

Los Angeles City Council, Journal/Council Proceedings
Wednesday, February 2, 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, Greuel, Hahn, Ludlow, Miscikowski, Parks, Perry, Reyes, Smith, Weiss, Zine and President Padilla (12); Absent: Garcetti, LaBonge and Villaraigosa (3).

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
JANUARY 28, 2005

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 23

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

Item Noticed for Public Hearing - Item 1

ITEM NO. (1) - PUBLIC HEARING CLOSED - ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #5 - Motion (Parks - Smith) Adopted, Ayes (13); Absent: Perry and Villaraigosa (2)

[03-0153](#)

HEARING COMMENTS and ORDINANCE FIRST CONSIDERATION relative to the five-year plan of Sewer Service Charge, Low-Strength Sewer Service Charge, and Quality Surcharge Fee increases.

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

1. HEAR COMMENTS regarding the Sewer Service Charge, Low-Strength Sewer Service Charge, and Quality Surcharge Fee increases.
2. PRESENT and ADOPT the accompanying ORDINANCE amending Sections 64.41.01 and 64.41.03 of the Los Angeles Municipal Code to modify the Sewer Service Charge and the definition of Low-Strength Industrial Wastewater.

(Pursuant to Council action of December 8, 2004)

Items for Which Public Hearings Have Been Held - Items 2-11

Roll Call #1 - Motion (Cardenas - Hahn) Adopted, Ayes (12); Absent: Garcetti, LaBonge and Villaraigosa (3)
(Item Nos. 2-3)

ITEM NO. (2) - ADOPTED

04-0600-S44

BUDGET AND FINANCE COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to amending the Los Angeles Municipal Code (LAMC) to define when a delinquency commences for purposes of the City's Transient Occupancy Tax (TOT) and Parking Occupancy Tax.

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

PRESENT and ADOPT the accompanying ORDINANCE amending Sections 21.7.8 and 21.15.8 of the LAMC to define when a delinquency commences for purposes of the City's TOT and Parking Occupancy Tax.

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

04-0600-S32

BUDGET AND FINANCE COMMITTEE REPORT relative to the Citywide Fuel Economy Program.

Recommendations for Council action:

1. INSTRUCT City departments to continue the introduction of fuel-efficient vehicles into the City's fleet when feasible.
2. INSTRUCT the Department of General Services (GSD) to periodically distribute memorandum, posters and flyers regarding fuel conservation.
3. INSTRUCT all City departments to justify distribution of Voyager cards annually.
4. INSTRUCT all City departments to modify the Voyager card distribution system so that the usage of a card is tied to an individual vehicle.

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

ITEM NO. (4) - MOTION ADOPTED TO APPROVE COMMITTEES' REPORTS
RECOMMENDATIONS - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #4 - Motion (Cardenas - Smith) Adopted, Ayes (11); Absent: Garcetti, LaBonge, Perry and Villaraigosa (4)

04-1393

CDs 6 & 7 BUDGET AND FINANCE COMMITTEE REPORT relative to a proposal to conduct air quality monitoring and outreach in Sun Valley.

Recommendations for Council action, as initiated by Motion (Cardenas - Garcetti),
SUBJECT TO THE APPROVAL OF THE MAYOR:

1. AUTHORIZE the transfer of \$100,000 from the Council District Seven Real Property Trust Fund No. 689 and appropriate to the Environmental Affairs Department, Fund No. 100/37 as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1090	Salaries, Overtime	\$ 4,000
2120	Printing and Binding	\$ 1,000
3040	Contractual Services	\$95,000

2. AUTHORIZE the General Manager, Environmental Affairs Department (EAD), or designee, to issue a Request for Proposal, select a provider(s), negotiate and execute a contract(s), subject to the approval of the City Attorney as to form, for services consistent with the scope of work provided in City Administrative Officer (CAO) report Attachment A, attached to the Council file.
3. DETERMINE that contractors can perform the work proposed herein more feasibly and efficiently than City employees, pursuant to Charter Section 1022.
4. INSTRUCT the General Manager, EAD, or designee, to report back to the Environmental Quality and Waste Management Committee on the status of the Sun Valley Air Quality Project in 90 days.
5. AUTHORIZE the CAO to prepare Controller instructions and/or make any technical adjustments that may be required and are consistent with this action.

