Los Angeles City Council, Journal/Council Proceedings  
Friday, January 7, 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, LaBonge, Parks, Reyes, Smith, Weiss, Zine and President Padilla (10); Absent: Hahn, Ludlow, Miscikowski, Perry and Villaraigosa, (5).

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF JANUARY 4, 2005

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 21

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 1-5

Roll Call #2 - Motion (Reyes - Zine) Adopted, Ayes (10); Absent: Hahn, Ludlow, Miscikowski, Perry and Villaraigosa (5) (Item Nos. 1-5)

ITEM NO. (1) - PUBLIC HEARING CLOSED - ORDINANCE OVER ONE WEEK TO JANUARY 14, 2005

04-1552 CD 7 CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of NORRIS AVENUE AND LARKSPUR STREET LIGHTING DISTRICT.

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

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

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

(Public Hearing held December 15, 2004)

ITEM NO. (2) - PUBLIC HEARING CLOSED - ASSESSMENT CONFIRMED - ORDINANCE OVER ONE WEEK TO JANUARY 14, 2005

04-1553
CD 1
CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST
CONSIDERATION relative to the improvement and maintenance of FIGUEROA STREET
AND PIEDMONT 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 15, 2004)

ITEM NO. (3) - PUBLIC HEARING CLOSED - PROTEST DENIED - ASSESSMENT CONFIRMED - ORDINANCE OVER ONE WEEK TO JANUARY 14, 2005

04-1554
CD 3
CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST
CONSIDERATION relative to the improvement and maintenance of AVENIDA HACIENDA
AND VENTURA BOULEVARD 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 15, 2004)

ITEM NO. (4) - PUBLIC HEARING CLOSED - PROTEST DENIED - ASSESSMENT CONFIRMED - ORDINANCE OVER ONE WEEK TO JANUARY 14, 2005

04-1603
CD 5
CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST
CONSIDERATION relative to the improvement and maintenance of FULTON AVENUE AND VENTURA BOULEVARD 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 15, 2004)

ITEM NO. (5) - PUBLIC HEARING CLOSED- ORDINANCE OVER ONE WEEK TO JANUARY 14, 2005
04-1604 CD 7
CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of GLEDHILL STREET AND VAN NUYS BOULEVARD 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 streetlight(s) are not installed or are removed from service if previously installed.

(Public Hearing held December 15, 2004)

Items for Which Public Hearings Have Been Held - Items 6-17

ITEM NO. (6) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS - ORDINANCE OVER ONE WEEK TO JANUARY 14, 2005 - SEE FOLLOWING

Roll Call #6 - Motion (Reyes - Cardenas) Adopted, Ayes (10); Absent: Greuel, Hahn, Ludlow, Miscikowski and Perry (5)

03-0238
COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to amending Sections 12.21 and 12.24 of the Los Angeles Municipal Code to provide height limitations for retaining walls in hillside areas.

(Planning and Land Use Management Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comments will be provided.)
ADOPTED

03-0238 GENERAL EXEMPTION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to amending the Los Angeles Municipal Code (LAMC) to provide height limitations for retaining walls in hillside areas.

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

1. FIND that this action is generally exempt from California Environmental Quality Act (CEQA) pursuant to Article III, Section 2(m) of the City's Guidelines.

2. ADOPT the December 22, 2004 FINDINGS of the Director of Planning Commission as the Findings of Council.

3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the Director of Planning, amending Sections 12.21 and 12.24 of the LAMC to provide height limitations for retaining walls in hillside areas.

CPC 2004-0159 CA

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. (7) - CONTINUED TO FEBRUARY 8, 2005

Roll Call #1 - Motion (Parks - Cardenas) Adopted to Continue, Unanimous Vote (10); Absent: Hahn, Ludlow, Miscikowski, Perry and Villaraigosa (5)

04-0052 CONTINUED CONSIDERATION OF TRANSPORTATION COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to granting a pipeline franchise to Pacific Terminals LLC (Pacific) to operate existing pipelines within the City.

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

PRESENT and ADOPT the accompanying ORDINANCE granting to Pacific a non-public utility pipeline franchise to install, retain, operate and maintain pipelines and their adjunct communication lines within the City of Los Angeles.

