247), 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 September 14, 2004. Assessor I.D. No. 5037-022-019

(Notice of Acceptance into the REAP/Rent Reduction Program was released on February 26, 2003)

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

04-0005 - RESOLUTION removing the property at 14168-70 Erwin Street from the Rent Escrow  
S373 Account Program [REAP], (Case No. 7074), inasmuch as the owner has corrected the  
CD 6 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 September 14, 2004. Assessor I.D. No. 2240-019-001

(Notice of Acceptance into the REAP/Rent Reduction Program was released on December 3, 2003)

**ITEM NO. (40) - ADOPTED**

04-0005 - RESOLUTION removing the property at 1647-47 1/2 West 59th Street from the Rent  
S374 Escrow Account Program [REAP], (Case No. 7156), 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 September 14, 2004. Assessor I.D. No. 6002-007-019

(Notice of Acceptance into the REAP/Rent Reduction Program was released on January 7, 2004)

**ITEM NO. (41) - ADOPTED**

04-0005 - RESOLUTION removing the property at 1855 South Orange Drive from the Rent Escrow S375 Account Program [REAP], (Case No. 7453), 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 September 14, 2004. Assessor I.D. No. 5067-016-012  
CD 10

(Notice of Acceptance into the REAP/Rent Reduction Program was released on July 6, 2004)

**ITEM NO. (42) - ADOPTED**

04-0005 - RESOLUTION removing the property at 912-14 West 79th Street from the Rent Escrow S376 Account Program [REAP], (Case No. 7533), 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 September 14, 2004. Assessor I.D. No. 6032-001-013  
CD 8

(Notice of Acceptance into the REAP/Rent Reduction Program was released on July 20, 2004)

**ITEM NO. (43) - ADOPTED**

04-0005 - RESOLUTION removing the property at 6620-22 Arlington Avenue from the Rent Escrow S377 Account Program [REAP], (Case No. 7544), 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 September 14, 2004. Assessor I.D. No. 4008-001-013  
CD 8

(Notice of Acceptance into the REAP/Rent Reduction Program was released on July 20, 2004)

**ITEM NO. (44) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS**

04-1699 - COMMUNICATION FROM CHAIR, AUDITS AND GOVERNMENTAL EFFICIENCY COMMITTEE relative to acceptance of donations for the City of Los Angeles' Annual Productivity Improvement Awards (Awards).

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

1. AUTHORIZE the City Administrative Officer (CAO), on behalf of the City, to accept a \$2,000 donation from the American Federation of State, County and Municipal Employees (AFSCME) and to accept all future donations for Fiscal Year 2004-05 from sponsors of the Awards.
2. INSTRUCT the CAO to deposit the \$2,000 donation from AFSCME and all future donations for the 2004-05 Awards into the General Fund No. 100/10, Revenue Source Code No. 4551.
3. AUTHORIZE the Controller to APPROPRIATE \$2,000 to the Office of the CAO Fund No. 100/10, Office and Administrative Expense Account No. 6010 to be used for expenditures associated with the 2004-05 Awards and for purposes of furthering Quality and Productivity Commission efforts and activities.
4. AUTHORIZE the Controller to, upon written notification from the CAO that a donation in a specific dollar amount for the 2004-05 Awards has been received and deposited in Fund 100/10, Revenue Source Code 4551, APPROPRIATE an equivalent dollar amount to the Office of the CAO, Fund 100/10, Office and Administrative Expense Account No. 6010 to be used for expenditures associated with the 2004-05 Awards and for purposes of furthering Quality and Productivity Commission efforts and activities.

Fiscal Impact Statement: The CAO reports that there is no General Fund impact. The \$2,000 donation will be used to defray expenses associated with the Awards.

#### **ITEM NO. (45) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS**

04-1490 - COMMUNICATION FROM CHAIR, ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE relative to grant funding for air quality improvement projects.

Recommendations for Council action:

1. AUTHORIZE the General Manager of the Environmental Affairs Department (EAD) to prepare and submit applications for grant funding to the South Coast Air Quality Management District as part of the Carl Moyer Program, the Mobile Source Air Pollution Reduction Review Committee, the Air Quality Investment Program, and the Natural Gas Infrastructure Program, on behalf of the City of Los Angeles.
2. DIRECT City departments to participate in these grant programs to the fullest extent possible through the EAD.
3. INSTRUCT the General Manager, EAD, to report back to the Mayor and City Council for the purpose of accepting any funds awarded.