Fiscal Impact Statement: The CAO reports there is no impact on the General Fund. Funding is available in the Council District Seven Real Property Trust Fund.

(Environmental Quality and Waste Management Committee report to be submitted in Council. If a public hearing is not held in Committee, an opportunity for public comment will be provided.)

(For copies of relative, staff-generated reports for this matter, please contact the Legislative Assistant for the Environmental Quality and Waste Management Committee at 213-978-1072.)

ADOPTED

ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE REPORT relative to identifying funding for the Environmental Affairs Department (EAD) to coordinate a pilot program focusing on air monitoring, community outreach and permitting in the Sun Valley area.

Recommendations for Council action, as initiated by Motion (Cardenas - Garcetti), SUBJECT TO THE APPROVAL OF THE MAYOR:

CONCUR with the recommendations of the Budget and Finance Committee report dated January 13, 2005 relative to identifying funding for the EAD to coordinate a pilot program focusing on air monitoring, community outreach and permitting in the Sun Valley area.

Fiscal Impact Statement: The City Administrative Officer reports that there is no impact on the General Fund and that funding is available in the Council District Seven Real Property Trust Fund.

Roll Call #1 - Motion (Cardenas - Hahn) Adopted, Ayes (12); Absent: Garcetti, LaBonge and Villaraigosa (3)
(Item Nos. 5-11)

ITEM NO. (5) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS - SEE FOLLOWING

04-2544

COMMUNICATION FROM BOARD OF WATER AND POWER COMMISSIONERS relative to Agreement No. 47375-5 with CGI-AMS, Incorporated to provide maintenance services for the Outage Management and Mobile Dispatch Systems for the Department of Water and Power's electric trouble system for a term of 36 months and an amount not to exceed \$7,549,714.

TIME LIMIT FILE - FEBRUARY 13, 2005

(LAST DAY FOR COUNCIL ACTION - FEBRUARY 11, 2005)

(Commerce, Energy and Natural Resources Committee report to be submitted in Council. If a public hearing is not held in Committee, an opportunity for public comment will be provided.)

(For copies of relative, staff-generated reports for this matter, please contact the Legislative Assistant for the Commerce, Energy and Natural Resources Committee at 213-978-1076.)

ADOPTED

COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to Agreement No. 47375-5 between the Department of Water and Power (DWP) and CGI-AMS, Incorporated (CGI).

Recommendations for Council action, as recommended by the Board of Water and Power Commissioners (Board) and the City Administrative Officer (CAO):

1. CONCUR with the Board action on December 7, 2004, Resolution No. 005-134, approving Agreement No. 47375-5 with CGI to provide system maintenance services for their proprietary Outage Management and Mobile Dispatch System (OM&MDS) including maintenance, enhancements and proprietary maintenance software for a term of 36 months and expenditures not to exceed \$7,549,714.
2. CONCUR with the Board action on December 7, 2004, Resolution No. 005-134, retroactively approving Agreement No. 19071 for \$122,500 and Agreement No. 451176 for \$149,000 with CGI.
3. REQUEST the Board return to Council for retroactive approval, the following Amendments to the Agreement with CGI:
 - a. Agreement No. 10480 for \$434,034
 - b. Agreement No. 45131 for \$45,810
 - c. Agreement No. 41651 for \$85,000
 - d. Agreement No. 45119 for \$66,170
 - e. Agreement No. 41651 for \$85,000
 - f. Agreement No. 40402 for \$74,501
4. REQUEST the Board to review existing contracting procedures to minimize the use of short-term contracts when the need for a service is long-term.
5. REQUEST the Board to initiate a comprehensive audit of all outstanding contracts and report back with a status report in 30 days.
6. REQUEST the Board to transmit to Council for retroactive action all outstanding contracts requiring Council approval.

