

Los Angeles City Council, Journal/Council Proceedings
Wednesday, January 5, 2005
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, Parks, Perry, Reyes, Villaraigosa, Weiss, Zine and President Padilla (12); Absent: Ludlow, Miscikowski and Smith (3).

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
DECEMBER 17, 2004

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 34

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

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

Items Noticed for Public Hearing - Items 1-13

Roll Call #1 - Motion (Zine - Villaraigosa) Adopted, Ayes (12); Absent: Ludlow, Miscikowski
and Smith (3)
(Item Nos. 1-4)

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

03-0973

CD 2

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST
CONSIDERATION relative to the improvement and maintenance of HATTERAS STREET
AND TILDEN AVENUE (REBALLOT) LIGHTING DISTRICT.

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

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting system, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Sections 50078.6 and 54954.6 (Proposition 218).

(Public Hearing held December 8, 2004)

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

04-0750

CD 3

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

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

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting system, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Sections 50078.6 and 54954.6 (Proposition 218).

(Public Hearing held December 8, 2004)

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

04-0751

CD 14

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of OLYMPIC BOULEVARD AND SANTA FE AVENUE LIGHTING DISTRICT.

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

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting system, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Sections 50078.6 and 54954.6 (Proposition 218).

(Public Hearing held December 8, 2004)

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

04-0884

CD 2

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of MTA - OXNARD STREET AND WOODMAN AVENUE LIGHTING DISTRICT.

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

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

2. PRESENT and ADOPT the accompanying ORDINANCE abandoning all proceedings for the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Sections 50078.6 and 54954.6 (Proposition 218).
3. INSTRUCT the Director, Bureau of Street Lighting, to assure that the streetlights are not installed or are removed from service if previously installed.

(Public Hearing held December 8, 2004)

ITEM NO. (5) - RECEIVED AND FILED INASMUCH AS THE ASSESSMENT HAS BEEN PAID

**Roll Call #2 - Motion (Hahn - Villaraigosa) Adopted to Receive and File, Unanimous Vote (12);
Absent: Ludlow, Miscikowski and Smith (3)**

04-1593

CD 15 HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of assessment to cover the costs of graffiti abatement of the building(s) and the fencing of the lot at 10522 South Central Avenue. (Assessment: \$4,355.30)

ITEM NO. (6) - PUBLIC HEARING CLOSED - NO APPEALS - ASSESSMENT CONFIRMED

**Roll Call #4 - Motion (Hahn - Perry) Adopted, Ayes (12); Absent: Ludlow, Miscikowski
and Smith (3)**

04-1592

CD 15 HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of assessment to cover the costs of barricading of all openings and the fencing of the lot at 837 East 116th Street. (Assessment: \$13,555.70)

ITEM NO. (7) - CONTINUED TO JANUARY 12, 2005

**Roll Call #3 - Motion (LaBonge - Hahn) Adopted to Continue, Unanimous Vote (12);
Absent: Ludlow, Miscikowski and Smith (3)**

04-1725

CD 15 HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of assessment to cover the costs of demolition and asbestos removal from the building(s), monitoring of the asbestos removal and the fencing of the lot at 9619 South Hickory Street. (Assessment: \$49,753.26)

ITEM NO. (8) - RECEIVED AND FILED INASMUCH AS THE ASSESSMENT HAS BEEN PAID

**Roll Call #2 - Motion (Hahn - Villaraigosa) Adopted to Receive and File, Unanimous Vote (12);
Absent: Ludlow, Miscikowski and Smith (3)**

00-1218

CD 14 HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of assessment to cover the cost of barricading of all openings at 2501 East Fairmount Street a.k.a. 900-04 North Fickett Street. (Assessment: \$1,176.50)

**Roll Call #4 - Motion (Hahn - Perry) Adopted, Ayes (12); Absent: Ludlow, Miscikowski and Smith (3)
(Item Nos. 9-10)**

ITEM NO. (9) - PUBLIC HEARING CLOSED - NO APPEALS - ASSESSMENT CONFIRMED

04-1728

CD 9 HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of assessment to cover the costs of barricading of all openings and the cleaning and fencing of the lot at 3926 South Broadway. (Assessment: \$11,691.41)

ITEM NO. (10) - PUBLIC HEARING CLOSED - NO APPEALS - ASSESSMENT CONFIRMED

04-1727

CD 1 HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of assessment to cover the costs of barricading of all openings, graffiti abatement of the building(s) and the fencing of the lot at 933 South Westmoreland Avenue. (Assessment: \$8,866.74)

ITEM NO. (11) - CONTINUED TO JANUARY 12, 2005

**Roll Call #3 - Motion (LaBonge - Hahn) Adopted to Continue, Unanimous Vote (12);
Absent: Ludlow, Miscikowski and Smith (3)**

04-1454

CD 4 CONTINUED CONSIDERATION OF HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of assessment to cover the cost of fencing the lot at 4450 West Beverly Boulevard. (Assessment: \$5,134.80)

(Continued from Council meeting of December 7, 2004)

ITEM NO. (12) - PUBLIC HEARING CLOSED - ADOPTED

Roll Call #5 - Motion (Garcetti - LaBonge) Adopted, Ayes (12); Absent: Ludlow, Miscikowski and Smith (3)

04-1498
CD 2

PUBLIC HEARING and ORDINANCE FIRST CONSIDERATION relative to the City Attorney recommendations and the December 8, 2004 rescinding of Council's action for the acquisition of a permanent sewer easement and a temporary construction easement by eminent domain at 7550 Wheatland Avenue in connection with the "San Fernando Road (near Keswick Street) Groundwater" Improvement Project.

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

1. FIND this project is in conformance with the purposes, intent and provisions of the General Plan, pursuant to Section 558 of the City Charter.
2. PRESENT and ADOPT the accompanying ORDINANCE finding that the public interest and necessity require the "San Fernando Road (near Keswick Street) Groundwater Improvement Project" and the acquisition of property therefor (Work Order No. EXX31121, Right of Way No. 32501).
3. DIRECT the Bureau of Engineering and REQUEST the City Attorney to take all actions necessary to authorize payment for this acquisition as follows: Funding Source SC&F, Fund No. 761, Department No. 50, Account No. TAA3, or other appropriate or successor accounts.
4. AUTHORIZE the City Attorney to acquire the easements in the Subject Property via condemnation, to make a deposit of probable just compensation for the easements in the Subject Property, and, to obtain and order for immediate possession prior to trial.