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

(Continued from Council meeting of December 14, 2004)
Roll Call #3 - Motion (Reyes - Parks) Adopted, Ayes (10); Absent: Hahn, Ludlow, Miscikowski, Perry and Villaraigosa (5) (Item Nos. 8-12)

ITEM NO. (8) - ADOPTED

04-2481  00-2094

BUDGET AND FINANCE COMMITTEE REPORT relative to the status of Reserve Fund loans for the fiscal year ending June 30, 2004.

Recommendation for Council action:

RECEIVE and FILE the Controller’s report relative to the status of Reserve Fund loans for the fiscal year 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. (9) - SUBSTITUTE REPORT ADOPTED IN LIEU OF ORIGINAL REPORT - SEE FOLLOWING

04-0046-S10

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the 30th Year (2004-05) Mid-year reprogramming of $7,568,736 in Community Development Block Grant (CDBG) funds.

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

1. APPROVE the reallocation of $7,568,736, in available CDBG, as detailed in the document entitled “Attachment B,” as amended, of the joint City Administrative Officer (CAO) - Chief Legislative Analyst (CLA) report to the Mayor and Council dated December 14, 2004 (attached to the Council file).

2. APPROVE the allocation of the reprogramming funds as shown in the document entitled “Attachment C,” as amended, of the joint CAO - CLA report, with appropriation of funds to the Pacoima Revitalization project being contingent on CLA report back and review of project financing to Council in accordance with Council file No. 03-0595, and appropriation of funds to the Gay and Lesbian Adolescent Social Services contingent on agency certification as a Community Based Development Organization (CBDO).

3. GRANT a one-time waiver of Council adopted (Council file No. 01-2765-S2) “CDBG Expenditure Policy and Guidelines” Part I, E(1) for the reprogramming of $599,800 of previously borrowed Cornfields funds to the Chinatown Intermodal System project.

4. INSTRUCT the General Manager, Community Development Department (CDD), or designee, to amend the appropriate Consolidated Plan(s) documents consistent with this action, and conduct any activity necessary to meet U.S. Department of Housing and Urban Development (HUD) requirements to facilitate any necessary amendment.
5. AUTHORIZE the General Manager, CDD, or designee, to prepare Controller instructions and/or make any technical adjustments that may be required and are consistent with this action, subject to approval of the CAO; and, AUTHORIZE the Controller to implement the instructions.

6. AUTHORIZE the General Managers of City Departments tasked with the administration and/or implementation of the projects listed in “Attachment C” of the CAO - CLA report, to negotiate, modify, and execute agreements as needed for program implementation, subject to identification by the CDD of implementing agencies (actual contractors), as needed, and City Attorney approval as to form and legality.

7. APPROVE the re-designation of $502,330 in Operation Clean Sweep public service funding and $3,000,000 in LA’s BEST public services funding as a CBDO and thus exempt from the public services cap.

8. APPROVE the re-designation of those projects totaling $1,834,718 listed in “Attachment G” of the CAO - CLA report, under the heading of “not confident that agency will be certified” as public services and thus not subject to CBDO certification.

9. INSTRUCT the General Manager, CDD, or designee, with the assistance of the CAO and CLA, to monitor public services and administrative services expenditures against the 30th Program Year (PY) public services and administrative services cap respectively and to report back to the Council within 30 days with recommendations for necessary adjustments and identification of alternative funding sources in the event that the public services and/or administrative services cap will be exceeded.

10. INSTRUCT the General Manager, CDD, or designee, to report back in 30 days on the CBDO certification process, policies, and monitoring.

11. AMEND the “CDBG Expenditure Policy and Guidelines” (Council file No. 01-2765-S2) to add Item No. 7 to Section C, to read, “All discretionary funds provided by formula of the funding distribution pilot project in the 30th PY are subject to reprogramming by the Council District to which the funds were originally allocated.”

12. APPROVE the list of City-owned facilities included as “Attachment H” of the CAO - CLA report as an amendment to the 30th Year Action Plan and authorize the CDD to use CDBG funds allocated in the 30th Year Action Plan for the purpose of implementing capital projects at these facilities to address emergencies and health and safety issues as needed.

13. INSTRUCT all City departments that maintain records for the following agencies to recognize the respective legal name changes, and that the former and new names are one and the same corporation:

<table>
<thead>
<tr>
<th>Former Name</th>
<th>New Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Children's Institute International</td>
<td>Children's Institute, Inc.</td>
</tr>
<tr>
<td>Korean Youth and Community Center</td>
<td>Koreatown Youth and Community Center, Inc.</td>
</tr>
</tbody>
</table>
14. AUTHORIZE the Controller to make payment upon proper demand to all agreements, subject to the name changes in Recommendation No. 13 above.

