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

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF JANUARY 11, 2005

COMMEMDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 12

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 for Which Public Hearings Have Been Held - Items 1-19

Roll Call #1 - Motion (Zine - Garcetti) Adopted, Ayes (13); Absent: Ludlow and Parks (2)

(Item Nos. 1-8)

ITEM NO. (1) - ADOPTED

03-1713

PERSONNEL COMMITTEE REPORT and ORDINANCES FIRST CONSIDERATION relative to adding the William H. Parker Foundation program and the Los Angeles Police Foundation program to the list of non-Union employee organizations for which voluntary payroll deductions are authorized.

Recommendations for Council action, as initiated by Motion’s (LaBonge - Hahn) and (LaBonge - Parks), SUBJECT TO THE APPROVAL OF THE MAYOR:

1. PRESENT and ADOPT the accompanying ORDINANCE amending Section 4.203 of the Los Angeles Administrative Code (LAAC) to add the William H. Parker Foundation program to the list of non-Union employee organizations for which voluntary payroll deductions are authorized.

2. PRESENT and ADOPT the accompanying ORDINANCE amending Section 4.203 of the LAAC to add the Los Angeles Police Foundation program to the list of non-Union employee organizations for which voluntary payroll deductions are authorized.
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. (2) - ADOPTED

04-2045
PERSONNEL COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to adding the Gang Alternatives Program to the list of non-Union employee organizations for which voluntary payroll deductions are authorized.

Recommendation for Council action, as initiated by Motion (Hahn - LaBonge), SUBJECT TO THE APPROVAL OF THE MAYOR:

PRESENT and ADOPT the accompanying ORDINANCE amending Section 4.203 of the Los Angeles Administrative Code to add the Gang Alternatives Program to the list of non-Union employee organizations for which voluntary payroll deductions are authorized.

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. (3) - ADOPTED

04-1552
CD 7
ORDINANCE SECOND CONSIDERATION relative to abandoning all proceedings for the NORRIS AVENUE AND LARKSPUR STREET 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).

(Public hearing closed at the Council meeting of January 7, 2005)

ITEM NO. (4) - ADOPTED

04-1553
CD 1
ORDINANCE SECOND CONSIDERATION relative to levying the assessments and ordering the maintenance of the FIGUEROA STREET AND PIEDMONT AVENUE 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).

(Public hearing closed at the Council meeting of January 7, 2005)
ITEM NO. (5) - ADOPTED
04-1554 CD 3
ORDINANCE SECOND CONSIDERATION relative to levying the assessments and ordering the maintenance of the AVENIDA HACIENDA AND VENTURA BOULEVARD 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).

(Public hearing closed at the Council meeting of January 7, 2005)

ITEM NO. (6) - ADOPTED
04-1603 CD 5
ORDINANCE SECOND CONSIDERATION relative to the levying the assessments and ordering the maintenance of the FULTON AVENUE AND VENTURA BOULEVARD 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).

(Public hearing closed at the Council meeting of January 7, 2005)

ITEM NO. (7) - ADOPTED
04-1604 CD 7
ORDINANCE SECOND CONSIDERATION abandoning all proceedings for the GLEDHILL STREET AND VAN NUYS BOULEVARD 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).

(Public hearing closed at the Council meeting of January 7, 2005)

ITEM NO. (8) - ADOPTED
03-0238
ORDINANCE SECOND 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 adopted at the Council meeting of January 7, 2005)
ITEM NO. (9) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #3 - Motion (Smith - Zine) to Adopt as Amended, Ayes (13);
Absent: Ludlow and Parks (2)

04-0600-S43

BUDGET AND FINANCE COMMITTEE REPORT relative to the Third Financial Status Report.

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

1. APPROVE the recommendations of the City Administrative Officer (CAO) as identified in the Third Financial Status Report, attached to the Committee report.

2. AUTHORIZE the transfer of $700,000 within Fund 100/38, Fire Department, from Account No. 1098, Variable Staffing to Account No. 3230, Petroleum.