(On December 8, 2004, City Council adopted Motion [LaBonge - Weiss] requesting that Council rescind the November 3, 2004, Council action, inasmuch as the affected property owner was not provided with notice of the hearing).

ITEM NO. (13) - CONTINUED TO JANUARY 12, 2005

Roll Call #6 - Motion (Reyes - Cardenas) Adopted to Continue, Unanimous Vote (12); Absent: Ludlow, Miscikowski and Smith (3)

04-0939
CD 11

CONTINUED CONSIDERATION OF HEARING APPEALS filed by Daniel P. Whalen, Reta Moser, and Trammel Crow Residential Southern California II, Incorporated/Michael Genthe, from the determination of West Los Angeles Area Planning Commission, in whole and in part, in approving a Coastal Development Permit, Project Permit Compliance, Plot Plan Review, Site Plan Review, and Mello Act Compliance, subject to conditions of approval, for the proposed demolition of existing structures and pavement; grading; and

construction of 298 Multiple-family apartment units with associated parking and amenities, two, three and four-stories, with maximum height of 47-feet, composed of 375,000 square feet of floor area, and having a total of 670 parking spaces, on 5.8 acre site at 3224-26 Thatcher Avenue and 3221 Carter Avenue.

APCW-2002-7626-CDP-SPP-SPR-MEL

Applicant: Trammel Crow Residential Southern California II, Inc.

TIME LIMIT FILE - JANUARY 5, 2005

(LAST DAY FOR COUNCIL ACTION - JANUARY 5, 2005)

(Continued from Council meeting of December 8, 2004)

Items for Which Public Hearings Have Been Held - Items 14-37

Roll Call #8 - Motion (Villaraigosa - Reyes) Adopted, Ayes (12); Absent: Ludlow, Miscikowski and Smith (3)
(Item Nos. 14-16)

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

04-1590
CD 7

INFORMATION TECHNOLOGY AND GENERAL SERVICES and BUDGET AND FINANCE COMMITTEES' REPORT and ORDINANCE FIRST CONSIDERATION relative to the proposed direct sale of surplus property adjacent to 14842 Clymer Street.

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

1. DETERMINE that the City-owned property adjacent to 14842 Clymer Street, APN 2648-006-901, is no longer required for City use and that the public interest is served by the direct sale of the property.
2. PRESENT and ADOPT the accompanying ORDINANCE providing for the sale of said property, without calling for bids, to Mariella Sachs and Phyliss Murphy for \$15,000.
3. INSTRUCT the Department of General Services (GSD) to complete the transactions as outlined in the accompanying Ordinance, process the necessary documentation to effectuate the sale and deposit the proceeds, over and above the expenses, into the appropriate accounts, as directed by the Los Angeles Administrative Code.

Fiscal Impact Statement: The City Administrative Officer reports that there will be a one-time increase of \$15,000, less expenses, to the General Fund. The GSD will deposit the funds into the following accounts: GSD Trust Account, Fund No. 843, Revenue Source 4886 (prior to payment of expenses); General Fund No. 100, Department 40, Revenue Source 4540 (50 percent of balance); and, Council District Seven Real Property Trust Fund No. 689 (50 percent of balance).

ITEM NO. (15) - ADOPTED

00-0947

TRANSPORTATION COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to 2004-05 rate adjustments for private non-ambulatory passenger vehicle service.

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

1. FIND that, based on increases in industry costs, rate adjustments for non-ambulatory service vehicles are appropriate.
2. FIND that the proposed schedule of rates and charges as shown in Board of Transportation Commissioners (Board) Board Order No. 578 (attached to the Council file) is just, reasonable, non-discriminatory and non-preferential for all permitted non-ambulatory services.
3. RESCIND Council's previous action on June 19, 2001 in approving Board Order No. 560 (Ordinance No. 174053, effective August 5, 2001) and ADOPT Board Order No. 578 establishing the rates and charges for non-ambulatory passenger vehicle services.
4. PRESENT and ADOPT the accompanying ORDINANCE approving a Resolution of the Board of Transportation Commissioners designated as Board Order No. 578, fixing rates and charges for non-ambulatory passenger vehicle services in the City.

Fiscal Impact Statement: The Chief Administrative Officer reports that there is no fiscal impact to the City resulting from adopting the above recommendations. The rates are those charged to private non-ambulatory service users and do not affect the fees paid to the City for vehicle permits.

ITEM NO. (16) - ADOPTED - TO THE MAYOR FORTHWITH

04-2400

CD 2

TRANSPORTATION COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to modification of Studio City Parking Meter Zone boundaries and rates.

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

1. FIND that increasing the parking meter rate from \$0.25 to \$1.00 per hour in the following portion of the Studio City Parking Meter Zone will promote more appropriate use of limited curb parking, increase parking space turnover and improve access to the adjacent businesses in the vicinity of the newly opened Studio City Parking facility as follows:
 - a. All streets within the area bounded by:
 - 1) Ventura Boulevard between Whitsett Avenue and Laurel Canyon Boulevard.
 - 2) Whitsett Avenue between Ventura Boulevard and the Los Angeles River.

- 3) The Los Angeles River between Whitsett Avenue and Laurel Canyon Boulevard.
 - 4) Laurel Canyon Boulevard between the Los Angeles River and Ventura Boulevard.
- b. The boundary street segments set forth in (a) above.
 - c. All intersecting streets along Ventura Boulevard between Whitsett Avenue and Laurel Canyon Boulevard including Whitsett Avenue and Laurel Canyon Boulevard from Ventura Boulevard to the end of the contiguous commercial properties southerly thereof.
2. PRESENT and ADOPT the accompanying ORDINANCE amending Subsection 10 of Section 88.00 of the Los Angeles Municipal Code for the Studio City Parking Meter to subdivide the Studio City Parking Meter Zone into three sub-zones and to increase the rate in Sub-Zone II from \$0.25 to \$1.00 per hour.

Fiscal Impact Statement: The Department of Transportation reports that all costs of implementing the proposed parking meter rate change will be borne by the Special Parking Revenue Fund (SPRF). The rate increase could generate approximately \$300,000 in additional revenue to the SPRF annually. The General Fund may realize some additional revenue from increased parking meter citations.