15. INSTRUCT the General Manager, Department of Aging, or designee, to prepare alternative need-based funding distribution models for the Home Secure program for consideration in the 31st Year Action Plan.

16. INSTRUCT the General Manager, CDD, or designee, to report back in 30 days on the status of lease agreements and cost recovery for the Robert Pitts Center.

17. ADOPT a policy that all prior year re-programmings through the 29th PY be required to begin expenditure of funds prior to the beginning of the 31st PY or be subject to review that may result in forfeiture of funds, except for any project where such action would result in a legal claim; and, INSTRUCT the CDD, with the assistance of the CAO and CLA, to report back on the impacted programs for final consideration by the Mayor and Council.

18. RECOGNIZE the change in contractor for the Elysian Valley Skate Park project from Elysian Valley United to Neighborhood Land Trust.

19. CONVERT $100,000 of 30th Year Consolidated Plan allocations for the Hollywood Emergency Shelter from operations to renovations, effective November 1, 2004.

20. DIRECT the CDD to:
   a. Report to the Housing, Community and Economic Development Committee relative to proposed modifications of Neighborhood Block Grant re-payment processes.
   b. Update the Consolidated Plan, making all necessary changes to reflect the actions of this report.

21. INSTRUCT the General Manager, CDD, or designee, with the assistance of the Los Angeles Housing Department, to report back to the next scheduled Housing, Community, and Economic Development Committee meeting on projected 31st PY entitlement and program income.

   Fiscal Impact Statement: The CAO and CLA report that this action will not impact the General Fund. The recommendations above involve CDBG funds only.

ADOPTED

04-0046-S10

HOUSING, COMMUNITY, AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the 30th Year (2004-05) Mid-year reprogramming of $7,568,736 in Community Development Block Grant (CDBG) funds.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:
1. APPROVE the reallocation of $7,568,736, in available CDBG, as detailed in the document entitled "Attachment B" of the joint City Administrative Officer (CAO) - Chief Legislative Analyst (CLA) report to the Mayor and Council dated December 14, 2004 (attached to the Council file), plus the reallocation of $2,873,550 from 30th Program Year Block Grant Investment Funds (BGIF).

2. APPROVE the allocation of the reprogramming funds shown in the document entitled "Attachment C" of the joint CAO - CLA report, as amended by HCED and attached to this report, with appropriation of funds to the Pacoima Revitalization project being contingent on CLA report back and review of project financing to Council in accordance with Council File 03-0595, and appropriation of funds to the Gay and Lesbian Adolescent Social Services contingent on agency certification as a Community Based Development Organization (CBDO).

3. GRANT a one-time waiver of Council adopted (C.F. 01-2765-S2) "CDBG Expenditure Policy and Guidelines" Part I, E(1) for the reprogramming of $599,800 of previously borrowed Cornfields funds to the Chinatown Intermodal System project.

4. INSTRUCT the General Manager, Community Development Department (CDD), or designee, to amend the appropriate Consolidated Plan(s) documents consistent with this action, and conduct any activity necessary to meet U.S. Department of Housing and Urban Development (HUD) requirements to facilitate any necessary amendment.

5. AUTHORIZE the General Manager, CDD, or designee, to prepare Controller instructions and/or make any technical adjustments that may be required and are consistent with this action, subject to approval of the CAO; and, REQUEST that the Controller implement the instructions.

6. AUTHORIZE the General Managers of City Departments tasked with the administration and/or implementation of the projects listed in "Attachment C" of the CAO-CLA report, to negotiate, modify, and execute agreements as needed for program implementation, subject to identification by CDD of implementing agencies (actual contractors), as needed, and City Attorney approval as to form and legality.

7. APPROVE the re-designation of $502,330 in Operation Clean Sweep public service funding and $3,000,000 in LA’s BEST public services funding as a CBDO and thus exempt from the public services cap.

8. APPROVE the re-designation of those projects totaling $1,834,718 listed in "Attachment G" of the CAO - CLA report, under the heading of "not confident that agency will be certified" as public services and thus not subject to CBDO certification.