Fiscal Impact Statement: The CAO reports that financing for the proposed Agreement will result in an incremental expenditure of \$7,549,714 over three years from the Power Revenue Fund. There is no impact on the City General Fund.

TIME LIMIT FILE - FEBRUARY 13, 2005

(LAST DAY FOR COUNCIL ACTION FEBRUARY 11, 2005)

ITEM NO. (6) - ADOPTED

00-0211-S33

PUBLIC SAFETY COMMITTEE REPORT relative to the release of the Los Angeles Police Department (LAPD) Proposed Pedestrian and Motor Vehicle Stop Analysis Methodology Report.

Recommendation for Council action:

NOTE and FILE the Chief Legislative Analyst report relative to the release of the LAPD's Proposed Pedestrian and Motor Vehicle Stop Analysis Methodology Report, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (7) - ADOPTED

00-0211-S59

PUBLIC SAFETY COMMITTEE REPORT relative to Los Angeles Police Department (LAPD) Consent Decree status update on compliance by Gang Enforcement Details (GED).

Recommendation for Council action:

NOTE and FILE the LAPD report dated December 15, 2004, relative to review of the LAPD Consent Decree status update on compliance by the GED, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (8) - ADOPTED

00-0211-S73

PUBLIC SAFETY COMMITTEE REPORT relative to Los Angeles Police Department (LAPD) status on its Anti-Retaliation policy.

Recommendation for Council action:

NOTE and FILE the Los Angeles Board of Police Commissioners reports dated November 15, 2004 and January 19, 2005, relative to the status on the LAPD Anti-Retaliation policy and database, inasmuch as the reports are submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (9) - ADOPTED

05-0029

CD 4 TRANSPORTATION COMMITTEE REPORT relative to installation of a ceremonial sign at the southwest corner of Orange Drive and Santa Monica Boulevard to commemorate the many music and radio legends who have recorded at the Radio Recorders Studio.

Recommendation for Council action:

RECEIVE and FILE the January 18, 2005 report from the Department of Transportation (DOT) in response to Motion (LaBonge - Perry) relative to directing the DOT to install a ceremonial sign at the southwest corner of Orange Drive and Santa Monica Boulevard to commemorate the many music and radio legends who have recorded at the Radio Recorders Studio at 7000 Santa Monica Boulevard in Hollywood, inasmuch as a sign has been installed and a ceremony was held on January 8, 2005 on what would have been the 70th birthday of Elvis Presley.

Fiscal Impact Statement: Not applicable.

ITEM NO. (10) - ADOPTED

04-0395

TRANSPORTATION COMMITTEE REPORT relative to funding deferred projects from the Los Angeles County Metropolitan Transportation Authority's (MTA) 2001 Call for Projects.

Recommendation for Council action:

RECEIVE and FILE the Department of Transportation reports dated May 6 and 24, 2004, and November 16, 2004 submitted pursuant to Motion (Villaraigosa - Weiss) relative to funding deferred projects from the MTA's 2001 Call for Projects, inasmuch as the projects previously deferred by the MTA are now funded.

Fiscal Impact Statement: Not applicable.

ITEM NO. (11) - ADOPTED

04-0823-S1

TRANSPORTATION COMMITTEE REPORT relative to the Community DASH Need Assessment Study.

Recommendations for Council action:

1. NOTE and FILE the January 18, 2005 report from the Department of Transportation (DOT) relative to the Community DASH Need Assessment Study, inasmuch as the report is submitted for information only and no Council action is necessary.

2. DIRECT the DOT to report back to the Committee in 60 days with a status update relative to the Community DASH Need Assessment Study.