ITEM NO. (17) - CONTINUED TO JANUARY 12, 2005

**Roll Call #7 - Motion (Hahn - LaBonge) Adopted to Continue, Unanimous Vote (12);
Absent: Ludlow, Miscikowski and Smith (3)**

02-1511

COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to the Harbor Department's Fiscal Year (FY) 2004-05 Debt Accountability Report and FY 2004-05 Budget and Capital Plan.

Recommendations for Council action:

1. NOTE and FILE the August 23, 2004 report from the Harbor Department relative to its FY 2004-05 Debt Accountability Report and FY 2004-05 Budget and Capital Plan, inasmuch as the report is submitted for information only and no Council action is necessary.
2. REQUEST the Harbor Department to report back to the Commerce, Energy and Natural Resources Committee midway through the fiscal year relative to:
 - a. Setting aside funds for air quality retrofits.
 - b. Spending funds to provide mitigation to the Wilmington and San Pedro communities.
 - c. The Alternate Maritime Power Program.

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

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

Roll Call #8 - Motion (Villaraigosa - Reyes) Adopted, Ayes (12); Absent: Ludlow, Miscikowski and Smith (3)

04-0784

COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to the feasibility of training City employees to perform the duties of line clearance tree trimmers.

Recommendations for Council action:

1. NOTE and FILE the Department of Water and Power's (DWP) July 23, 2004 report relative to the feasibility of training City employees to perform the duties of line clearance tree trimmers, inasmuch as the DWP has proposed, and the Bureau of Street Services (BSS) agrees, that before Tree Surgeon Assistants are hired, the DWP will offer positions to BSS personnel with the objective of attracting qualified line clearance tree trimmers; and, the DWP and the BSS will continue to discuss the development of a joint training program to attract and certify additional tree trimmers.
2. DIRECT the DWP and the BSS to report back to the Commerce, Energy and Natural Resources Committee in mid to late January 2005 with a phase-in plan to train and certify additional tree trimmers and outlining long-term strategies to streamline tree-trimming services.

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

ITEM NO. (19) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS

Roll Call #11 - Motion (Cardenas - Hahn) Adopted, Ayes (12); Absent: Ludlow, Miscikowski and Smith (3)

04-1091

CD 11

COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to parking accommodations for oversized vehicles used by some airport visitors with disabilities at the Los Angeles International Airport (LAX).

Recommendations for Council action:

1. NOTE and FILE the Los Angeles World Airport (LAWA) report, dated July 1, 2004 and submitted pursuant to Motion (Hahn - LaBonge) relative to parking accommodations for oversized vehicles used by some airport visitors with disabilities at the LAX, inasmuch as the report is submitted for information only and no Council action is necessary.

2. REQUEST the LAWA to report back to the Commerce, Energy and Natural Resources Committee in 60 days with an update on this issue.

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

**Roll Call #8 - Motion (Villaraigosa - Reyes) Adopted, Ayes (12); Absent: Ludlow, Miscikowski and Smith (3)
(Item Nos. 20-21)**

ITEM NO. (20) - ADOPTED

04-0002-S92

ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE REPORT relative to support for the South Coast Air Quality Management District (SCAQMD) Fleet Rules.

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

RESOLVE to include in the City of Los Angeles 2003-04 Legislative Program SUPPORT for the SCAQMD's Fleet Rules which would ensure the public health and welfare of the residents.

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

ITEM NO. (21) - ADOPTED

01-0224

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

Recommendation for Council action:

NOTE and FILE the Agency report dated December 1, 2004 (attached to the Council file) relative to the status of the Agency's investments for the quarter ending September 30, 2004, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (22) - CONTINUED TO JANUARY 7, 2005

**Roll Call #12 - Motion (Zine - Weiss) Adopted to Continue, Unanimous Vote (12);
Absent: Ludlow, Miscikowski and Smith (3)**

01-1349
CD 3

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to amending the contract with Main Street Canoga Park for continued landscaping and maintenance services in the Canoga Park business district.

Recommendations for Council action:

1. AMEND the Community Redevelopment Agency's (Agency) Fiscal Year 2005 Work Program and Budget by transferring \$75,000 from Work Objective RP 2990 (AB 1290 Work Program) to Work Objective RP2610 (Business Education).
2. AUTHORIZE the Chief Executive Officer, Agency, or designee to execute an amendment to the contract (No. 502751) with Main Street Canoga Park to increase the contract amount from \$24,946 to \$99,946, using AB 1290 funds, for continued landscaping and maintenance services in the Canoga Park business district.

Fiscal Impact Statement: The Chief Legislative Analyst reports that this action will not impact the General Fund. The source of funds for this contract amendment is Council District Three AB 1290 fund.

**Roll Call #8 - Motion (Villaraigosa - Reyes) Adopted, Ayes (12); Absent: Ludlow, Miscikowski and Smith (3)
(Item Nos. 23-27)**

ITEM NO. (23) - ADOPTED

02-0267
CD 13

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to extending an exclusive right to negotiate and option to lease agreements with Encore Hall Senior Housing LP, for the development of housing for low- and very-low income elderly households, and a public parking garage on Los Angeles Department of Transportation (DOT) Lot 702.

Recommendation for Council action:

CONCUR with the Community Redevelopment Agency's (Agency) Board of Commissioners in its action of December 2, 2004 approving various recommendations relative to extending the existing Exclusive Negotiation and Option to Lease Agreements with Encore Senior Housing LP to March 15, 2005, extending the existing Memorandum of Understanding between the Agency and DOT to March 15, 2005, and approving related environmental findings, for the development of housing for low- and very-low income elderly households, and a public parking garage on DOT Lot 702 at 1623 North Vine Street.

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

ITEM NO. (24) - ADOPTED

03-1562-S4

CD 13 HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the Community Redevelopment Agency (Agency) transferring \$600,000 to the City's Affordable Housing Trust Fund for the Afton Place Apartments development.

Recommendation for Council action:

CONCUR with the Agency's Board of Commissioners in its action of December 2, 2004 authorizing the Chief Executive Officer, Agency, or designee, to execute a Cooperation Agreement with the Los Angeles Housing Department transferring \$600,000 to the City's Affordable Housing Trust Fund for Afton Place Apartments, a 72-unit housing development at 6230 and 6231 Afton Place, in the Hollywood Redevelopment Project Area; and, approving various related budget amendments and an economic finding.

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

ITEM NO. (25) - ADOPTED

02-0590

CDs 2 & 4 HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to amending the NoHo Regional Arts Council contract to include construction management services for the implementation of the artist participation portion of the North Hollywood Streetscape Improvement Project.