9. INSTRUCT the General Manager, CDD, or designee, with the assistance of the CAO and CLA, to monitor public services and administrative services expenditures against the 30th Program Year (PY) public services and administrative services cap respectively and to report back to Council within 30 days with recommendations for necessary adjustments and identification of alternative funding sources in the event that the public services and/or administrative services cap will be exceeded.
10. INSTRUCT the General Manager, CDD, or designee, to report back in 30 days on the CBDO certification process, policies, and monitoring.

11. AMEND the "CDBG Expenditure Policy and Guidelines" (C.F. 01-2765-S2) to add Item No. 7 to Section C, to read, "All discretionary funds provided by formula of the funding distribution pilot project in the 30th PY are subject to reprogramming by the Council District to which the funds were originally allocated."

12. APPROVE the list of City-owned facilities included as "Attachment H" of the CAO - CLA report as an amendment to the 30th Year Action Plan and authorize CDD to use CDBG funds allocated in the 30th Year Action Plan for the purpose of implementing capital projects at these facilities to address emergencies and health and safety issues as needed.

13. INSTRUCT all City Departments that maintain records for the following agencies to recognize the respective legal name changes, and that the former and new names are one and the same corporation:

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14. REQUEST that the Controller to make payment upon proper demand to all agreements, subject to the name changes in Recommendation No. 13 above.

15. INSTRUCT the General Manager, Department of Aging, or designee, to prepare alternative need-based funding distribution models for the Home Secure program for consideration in the 31st Year Action Plan.

16. INSTRUCT the General Manager, CDD, or designee, to report back in 30 days on the status of lease agreements and cost recovery for the Robert Pitts Center.

17. ADOPT a policy that all prior year reprogrammings through the 29th PY be required to begin expenditure of funds prior to the beginning of the 31st PY or be subject to review that may result in forfeiture of funds, except for any project where such action would result in a legal claim; and, INSTRUCT CDD, with the assistance of the CAO and CLA, to report back on the impacted programs for final consideration by Mayor and Council.

18. INSTRUCT the General Manager, CDD, or designee, with the assistance of the Los Angeles Housing Department, to report back to the next scheduled Housing, Community, and Economic Development Committee meeting on projected 31st PY entitlement and program income.

19. INSTRUCT the General Manager, CDD, or designee, to report back on proposed alternative funding sources for CDD Industrial and Commercial Division administration.
20. REALLOCATE funds for the Los Angeles Homeless Services Authority (LAHSA) for the Year Round Emergency Shelter - Hollywood Shelter at 5627 Fernwood Avenue from the 30th PY from an operations activity to a rehabilitation activity and make the following technical adjustments:

   a. Authorize the General Manager, LAHD, or designee, to negotiate and execute a first amendment to LAHSA Contract No. C-106644, subject to City Attorney approval as to form and legality, to reduce the amount of the Contract from $400,000 to $300,000 and designate November 1, 2004 as the effective date of the reduction; and,

   b. Authorize the General Manager, CDD, or designee, to negotiate and execute a fifth amendment to City Agreement No. 105001, subject to City Attorney approval as to form and legality, to add $100,000 from the 30th Program Year, Project No. 44 to the Agreement to complete renovations required by code and designate November 1, 2004 as the effective date of the City's authorization to reallocate $100,000 of Project No. 44 from operations to renovation, thereby decreasing the operations award to $300,000.

21. AUTHORIZE the General Manager, CDD, or designee, to negotiate and execute a contract, subject to City Attorney approval as to form and legality, with Los Angeles Neighborhood Land Trust as the implementing Agency for the Elysian Valley United Community Service Center project, not to exceed funding available from Community Development Trust Fund No. 424, Account No. S719.

22. APPROVE the redesignation from Economic Development to Administration for $110,904 from EDA Matching line item from the 29th Midyear Reprogramming and $150,000 from Economic Alliance line item, ID No. 359 from the 24th PY.

Fiscal Impact Statement: The CAO and CLA report that this action will not impact the General Fund. The recommendations above involve CDBG funds only.

ITEM NO. (10) - ADOPTED

04-2332
CD 11 PUBLIC WORKS COMMITTEE REPORT relative to condemnation of real property for the Baywood to Benedict Canyon Sewer Project.