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

Items for Which Public Hearings Have Not Been Held - Items 12-36 (10 Votes Required for Consideration)

Roll Call #3 - Motion (Miscikowski - Zine) Adopted, Ayes (12); Absent: Garcetti, LaBonge and Villaraigosa (3)
(Item Nos. 12-15)

ITEM NO. (12) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - SET FOR HEARING APRIL 5, 2005

04-1711

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 WYANDOTTE STREET AND NOBLE AVENUE 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 August 20, 2004.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of APRIL 5, 2005 as the hearing date for the maintenance of Wyandotte Street and Noble Avenue Lighting District, in accordance with Proposition 218, Articles XIIIC 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, \$843.41 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: March 30, 2005)

ITEM NO. (13) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - SET FOR HEARING APRIL 5, 2005

04-1829

CD 7

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of ROXFORD STREET AND BORDEN AVENUE NO. 1 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 September 8, 2004.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of APRIL 5, 2005 as the hearing date for the maintenance of Roxford Street and Borden Avenue No. 1 Lighting District, in accordance with Proposition 218, Articles XIII C and XIII D 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, \$889.79 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: March 30, 2005)

ITEM NO. (14) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - SET FOR HEARING APRIL 5, 2005

04-1830

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 GAVIOTA AVENUE AND ARCHWOOD STREET 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 September 8, 2004.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of APRIL 5, 2005 as the hearing date for the maintenance of Gaviota Avenue and Archwood Street Lighting District, in accordance with Proposition 218, Articles XIII C and XIII D 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, \$351.90 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: March 30, 2005)

ITEM NO. (15) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - SET FOR HEARING APRIL 5, 2005

04-1831

CD 10 COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of VENICE BOULEVARD AND COMEY AVENUE 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 September 10, 2004.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of APRIL 5, 2005 as the hearing date for the maintenance of Venice Boulevard and Comey Avenue 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, \$81.88 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: March 30, 2005)

ITEM NO. (16) - RECEIVED AND FILED

Roll Call #2 - Motion (Perry - Parks) Adopted to Receive and File, Unanimous Vote (12);
Absent: Garcetti, LaBonge and Villaraigosa (3)

04-1832

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 CYPRESS AND ROSEVIEW AVENUES 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 September 10, 2004.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of APRIL 5, 2005 as the hearing date for the maintenance of Cypress and Roseview Avenues 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, \$383.22 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: March 30, 2005)

Roll Call #3 - Motion (Miscikowski - Zine) Adopted, Ayes (12); Absent: Garcetti, LaBonge and Villaraigosa (3)
(Item Nos. 17-36)

ITEM NO. (17) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - SET FOR HEARING APRIL 5, 2005

04-1833

CD 7

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of DEVONSHIRE STREET AND SEPULVEDA 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 September 10, 2004.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of APRIL 5, 2005 as the hearing date for the maintenance of Devonshire Street and Sepulveda 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, \$2,657.07 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: March 30, 2005)

ITEM NO. (18) - HEARING DATE APPROVED

04-0388

CD 14

SET FUTURE PUBLIC HEARING DATE of FEBRUARY 23, 2005, as the date for hearing comments on the condemnation proceedings under California Code of Civil Procedure for "VALLEY BOULEVARD GRADE SEPARATION PROJECT" and acquisition of real property.

W.O. No. E6000871

R/W No. 33349

ITEM NO. (19) - ADOPTED

05-0005-S38

CD 9

RESOLUTION removing the property at 730-32 1/2 West 50th Street from the Rent Escrow Account Program [REAP], (Case No. 4194), 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 January 26, 2005. Assessor I.D. No. 5018-020-013

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on November 13, 2001)

ITEM NO. (20) - ADOPTED

05-0005-S37

CD 6

RESOLUTION removing the property at 11936-38 Runnymede Street from the Rent Escrow Account Program [REAP], (Case No. 6090), 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 January 26, 2005. Assessor I.D. No. 2317-014-018
Registration No. 0040444

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

ITEM NO. (21) - ADOPTED

05-0005-S36

CD 14

RESOLUTION removing the property at 700-06 Camulos Street aka 2800 Guirado Street from the Rent Escrow Account Program [REAP], (Case No. 6193), 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 January 26, 2005. Assessor I.D. No. 5185-035-001

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on December 27, 2002)