Recommendation for Council action:

AUTHORIZE the Chief Executive Officer, Community Redevelopment Agency (Agency), or designee, to negotiate and execute a second amendment to the NoHo Regional Arts Council Contract (No. 502392) to include construction management in the scope of work, to extend the contract term by two years from July 1, 2005 through June 30, 2007, and to increase compensation by \$200,000 funded from Agency Work Objective NH2100, NoHo Arts District, in the 2004-05 Agency Budget, for a revised total contract amount of \$530,000, for the implementation of the artist participation portion of the North Hollywood Streetscape Improvement Project in the North Hollywood Redevelopment Project Area, subject to the approval of the City Attorney as to form and legality.

Fiscal Impact Statement: The City Administrative Officer reports that this action will not impact the General Fund. Funds will be provided from North Hollywood Tax Increment funds from the Agency.

ITEM NO. (26) - ADOPTED

02-0890

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to criminal housing enforcement statistics for the period July 1, 2003 through September 30, 2004.

Recommendations for Council action:

1. REQUEST that the City Attorney report to Council relative to its housing enforcement criminal case load, including the number of backlog cases, cases by Council District, the number of attorneys assigned to housing enforcement, and recommendations for improving compliance and expediting enforcement.
2. NOTE and FILE City Attorney report to Council dated November 2, 2004 (attached to the Council file) relative to criminal housing enforcement statistics covering the amount and disposition of criminal case generated by the Inter-Agency Task Force, the Fire Department, the Los Angeles County Health Department, and Los Angeles Housing Department for Fiscal Year 2003-04, and quarterly reports for the period July 1, 2003 through September 30, 2004.

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

ITEM NO. (27) - ADOPTED

04-0600-S39

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to amending the Community Redevelopment Agency's (Agency) Fiscal Year (FY) 2005 Budget and Work Program for unanticipated carryover revenue.

Recommendation for Council action:

AMEND the Agency's FY 2005 Budget and Work Program to increase it by amounts of \$24,027,024 and \$51,995,016 for unanticipated carryover revenue.

Fiscal Impact Statement: The City Administrative Officer reports that this action will not impact the General Fund. Approving the recommendation above will increase the Agency's FY 2005 Adopted Budget and Work Program by \$76 million, for a total revised budget of \$434.8 million. The proposed changes involve tax increment and other non-General Fund funds.

ITEM NO. (28) - ADOPTED

Roll Call #15 - Motion (LaBonge - Reyes) Adopted, Ayes (12); Absent: Ludlow, Miscikowski and Smith (3)

04-2378

CD 4

MITIGATED NEGATIVE DECLARATION AND PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the Tentative Tract appeal for the property at 3619 Regal Place.

Recommendations for Council action:

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the lead agency City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 04-2378 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV 2003-6363 MND] filed on October 24, 2003.
2. ADOPT the FINDINGS of the Deputy Advisory Agency as the Findings of the Council.
3. DENY APPEAL filed by Marco Roy (Joshua Kaplan, Representative), from the entire determination of the South Valley Area Planning Commission, THEREBY APPROVE Tentative Tract No. 60156, subject to conditions of approval as attached to the Council file, for the proposed one-lot subdivision for a maximum 12 unit condominium at 3619 Regal Place.

Applicant: John and Rose Benardello

TT 60156

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

TIME LIMIT FILE - JANUARY 5, 2005

(LAST DAY FOR COUNCIL ACTION - JANUARY 5, 2005)

ITEM NO. (29) - ADOPTED

Roll Call #14 - Motion (LaBonge - Reyes) Adopted, Ayes (12); Absent: Ludlow, Miscikowski and Smith (3)

03-0015

CD 4

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the operation of a business known as Rocky's Bar at 4141 North Lankershim Boulevard.

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

1. ADOPT the FINDINGS of the Zoning Administrator as the Findings of the Council.
2. RESOLVE TO DENY APPEAL filed by the Club 1 Enterprises, Inc. (Joshua Kaplan, Representative), from the entire determination of the Zoning Administrator, THEREBY SUSTAIN the determination of the Zoning Administrator in finding that the business at 4141 North Lankershim Boulevard known as Rocky's Bar continues to be a nuisance, and DISCONTINUE the use of the property as a bar.

Applicant: City of Los Angeles, Office of Zoning Administration DIR 2002-4666 (RV)

3. INSTRUCT the Department of Building and Safety to revoke the certificate of occupancy for Rocky's Bar at 4141 North Lankershim Boulevard.

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

TIME LIMIT FILE - JANUARY 26, 2005

(LAST DAY FOR COUNCIL ACTION - JANUARY 26, 2005)

**Roll Call #8 - Motion (Villaraigosa - Reyes) Adopted, Ayes (12); Absent: Ludlow, Miscikowski and Smith (3)
(Item Nos. 30-35)**

ITEM NO. (30) - ADOPTED

04-1108

CD 7

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to Conditional Use appeal for property at 11243 San Fernando Road.

Recommendations for Council action:

1. ADOPT the FINDINGS of the Zoning Administrator as the Findings of the Council.
2. RESOLVE TO DENY APPEAL filed by Saeed Kohanoff d.b.a. Kohanoff Arco, THEREBY SUSTAIN the decision of the Zoning Administrator in denying a Conditional Use Permit to allow sales of beer and wine for offsite consumption for property at 11243 San Fernando Road, subject to Conditions of Approval.

Applicant: Saeed Kohanoff

ZA 2003-1627 CUB

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

ITEM NO. (31) - ADOPTED

03-0468-S1

CDs 1, 9 & 14 TRANSPORTATION COMMITTEE REPORT relative to the operations of the Dodger Shuttle during all post season games beginning on October 5, 2004 and ending on October 28, 2004.

Recommendation for Council action:

NOTE and FILE the Department of Transportation report dated November 1, 2004 in response to Council action on April 7, 2004 and Motion (Villaraigosa - LaBonge) relative to coordinating the operations of the Dodger Shuttle, inasmuch as the Dodgers post season has since concluded and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (32) - ADOPTED

04-0306

TRANSPORTATION COMMITTEE REPORT relative to the Traffic Sign Replacement Action Plan.