Fiscal Impact Statement: The CAO reports that transfers and appropriations totaling approximately $10.7 million within and between departments and funds are provided to meet current obligations. Potential budgetary needs of up to $28.7 million are not funded at this time. The CAO will continue to monitor these areas of concern and report back with funding recommendations in future reports, if necessary. If all the projected shortfalls materialize, the projected Reserve Fund balance at June 30, 2004 would be approximately $115.1 million, or 3.1 percent of the 2004-05 Adopted Budget. This Reserve Fund balance would be above the City’s adopted Reserve Fund policy of two percent. However, it should be noted that the Reserve Fund is one potential source for balancing the projected 2005-06 budget gap.

ADOPTED

AMENDING MOTION (SMITH - ZINE)

Recommendation for Council action:

REFER Recommendation Nos. 3 and 4 of the City Administrative Officer’s Third Financial Status Report, dated December 22, 2004, relative to the Cultural Affairs Department, back to the Budget and Finance Committee for further consideration.

Roll Call #1 - Motion (Zine - Garcetti) Adopted, Ayes (13); Absent: Ludlow and Parks (2)
(Item Nos. 10-16)

ITEM NO. (10) - ADOPTED

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.

(Continued from Council meeting of January 7, 2005)

ITEM NO. (11) - ADOPTED

04-2362

PERSONNEL COMMITTEE REPORT relative to establishing a payroll deduction program for contributions to the American Diabetes Association (ADA).

Recommendations for Council action, pursuant to Motion (Padilla - Parks):

1. AUTHORIZE the Controller to work with the ADA to establish a payroll deduction program enabling all City personnel to contribute to the ADA.

2. REQUEST the City Attorney to prepare and present an Ordinance amending Section 4.203 of the Los Angeles Administrative Code to authorize voluntary payroll deductions from all City personnel to contribute to the ADA.

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

ITEM NO. (12) - ADOPTED

04-2510

PERSONNEL COMMITTEE REPORT relative to establishing a payroll deduction program for Los Angeles Filipino Association of City Employees’ (LAFACE) members for bi-weekly membership fees.

Recommendations for Council action, pursuant to Motion (Reyes - Garcetti):

1. AUTHORIZE the Controller to work with the LAFACE to establish a payroll deduction program enabling LAFACE members to pay bi-weekly membership fees by payroll deduction.
2. REQUEST the City Attorney to prepare and present an ordinance amending Section 4.203 of the Los Angeles Administrative Code to authorize voluntary payroll deductions from LAFAACE members for bi-weekly membership fees.

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

ITEM NO. (13) - ADOPTED

04-2612

PERSONNEL COMMITTEE REPORT relative to establishing a payroll deduction program for contributions to the California Association of Professional Firefighters (CAPF) long-term care and long-term disability programs.

Recommendations for Council action, pursuant to Motion (Garcetti - Ludlow):

1. AUTHORIZE the Controller to work with the CAPF to establish a payroll deduction program enabling all City personnel to contribute to the CAPF long-term care and long-term disability programs.

2. REQUEST the City Attorney to prepare and present an ordinance amending Section 4.203 of the Los Angeles Administrative Code to authorize voluntary payroll deductions from all City personnel to contribute to the CAPF long-term care and long-term disability programs.

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

ITEM NO. (14) - ADOPTED

02-1480-S1

PUBLIC SAFETY COMMITTEE REPORT relative to the Los Angeles Police Department (LAPD) providing supplemental police resources to the Los Angeles World Airports (LAWA) to enhance security efforts at LAWA locations.

Recommendation for Council action:

RECEIVE and FILE the Motion (Miscikowski - Weiss) relative to approving a Memorandum of Agreement (MOA) dated July 2002, between the LAWA and LAPD for supplemental LAPD police resources to enhance security efforts at LAWA locations, inasmuch as a new MOA is being drafted and the 2002 MOA, attached to the Council file, is no longer valid.

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

03-2201-S6
PUBLIC SAFETY COMMITTEE REPORT relative to the Fiscal Year 2004-05 Revolving Training Fund expenditure plan.

Recommendation for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:
APPROVE the Fiscal Year 2004-05 Revolving Training Fund expenditure plan attached to the Council file.

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

ITEM NO. (16) - ADOPTED

04-1581
PUBLIC SAFETY COMMITTEE REPORT relative to increasing the monetary fine for children left unattended in motor vehicles.