Recommendation for Council action:

INSTRUCT the City Clerk to schedule a public hearing on FEBRUARY 8, 2005 to:

a. FIND that the condemnation of real property for the Baywood to Benedict Canyon Sewer Project is categorically exempt under Article III (formerly Article VII), Section 1(a) and Section 1(c)4 of the City of Los Angeles California Environmental Quality Assessment Guidelines.

b. ADOPT the FINDINGS of the Director of Planning as the Findings of the Council.
c. PRESENT and ADOPT the accompanying ORDINANCE authorizing the condemnation of real property for the Baywood to Benedict Canyon Sewer Project.

d. AUTHORIZE the City Attorney to make a deposit of probable just compensation and obtain an order for possession prior to trial.

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.

ITEM NO. (11) - ADOPTED

03-1905
CD 9   TRANSPORTATION COMMITTEE REPORT relative to the Skid Row Transit Needs Study.

Recommendation for Council action:

RECEIVE and FILE the Department of Transportation reports dated September 14, 2004 and May 12, 2004 relative to the feasibility of implementing a DASH route through Skid Row, inasmuch as the reports are submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (12) - ADOPTED

04-0408

TRANSPORTATION COMMITTEE REPORT relative to implementation of a program to temporarily suspend passenger fares for all public transportation services when the average regular unleaded gasoline price increases above $2.00 per gallon in the Los Angeles - Long Beach metropolitan area.

Recommendation for Council action:

RECEIVE and FILE the Department of Transportation report dated May 6, 2004, submitted pursuant to Motion (Zine - Smith) relative to implementation of a program to temporarily suspend passenger fares for all public transportation services when the average regular unleaded gasoline price increases above $2.00 per gallon in the Los Angeles - Long Beach Metropolitan area.

Fiscal Impact Statement: Not applicable.
ITEM NO. (13) - ADOPTED - FORTHWITH

Roll Call #7 - Motion (LaBonge - Villaraigosa) Adopted, Ayes (10); Absent: Greuel, Hahn, Ludlow, Miscikowski and Perry (5)

04-0825
CD 4 TRANSPORTATION COMMITTEE REPORT relative to efforts to identify and address parking options in the Larchmont Commercial District.

Recommendations for Council action:

1. NOTE and FILE the November 2, 2004 report from the Department of Transportation (DOT) relative to the DOT’s efforts to identify and address parking options in the Larchmont Commercial District, inasmuch as this report is submitted for information only and DOT staff will continue to investigate and pursue parking options in the Larchmont Commercial District and work with Council District Four staff and local areas business to address future parking opportunities in this area.

2. DIRECT the DOT to report to the Transportation Committee in 90 days on the status of the negotiations for lease of parking spaces from the Larchmont Medical Building.

Fiscal Impact Statement: The DOT reports that there is no impact to the General Fund. Additionally, there is no impact to the Special Parking Revenue Fund at this time because the construction option will not be pursued; the Special Parking Revenue Fund would have covered all construction costs. However, the Special Parking Revenue Fund will be impacted if the DOT leases parking spaces from the Larchmont Medical Building to help address the limited parking in the Larchmont Commercial District. Specific cost estimates are not known at this time but will be provided as this option is pursued and finalized.

ITEM NO. (14) - ADOPTED

Roll Call #3 - Motion (Reyes - Parks) Adopted, Ayes (10); Absent: Hahn, Ludlow, Miscikowski, Perry and Villaraigosa (5)

04-1164 TRANSPORTATION COMMITTEE REPORT relative to the “Watch the Road” Traffic Safety and Education Campaign.

Recommendation for Council action:

NOTE and FILE the November 2, 2004 report from the Department of Transportation relative to the “Watch the Road” Traffic Safety and Education Campaign, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.
ITEM NO. (15) - ADOPTED

Roll Call #8 - Motion (LaBonge - Smith) Adopted, Ayes (10); Absent: Greuel, Hahn, Ludlow, Miscikowski and Perry (5)

04-1164

TRANSPORTATION COMMITTEE REPORT relative to the “Watch the Road” Traffic Safety and Education Campaign.

Recommendation for Council action:

NOTE and FILE the December 1, 2004 report from the Department of Transportation relative to the “Watch the Road” Traffic Safety and Education Campaign, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

Roll Call #1 - Motion (Parks - Cardenas) Adopted to Continue, Unanimous Vote (10); Absent: Hahn, Ludlow, Miscikowski, Perry and Villaraigosa (5) (Item Nos. 16-20)

ITEM NO. (16) - CONTINUED TO FEBRUARY 8, 2005

04-1134

CDs 9, 10, 11 & 15

CONTINUED CONSIDERATION OF TRANSPORTATION COMMITTEE REPORT relative to application of Southern California Water Company (SCWC) for a pipeline franchise to operate existing pipelines within the City.