Recommendation for Council action:

NOTE and FILE the June 17, 2004 status report from the Department of Transportation relative to the Traffic Sign Replacement Program Action Plan approved by Council on April 27, 2004 to modify or replace 185,000 "No Parking - Street Cleaning" signs inasmuch as the reports are submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (33) - ADOPTED

04-1046

TRANSPORTATION COMMITTEE REPORT relative to safety issues related to mini-motorcycles.

Recommendation for Council action:

NOTE and FILE the Department of Transportation and Los Angeles Police Department reports in response to the Motion (LaBonge - Zine), relative to safety issues with mini-motorcycles and recommendations on minimizing safety hazards associated with these vehicles, inasmuch as the reports are submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (34) - ADOPTED

04-1166

TRANSPORTATION COMMITTEE REPORT relative to issues raised concerning a Request For Proposal (RFP) for operation of Cityride Dial-a-Ride during previous Council consideration on September 28, 2004.

Recommendation for Council action:

NOTE and FILE the Department of Transportation report dated October 15, 2004 in response to issues raised concerning an RFP for operation of Citywide Dial-a-Ride services inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (35) - ADOPTED

04-1690

TRANSPORTATION COMMITTEE REPORT relative to a status report on the activities of the Bicycle Advisory Committee (BAC) staffed and supported by the Department of Transportation (DOT).

Recommendation for Council action:

NOTE and FILE the DOT report dated August 17, 2004 relative to reporting the status of the BAC, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (36) - NO ACTION TAKEN

04-1418

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

Recommendation for Council action:

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

Fiscal Impact Statement: Not applicable.

ITEM NO. (37) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #13 - Motion (Reyes - Cardenas) Adopted, Ayes (12); Absent: Ludlow, Miscikowski and Smith (3)

04-1530

CONTINUED CONSIDERATION OF TRANSPORTATION COMMITTEE REPORT relative to drafting an ordinance to provide authority for establishing No Parking/Tow Away zones on hillside streets within the Mountain Fire Zone on red flag days.

Recommendations for Council action, as initiated by Motion (Weiss - LaBonge):

1. REQUEST the City Attorney to draft an ordinance, with the assistance of the Los Angeles Fire Department (LAFD) and the Department of Transportation (DOT), that provides the LAFD and the DOT with the authority for establishing No Parking/Tow Away zones on hillside streets within the Mountain Fire Zone on red flag days.
2. DIRECT the LAFD and the DOT to present to Council alternatives for community involvement and notification.
3. DIRECT the LAFD and the DOT to involve and obtain input from affected Neighborhood Councils.

Fiscal Impact Statement: The DOT reports that the number of additional parking restriction signs required to provide adequate clear roadway widths at critical bottleneck locations is unknown at this time. Once the location and required number of additional signs have been identified, the DOT will be requesting a special appropriation to its budget as part of the Mid-Year Adjustment to cover this additional expense. Alternatively, the LAFD or the City may be able to apply for and secure Local Hazard Mitigation grant funds or some other type of grant funds to avoid or lessen the impact on the General Fund.

(Continued from Council meeting of December 15, 2004)

ADOPTED

AMENDING MOTION (REYES - WEISS)

Recommendation for Council action:

DIRECT the Los Angeles Fire Department and Department of Transportation to provide maps to Neighborhood Councils, homeowners associations, and other groups, as appropriate, with No Parking/Tow Away zones, alternate parking locations and any other pertinent information to increase the understanding of residents affected by this measure.

Items for Which Public Hearings Have Not Been Held - Items 38-58
(10 Votes Required for Consideration)

Roll Call #9 - Motion (Zine - Parks) Adopted, Ayes (12); Absent: Ludlow, Miscikowski and Smith (3)
(Item Nos. 38-58)

ITEM NO. (38) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - SET FOR HEARING MARCH 8, 2005

04-2485
CD 1

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of SICHEL STREET AND LOS ANGELES RIVER LIGHTING DISTRICT.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated December 1, 2004.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of MARCH 8, 2005 as the hearing date for the maintenance of Sichel Street and Los Angeles River Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Sections 50078.6, 54954.6 and 54960.1.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$24,773.68 will be collected annually starting with tax year 2004-05 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: February 28, 2005)

ITEM NO. (39) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - SET FOR HEARING MARCH 8, 2005

04-2142
CD 6

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of OLINDA STREET AND SUNLAND BOULEVARD LIGHTING DISTRICT.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated October 15, 2004.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of MARCH 8, 2005 as the hearing date for the maintenance of Olinda Street and Sunland Boulevard Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Sections 50078.6, 54954.6 and 54960.1.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$489.60 will be collected annually starting with tax year 2004-05 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: February 28, 2005)

**ITEM NO. (40) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS -
TO THE MAYOR FORTHWITH**

04-1700

04-1700-S1-39

COMMUNICATIONS FROM THE CITY ATTORNEY and CITY ADMINISTRATIVE OFFICER and 39 ORDINANCES FIRST CONSIDERATION relative to authorizing the employment of personnel, pursuant to the 2004-05 Budget.

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

PRESENT and ADOPT the accompanying DEPARTMENTAL PERSONNEL ORDINANCES (DPO) authorizing the employment of personnel for 2004-05 in the following departments:

Aging
Animal Services
Building and Safety
City Administrative Officer
City Attorney
City Clerk
Commission for Children, Youth, and Their Families
Commission on the Status of Women
Community Development
Controller
Convention Center
Council
Cultural Affairs
Disability
El Pueblo de Los Angeles Historical Monument Authority
Emergency Preparedness
Employee Relations Board
Environmental Affairs
Ethics
Finance
Fire
General Services
Housing
Human Relations Commission
Information Technology Agency
Mayor
Neighborhood Empowerment

Personnel
Planning
Police
Public Works - Board Office
Public Works - Bureau of Contract Administration
Public Works - Bureau of Engineering
Public Works - Bureau of Sanitation
Public Works - Bureau of Street Lighting
Public Works - Bureau of Street Services
Transportation
Treasurer
Zoo

The Summary of Personnel Ordinance Changes (attached to the Council file) details changes from the listing of positions in the 2004-05 Proposed Detail of Positions and Salaries document as amended by the 2004-05 Personnel Authority Resolution (PAR). Amendments to certain DPO text sections are also included. Only corrections or changes occurring subsequent to adoption of the 2004-05 PAR (Council: July 16, 2004; Mayor: August 2, 2004; Council file No. 04-1700) are contained in the summary.