Recommendation for Council action:

NOTE and FILE the City Attorney report dated November 3, 2004, submitted pursuant to Motion (Smith - Greuel), relative to drafting an ordinance to increase the monetary fine for children left unattended in motor vehicles, inasmuch as the City Attorney reports that any local ordinance is preempted under California Constitutional doctrine of state law preemption, and that California Vehicle Code Section 15620 also addresses the same conduct and any local ordinance would almost certainly be challenged, therefore no Council action is necessary.

Fiscal Impact Statement: Not applicable.

Roll Call #4 - Motion (LaBonge - Perry) Adopted, Ayes (12); Absent: Ludlow, Parks and Villaraigosa (3)
(Item Nos. 17-18)

ITEM NO. (17) - ADOPTED

00-1073-S45
PUBLIC WORKS COMMITTEE REPORT relative to amending the Los Angles Municipal Code (LAMC) to restrict the number of newsracks in front of designated Los Angeles Historical or Cultural Monuments.

Recommendation for Council action:
RECEIVE and FILE the Motion (Parks - Hahn - Smith) to amend LAMC Section 42.00(f), inasmuch as the proposal will put an undue burden on the property owners of designated Los Angeles Historical or Cultural Monuments to petition the removal of newsracks installed in front of their property.

**Fiscal Impact Statement**: Not applicable.

**ITEM NO. (18) - ADOPTED**

00-1073-S46

PUBLIC WORKS COMMITTEE REPORT relative to amending the Los Angeles Municipal Code (LAMC) to allow more time for publishers with financial hardships to comply with color requirements for newsracks.

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

REQUEST the City Attorney to draft an ordinance incorporating the actions below for Council review:

a. Delete the last sentence of LAMC Section 42.00(f), subsection (3)(A).

b. Amend LAMC, Section 42.00(f) to allow all publishers seven years to comply with the color requirements for newsracks.

c. Allow publishers, who do not use rack cards, to have their logos permanently affixed to the front of newsracks of a size no larger than the size for rack cards as stipulated in Ordinance No. 176339.

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

**ITEM NO. (19) - ADOPTED**

Roll Call #1 - Motion (Zine - Garcetti) Adopted, Ayes (13); Absent: Ludlow and Parks (2)

05-0002-S10

PUBLIC WORKS COMMITTEE REPORT relative to sponsorship of State legislation to remove the exemption in the Survey Monument Preservation law that allows fee waivers for grant deed conveying real property.

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

RESOLVE that the City of Los Angeles include in its 2005-06 State Legislative Program, SPONSORSHIP of legislation that would remove an exemption in the Survey Monument Preservation law (Government Code Sections 22584 and 27585) that allows most grant deed conveyancing of real estate to avoid paying the usual $10 fee.

**Fiscal Impact Statement**: None submitted by the Chief Legislative Analyst. The City Administrative Officer has not completed a financial analysis of this report.
Items for Which Public Hearings Have Not Been Held - Items 20-24
(10 Votes Required for Consideration)

Roll Call #2 - Motion (Garcetti - Reyes) Adopted, Ayes (13); Absent: Ludlow and Parks (2)
(Item Nos. 20-24)

ITEM NO. (20) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION 04-2486
CD 13 COMMUNICATION FROM THE CITY ENGINEER relative to inclusion of the name of Kevin
Kline on the Hollywood Walk of Fame.

Recommendation for Council action:

APPROVE the installation of the name of Kevin Kline 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. (21) - ADOPTED
00-0070
CD 1 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).

Recommendation for Council action:

DECLARE the Sidewalk Sale in Lincoln Heights, sponsored by Council District One and
the Lincoln Heights Chamber of Commerce on February 6-8, 2005, a "Special Event" and
INSTRUCT the involved City departments to perform such services as detailed in the
Motion, including the waiver of all fees (costs absorbed by the City) and requirements,
except insurance.

ITEM NO. (22) - ADOPTED
05-0034
CD 10 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).

Recommendation for Council action:

DECLARE the FUNDEMI Celebrates Latin American Culture, sponsored by the Immigrant
American Foundation on January 15, 2005, a "Special Event" and INSTRUCT the involved
City departments to perform such services as detailed in the Motion, including the waiver
of all fees (costs absorbed by the City) and requirements, except insurance.
ITEM NO. (23) - ADOPTED

05-0035
CD 1  
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).

Recommendation for Council action:

DECLARE the New Year's Eve Celebration, sponsored by La Curacao on December 31, 2004 a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance.

ITEM NO. (24) - ADOPTED

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.