Recommendations for Council action:

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

2. OFFER for sale a pipeline franchise to install, retain, operate and maintain pipelines and adjunct communication lines within the City of Los Angeles, substantially as shown in the Board of Transportation Commissioners’ report dated March 25, 2004 (attached to the Council file), and if SCWC is the highest responsible bidder, then award the franchise to SCWC.

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

Fiscal Impact Statement: The Department of Transportation reports that SCWC’s pipeline franchise fees for 2004 would be $54,163.20.

(Continued from Council meeting of December 10, 2004)
ITEM NO. (17) - CONTINUED TO FEBRUARY 8, 2005

04-1344
CD 15 CONTINUED CONSIDERATION OF TRANSPORTATION COMMITTEE REPORT relative to the application of Four Teams Oil Production & Exploration Company, Inc. (Four Teams) for a pipeline franchise to operate existing pipelines within the City.

Recommendations for Council action:

1. FIND that Four Teams is in need of a pipeline franchise to operate and maintain existing pipelines in City streets associated with the production of crude oil.

2. OFFER for sale a pipeline franchise to install, retain, operate and maintain pipelines and adjunct communication lines within the City of Los Angeles, substantially as shown in the Board of Transportation Commissioners’ report dated May 27, 2004 (attached to Council file), and if Four Teams is the highest responsible bidder, then award the franchise to Four Teams.

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

Fiscal Impact Statement: The Department of Transportation reports that Four Teams’ pipeline franchise fees for 2004 would be $242.92.

(Continued from Council meeting of December 10, 2004)

Items for Which Public Hearings Have Not Been Held - Items 18-28
(10 Votes Required for Consideration)

ITEM NO. (18) - CONTINUED TO FEBRUARY 8, 2005

04-0523
CD 15 CONTINUED CONSIDERATION OF ACCEPTANCE OF BIDS relative to the Notice of Sale for a Pipeline Franchise in the City of Los Angeles.

Recommendations for Council action:

1. FIND that the City of Los Angeles is in need of a pipeline franchise to install, retain, operate and maintain pipelines and their adjunct communication lines associated with the transportation of oil and oil products.

2. ACCEPT and AWARD the BID for the pipeline franchise to the responsible bidder offering to pay the City the highest cash consideration, but not less than $500 and, if ARCO Terminal Services Corporation is the highest responsible bidder, award the franchise to this company.

3. REQUEST the City Attorney to prepare the pipeline franchise ordinance for the successful bidder for presentation to the Council.
4. INSTRUCT the Department of Transportation to notify the successful bidder and ensure that all good faith deposits are returned to the unsuccessful bidders, subsequent to the award of the bid.

5. REQUIRE that the successful bidder file a faithful performance bond in duplicate with the City Clerk within five days after the award of the pipeline franchise, pursuant to Los Angeles Administrative Code Section 13.30.

(Pursuant to Council action of May 11, 2004 - Continued from Council meeting of December 7, 2004)

ITEM NO. (19) - CONTINUED TO FEBRUARY 8, 2005

04-0524

CDs 8, 10 CONTINUED CONSIDERATION OF ACCEPTANCE OF BIDS relative to the Notice of Sale for a Pipeline Franchise in the City of Los Angeles.

Recommendations for Council action:

1. FIND that the City of Los Angeles is in need of a pipeline franchise to install, retain, operate and maintain pipelines and their adjunct communication lines associated with the transportation of oil and oil products.

2. ACCEPT and AWARD the BID for the pipeline franchise to the responsible bidder offering to pay the City the highest cash consideration, but not less than $500 and, if BP West Coast Products LLC is the highest responsible bidder, award the franchise to this company.

3. REQUEST the City Attorney to prepare the pipeline franchise ordinance for the successful bidder for presentation to the Council.

4. INSTRUCT the Department of Transportation to notify the successful bidder and ensure that all good faith deposits are returned to the unsuccessful bidders, subsequent to the award of the bid.

5. REQUIRE that the successful bidder file a faithful performance bond in duplicate with the City Clerk within five days after the award of the pipeline franchise, pursuant to Los Angeles Administrative Code Section 13.30.