ITEM NO. (41) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

04-2590
CD 15

MITIGATED NEGATIVE DECLARATION, COMMUNICATION FROM CHAIR, PLANNING AND LAND USE MANAGEMENT COMMITTEE, RESOLUTION and ORDINANCE FIRST CONSIDERATION relative to a General Plan Amendment and zone change for property at 1400-02 West 260th Street.

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

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the lead agency City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 04-2590 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV 04-0144 MND] filed on April 29, 2004.
2. ADOPT the FINDINGS of the City Planning Commission as the Findings of the Council.
3. ADOPT the accompanying RESOLUTION as recommended by the Mayor, the City Planning Commission and the Director of Planning APPROVING the proposed General Plan Amendment from Limited Manufacturing to Low Medium II Residential for the property at 1400-02 West 260th Street, within the Wilmington-Harbor City Community Plan - Window 142, Central/South Geographic Area.

Applicant: Richard Gould, JC Homes

CPC 2004-0143 ZC GPA HD ZAD

4. PRESENT and ADOPT the accompanying ORDINANCE, approved by the City Planning Commission, effecting a zone change from [Q]MR1-1VL to [T][Q]RD1.5-1XL for the proposed demolition of existing buildings and construction of 12 residential condominium units, 25 feet in height for the property at 1400-02 West 260th Street.

Said rezoning shall be subject to the [Q] Qualified classification zone limitations as shown on the attached sheets.

5. REMOVE [T] Tentative classification as described in detail on the sheet(s) attached to this Committee report.
6. INSTRUCT the Planning Department to update the General Plan and appropriate maps pursuant to this action.
7. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.

Fiscal Impact Statement: The Planning Department reports that there is no General Fund impact, as administrative costs are recovered through fees.

TIME LIMIT FILE - MARCH 10, 2005

(LAST DAY FOR COUNCIL ACTION - MARCH 9, 2005)

ITEM NO. (42) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

03-1949

CD 12

NEGATIVE DECLARATION, COMMUNICATION FROM CHAIR, PLANNING AND LAND USE MANAGEMENT COMMITTEE, RESOLUTION and ORDINANCE FIRST CONSIDERATION relative to a General Plan Amendment, zone change, and height district change for property at 10445 Balboa Boulevard.

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

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and in compliance with the California Environmental Quality Act; that the Negative Declaration reflects the independent judgment of the lead agency City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 03-1949 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Negative Declaration [ENV 2004-582 ND] filed on February 20, 2004.
2. ADOPT the FINDINGS of the City Planning Commission as the Findings of the Council.

3. ADOPT the accompanying RESOLUTION as recommended by the Mayor, the City Planning Commission and the Director of Planning APPROVING the proposed General Plan Amendment to the Granada Hills- Knollwood Community Plan to: (a) add a footnote to the existing Community Commercial and Neighborhood Commercial land use designation for the subject property, as follows: "That if residential use is permitted, the maximum density will be that which is allowed in the RD3-1VL (Residential Density Multiple Dwelling one and Very Limited Height District, 45 feet maximum height);" and, (b) amend a portion of the subject property from Neighborhood Commercial to the Community Commercial designation for the property at 10445 Balboa Boulevard.

Applicant: City of Los Angeles

CPC 2004-0583 ZC GPA HD

4. PRESENT and ADOPT the accompanying ORDINANCE, approved by the City Planning Commission, effecting a zone change from (Q)C2 (Community Commercial Zone), (T)(Q)C1 (Limited Commercial Zone), CR (Limited Commercial Zone) and PB (Parking Building Zone) to [T][Q] C4-1VL (Community Commercial Zone); and concurrent Height District change from Height District 1L (maximum of six stories, 75-foot height), and Height District 1(maximum 1.5:1 floor area ratio) to Height District 1-VL (Very Limited, maximum three stories, 45 foot height), for property at 10445 Balboa Boulevard.

Said rezoning shall be subject to the "Q" Qualified classification zone limitations as shown on the attached sheets.

5. REMOVE (T) Tentative classification as described in detail on the sheet(s) attached to this Committee report.
6. INSTRUCT the Planning Department to update the General Plan and appropriate maps pursuant to this action.
7. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.

Fiscal Impact Statement: The Planning Department reports that there is no General Fund impact, as administrative costs are recovered through fees.

TIME LIMIT FILE - JANUARY 10, 2005

(LAST DAY FOR COUNCIL ACTION - JANUARY 7, 2005)

ITEM NO. (43) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

04-1937

CD 11

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and ORDINANCE FIRST CONSIDERATION relative to the requested quitclaim of public street easement lying on Lincoln Boulevard between 340 feet northwesterly of Bluff Trail Road and 541 feet southeasterly of Bluff Trail Road - Right of Way No. 36000-1499.

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

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(4) of the City's Environmental Guidelines.
2. FIND that this project is in substantial conformance with the General Plan pursuant to Section 556 of the Los Angeles City Charter.
3. ADOPT the City Engineer report dated September 27, 2004, to approve the petitioner's request for the quitclaim of public street easement lying on Lincoln Boulevard between 340 feet northwesterly of Bluff Trail Road and 541 feet southeasterly of Bluff Trail Road. R/W No. 36000-1499.
4. PRESENT and ADOPT the accompanying ORDINANCE authorizing this quitclaim of public street easement lying on Lincoln Boulevard between 340 feet northwesterly of Bluff Trail Road and 541 feet southeasterly of Bluff Trail Road.
5. INSTRUCT the Real Estate Division, Bureau of Engineering, to record and deliver the necessary quitclaim deed or deeds to the person/s legally entitled thereto.

Fiscal Impact Statement: The City Engineer reports that a fee of \$3,745 was paid for processing this request pursuant to Section 7.40 of the Los Angeles Administrative Code.

ITEM NO. (44) - ADOPTED

00-0005-S144

CD 13 RESOLUTION removing the property at 337 North Coronado Street from the Rent Escrow Account Program [REAP], (Case No. 3217), 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 December 29, 2004. Assessor I.D. No. 5157-003-015

(Council action of September 13, 2000 placed property into REAP)

ITEM NO. (45) - ADOPTED

04-0005-S527

CD 13 RESOLUTION removing the property at 1441 McDuff Street from the Rent Escrow Account Program [REAP], (Case No. 5394), 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 December 29, 2004. Assessor I.D. No. 5419-026-039

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on April 23, 2002)

ITEM NO. (46) - ADOPTED

04-0005-S528

CD 8 RESOLUTION removing the property at 4524 South 11th Street a.k.a. 3223 West 46th Street from the Rent Escrow Account Program [REAP], (Case No. 5751), 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 December 29, 2004. Assessor I.D. No. 5013-024-026

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on September 19, 2002)

ITEM NO. (47) - ADOPTED

04-0005-S529

CD 8 RESOLUTION removing the property at 8216-18 Harvard Boulevard a.k.a. 1659 West 83rd Street from the Rent Escrow Account Program [REAP], (Case No. 6251), 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 December 29, 2004.