ITEM NO. (22) - ADOPTED

05-0005-S35

CD 9

RESOLUTION removing the property at 4106-08 South Main Street from the Rent Escrow Account Program [REAP], (Case No. 6430), 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 January 26, 2005. Assessor I.D. No. 5113-030-012

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on April 30, 2003)

ITEM NO. (23) - ADOPTED

05-0005-S34

CD 1

RESOLUTION removing the property at 3112-14 1/2 North Main Street from the Rent Escrow Account Program [REAP], (Case No. 7347), 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 January 26, 2005. Assessor I.D. No. 5210-025-005

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 24, 2004)

ITEM NO. (24) - ADOPTED

05-0005-S33

CD 1

RESOLUTION removing the property at 406-08 South Avenue 56 from the Rent Escrow Account Program [REAP], (Case No. 7537), 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 January 26, 2005. Assessor I.D. No. 5468-029-026

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 30, 2004)

ITEM NO. (25) - ADOPTED

05-0005-S32

CD 10

RESOLUTION removing the property at 808 South Berendo Street from the Rent Escrow Account Program [REAP], (Case No. 7765), 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 January 26, 2005. Assessor I.D. No. 5094-013-020

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on November 16, 2004)

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

04-2214

CD 6

COMMUNICATION FROM CHAIR, ARTS, PARKS, HEALTH AND AGING COMMITTEE relative to the applicability of a legal statute that would prevent the closure of the Northridge Hospital Sherman Way Campus.

Recommendation for Council action:

RECEIVE and FILE the City Attorney report dated December 10, 2004, relative to its review of the California Corporations Code to determine the applicability of a legal statute that would prevent the closure of the Northridge Hospital Sherman Way Campus, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

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

00-0211-S61

COMMUNICATION FROM CHAIR AND MEMBER, PUBLIC SAFETY COMMITTEE relative to TEAMS II status report.

Recommendation for Council action:

NOTE and FILE the Los Angeles Police Department report dated January 21, 2005 relative to the TEAMS II monthly status report, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (28) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS,
*AS AMENDED - SEE FOLLOWING

00-1690

COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER (CAO) relative to continuation of the Gang Resistance Education and Training (GREAT) Program grant.

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

1. AUTHORIZE the Chief of Police to accept the grant award in the amount of \$54,060 from the United States Department of Justice, Bureau of Justice Assistance (BJA) for the GREAT Program for the period of January 1, 2004 through December 31, 2004.
2. AUTHORIZE the Chief of Police to execute the grant agreement on behalf of the City, and submit all necessary documents relative to the grant award, subject to the review and approval of the City Attorney, as to form and legality.
3. AUTHORIZE the Controller to establish new revenue and appropriation accounts, and assign Account No. ~~W502~~ *W375 within the Police Department Grant Fund No. 339, upon request and notification by the Los Angeles Police Department (LAPD) for receipt of grant revenue, program expenditures and reimbursements to the General Fund from the 2004-05 GREAT grant. *(Miscikowski - Zine)
4. AUTHORIZE the LAPD to receive and expend the grant funds, consistent with the grant award and transfer grant revenues to the General Fund, as appropriate.
5. AUTHORIZE the Chief of Police, or designee, to perform appropriate accounting adjustments and to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer (CAO), and AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: The CAO reports that the GREAT Program costs are fully reimbursable up to the grant limit of \$54,060. Of this amount, \$37,842 will partially reimburse the City for the salary and overtime of one Police Officer II position. The remaining salary cost is a General Fund obligation and is funded in the LAPD's 2004-05 salary base.

(Public Safety Committee waived consideration of the above matter)

ITEM NO. (29) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

04-2585

COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER (CAO) relative to the DNA Capacity Enhancement Program grant.

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

1. AUTHORIZE the Chief of Police to accept the grant award in the amount of \$527,799 from the United States Department of Justice, National Institute of Justice, for the DNA Capacity Enhancement Program for the period of July 1, 2004 through December 31, 2005.