(Pursuant to Council action of May 11, 2004 - Continued from Council meeting of December 7, 2004)

ITEM NO. (20) - CONTINUED TO FEBRUARY 8, 2005

04-0525

CDs 2, 4, 5, 6, 7, 8, 10 & 15 CONTINUED CONSIDERATION OF ACCEPTANCE OF BIDS relative to the Notice of Sale for a Pipeline Franchise in the City of Los Angeles.

Recommendations for Council action:
1. FIND that the City of Los Angeles is in need of a pipeline franchise to install, retain, operate and maintain pipelines and their adjunct communication lines associated with the transportation of crude oil.

2. ACCEPT and AWARD the BID for the pipeline franchise to the responsible bidder offering to pay the City the highest cash consideration, but not less than $500 and, if ARCO MidCon LLC is the highest responsible bidder, award the franchise to this company.

3. REQUEST the City Attorney to prepare the pipeline franchise Ordinance for the successful bidder for presentation to the Council.

4. INSTRUCT the Department of Transportation to notify the successful bidder and ensure that all good faith deposits are returned to the unsuccessful bidders, subsequent to the award of the bid.

5. REQUIRE that the successful bidder file a faithful performance bond in duplicate with the City Clerk within five days after the award of the pipeline franchise, pursuant to Los Angeles Administrative Code Section 13.30.

(Pursuant to Council action of May 11, 2004 - Continued from Council meeting of December 7, 2004)

Roll Call #4 - Motion (Garcetti - Weiss) Adopted, Ayes (10); Absent: Hahn, Ludlow, Miscikowski, Perry and Villaraigosa (5)

(Item Nos. 21-28)

ITEM NO. (21) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

02-2110
CD 9

COMMUNICATION FROM CHAIR, INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE relative to a proposed new lease agreement for office space at the Grand Central Market/Lyon Building, 312 South Hill Street.

Recommendation for Council action:

AUTHORIZE the Department of General Services (GSD) to lease 9,782 square feet of office space at 312 South Hill Street for the Office of the City Attorney, substantially as outlined in the GSD report dated November 18, 2004, subject to the review of the City Attorney as to form and legality.

Fiscal Impact Statement: The GSD reports that the proposed lease is a reduction of square footage currently leased by the City at the subject location and will result in annual lease savings of $197,000. There are sufficient funds in General Services Leasing Account 6030 to cover the costs of the proposed lease for the current fiscal year.
ITEM NO. (22) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

04-2502

COMMUNICATION FROM CHAIR, INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE relative to the Wireless Network Access Policy.

Recommendations for Council action:

1. NOTE and FILE the Information Technology Agency (ITA) report dated December 8, 2004, relative to the Wireless Network Access Policy, inasmuch as the report is submitted for information only and no Council action is necessary.

2. INSTRUCT the ITA to report back quarterly relative to the status of the Wireless Network Access Policy.

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

ITEM NO. (23) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

04-2568

COMMUNICATION FROM CHAIR, INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE relative to recent Information Technology Agency (ITA) changes.

Recommendation for Council action:

RECEIVE and FILE the ITA report dated December 6, 2004, relative to recent ITA changes, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (24) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

04-2586

COMMUNICATION FROM CHAIR, INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE relative to the Assignment of Lease for the operation of Sloan’s Dry Cleaners, located at Space 18-A in the Los Angeles Mall.

Recommendations for Council action:

1. APPROVE the Assignment of Lease for the operation of Sloan’s Dry Cleaners, located at Space 18-A in the Los Angeles Mall, from Ana Sloan Ojeda and Michael Ojeda to Salim Virani.

2. REQUEST the City Attorney to prepare all necessary documents to be executed by the respective parties and the Department of General Services (GSD).
Fiscal Impact Statement: The GSD reports that approval of the proposed recommendations will continue to bring revenue to the City in the amount of $433.80 per month ($5,205.60 annually).

ITEM NO. (25) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

04-2259
CD 13 COMMUNICATION FROM THE CITY ENGINEER relative to inclusion of the name of Robert Zemeckis on the Hollywood Walk of Fame.

Recommendation for Council action:

APPROVE the installation of the name of Robert Zemeckis on the Hollywood Walk of Fame at 6925 Hollywood Boulevard.