Assessor I.D. No. 6034-015-025

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 4, 2003)

ITEM NO. (48) - ADOPTED

04-0005-S530

CD 15 RESOLUTION removing the property at 1201-09 North Drumm Avenue from the Rent Escrow Account Program [REAP], (Case No. 6304), 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 December 29, 2004. Assessor I.D. No. 7425-015-009

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 6, 2003)

ITEM NO. (49) - ADOPTED

04-0005-S531

CD 8 RESOLUTION removing the property at 1426-28 1/2 West 62nd Street from the Rent Escrow Account Program [REAP], (Case No. 6865), 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 December 29, 2004. Assessor I.D. No. 6002-026-020

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 27, 2003)

ITEM NO. (50) - ADOPTED

04-0005-S532

CD 4 RESOLUTION removing the property at 937 Mansfield Avenue from the Rent Escrow Account Program [REAP], (Case No. 7403), 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 December 29, 2004. Assessor I.D. No. 5084-005-007

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

ITEM NO. (51) - ADOPTED

04-0005-S533

CD 10 RESOLUTION removing the property at 2028 Fifth Avenue from the Rent Escrow Account Program [REAP], (Case No. 7421), 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 December 29, 2004. Assessor I.D. No. 5060-026-013

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 1, 2004)

ITEM NO. (52) - ADOPTED

04-0005-S534

CD 8 RESOLUTION removing the property at 1844-46 West 71st Street from the Rent Escrow Account Program [REAP], (Case No. 7556), 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 December 29, 2004. Assessor I.D. No. 6016-036-012

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

ITEM NO. (53) - ADOPTED

04-0005-S535

CD 8 RESOLUTION removing the property at 735-35 1/2 West 108th Street from the Rent Escrow Account Program [REAP], (Case No. 7642), 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 December 29, 2004. Assessor I.D. No. 6061-009-022

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on October 26, 2004)

ITEM NO. (54) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

04-0106

COMMUNICATION FROM CHAIR, INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE relative to using secure converged networks throughout the City.

Recommendation for Council action:

AUTHORIZE the Information Technology Agency (ITA) to:

- a. Negotiate a contract with an outside entity to conduct a comprehensive Return on Investment analysis and compare various approaches and cost models for a Citywide implementation of converged services, subject to the review of the City Attorney as to form and legality.
- b. Develop and release a Request for Proposals and negotiate a contract to conduct a security assessment and audit of the City's data network to identify additional security measures necessary for convergence.
- c. Negotiate a contract to initiate appropriate voice and data network analysis to assess such areas as the impact of adding voice traffic to the data network, and measure "on-network" call volumes on the City's voice network, subject to the review of the City Attorney as to form and legality.

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

ITEM NO. (55) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

05-0002-S11

COMMUNICATION FROM CHAIR, INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE and RESOLUTION relative to seeking sponsorship of legislation to enhance the 911 program by requiring automatic location identification for multi-line telephone systems (MLTS) in appropriate jurisdictions.

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

ADOPT the accompanying RESOLUTION to include in the City's 2005-06 State Legislative Program a request of the California Public Utilities Commission to review the Enhanced 911 Program with a goal of requiring automatic location identification for MLTS in appropriate jurisdictions, thus requiring MLTS businesses to provide the precise location of callers from within their system.

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

ITEM NO. (56) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

04-2169

CD 6

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for 15705 West Vose Street.

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article VII, Class 5(5) of the City's Environmental Guidelines.
2. FIND that this acceptance of the irrevocable offers of dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.
3. ADOPT the City Engineer report dated September 29, 2004, and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 15705 West Vose Street.
4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of \$1,807.23 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of \$1,689 and a seven percent surcharge in the amount of \$118.23 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.

ITEM NO. (57) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

04-2170

CD 14

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for 921 East Eighth Street.

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article VII, Class 5(5) of the City's Environmental Guidelines.
2. FIND that this acceptance of the irrevocable offers of dedication of land is in substantial conformance with the General Plan pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.
3. ADOPT the City Engineer report dated September 29, 2004, and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 921 East Eighth Street.
4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of \$1,807.23 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of \$1,689 and a seven percent surcharge in the amount of \$118.23 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.

ITEM NO. (58) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

92-2118

CD 1

COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION TO VACATE the excess portion of the northwesterly side of Albany Street from approximately 185 feet to 450 feet northeasterly of Olympic Boulevard - VAC-E1400433.

Recommendations for Council action:

1. REAFFIRM the FINDINGS of February 5, 2003, that this vacation is in substantial conformance with the General Plan pursuant to Section 556 of the Los Angeles City Charter (subject to the conditions contained therein).
2. ADOPT the accompanying RESOLUTION TO VACATE No. 04-1400433 for this vacation of the excess portion of the northwesterly side of Albany Street from approximately 185 feet to 450 feet northeasterly of Olympic Boulevard.
3. APPROVE the City Engineer report dated July 21, 2004 for the vacation.
4. INSTRUCT the Department of Public Works, Bureau of Engineering, Land Development Group, to record the Resolution with the Los Angeles County Recorder.

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

ENVIRONMENTAL WORK COMPLETED FOR THIS PROJECT

Closed Sessions - Items 59-63

ITEM NO. (59) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING - TO THE MAYOR FORTHWITH

**Roll Call #16 - Motion (Parks - Cardenas) Adopted in Open Session, Ayes (11);
Absent: Ludlow, Miscikowski, Reyes and Smith (4)**

04-2132

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(c), to confer with its legal counsel relative to settlement in the matter entitled QWEST Communications Tax Assessment.

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

ADOPTED IN OPEN SESSION

MOTION (PARKS - CARDENAS)

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

APPROVE the offer of settlement from QWEST Communications to settle an outstanding tax assessment of \$449,878.22 for the amount of \$250,000; and further, AUTHORIZE the City Attorney to execute the necessary settlement documents.