Fiscal Impact Statement: The EAD reports that applying for this grant would have no fiscal impact to the General Fund.

**ITEM NO. (46) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS**

04-0444 - COMMUNICATION FROM CHAIR AND VICE-CHAIR, HOUSING, COMMUNITY AND  
S1 ECONOMIC DEVELOPMENT COMMITTEE relative to Annual Reports of the Office of  
Small Business Services (OSBS) for Fiscal Years (FY) 2002-03 and 2003-04.

Recommendation for Council action:

NOTE and FILE Mayor's report dated August 10, 2004 and the FY 2002-03 and 2003-04  
Annual Reports of the OSBS.

Fiscal Impact Statement: Not applicable.

**ITEM NO. (47) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS**

04-1258 - COMMUNICATION FROM CHAIR AND VICE-CHAIR, HOUSING, COMMUNITY AND  
ECONOMIC DEVELOPMENT COMMITTEE relative to the operations of the Mayor's  
Economic Development Cabinet.

Recommendation for Council action:

NOTE and FILE Mayor's report dated August 13, 2004 relative to the operations of the  
Mayor's Economic Development Cabinet.

Fiscal Impact Statement: Not applicable.

**ITEM NO. (48) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS**

01-2395 - COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER (CAO) relative to the  
2003-06 Memorandum of Understanding (MOU) for the Fire Chief Officers Representation  
Unit.

Recommendations for Council action:

1. APPROVE the July 1, 2003 through June 30, 2006 MOU for the Fire Chief Officers  
Representation Unit (MOU No. 22).
2. AUTHORIZE the CAO and the Controller to correct any clerical, or, if approved by the  
City Attorney, any technical errors in this MOU.

Fiscal Impact Statement: The CAO reports that the 2003-04 cost of salary, pension and  
benefits contained in MOU No. 22 is approximately \$424,957; \$584,870 for 2004-05; and  
\$707,835 for 2005-06. The ongoing cost at the end of the contract is \$1,717,662.

(Personnel Committee waived consideration of the above matter)

**ITEM NO. (49) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION  
- FORTHWITH**

05-1100 - COMMUNICATION FROM THE CITY CLERK and RESOLUTION relative to a consolidation request for the March 8, 2005 municipal elections.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION requesting that 21 Los Angeles area cities, identified in Exhibit I of the City Clerk's report, agree to consolidate a portion of the City of Los Angeles Primary Nominating Election to be held on Tuesday, March 8, 2005, with the municipal elections of those cities to be held on the same date.

Fiscal Impact Statement: The City Clerk reports that adoption of the proposed Resolution will have no adverse impact on the General Fund as the funds required to conduct the 2005 municipal elections are already included in the City Clerk's operating budget.

(Rules and Elections Committee waived consideration of the above matter)

**ITEM NO. (50) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION**

04-0678 - COMMUNICATION FROM THE CITY ENGINEER relative to inclusion of the name of CD 13 Jan and Mickey Rooney on the Hollywood Walk of Fame.

Recommendation for Council action:

APPROVE the installation of the name of Jan and Mickey Rooney on the Hollywood Walk of Fame at 6801 Hollywood Boulevard.

Fiscal Impact Statement: The City Engineer reports that there is no General Fund impact.

**ITEM NO. (51) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION**

04-0927 - COMMUNICATION FROM THE CITY ENGINEER relative to inclusion of the name of CD 13 Steve Edwards on the Hollywood Walk of Fame.

Recommendation for Council action:

APPROVE the installation of the name of Steve Edwards on the Hollywood Walk of Fame at 6150 Hollywood Boulevard.

Fiscal Impact Statement: The City Engineer reports that there is no General Fund impact.