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

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

04-2277
CD 13 COMMUNICATION FROM THE CITY ENGINEER relative to inclusion of the name of Godzilla on the Hollywood Walk of Fame.

Recommendation for Council action:

APPROVE the installation of the name of Godzilla on the Hollywood Walk of Fame at 6925 Hollywood Boulevard.

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

ITEM NO. (27) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

04-2278
CD 13 COMMUNICATION FROM THE CITY ENGINEER relative to inclusion of the name of Monte Hale on the Hollywood Walk of Fame.

Recommendation for Council action:

APPROVE the installation of the name of Monte Hale on the Hollywood Walk of Fame at 7000 Hollywood Boulevard.

Fiscal Impact Statement: The City Engineer reports that there is no General Fund impact.
ITEM NO. (28) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

04-2398
CD 13 COMMUNICATION FROM THE CITY ENGINEER relative to inclusion of the name of Tim Allen on the Hollywood Walk of Fame.

Recommendation for Council action:

APPROVE the installation of the name of Tim Allen on the Hollywood Walk of Fame at 6834 Hollywood Boulevard.

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

Item For Which Public Hearing Has Been Held - Item 29

ITEM NO. (29) - CONTINUED TO JANUARY 14, 2005

Roll Call #5 - Motion (Garcetti - Reyes) Adopted to Continue, Unanimous Vote (10);
Absent: Hahn, Ludlow, Miscikowski, Perry and Villaraigosa (5)

01-1349
CD 3 CONTINUED CONSIDERATION OF 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.
MOTION ADOPTED UPON FINDINGS BY COUNCIL THAT THE NEED TO TAKE ACTION AROSE SUBSEQUENT TO THE POSTING OF THE COUNCIL AGENDA FOR FRIDAY, JANUARY 7, 2005, PURSUANT TO GOVERNMENT CODE SECTION 54954.2(b)(2) AND COUNCIL RULE 23

ADOPTED - FORTHWITH

Roll Call #9 - Motion (Padilla for Perry - Parks) Findings on Need to Act - Adopted, Ayes (10);
Absent: Greuel, Hahn, Ludlow, Miscikowski and Perry (5)
Roll Call #10 - Motion (Padilla for Perry - Parks) Adopted, Ayes (10);
Absent: Greuel, Hahn, Ludlow, Miscikowski and Perry (5)

05-0033
MOTION (PADILLA for PERRY - PARKS) relative to the temporary closure of the pedestrian tunnel at 69th and Flower.

Recommendation for Council action:
INSTRUCT and AUTHORIZE the Department of Transportation and any other affected City Department to immediately close the pedestrian tunnel at 69th and Flower for temporary period pending further from the Los Angeles Police Department.

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

00-0070 - MOTION (REYES - SMITH) relative to declaring the Sidewalk Sale in Lincoln Heights on February 6-8, 2005 a Special Event (fees and costs absorbed by the City = $4,000).

05-0034 - MOTION (REYES - SMITH) relative to declaring the FUNDEMI Celebrates Latin American Culture on January 15, 2005 a Special Event (fees and costs absorbed by the City = $1,500).

05-0035 - MOTION (REYES - SMITH) relative to declaring the New Year’s Eve Celebration on December 31, 2004 a Special Event (fees and costs absorbed by the City = $1,250).

05-0010- S2 MOTION (GARCETTI - LABONGE) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Jose Carreno on December 11, 2004.

05-0032 - MOTION (LABONGE - GARCETTI) relative to urging Los Angeles residents to take advantage of the extension for tax deductible donations for the tsunami relief effort to January 31, 2005.
COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

    Upon his request, and without objections, Councilmember Cardenas was excused to leave at 12:45 p.m. from Council session of Tuesday, January 25, 2005 due to City business.

    Upon his request, and without objections, Councilmember Weiss was excused to arrive at 11:00 a.m. to Council session of Wednesday, February 23, 2005 due to City business.

    Motion (Garcetti - Parks) unanimously adopted to excuse Councilmember Ludlow from Council session of Tuesday, January 11, 2005 due to personal business.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

05-0014 - Elvis Presley Day (LaBonge - Garcetti)
   Detective III Gary Barthelmess (Smith - Zine)

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

    Whereupon the Council did adjourn.

ATTEST: Frank T. Martinez, CITY CLERK

By

Council Clerk            PRESIDENT OF THE CITY COUNCIL