2. AUTHORIZE the Chief of Police to execute the DNA Capacity Enhancement grant agreement on behalf of the City, and submit all necessary documents relative to the grant award and to negotiate, execute and submit any other necessary agreements and documents relative to the grant for 2004-05, subject to the review and approval of the City Attorney, as to form and legality.
3. AUTHORIZE the Controller to establish new revenue and appropriation accounts within the Police Department Grant Fund No. 339, for the 2004-05 DNA Capacity Enhancement Program and assign Account No. W502 upon request and notification by the Los Angeles Police Department (LAPD).
4. AUTHORIZE the LAPD to receive and deposit the grant funds into Fund No. 339 and expend the grant funds for grant-eligible equipment, training, travel, contractual services and facility renovations consistent with the grant award and grant budget.
5. AUTHORIZE the LAPD to advance funds, in an amount not to exceed \$527,799, from the Police Department operating budget, Department No. 70, General Fund, Fund No. 100, Account No. 6010, or other accounts to be determined by the LAPD, and to purchase expense and equipment items for the DNA Capacity Enhancement Program grant, consistent with the grant award and grant budget.
6. AUTHORIZE the LAPD to reappropriate grant funds within Fund No. 339 if necessary and transfer DNA Capacity Enhancement Program grant revenues from Fund No. 339, in an amount not to exceed \$527,799, to the Police Department General Fund operating budget, Department No. 70, Fund No. 100, accounts to be determined by the LAPD.
7. AUTHORIZE the Chief of Police, or designee, to perform appropriate accounting adjustments and to prepare Controller instructions for any necessary technical changes, subject to the approval of the City Administrative Officer (CAO), and AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: The CAO reports that there is no General Fund impact. The DNA Capacity Enhancement Program costs are fully reimbursable up to the grant limit of \$527,799.

(Public Safety Committee waived consideration of the above matter)

ITEM NO. (30) - ADOPTED

03-0325

CD 5

MOTION (WEISS - VILLARAIGOSA) relative to declaring the Pre-Academy Awards Party on February 25, 2005 a Special Event (event sponsor to reimburse the City for all fees and cost incurred).

Recommendation for Council action:

DECLARE the Pre-Academy Awards Party, sponsored by Mr. Ed Limato on February 25, 2005, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion.

ITEM NO. (31) - ADOPTED

04-0234

CD 9 MOTION (PERRY - REYES) relative to declaring the Guatemalan and Central American Communities Gathering on February 6, 2005 a Special Event (fees and costs absorbed by the City = \$2,170).

Recommendation for Council action:

DECLARE the Guatemalan and Central American Communities Gathering, sponsored by the Consulado de Guatemala on February 6, 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 AND application requirements.

ITEM NO. (32) - ADOPTED

05-0134

CD 14 MOTION (VILLARAIGOSA - REYES) relative to declaring the Heart of Northeast Los Angeles on January 31, 2005 a Special Event (fees and costs absorbed by the City = \$1,226).

Recommendation for Council action:

DECLARE the Heart of Northeast Los Angeles, sponsored by the KTLA - Channel 5 and the Southwest Museum on January 31, 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 AND application requirements.

ITEM NO. (33) - ADOPTED

05-0145

MOTION (PERRY - SMITH) relative to a request for an exemption from the Convention Center fee waiver policy for the 26th Annual Los Angeles City Teachers' Mathematics Association (LACTMA) Conference on February 11-12, 2005.

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

1. FIND that the 26th Annual LACTMA Conference event, sponsored by the LACTMA, serves a public purpose in that information on math techniques will be provided to approximately 100 educators.
2. AUTHORIZE the General Manager, Convention Center, to make an exception to the Council's Convention Center waiver policy by waiving a maximum of \$20,000 in room rental fees for this event.

3. INSTRUCT all concerned departments that should unforeseen circumstances change the actual date of the Special Event, the aforementioned departmental instructions continue to apply.

ITEM NO. (34) - ADOPTED

04-0010-S20

MOTION (REYES - PERRY) relative to reinstating the reward offer in the death of Sean Williams for an additional 60 days.