This matter was approved by the Budget and Finance Committee (Parks - Miscikowski - Cardenas - Garcetti - Smith "yes") at its meeting of December 14, 2004, in Closed Session as permitted by Government Code Section 54956.9(c).

ITEM NO. (60) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING - TO THE MAYOR FORTHWITH

**Roll Call #17 - Motion (Parks - Cardenas) Adopted in Open Session, Ayes (11);
Absent: Ludlow, Miscikowski, Reyes and Smith (4)**

04-2133

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(c), to confer with its legal counsel relative to settlement in the matter entitled AMPCO System Parking, Inc., Penalty Waiver Request.

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

ADOPTED IN OPEN SESSION

MOTION (PARKS - CARDENAS)

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

APPROVE the penalty waiver request from AMPCO System Parking, Inc., in the amount of \$168,158.35, for late remittance of parking occupancy taxes attributable to a parking lot located at 189 The Grove Drive.

This matter was approved by the Budget and Finance Committee (Parks - Miscikowski - Cardenas - Garcetti - Smith "yes") at its meeting of December 14, 2004, in Closed Session as permitted by Government Code Section 54956.9(c).

ITEM NO. (61) - CONTINUED TO JANUARY 12, 2005

**Roll Call #10 - Motion (Reyes - Perry) Adopted to Continue, Unanimous Vote (12);
Absent: Ludlow, Miscikowski and Smith (3)**

04-2401

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 Michael Gordon v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BC 291967. (This action involves a cyclist versus roadway accident that occurred on September 16, 2002, in front of 4033 Mandeville Canyon Road, Los Angeles.)

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

**ITEM NO. (62) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING -
TO THE MAYOR FORTHWITH**

**Roll Call #18 - Motion (Zine - Parks) Adopted in Open Session, Ayes (11);
Absent: Ludlow, Miscikowski, Reyes and Smith (4)**

04-2068

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 Robert Quihuis v. City of Los Angeles and William J. Bratton, Los Angeles Superior Court Case No. BS 080731. (This action arises out of a Petition for a Writ of Mandate challenging the imposition of discipline after a Board of Rights hearing.)

(Personnel Committee considered the above matter in Closed Session on December 15, 2004)

ADOPTED IN OPEN SESSION

MOTION (ZINE - PARKS)

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

- 1. AUTHORIZE the City Attorney to execute a settlement agreement and all other documents necessary in settlement of the case entitled Robert Quihuis v. City of Los Angeles and William J. Bratton, Los Angeles Superior Court Case No. BS 080731.**
- 2. AUTHORIZE and INSTRUCT the Los Angeles Police Department to comply with the terms of the proposed settlement agreement.**

This matter was approved by the Personnel Committee (Zine and Greuel voted "yes") at its meeting of December 15, 2004, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (63) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING - TO THE MAYOR FORTHWITH

**Roll Call #19 - Motion (Zine - Parks) Adopted in Open Session, Ayes (11);
Absent: Ludlow, Miscikowski, Reyes and Smith (4)**

04-2069

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 Angie Whetstone v. City of Los Angeles and William Bratton, Los Angeles Superior Court Case No. BS 086506. (This action arises out of a Petition for a Writ of Mandate challenging the imposition of discipline after a Board of Rights hearing.)

(Personnel Committee considered the above matter in Closed Session on December 15, 2004)

ADOPTED IN OPEN SESSION

MOTION (ZINE - PARKS)

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

- 1. AUTHORIZE the City Attorney to execute a settlement agreement and all other documents necessary in settlement of the case entitled Angie Whetstone v. City of Los Angeles and William Bratton, Los Angeles Superior Court Case No. BS 086506.**
- 2. AUTHORIZE and INSTRUCT the Los Angeles Police Department to comply with the terms of the settlement agreement.**

This matter was approved by the Personnel Committee (Zine and Greuel voted "yes") at its meeting of December 15, 2004, in Closed Session as permitted by Government Code Section 54956.9(a).

SPECIAL PRESENTATION

A Special Presentation relative to the Tsunami Disaster was given by representatives of the Mayor's Office of Protocol and the American Red Cross and by the Counsels General from Thailand, Indonesia, Malaysia and Sri Lanka.

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

- 05-0020 - MOTION (LABONGE - GREUEL) relative to declaring the Re-Enactment of the Signing of the Articles of Capitulation - Campo de Cahuenga on January 16, 2005 a Special Event (fees and costs absorbed by the City = \$1,226).
- 05-0021 - MOTION (GARCETTI - CARDENAS) relative to declaring the City Repair with Eco Village on January 8, 2005 a Special Event (fees and costs absorbed by the City = \$1,188).
- 05-0022 - MOTION (GARCETTI - CARDENAS) relative to declaring the American Stroke Association Benefit Concert on October 16, 2004 a Special Event (fees and costs absorbed by the City = \$180).
- 00-0263 - MOTION (PERRY - PARKS) relative to declaring the 47th Annual GRAMMY Awards and associated celebration on February 13, 2005 a Special Event (fees and costs absorbed by the City = \$124,163).

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

- 05-0023 - RESOLUTION (GREUEL - GARCETTI - PERRY) relative to declaring January 23-29, 2005 as Homeless Count Week 2005.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon his request, and without objections, Councilmember Smith was excused to leave at 11:00 a.m. from Council session of Friday, January 28, 2005 due to City business.

Motion (Perry - Zine) was unanimously adopted to excused Councilmember Weiss from Council session of Wednesday, January 12, 2005 due to personal business.

Upon her request, and without objections, Councilmember Perry was excused from Council sessions on the Friday, January 7, February 4, March 4, April 1, May 6, June 3, July 8, August 5, November 4 and December 2, 2005 due to City business.

Upon her request, and without objections, Councilmember Hahn was excused from the Council session of Tuesday, January 11, 2005 due to City business.

Upon his request, and without objections, Councilmember Villaraigosa was excused to arrive at 11:00 a.m. to Council session of Friday, January 7, 2005 due to City business.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

05-0014 - Terry Webb (Zine - All Councilmembers)
Sergeant Robert Norlemann (Zine - All Councilmembers)

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

05-0013 - Maria De Lourdes Zamora (Villaraigosa)
Kelly Marie Shea (Zine - All Councilmembers)
Glen Sorkness (Zine)

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

Whereupon the Council did adjourn.

ATTEST: Frank T. Martinez, CITY CLERK

By
Council Clerk PRESIDENT OF THE CITY COUNCIL