**ITEM NO. (52) - ADOPTED - FORTHWITH**

**Roll Call #16 - Motion (LaBonge - Garcetti) Adopted, Ayes (13); Absent: Hahn and Parks (2)**

04-1646 - CONSIDERATION OF MOTION (HAHN - GARCETTI) relative to requiring a labor peace agreement as a condition of approval for any new lease, lease amendment, or lease assignment for all hotels located on City-owned property.

Recommendation for Council action:

REQUEST the City Attorney to prepare a report relative to the feasibility of implementing a labor peace ordinance which can include, but is not limited to, a labor peace agreement as a condition of approval for any new lease, lease amendment, or lease assignment for all hotels located on City-owned property.

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

**Roll Call #7 - Motion (Hahn - Smith) Adopted, Ayes (11); Absent: Ludlow, Parks, Perry and President Padilla (4)  
(Item Nos. 53-65)**

**ITEM NO. (53) - ADOPTED**

04-0002 - CONSIDERATION OF RESOLUTION (SMITH - GARCETTI) relative to establishing a City S140 position on Assembly Bill (AB) 2901 (Pavley), the Cell Phone Recycling Act of 2004.

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

RESOLVE that the City establish a position of SUPPORT in its 2003-04 State Legislative Program for AB 2901 (Pavley), the Cell Phone Recycling Act of 2004.

(Information Technology and General Services Committee waived consideration of the above matter)

**ITEM NO. (54) - ADOPTED**

03-1209 - MOTION (PARKS - PERRY) relative to declaring the Unveiling of the Celes King, III CD 8 Memorial on September 18, 2004 a Special Event (fees and costs absorbed by the City = \$5,000).

Recommendation for Council action:

DECLARE the Unveiling of the Celes King, III Memorial, sponsored by the Congress for Racial Equality on September 18, 2004, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance.



**ITEM NO. (55) - ADOPTED**

04-1827 - MOTION (LABONGE - LUDLOW) relative to declaring the Third Annual Precious  
CD 4 Cheese Feast of San Gennaro on September 24-26, 2004 a Special Event (fees and costs absorbed by the City = \$24,500).

Recommendation for Council action:

DECLARE the Third Annual Precious Cheese Feast of San Gennaro, sponsored by the San Gennaro Foundation on September 24-26, 2004, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance AND application requirements, associated with the event.

**ITEM NO. (56) - ADOPTED**

02-1906 - MOTION (WEISS - SMITH) relative to declaring the Troon Avenue and Wigtown Road  
CD 5 Block Party on September 18, 2004 a Special Event (fees and costs absorbed by the City = \$1,188).

Recommendation for Council action:

DECLARE the Troon Avenue and Wigtown Road Block Party, sponsored by the residents of Troon Avenue and Wigtown Road on September 18, 2004, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance.

**ITEM NO. (57) - ADOPTED**

02-1525 - MOTION (WEISS - SMITH) relative to declaring the Third Annual Davana Terrace Block  
CD 5 Party on October 3, 2004 a Special Event (fees and costs absorbed by the City = \$1,188).

Recommendation for Council action:

DECLARE the Third Annual Davana Terrace Block Party, sponsored by the residents of Davana Terrace on October 3, 2004, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance.

**ITEM NO. (58) - ADOPTED**

04-1825 - MOTION (PERRY - VILLARAIGOSA) relative to a request for an exemption from the  
Convention Center fee waiver policy for the Family Law Conference on October 1-2, 2004 sponsored by the Legal Aid Association of Los Angeles.

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

1. FIND that the event, sponsored by the Legal Aid Association of Los Angeles, serves a public purpose in that approximately 5,000 people will receive Legal Aid training to advocate for the most under served populations.
2. AUTHORIZE the General Manager, Convention Center, to make an exception to the Council's Convention Center waiver policy by waiving the \$1,982.96 in room rental fees for this event.
3. INSTRUCT all concerned departments that should unforeseen circumstances change the actual date of the Special Event, the aforementioned departmental instructions continue to apply.

**ITEM NO. (59) - ADOPTED**

04-1826 - MOTION (PERRY - ZINE) relative to partial funding to support community programs and groups in Council District Nine.

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

TRANSFER \$4,620 in the Council District Nine Real Property Trust Fund No. 691 to the General City Purposes Fund No. 100-56, Account No. 0709 (CD 9 Community Services) to provide funding to support community programs and groups in Council District Nine.