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

REAFFIRM Council's findings and REINSTATE the reward offer relative to the death of Sean Williams (Council action of April 20, 2004, Council file No. 04-0010-S20) for an additional period of 60 days from the publication of the offer of reward by the Office of the City Clerk and, further, that the sum of \$50,000 shall be the aggregate maximum sum of any payment or payments of a City reward in this instance.

ITEM NO. (35) - ADOPTED

05-0010-S8

MOTION (PERRY - REYES) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the January 21, 2005 death of Pedro Rene Quintanilla.

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

1. PROVIDE an offer of reward in the amount of \$50,000 for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Pedro Rene Quintanilla.
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.

ITEM NO. (36) - MAP APPROVED - CITY ENGINEER REPORT ADOPTED

05-0159

CD 15

FINAL MAP OF TRACT NO. 53577 for property lying westerly of Gaffey Street on the north side of 25th Street.

(ADOPT City Engineer Report)

(Quimby Fee: \$13,650)

(Less Dwelling Unit Construction Tax: \$1,250)

Applicants: Marizeih Amidnamin

John H. Riahi

Closed Sessions - Items 37-45

ITEM NO. (37) - MEETING HELD - ACTION TAKEN IN CLOSED SESSION

03-0291

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 Anthony Hart v. Bernard Parks, et al., United States District Court Case Nos. CV 00-03675; 02-01332. (This action arises out of an incident in which plaintiff was arrested by Los Angeles Police Department officers for the theft of Oscar statuettes.)

(Budget and Finance Committee considered the above matter in Closed Session on January 25, 2005)

ITEM NO. (38) - MEETING HELD - ACTION TAKEN IN CLOSED SESSION

04-2670

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 Christopher Justin Oliver, et al., v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BC 246184. (This action arises out of an incident in which plaintiff alleges wrongful death by the Los Angeles Police Department.)

(Budget and Finance Committee considered the above matter in Closed Session on January 25, 2005)

ITEM NO. (39) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #6 - Motion (Miscikowski - Smith) Adopted in Open Session, Ayes (10);
Absent: Hahn, Parks, Perry, Reyes and Villaraigosa (5)

04-2671

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 Raul Rodriguez v. City of Los Angeles, et al., United States District Court Case No. CV 99-13190 GAF (AJWx). (This action arises out of an incident in which plaintiff alleges falsification of police reports, perjury, and false arrest by the Los Angeles Police Department.)

(Budget and Finance Committee considered the above matter in Closed Session on January 25, 2005)

ADOPTED IN OPEN SESSION

MOTION (MISCIKOWSKI - SMITH)

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

1. AUTHORIZE the City Attorney to expend \$350,000 in settlement of the case entitled Raul Rodriguez v. City of Los Angeles, et al., United States District Court Case No. CV 99-13190 GAF (AJWx), from the Extraordinary Liability Account No. 2000.
2. AUTHORIZE the City Attorney to draw a demand thereon in said amount payable to the Law Offices of Yagman and Yagman and Reichmann and Raul Rodriguez.

This matter was approved by the Budget and Finance Committee (Miscikowski - Garcetti - Smith "yes"; Parks recused himself) at its meeting of January 25, 2005 in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (40) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #7 - Motion (Miscikowski - Smith) Adopted in Open Session, Ayes (10);
Absent: Hahn, Parks, Perry, Reyes and Villaraigosa (5)

04-2672

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 Miguel Hernandez v. Daryl F. Gates, et al., United States District Court Case No. CV 00-10573 GAF (AWJx). (This action arises out of an incident in which plaintiff alleges false arrest, malicious prosecution, and perjury by the Los Angeles Police Department.)

(Budget and Finance Committee considered the above matter in Closed Session on January 25, 2005)

ADOPTED IN OPEN SESSION

MOTION (MISCIKOWSKI - SMITH)

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

1. AUTHORIZE the City Attorney to expend \$200,000 in settlement of the case entitled Miguel Hernandez v. Daryl F. Gates, et al., United States District Court Case No. CV 00-10573 GAF (AWJx), from the Extraordinary Liability Account No. 2000.
2. AUTHORIZE the City Attorney to draw a demand thereon in said amount payable to the Law Offices of Yagman and Yagman and Reichmann and Miguel Hernandez, Jr.