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

1. PROVIDE an offer of reward in the amount of $25,000 for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Jose Carreno on December 11, 2004.

2. FIND that the subject reward complies with the provisions of Chapter 12, Article 1, Division 19, of the Los Angeles Administrative Code.

3. DIRECT the City Clerk to publish the required notices and/or advertisements to effectuate this reward.

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

00-0269 - MOTION (GARCETTI - LABONGE) relative to declaring the 77th Annual Academy Awards Presentation on February 27, 2005 a Special Event (fees and costs absorbed by the City = $15,000).

02-0251 - MOTION (REYES - VILLARAIGOSA) relative to declaring the Chinese New Year's Car Show on February 13, 2005 a Special Event (fees and costs absorbed by the City = $3,000).

02-0169 - MOTION (REYES - VILLARAIGOSA) relative to declaring the Chinatown Fire Cracker Run on February 13, 2005 a Special Event (fees and costs absorbed by the City = $6,000).
03-0169 - MOTION (REYES - VILLARAIGOSA) relative to declaring the Golden Dragon Parade on February 12, 2005 a Special Event (fees and costs absorbed by the City = $14,000).

05-0083 - MOTION (REYES - VILLARAIGOSA) relative to declaring the Chinese New Year's Festival on February 12-13, 2005 a Special Event (fees and costs absorbed by the City = $8,000).

03-1410 - MOTION (HAHN - LABONGE) relative to declaring the Vincent Thomas Bridge Lighting ceremony on January 30, 2005 a Special Event (fees and costs absorbed by the City = $3,860).

05-0010 - MOTION (PADILLA - CARDENAS) relative to reinstating the reward offer in the disappearance/kidnapping of Sandra Nevarez for an additional 60 days.

05-0010 - MOTION (VILLARAIGOSA - PERRY) relative to an offer of reward for information leading to the identification, apprehension and conviction of the person(s) responsible for the death of newborn baby girl Jane Doe No. 77 on December 21, 2004.

05-0082 - MOTION (PERRY - VILLARAIGOSA) relative to transferring funds to the Bureau of Engineering to pay consultants and related staff costs for the South Los Angeles Neighborhood City Hall/Constituent Service Center.

05-0084 - MOTION (MISCIKOWSKI - LABONGE) relative to transferring funds from the Venice Area Surplus Real Property Fund for acquisition and placement of new trash receptacles on the Venice Boardwalk.

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

05-0085

RESOLUTION (HAHN - PERRY) relative to supporting submission of a joint application between the Department of Recreation and Parks and the Los Angeles Neighborhood Initiative for an Urban Streams Restoration Program grant.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon his request, and without objections, Councilmember Cardenas was excused to leave at 12:10 p.m. from Council session of Tuesday, February 1, 2005 due to City business.

Upon his request and without objections, Councilmember Ludlow was excused from Council session of Friday, January 14, 2005 due to personal business.

Upon his request, and without objections, Councilmember Smith was excused to leave at 12:00 p.m. from Council session of Wednesday, February 16, 2005 due to vacation.

Upon his request, and without objections, Councilmember Padilla was excused from Council session of Friday, January 21, 2005 due to City business.
Upon his request, and without objections, Councilmember Ludlow was excused from Council sessions of Tuesday, Wednesday and Friday, January 18, 19 and 21, 2005 due to personal business.

Upon his request, and without objections, Councilmember Cardenas was excused to leave at 12:40 p.m. from Council session of Tuesday, January 18, 2005 due to City business.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

05-0014 - Keanu Reeves (Garcetti - LaBonge)

Information Technology Agency (Garcetti - All Councilmembers)

At the conclusion of this day's Council Session

ADJOURNING MOTIONS WERE ADOPTED in tribute to the memory of:

05-0013 - Richard Szabo (LaBonge)

Bernard Gelson (LaBonge)

Delores Nikodinov (Hahn)

Harding B. Eklund (Padilla)

Dorothy Hazel Clarke (Padilla)

Arnold M. Lincoe (Weiss)

Victims of La Conchita Mudslide (Zine)

Dawn Michelle Coombs-Fischler (Zine)

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

Whereupon the Council did adjourn.

ATTEST: Frank T. Martinez, CITY CLERK

By

Council Clerk PRESIDENT OF THE CITY COUNCIL