**ITEM NO. (60) - ADOPTED**

04-1824 - MOTION (MISCIKOWSKI - LABONGE) relative to the vehicle sale proceeds for Project Heavy West.

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

AUTHORIZE the Controller to APPROPRIATE the following amounts into the following accounts within Fund 42H:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
W203	Juvenile Justice Delinquency Prevention Action Grant	\$2,497.77
2007	Project Heavy West	\$2,497.77

**ITEM NO. (61) - ADOPTED**

00-1073 - MOTION (GREUEL - WEISS) relative to a loan for service related to the Studio City Business Improvement District's (BID) management plan.  
S40  
CD 2

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

TRANSFER \$6,000 in the Council District Two portion of the Street Furniture Revenue Fund No. 43D, Department 50 to Fund No. 42M, Department 14, to be used as a loan to the Studio City BID in order for the BID to begin providing a service that is part of the approved new management plan for the BID.

**ITEM NO. (62) - MAP APPROVED - CITY ENGINEER REPORT ADOPTED - FORTHWITH**

04-0928 - FINAL MAP OF TRACT NO. 54378 for property at 9128, 9142 and 9160 Aqueduct Avenue, south of Tupper Street.  
CD 12  
(Approve Subdivision Improvement Agreement and Contract with attached security documents)  
(ADOPT City Engineer Report)  
(ADOPT Bond No. C-107171)  
(Quimby Fee: \$16,920)  
Applicants: North Hills Homes, LP  
Arca Engineering

**ITEM NO. (63) - MAP APPROVED - CITY ENGINEER REPORT ADOPTED**

04-1816 - FINAL MAP OF TRACT NO. 53792 for property at 5703 Laurel Canyon Boulevard, north of Burbank Boulevard.  
CD 2  
(Approve Subdivision Improvement Agreement and Contract with attached security documents)  
(ADOPT City Engineer Report)  
(ADOPT Bond No. C-107172)  
(Quimby Fee: \$45,500)  
Applicants: 5703 Laurel Corp.  
Robert Kameoka

**ITEM NO. (64) - MAP APPROVED - CITY ENGINEER REPORT ADOPTED**

04-1809 - PARCEL MAP L.A. NO. 7325 and RESOLUTIONS for property lying southeast of Kadota Street and northwest of Roxford Street.  
CD 12  
(Approve Subdivision Improvement Agreement and Contract with attached security documents)  
(ADOPT City Engineer Report)  
(ADOPT Bond No. C-107170)  
(ADOPT Resolutions of Acceptance of Future Streets)  
(Quimby Fee: \$1,514)  
Applicants: Jesus and Maria Silva  
Sukow Engineering

**ITEM NO. (65) - MAP APPROVED - CITY ENGINEER REPORT ADOPTED**

04-1810 - PARCEL MAP L.A. NO. 2000-1567 and RESOLUTION for property lying southerly of Pablo Drive and easterly of Winnetka Avenue.  
CD 3  
(Approve Subdivision Improvement Agreement and Contract with attached security documents)  
(ADOPT City Engineer Report)  
(ADOPT Bond No. C-107169)  
(ADOPT Resolution of Acceptance of Future Street and Future Slope)  
(Quimby Fee: \$3,768)  
Applicants: Bruce Massman  
GM Engineering

## Closed Sessions - Items 66-69

### ITEM NO. (66) - MEETING HELD - ACTION TAKEN IN CLOSED SESSION

04-0804 - 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 Alice Orjalo and Henry Davis v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BC 284444. (This action involves a claim of employment discrimination.)

(Budget and Finance Committee considered the above matter in Closed Session on September 14, 2004)

### ITEM NO. (67) - MEETING HELD - ACTION TAKEN IN CLOSED SESSION

04-0893 - 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 Estate of Christopher G.L. Wallace v. City of Los Angeles, et al., United States District Court Case No. CV 02-02929 GAF. (Plaintiffs allege wrongful death, loss of association of rights, and violations of the Fourth and 14th Amendments arising out of the shooting of the decedent.)