This matter was approved by the Budget and Finance Committee (Miscikowski - Garcetti - Smith "yes"; Parks recused himself) at its meeting of January 25, 2005, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (41) - MEETING HELD - ACTION TAKEN IN CLOSED SESSION

05-0074

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to the case entitled Estate of Norma Vides v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BC 207495. (This action arises out of a motor vehicle accident that occurred on March 23, 1998, on Sunland Boulevard near Wheatland Avenue in Los Angeles.)

(Budget and Finance Committee considered the above matter in Closed Session on January 25, 2005)

ITEM NO. (42) - MEETING HELD - ACTION TAKEN IN CLOSED SESSION

05-0092

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 Ian Craig v. City of Los Angeles, et al., United States District Court Case No. CV 03-8312 CAS (CTX). (This action arises from a use of force incident by a member of the Los Angeles Police Department during an anti-war demonstration on March 23, 2003.)

(Budget and Finance Committee considered the above matter in Closed Session on January 25, 2005)

ITEM NO. (43) - MEETING HELD - ACTION TAKEN IN CLOSED SESSION

05-0144

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 Lloyd McMillian, et al., v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BC 298898. (This litigation involves two claims of racial discrimination for failure to promote pursuant to the California Fair Employment and Housing Act and public policy, and one plaintiff singly claims retaliation due to his probationary termination.)

(Budget and Finance Committee will consider the above matter in Closed Session on February 2, 2005)

ITEM NO. (44) - MEETING HELD - NO ACTION TAKEN

04-0542

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 Harmik A.M. Carapetian v. City of Los Angeles et al., Los Angeles Superior Court Case No. BC 279042.

(Planning and Land Use Management Committee waived consideration of the above matter)

ITEM NO. (45) - MEETING HELD - ACTION TAKEN IN CLOSED SESSION

04-1113

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 Grand Avenue Enterprises, Inc. v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BS 085916.

(Planning and Land Use Management Committee considered this matter in Closed Session on January 26, 2005)

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

- 05-0060 - MOTION (LUDLOW - GREUEL) relative to declaring the Southwest Area Clean-Up for Council District Ten on February 5, 2005 a Special Event (fees and costs absorbed by the City = \$1,226).
- 04-0230 - MOTION (PARKS - HAHN) relative to declaring the 22nd Annual Black History Parade on February 27, 2005 a Special Event (fees and costs absorbed by the City = \$2,000).
- 02-0539 - MOTION (PARKS - HAHN) relative to declaring the Multiple Sclerosis (MS) Walk on April 17, 2005 a Special Event (fees and costs absorbed by the City = \$8,000).
- 05-0178 - MOTION (GARCETTI - LABONGE) relative to declaring the MusiCares Gala on February 11, 2005 a Special Event (fees and costs absorbed by the City = \$1,188).
- 05-0179 - MOTION (GARCETTI - LUDLOW) relative to declaring Hollywood in Black and White on February 7, 2005 a Special Event (fees and costs absorbed by the City = \$1,188).
- 05-0180 - MOTION (MISCIKOWSKI - LABONGE) relative to declaring the Westchester-Del Rey Annual International Tasting Bee on February 19, 2005 a Special Event (fees and costs absorbed by the City = \$3,816).
- 05-0177 - MOTION (PERRY - PARKS) relative to waiving permit fees related to the installation of a mural being coordinated by the Little Tokyo Service Center.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon his request, and without objections, Councilmember Garcetti was excused to arrive at 10:40 a.m. to Council session of Tuesday, February 8, 2005 due to City business.

Upon her request, and without objections, Councilmember Perry was excused from Council sessions of Tuesday, Wednesday and Friday, February 22, 23, 25 and March 1, 2 and 8, 2005 due to vacation.