(Budget and Finance Committee considered the above matter in Closed Session on September 14, 2004)

### ITEM NO. (68) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #17 - Motion (Zine - LaBonge) Adopted in Open Session, Ayes (12); Absent: Garcetti, Hahn and Parks (3)

04-1692 The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to settlement in the case entitled Enrique Ramirez, et al., v. City of Los Angeles, Los Angeles Superior Court Case No. BC 308261. (This action arises from an incident in which plaintiff incurred personal injuries when an overhanging branch from a eucalyptus tree snapped off at the Los Angeles Zoo.)

(Budget and Finance Committee considered the above matter in Closed Session on September 14, 2004)

### ADOPTED IN OPEN SESSION

#### MOTION (ZINE - LABONGE)

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

1. AUTHORIZE the City Attorney to expend \$150,000 in settlement of the case entitled Enrique Ramirez, et al., v. City of Los Angeles, Los Angeles Superior Court Case No. BC 308261, from the Liability Claims Account No. 9770, Fund 100, Department 59.

2. **AUTHORIZE** the City Attorney to draw a demand thereon in said amount payable to the Law Offices of Sublette & Associates and Ivette Ramirez, a minor, by her Guardian ad Litem Enrique Ramirez.
3. **INSTRUCT** the Zoo Department to report to the Council in Closed Session relative to the case entitled Enrique Ramirez, et al., v. City of Los Angeles, and what the department is doing with respect to trees with overhanging branches planted at the zoo that have the potential to cause personal injuries.

#### **ITEM NO. (69) - MEETING HELD - ACTION TAKEN IN CLOSED SESSION**

04-1543 - The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(b), to confer with its legal counsel relative to threatened litigation regarding the City's granting of permits involving the Los Angeles Marathon.

(Public Safety Committee waived consideration of the above matter)

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

- 01-2049 - MOTION (SMITH - REYES) relative to declaring the Sherwood Forest Homeowners Association - Fourth Annual Block Party on October 2, 2004 a Special Event (fees and costs absorbed by the City = \$1,226).
- 02-1469 - MOTION (SMITH - REYES) relative to declaring the Third Annual Encino Village Neighborhood Block Party on October 24, 2004 a Special Event (fees and costs absorbed by the City = \$1,226).
- 00-1835 - MOTION (GREUEL - LABONGE) relative to declaring the Fourth Annual Gay, Lesbian, Bisexual and Transgender Awareness Festival on October 17, 2004 a Special Event (fees and costs absorbed by the City = \$4,399).
- 04-1892 - MOTION (LABONGE - GREUEL) relative to declaring the NoHo Fall Festival on September 25-26, 2004 a Special Event (fees and costs absorbed by the City = \$12,211).
- 01-2154 - MOTION (WEISS - ZINE) relative to declaring the 14th Annual Sherman Oaks Street Fair on October 24, 2004 a Special Event (fees and costs absorbed by the City = \$3,802).
- 02-2239 - MOTION (WEISS - ZINE) relative to declaring the Halloween Haunt on October 24, 2004 a Special Event (fees and costs absorbed by the City = \$1,188).
- 04-1891 - MOTION (LABONGE - GARCETTI) relative to declaring the 2004 International Student film Festival on November 1 and 6, 2004 a Special Event (fees and costs absorbed by the City = \$3,419).
- 04-1890 - MOTION (LABONGE - LUDLOW) relative to declaring the Stanford Post Office Renaming Ceremony on September 18, 2004 a Special Event (fees and costs absorbed by the City = \$1,226).

- 04-1889 - MOTION (PERRY - VILLARAIGOSA) relative to declaring the Comcast Cares Day on October 2, 2004 a Special Event (fees and costs absorbed by the City = \$1,226).
- 00-1286 - MOTION (LUDLOW - WEISS) relative to declaring the Wilshire Vista Halloween Haunt on October 30, 2004 a Special Event (fees and costs absorbed by the City = \$1,226).
- 04-1887 - MOTION (PERRY - VILLARAIGOSA) relative to declaring the Deloitte Community Impact Day 2004 on October 8, 2004 a Special Event (fees and costs absorbed by the City = \$1,919).
- 04-1885 - MOTION (PERRY - SMITH) relative to declaring the Annual Open House on September 18, 2004 a Special Event (fees and costs absorbed by the City = \$1,226).
- 03-2560 - MOTION (VILLARAIGOSA - PERRY) relative to declaring the A Night with Joe Friday - Tribute to Los Angeles Police Department (LAPD) Detectives on October 2, 2004 a Special Event (fees and costs absorbed by the City = \$1,508).
- 03-1918 - MOTION (VILLARAIGOSA - PERRY) relative to declaring the 16th de Septiembre Resource Fair on September 18, 2004 a Special Event (fees and costs absorbed by the City = \$1,226).
- 04-1884 - MOTION (VILLARAIGOSA - PERRY) relative to declaring the A Clean and Green Happening on York on October 8, 2004 a Special Event (fees and costs absorbed by the City = \$774).
- 01-2079 - MOTION (VILLARAIGOSA - PERRY) relative to declaring the Sixth Annual Eagle Rock Music Festival on October 2, 2004 a Special Event (fees and costs absorbed by the City = \$13,438).
- 01-1203 - MOTION (ZINE - PERRY) relative to declaring the West Hills Fall Fest 2004 on October 3, 2004 a Special Event (fees and costs absorbed by the City = \$3,479).
- 03-2145 - MOTION (ZINE - PERRY) relative to declaring the Light the Night Walk on October 3, 2004 a Special Event (fees and costs absorbed by the City = \$8,096).
- 03-1281 - MOTION (ZINE - PERRY) relative to declaring the Sale Avenue Block Party on October 16, 2004 a Special Event (fees and costs absorbed by the City = \$1,226).
- 04-1883 - MOTION (REYES - SMITH) relative to declaring the Eastside Market 30th Anniversary Community Celebration on October 8, 2004 a Special Event (fees and costs absorbed by the City = \$1,919).
- 04-1882 - MOTION (REYES - ZINE) relative to declaring the First Annual Peace Festival and Parade on November 6, 2004 a Special Event (fees and costs absorbed by the City = \$8,661).
- 04-1881 - MOTION (REYES - ZINE) relative to declaring the Carnival on November 6-7, 2004 a Special Event (fees and costs absorbed by the City = \$16,507).
- 00-1826 - MOTION (REYES - SMITH) relative to declaring the Festival de Las Americas - Celebrating the Discovery of America on October 9-10, 2004 a Special Event (fees and costs absorbed by the City = \$9,379).

- 03-2210 - MOTION (PERRY - SMITH) relative to declaring the "Grands on Grand", the 2004 S1 Philharmonic Gala on October 1, 2004 a Special Event (fees and costs absorbed by the City = \$50,000).
- 04-1888 - MOTION (LUDLOW - PERRY) relative to a request for an exemption from the Convention Center fee waiver policy for the Opportunity thru Unity Conference on September 30, 2004.
- 04-1886 - MOTION (PERRY - VILLARAIGOSA) relative to a request for an exemption from the Convention Center fee waiver policy for the Second Annual One L.A. Convention on September 25, 2004.
- 03-2144 - MOTION (WEISS - ZINE) relative to the B'nai David Judea Congregation Sukkot dinner special event.
- 00-1073 - MOTION (GREUEL - WEISS) relative to the installation of decorative street print S41 crosswalks along Van Nuys Boulevard at the intersection of Milbank and Ventura Boulevard.

## **COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS**

Motion (Zine - Smith) unanimously adopted to excuse Councilmember Villaraigosa from Council session of Friday, September 24, 2004 due to personal business.

Upon his request, and without objections, Councilmember Weiss was excused to leave at 11:30 a.m. from Council session of Wednesday, September 22, 2004 due to City business.

## **COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:**

04-1297 - Billy Graham Crusade Day (Hahn - All Councilmembers)

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

04-1298 - Marvin Mitchelson (LaBonge)

**Ayes, Cardenas, Greuel, LaBonge, Ludlow, Miscikowski, Perry, Reyes, Smith, Villaraigosa, Weiss, Zine and President Padilla (12); Absent: Garcetti, Hahn and Parks (3).**

**Whereupon the Council did adjourn.**

ATTEST: J. Michael Carey, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL