Los Angeles City Council, Journal/Council Proceedings
Wednesday, November 24, 2004
John Ferraro Council Chamber, Room 340, City Hall - 10 am

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

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

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF NOVEMBER 19, 2004

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 36

ALL ITEMS ARE SENT FORTHWITH

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 1-20

Roll Call #1 - Motion (Garcetti - Zine) Adopted, Ayes (12); Absent: Greuel, Perry and Weiss (3) (Item Nos. 1-7)

ITEM NO. (1) - ADOPTED

04-0600 - BUDGET AND FINANCE COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to authorizing the Director of Finance to sell uncollectible/inactive accounts of any City Board, Commission or Department.

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

PRESENT and ADOPT the accompanying ORDINANCE adding Section 5.186 to the Los Angeles Administrative Code to authorize the Director of Finance to sell accounts which have been deemed uncollectible and have been removed from the active accounts receivable of any City Board, Commission or Department, pursuant to Council’s budget action on May 17, 2004.
Fiscal Impact Statement: None submitted by the City Attorney. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

ITEM NO. (2) - ADOPTED

04-2270 - PERSONNEL COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to reestablishment of salary for the reactivated class of Chief Grants Administrator.

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

1. PRESENT and ADOPT the accompanying ORDINANCE to amend Ordinance No. 175048 (2001-04 Salaries and Benefits for Non-Represented Classes) to provide a salary for the reactivated class of Chief Grants Administrator (Code 1579).

2. AUTHORIZE the City Administrative Officer (CAO), upon accretion of the class of Chief Grants Administrator to a bargaining unit, to amend the appropriate Memorandum of Understanding to reflect the salary approved by Ordinance.

Fiscal Impact Statement: The CAO reports that salary costs for the class have been included in the current budget for the Community Development Department.

ITEM NO. (3) - ADOPTED

04-1640 - MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT S1 COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change at 7011 Shoup Avenue.

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

1. FIND that this project will not have a significant effect on the environment, pursuant to the City’s Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the lead agency City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 04-1640-S1 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration filed on November 17, 2003 [ENV 2003-6907 MND].

2. ADOPT the November 16, 2004 FINDINGS of the Director of Planning as the Findings of the Council.

3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the Director of Planning, effecting the zone change from A1-1 to (T)(Q)R1-1 for the proposed construction and maintenance of 19 single-family dwellings with lot number 20 as shown on the revised plot plan, subject to revised Q condition No. 6 to read as follows: Lots 2 through 6 abutting the southerly property line and east of Sale Avenue shall be limited to one story, as volunteered by the applicant, for the property at 7011 Shoup Avenue.
Applicant: Village Homes Corporation, Sharon Evenhaim  
CPC 2003-6542 ZC

Said rezoning shall be subject to the "Q" Qualified classification zone limitations substantially as shown on the sheet(s) attached to the Committee report.

4. REMOVE the (T) Tentative classification as described in detail on the sheet(s) attached to the Committee report.

5. NOT PRESENT and ORDER FILED the ordinance signed by the City Planning Commission on June 24, 2004.

6. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.

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

**TIME LIMIT FILE - DECEMBER 30, 2004**  
(LAST DAY FOR COUNCIL ACTION - DECEMBER 17, 2004)

**ITEM NO. (4) - ADOPTED**

00-1073 - ORDINANCE SECOND CONSIDERATION relative to amending and adding various subsections of Section 42.00(f) of the Los Angeles Municipal Code to regulating the permitting, aesthetics and placement of newsracks in the public right of way

(Referred Amending Motions A and D to Public Works Committee, Withheld Ordinance over one week from Council meeting of November 17, 2004)

**ITEM NO. (5) - ADOPTED**

05-0002 - ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT and RESOLUTION relative to establishing a City position on legislation which would provide funding in the amount of $25 million for the California Arts Council.

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

ADOPT the accompanying RESOLUTION thereby establishing the following positions in the City’s 2005-06 Legislative Program:

a. SUPPORT for legislation which would provide funding in the amount of $25 million for the California Arts Council.
b. SUPPORT for legislation or administrative action which would provide for the
distribution of a percentage of the aforementioned funds to local government agencies
based on per capita.

Fiscal Impact Statement: The Chief Legislative Analyst reports that there is no impact on
the General Fund.

ITEM NO. (6) - ADOPTED

03-2472 - ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to acceptance of
CDs 4, 5, 8, 9, 10 and related actions.

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

1. AUTHORIZE the General Manager, Department of Aging (Aging), or designee, to:

   a. Accept $125,000 from the United States Department of Health and Human Services,
      Administration on Aging (AoA), Grant Award No. 90AM2779/02, for the continuation
      of the PAD Project to document the positive impact of increasing physical activity
      among sedentary older adults in Los Angeles, effective September 30, 2004 to
      September 30, 2005, subject to the review of the AoA Terms and Conditions
      (Attachment I of the City Administrative Officer [CAO] report dated November 15,
      2004) by the City Attorney as to form and legality.

   b. Negotiate and execute a contract amendment to Contract No. C-106377 with the
      National OASIS Institute, a 501 c(3) non-profit corporation headquartered in St.
      Louis, Missouri, to increase compensation by an amount not to exceed $111,593 for
      the period effective September 30, 2004 to September 30, 2005 for continued
      services as the Project Director of the PAD Project in Los Angeles, subject to the
      review of the City Attorney as to form and legality, and the review and approval of
      the Department of Public Works, Bureau of Contract Administration, as to
      compliance with City and federal contract requirements.

   c. Prepare Controller instructions for any necessary technical adjustments consistent
      with these approvals, subject to the approval of the CAO, and authorize the
      Controller to implement said instructions.

2. AUTHORIZE the Controller to:

   a. Establish new accounts and increase the appropriations within the Area Plan for the
      Aging Title III Fund No. 395 as follows:

      | Account | Title                          | Amount   |
      |---------|--------------------------------|----------|
      | W102    | Aging                          | $10,900  |
      | W299    | Related Costs for the Dept of Aging | 2,507   |
      | W205    | OASIS Institute                | 111,593  |

      Total $125,000
b. Increase the appropriation within Fund 100 Dept 02 and transfer funds on an as-needed basis as follows (Revenue Source Code 4867):

<table>
<thead>
<tr>
<th>Fund</th>
<th>Account</th>
<th>Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>From: 395</td>
<td>W102</td>
<td>Aging</td>
<td>$10,900</td>
</tr>
<tr>
<td>To: 100</td>
<td>1070</td>
<td>Salaries-General</td>
<td>$10,900</td>
</tr>
</tbody>
</table>

c. Reimburse the City General Fund for an amount not to exceed $2,507 for related costs and disburse funds for payment of the recommended service provider upon submission of proper demand from the General Manager, Aging.

d. Transfer appropriations within the Area Plan for the Aging Title III Fund No. 395 as follows:

<table>
<thead>
<tr>
<th>Account</th>
<th>Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>From: V102 Aging</td>
<td>$10,000</td>
<td></td>
</tr>
<tr>
<td>V299 Related Costs</td>
<td>$2,300</td>
<td></td>
</tr>
<tr>
<td>To: W102 Aging</td>
<td>$10,000</td>
<td></td>
</tr>
<tr>
<td>W299 Related Costs</td>
<td>$2,300</td>
<td></td>
</tr>
</tbody>
</table>

e. Increase appropriations within Fund No. 100, Department 02 and transfer funds on an as-needed basis (Revenue Source Code No. 4867) as follows:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Account</th>
<th>Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>From: 395</td>
<td>W102</td>
<td>Aging</td>
<td>$10,000</td>
</tr>
<tr>
<td>To: 100</td>
<td>1070</td>
<td>Salaries-General</td>
<td>$10,000</td>
</tr>
</tbody>
</table>

f. Reimburse the City General Fund for related costs up to $2,300 upon submission of proper demand from the General Manager, Aging, or designee.

g. Establish a new account and appropriate funds within the new fund entitled “Health Insurance Counseling and Advocacy Program (HICAP)” as follows:

<table>
<thead>
<tr>
<th>Account</th>
<th>Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>W102</td>
<td>Aging</td>
<td>$31,652</td>
</tr>
</tbody>
</table>
h. Adjust the appropriation within the Area Plan for the Aging Title III Fund No. 395 and the Community Based Services Program - AB2800 Fund No. 40F as follows:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Account</th>
<th>Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>395</td>
<td>W102</td>
<td>Aging</td>
<td>$731,546</td>
</tr>
<tr>
<td>40F</td>
<td>W102</td>
<td>Aging</td>
<td>(5,464)</td>
</tr>
</tbody>
</table>

Total $726,082

i. Adjust the appropriation within Fund No. 100, Department 02 and transfer funds on an as-needed basis as follows:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Account</th>
<th>Title</th>
<th>Revenue</th>
<th>Source Code</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>From: 395</td>
<td>W102</td>
<td>Aging</td>
<td>4867</td>
<td></td>
<td>$731,546</td>
</tr>
<tr>
<td>“New”</td>
<td>W102</td>
<td>Aging</td>
<td>4852</td>
<td></td>
<td>$ 1,562</td>
</tr>
<tr>
<td>40F</td>
<td>W102</td>
<td>Aging</td>
<td>4952</td>
<td></td>
<td>(5,464)</td>
</tr>
<tr>
<td>To:</td>
<td>100</td>
<td>1010</td>
<td>Salaries - General</td>
<td>648,888</td>
<td></td>
</tr>
<tr>
<td>100</td>
<td>1090</td>
<td>Salaries - Overtime</td>
<td></td>
<td></td>
<td>$ 3,000</td>
</tr>
<tr>
<td>100</td>
<td>2120</td>
<td>Printing &amp; Binding</td>
<td></td>
<td></td>
<td>$ 15,000</td>
</tr>
<tr>
<td>100</td>
<td>2130</td>
<td>Traveling Expense</td>
<td></td>
<td></td>
<td>$ 935</td>
</tr>
<tr>
<td>100</td>
<td>3040</td>
<td>Contractual Services</td>
<td></td>
<td></td>
<td>$ 17,300</td>
</tr>
<tr>
<td>100</td>
<td>3310</td>
<td>Transportation Expense</td>
<td></td>
<td></td>
<td>$ 6,000</td>
</tr>
<tr>
<td>100</td>
<td>6010</td>
<td>Office &amp; Admin. Expense</td>
<td></td>
<td></td>
<td>$ 66,611</td>
</tr>
</tbody>
</table>

j. Expend funds upon presentation of documentation and proper demand of the General Manager, Aging, or designee.

Fiscal Impact Statement: The CAO reports that there is no General Fund impact. Approval of the recommendations involve acceptance of $125,000 in grant funds from the AoA.

ITEM NO. (7) - ADOPTED

03-1723 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT
CD 11 relative to approving the Century Corridor Property and Business Improvement District (BID) Planning Report for the BID’s 2005 Fiscal Year (FY).

Recommendations for Council action:

1. FIND that the 2005 FY Planning Report for the Century Corridor Property and BID (attached to the Council file) complies with the requirements of Section 36650 of the California Streets and Highways Code.

2. ADOPT the 2005 FY Planning Report for the Century Corridor Property and BID, pursuant to Section 36600 et seq., of California Streets and Highways Code.
ITEM NO. (8) - ADOPTED

Roll Call #5 - Motion (Cardenas - Garcetti) Adopted, Ayes (13); Absent: Greuel and Perry (2)

03-0596 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT
CD 6 relative to establishing the Sun Valley Business Improvement District (BID), and executing a contract with Susan Levi and Associates for related consultant activities.

Recommendation for Council action:

AUTHORIZE the City Clerk to prepare, execute, and administer a contract with Susan Levi & Associates in an amount not to exceed $40,000 for consultant activities and expenses relative to the establishment of a Sun Valley BID, subject to the approval of the City Attorney as to form and legality; said contract to require Susan Levi & Associates to consult with the City on all City property assessments within the boundaries of the proposed BID, and to consult with and gain the City's approval prior to the release of any draft or final version of the proposed BID’s management district plan, certified engineer’s report, petitions, ballots, and any other documentation required by the City Clerk.

Fiscal Impact Statement: The City Clerk reports that a total of $40,000 in Community Development Block Grant funds have been allocated for this project.

Roll Call #1 - Motion (Garcetti - Zine) Adopted, Ayes (12); Absent: Greuel, Perry and Weiss (3) (Item Nos. 9-17)

ITEM NO. (9) - ADOPTED

03-0008 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT
S10 relative to reprogramming Community Development Block Grant (CDBG) funds from the Far East Revitalization Project renovation to services provided at the Far East Revitalization Project/Little Tokyo Service Center Community Development Corporation computer learning center.

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

1. APPROVE the reprogramming of $57,411 in CDBG funds from the Far East Revitalization Project renovation to services provided at the Far East Revitalization Project/Little Tokyo Service Center Community Development Corporation computer learning center.

2. INSTRUCT the General Manager, Community Development Department (CDD) to prepare Controller's instructions and/or make technical adjustments that may be required and are consistent with this action; and, AUTHORIZE the Controller to implement these instructions.
3. INSTRUCT the General Manager, CDD, to:

a. Amend the Consolidated Plan to reflect this action, subject to the citizen participation process.

b. Negotiate and execute or amend contracts with Little Tokyo Service Center Community Development Corporation, as necessary, to accomplish these instructions.

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

**ITEM NO. (10) - ADOPTED**

02-0914 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to establishing funds to receive grant funds from the United States Department of Labor Office on Disability Employment Policy (DOL-ODEP) to provide employment services to chronically homeless individuals with mental illness.

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

1. AUTHORIZE the General Manager, Community Development Department (CDD), or designee, to:

   a. Use the Workforce Investment Board/Local Elected Official (WIB/LEO) Agreement and the Grants Ordinance as the authorizing documents for future grant application and acceptance procedures.

   b. Transfer expenditures incurred in 2003-04 and temporarily charged to the Workforce Investment Act Trust Fund No. 44A to the newly established Ending Chronic Homelessness Fund No. XXX.

   c. Prepare Controller instructions for any necessary technical adjustments consistent with the approvals included in this action, subject to the approval of the City Administrative Officer (CAO); and, authorize the Controller to implement the instructions.

2. AUTHORIZE the Controller to:

   a. Establish an interest-bearing fund entitled “Ending Chronic Homelessness” with a receivable from the DOL-ODEP in the amount of $625,000.

   b. Establish a new account and appropriate within the newly established Ending Chronic Homelessness Fund No. XXX as follows:

<table>
<thead>
<tr>
<th>Account</th>
<th>Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>V330</td>
<td>LA’s HOPE</td>
<td>$625,000</td>
</tr>
</tbody>
</table>
c. Establish new accounts and transfer appropriations within the newly established Ending Chronic Homelessness Fund No. XXX as follows:

<table>
<thead>
<tr>
<th>Account</th>
<th>Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>From:</td>
<td>V330 LA’s HOPE</td>
<td>$  17,638</td>
</tr>
<tr>
<td>To:</td>
<td>V122 Community Development Department</td>
<td>$  13,061</td>
</tr>
<tr>
<td></td>
<td>V550 Rent &amp; Parking</td>
<td>$  1,147</td>
</tr>
<tr>
<td></td>
<td>V299 Related Costs</td>
<td>$  3,430</td>
</tr>
</tbody>
</table>

d. Expend funds upon presentation of documentation and proper demand of the General Manager, CDD, or designee.

3. REQUEST that the WIB/LEO Agreement Ad Hoc Committee discuss and make recommendations relative to unilateral authority to accept funds absent Council action.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. Approval of the above recommendations involves the establishment of a new interest-bearing fund for the previously approved DOL-OSEP grant awarded to CDD.

ITEM NO. (11) - ADOPTED

04-0600 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to Community Redevelopment Agency (Agency) staffing levels, the impact of the two-year retirement incentive, and authorized positions for Fiscal Year (FY) 2005.

Recommendation for Council action:

NOTE and FILE Agency report dated September 21, 2004 (attached to the Council file) relative to Agency staffing levels, the impact of the two-year retirement incentive, and authorized positions for FY 2005.

Fiscal Impact Statement: Not applicable.

ITEM NO. (12) - ADOPTED

04-2210 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the Community Redevelopment Agency (Agency) awarding five contracts for general structural engineering services on an as-needed basis for various projects.

Recommendation for Council action:
AUTHORIZE the Chief Executive Officer, Agency, or designee, to negotiate and execute five contracts, in a total aggregate amount not to exceed $1,000,000, for three-year terms effective the date of execution with options to renew for two additional one-year periods, for general structural engineering services in various Agency projects, with: Biggs-Cardosa Associates, Inc., John A. Martin & Associates, Nabih Youssef & Associates, Taylor & Gaines, and URS Corporation, subject to the approval of the City Attorney as to form and legality, and the approval of the Department of Public Works, Bureau of Contract Administration for contract compliance provisions; and, further subject to the submission of written statements and documentation by the recommended firms by the November 17, 2004 deadline, as discussed in the City Administrative Officer (CAO) report to the Mayor and Council dated November 12, 2004 (attached to the Council file).

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. This action will involve five general structural engineering services contracts to be paid from individual Community Redevelopment Agency project funds.

**ITEM NO. (13) - ADOPTED**

00-1547 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the selection of 7th Street Development, LLC, and its legal business partnership Lanzit Partners, LLC, when formed, as the developer of the Lanzit Site Project.

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

1. APPROVE the selection of 7th Street Development, LLC and its legal business partnership Lanzit Partners, LLC (when formed) as the Developer of the Lanzit Site Industrial Park, a 10-acre parcel of land bounded by 108th Street, the Compton Creek, and Lanzit and Central Avenues.

2. AUTHORIZE the General Manager, Community Development Department (CDD), or designee, to:

   a. Negotiate and execute a 180-day Exclusive Negotiating Rights Agreement (Document entitled “Attachment One” of the CDD report dated September 24, 2004, attached to the Council file), with an option to extend the Agreement for an additional 30 days if, in the judgment of the parties, negotiations have progressed sufficiently to indicate that the parties can reach agreement on the terms and conditions of the Agreement, with 7th Street Development, LLC and its legal business partnership Lanzit Partners, LLC (when formed) relative to the Lanzit Site, subject to the approval of the City Attorney as to form and legality, and the approval of the Department of Public Works, Bureau of Contract Administration for compliance with City contract requirements.

   b. Negotiate the terms of a Sales and Development Agreement with 7th Street Development, LLC and its legal business partnership Lanzit Partners, LLC (when formed) relative to the Lanzit Site, subject to the following:
1) The approval of the City Attorney as to form and legality.

2) The approval of the Department of Public Works, Bureau of Contract Administration for compliance with City contract requirements.

3) A new environmental review in accordance with the California Environmental Quality Act Negative Declaration (costs to be paid by the developer).

4) A current property appraisal.

5) Written authority from the U.S. Department of Economic Development Administration (EDA) to sell the property and clarification on the disposition of the sale proceeds.

6) Requirements of City, state, and federal regulations including the Community Development Block Grant (CDBG) and EDA grants with respect to the Lanzit Site and the proposed sale of the property.

3. INSTRUCT the General Manager, CDD, or designee, to determine, but not limited to, the following and report back to the Council and the Mayor in 45 days for the Lanzit Site:

   a. The total amount of all funds (i.e., City, Community Redevelopment Agency [Agency], etc.) expended to date.

   b. The actual amount of the EDA grant awarded and the actual amount of matching funds expended by the City and/or Agency to date.

   c. The total amount of funds expended and the funding sources used for the property acquisition, demolition, improvements, and property development to date.

   d. The current appraised value of the property.

   e. The total amount of City funds allocated, but not yet expended, for the Lanzit Site (if any) and an explanation of how the available funds will be expended.

   f. The amount of funds owed to the EDA (if any) upon sale of the property.

   g. The amount of program income to be reported to the U.S. Housing and Urban Development (if any) relative to the sale of the property.

   h. Status of the EDA response to City's notification of sale of property.

   i. The minimum number of living wage jobs required for the proposed development based on the CDBG grant requirements and/or any job reporting/creation requirements necessary for the EDA grant;
4. AUTHORIZE the Board of Public Works, Office of Accounting to expend funds within the Public Works Trust Fund, Fund No. 834, Account No. 4521, in an amount not to exceed $80,000 for certain costs for the Lanzit Site (in accordance with documents entitled “Attachment One” and “Attachment Two” of the November 12, 2004 City Administrative Officer (CAO) report to the Mayor and Council, attached to the Council file).

5. AUTHORIZE the Director, Office of Accounting, Board of Public Works, or designee, to prepare Controller instructions for any technical adjustments that may be required and are consistent with this action, subject to the approval of the CAO.

6. AUTHORIZE the Controller to implement these instructions upon proper demand of the Director, Bureau of Accounting, Board of Public Works, or designee.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. This action involves the expenditure of an amount not to exceed $80,000 from the Public Works Trust Fund for certain costs for the Lanzit Site.

ITEM NO. (14) - ADOPTED

01-0353 - PERSONNEL COMMITTEE REPORT relative to Fiscal Year 2004-05 staffing for the Proposition F Bond Programs.

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

1. ADOPT the revised staffing plan of 90.5 positions for the Proposition F Bond Fund Program, as detailed in Attachment II to the City Administrative Officer's (CAO) report, attached to the Council file and the Committee report.

2. RESOLVE that Employment Authority, from October 1, 2004 through June 30, 2005, for the following 43 positions, subject to position allocation by the Personnel Department and paygrade determination by the CAO, is APPROVED:

General Services Department (for both Animal and Fire Bond Programs)

<table>
<thead>
<tr>
<th>No.</th>
<th>Code</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1947</td>
<td>Senior Title Examiner</td>
</tr>
<tr>
<td>1</td>
<td>1961</td>
<td>Senior Real Estate Officer</td>
</tr>
<tr>
<td>1</td>
<td>1964-2</td>
<td>Property Manager II</td>
</tr>
</tbody>
</table>

Public Works - Bureau of Contract Administration (for Animal Bond Program)

<table>
<thead>
<tr>
<th>No.</th>
<th>Code</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>4223</td>
<td>Senior Electrical Inspector</td>
</tr>
<tr>
<td>1</td>
<td>7291</td>
<td>Construction Inspector</td>
</tr>
<tr>
<td>7</td>
<td>7294</td>
<td>Senior Construction Inspector</td>
</tr>
<tr>
<td>1</td>
<td>9184</td>
<td>Management Analyst</td>
</tr>
</tbody>
</table>
Public Works - Bureau of Contract Administration (for Fire Bond Program)

<table>
<thead>
<tr>
<th>No.</th>
<th>Code</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>4223</td>
<td>Senior Electrical Inspector</td>
</tr>
<tr>
<td>4</td>
<td>7291</td>
<td>Construction Inspector</td>
</tr>
<tr>
<td>14</td>
<td>7294</td>
<td>Senior Construction Inspector</td>
</tr>
<tr>
<td>1</td>
<td>7297</td>
<td>Principal Construction Inspector</td>
</tr>
<tr>
<td>2</td>
<td>9184</td>
<td>Management Analyst</td>
</tr>
</tbody>
</table>

Information Technology Agency (for Animal Bond Program)

<table>
<thead>
<tr>
<th>No.</th>
<th>Code</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>7607-2</td>
<td>Communications Engineering Associate II</td>
</tr>
</tbody>
</table>

Information Technology Agency (for Fire Bond Program)

<table>
<thead>
<tr>
<th>No.</th>
<th>Code</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>3638</td>
<td>Senior Communications Electrician</td>
</tr>
<tr>
<td>2</td>
<td>3686</td>
<td>Communications Electrician</td>
</tr>
<tr>
<td>1</td>
<td>3689</td>
<td>Communications Electrician Supervisor</td>
</tr>
<tr>
<td>1</td>
<td>7610</td>
<td>Communications Engineer</td>
</tr>
<tr>
<td>1</td>
<td>7607-3</td>
<td>Communications Engineering Associate III</td>
</tr>
</tbody>
</table>

3. INSTRUCT the affected departments to submit requests to fill positions to the CAO in accordance with the Managed Employment Process prior to filling the positions.

Fiscal Impact Statement: The CAO reports there is no impact to the General Fund. The $4,323,436 annual cost ($3,466,876 direct costs; $856,560 related costs) of the positions will be fully financed by Proposition F bond funds.

ITEM NO. (15) - ADOPTED

02-1153 - PERSONNEL COMMITTEE REPORT relative to Fiscal Year 2004-05 staffing for the S2 Proposition Q Bond Programs.

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

1. ADOPT the revised staffing plan of 68.5 positions for the Proposition Q Program as detailed in the attachment to the City Administrative Officer’s (CAO) report, attached to the Council file and this Committee’s report.

2. RESOLVE that Employment Authority through June 30 2005, for the following 11 positions, subject to position allocation by the Personnel Department and paygrade determination by the CAO, is APPROVED:
Bureau of Contract Administration

<table>
<thead>
<tr>
<th>No.</th>
<th>Code</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>8</td>
<td>7294</td>
<td>Senior Construction Inspector</td>
</tr>
<tr>
<td>1</td>
<td>7291</td>
<td>Construction Inspector</td>
</tr>
<tr>
<td>1</td>
<td>9184-2</td>
<td>Management Analyst II</td>
</tr>
</tbody>
</table>

Information Technology Agency

<table>
<thead>
<tr>
<th>No.</th>
<th>Code</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>7610</td>
<td>Communications Engineer</td>
</tr>
</tbody>
</table>

3. INSTRUCT the departments to submit to the CAO requests to fill positions for review in accordance with the Managed Employment Process prior to filling the positions.

**Fiscal Impact Statement**: The CAO reports there is no impact to the General Fund. The positions authorized for the Proposition Q Program are funded entirely from Proposition Q General Obligation Bond proceeds. The $7.9 million annual cost of the positions ($6.7 million direct costs; $1.2 million related costs) will be fully financed by Proposition Q bonds funds.

**ITEM NO. (16) - ADOPTED**

04-1093 - PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to amending the City’s Building and Zoning Codes to allow grading to take place on a property only if a final map has been secured.

Recommendations for Council action:

1. NOTE and FILE the November 17, 2004 report submitted by the Planning Department/Advisory Agency and Motion (Smith - Reyes), requesting the Department of Building and Safety with the assistance of the Planning Department and the City Attorney, to prepare an ordinance for consideration by the Planning and Land Use Management Committee within 60 days, that would amend the City’s Building and Zoning Codes to allow grading to take place on a property only if a final map has been secured, inasmuch as the Planning Department/Advisory Agency reported that the City Attorney has determined that an amendment to the City’s Building and Zoning Codes is not appropriate as the City may not prohibit grading activity that is in compliance with City rules and regulations.

2. INSTRUCT the Planning Department/Advisory Agency, to notify the affected Council Office of grading request for tentative tracts that have been inactive for over six years and consider a Discussion Meeting.

3. INSTRUCT the Planning Department/Advisory Agency to incorporate Discussion Meetings as a tool, if the situation warrants.
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. (17) - ADOPTED

03-2367 - PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to acceptance CD 15 of a Periodic Review application from JCC Homes for property at 1402 West 260th Street in Harbor City.

Recommendation for Council action:

RECEIVE and FILE the Motion (Hahn - Reyes), requesting that the Planning Department be instructed to accept outside the regular filing window a Periodic Plan Review an application from JCC Homes relative to a zone change from [Q]MR1-1VL to RD1.5-1VL and General Plan Amendment from Limited Industrial to Low Medium II Density Residential for the proposed construction of 12 detached residential condominium townhouses at 1402 West 260th Street in Harbor City, inasmuch as the application has been accepted and is being processed by the City Planning Department; and, no Council action is required.

Fiscal Impact Statement: Not applicable.

ITEM NO. (18) - ADOPTED, *AS AMENDED - SEE FOLLOWING

Roll Call #7 - Motion (Parks - Perry) to Adopt as Amended, Ayes (13); Absent: Greuel and Villaraigosa (2)

04-1730 - ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT and BUDGET AND FINANCE COMMITTEES’ REPORT relative to contract recommendations for general financial advisors for General Obligation Bonds, Judgement Obligation Bonds, and Wastewater System Revenue Bonds.

Recommendation for Council action:

APPROVE and AUTHORIZE the City Administrative Officer (CAO) to negotiate and execute contracts between the City of Los Angeles and the following firms, subject to the approval of the City Attorney as to form:

a. For General Financial Advisor including General Obligation and Judgement Obligation Bonds - Public Resources Advisory Group (Lead Financial Advisor) and Kelling, Northcross & Nobriga (Co-Financial Advisor) for a term of three years, for a maximum of $105,000 per year, in addition to $50,000 for General Obligation Bond issues, and $60,000 for Judgement Obligation Bond issues.

b. For Wastewater System Revenue Bonds - Public Resources Advisory Group for a term of three years, for a maximum of $65,000 per year, in addition to $65,000 per bond issue.
*c. Instruct the CAO to work with the City Attorney to place a Retroactive Ratification Clause in the General Financial Advisor Contract effective August 24, 2004.

*(Parks - Perry)

Fiscal Impact Statement: The CAO reports that the annual cost for the General Financial Advisor contract will be paid from budgeted funds in the Capital Finance Administration Fund. The annual cost for the Wastewater Financial Advisor contract will be paid from budgeted funds in the Sewer Construction and Maintenance Fund. The cost of services to issue bonds will be funded from bond proceeds upon the successful completion of the transaction, except for Judgement Obligation Bonds where issuance costs are paid from the General Fund since all bond proceeds are legally required to be used to settle judgements.

Roll Call #1 - Motion (Garcetti - Zine) Adopted, Ayes (12); Absent: Greuel, Perry and Weiss (3) (Item Nos. 19-20)

ITEM NO. (19) - ADOPTED

00-0967 - ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT and BUDGET AND FINANCE COMMITTEES’ REPORT relative to a proposed amendment with Aon Risk Services for administration of the Owner Controlled Insurance Program for the East Central Interceptor Sewer and the Northeast Interceptor Sewer construction projects.

Recommendation for Council action:

AUTHORIZE the City Administrative Officer (CAO) to execute the amendment to the contract between the City of Los Angeles and Aon Risk Services, Inc. of Southern California Insurance Services (C-100807) for services as the broker and administrator of the Owner Controlled Insurance Program (OCIP) for the East Central Interceptor Sewer and the Northeast Interceptor Sewer construction projects.

Fiscal Impact Statement: The CAO reports that there is no impact to the General Fund. The contract amendment is funded by the Sewer and Construction Maintenance Fund and provided in the Insurance and Bonds Premiums Fund.

ITEM NO. (20) - MOTION ADOPTED TO APPROVE COMMUNICATION AND COMMITTEE REPORT RECOMMENDATIONS

04-0844 - PERSONNEL and BUDGET AND FINANCE COMMITTEES’ REPORT and COMMUNICATION FROM CHAIR, AUDITS AND GOVERNMENTAL EFFICIENCY COMMITTEE relative to the response to the Controller’s financial and compliance audit of El Pueblo de Los Angeles Historical Monument (El Pueblo).

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:
1. RESOLVE that Employment Authority, through June 30, 2005, for the following four new positions in El Pueblo, subject to review and confirmation by the City Administrative Officer (CAO) and Chief Legislative Analyst (CLA) that sufficient funding exists in the El Pueblo’s budgetary accounts for these positions, and subject to allocation of these positions by the Board of Civil Service Commissioners, is APPROVED:

<table>
<thead>
<tr>
<th>No.</th>
<th>Code</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1539</td>
<td>Management Assistant</td>
</tr>
<tr>
<td>1</td>
<td>1961</td>
<td>Senior Real Estate Officer</td>
</tr>
<tr>
<td>1</td>
<td>9171-1</td>
<td>Senior Management Analyst I</td>
</tr>
<tr>
<td>1</td>
<td>9184-1</td>
<td>Management Analyst I</td>
</tr>
</tbody>
</table>

2. EXEMPT from the hiring freeze throughout Fiscal Year 2004-05 the positions listed above.

3. INSTRUCT the CAO to include El Pueblo as part of the 2004-05 Adopted Budget (Council File No. 04-0600) Managed Employment Process, Attachment 3, Item 117, Exemption Category 1.X.

4. AUTHORIZE as a Reserve Fund loan the transfer of $212,974 from the Reserve Fund to the Unappropriated Balance and APPROPRIATE therefrom to Fund 737, Department 33, in the following accounts:

<table>
<thead>
<tr>
<th>Account Title/No.</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries General/1010</td>
<td>$191,664</td>
</tr>
<tr>
<td>Communications/2030</td>
<td>3,252</td>
</tr>
<tr>
<td>Printing and Binding/2120</td>
<td>400</td>
</tr>
<tr>
<td>Office and Administrative/6010</td>
<td>1,200</td>
</tr>
<tr>
<td>Operating Supplies/6020</td>
<td>2,128</td>
</tr>
<tr>
<td>Equipment/7300</td>
<td>14,330</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$212,974</strong></td>
</tr>
</tbody>
</table>

5. INSTRUCT El Pueblo to repay the $212,974 Reserve Fund loan at such time as the El Pueblo Special Revenue Fund shows a surplus of funds over and above the amounts needed for the El Pueblo direct operating budget and the multi-year reserved (“type 2”) accounts.

6. APPROVE the waiver of late payment penalties in the amount of $44,663.79 and interest charges in the amount of $4,088.96 associated with previously past-due El Pueblo Parking Taxes and Commercial Occupancy Taxes.

7. INSTRUCT the General Manager, El Pueblo, with assistance from the Cultural Affairs Department, to report back to the Mayor and the Council no later than March 1, 2005 with information regarding potential grant funding or other funding sources for the assessment, appraisal and cataloguing of El Pueblo artifacts.
8. INSTRUCT the General Manager, El Pueblo, with assistance from the Department of General Services and other City departments as appropriate, to report back to the Mayor and the Council no later than June 30, 2005 on the current status of the following projects and facilities, including a description of the outstanding work to be done, a cost estimate for the work and identification of known and potential funding sources: (a) Siqueiros Mural; (b) Transportation Museum; (c) Simpson/Jones Building; (d) Pico-Garnier Block; and, (e) Olvera Street Deferred Maintenance.

9. AUTHORIZE El Pueblo to prepare technical adjustments to the accounting instructions, subject to review and approval by the CAO, and AUTHORIZE the Controller to implement the technical adjustments.

Fiscal Impact Statement: The CAO reports that there will be a $212,974 impact on the General Fund. However, if there is surplus revenue in the El Pueblo Special Revenue Fund, the General Fund will be reimbursed. The waiver of $48,752.75 in interest charges and late payment penalties will not have a negative impact on the General Fund because this amount was not included in the Fiscal Year 2004-05 General Fund revenue estimate.

Items for Which Public Hearings Have Not Been Held - Items 21-43
(10 Votes Required for Consideration)

Roll Call #2 - Motion (Zine - Cardenas) Adopted, Ayes (12); Absent: Greuel, Perry and Weiss (3) (Item Nos. 21-36)

ITEM NO. (21) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - SET FOR HEARING JANUARY 26, 2005

04-1828 - COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of ARBOR VITAE BOULEVARD AND AIRPORT 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 8, 2004.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of JANUARY 26, 2005 as the hearing date for the maintenance of Arbor Vitae Boulevard and Airport Boulevard Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID 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, $31,730.63 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: January 19, 2005)
ITEM NO. (22) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS -
SET FOR HEARING JANUARY 26, 2005

04-1695 - COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE
CD 5 OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the
maintenance of MTA - CHANDLER BOULEVARD AND TUJUNGA AVENUE - G1 LIGHTING
DISTRICT.

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


2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date
of JANUARY 26, 2005 as the hearing date for the maintenance of MTA - Chandler
Boulevard and Tujunga Avenue - G1 Lighting District, in accordance with Proposition
218, Articles XIIIC and XIIID 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, $1,850.53
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: January 19, 2005)

ITEM NO. (23) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS -
SET FOR HEARING JANUARY 26, 2005

04-1693 - COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE
CD 7 OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the
maintenance of TELFAIR AVENUE AND COBALT STREET LIGHTING DISTRICT.

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


2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date
of JANUARY 26, 2005 as the hearing date for the maintenance of Telfair Avenue and
Cobalt Street Lighting District, in accordance with Proposition 218, Articles XIIIC and
XIIID 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, $883.73
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: January 19, 2005)
ITEM NO. (24) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - SET FOR HEARING JANUARY 26, 2005

04-1710 - COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE CD 5 OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of WOODLEY AVENUE AND VALLEY VISTA 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 August 20, 2004.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of JANUARY 26, 2005 as the hearing date for the maintenance of Woodley Avenue and Valley Vista Boulevard Lighting District, in accordance with Proposition 218, Articles XIIIIC and XIIIID 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, $382.50 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: January 19, 2005)

ITEM NO. (25) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - SET FOR HEARING JANUARY 26, 2005

04-1119 - NEGATIVE DECLARATION, COMMUNICATION FROM THE CITY ENGINEER and ORDINANCE OF INTENTION FIRST CONSIDERATION establishing a date for hearing protests against the proposed vacation of Santa Susana Place between Nordhoff Street and Santa Susana Creek.

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

1. FIND that this project will not have a significant effect on the environment, pursuant to the California Environmental Quality Act of 1970, pursuant to Article VII, Class 5(3) of the City’s Guidelines and ADOPT the Negative Declaration filed on February 10, 1993 (MND No. 93-0024-CUZ).

2. ADOPT the City Engineer report dated August 6, 2003, to approve the accompanying Vacation Map No. VAC-03-1400843.

3. REAFFIRM the FINDINGS of January 29, 2002, that this vacation is in substantial conformance with the General Plan pursuant to Section 556 of the City Charter.

4. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of JANUARY 26, 2005, as the date for hearing protests against the proposed vacation.
Fiscal Impact Statement: None submitted by the City Engineer. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

ENVIRONMENTAL WORK COMPLETED FOR THIS VACATION

ITEM NO. (26) - ADOPTED

01-0005 - RESOLUTION removing the property at 5131 Denny Avenue from the Rent Escrow Account Program [REAP], (Case No. 3461), 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 November 17, 2004.

Assessor I.D. No. 2419-009-011

(Council action of May 16, 2001 placed property into REAP)

ITEM NO. (27) - ADOPTED

04-0005 - RESOLUTION removing the property at 1274-80 Leighton Avenue from the Rent Escrow Account Program [REAP], (Case No. 4189), 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 November 17, 2004.

Assessor I.D. No. 5037-003-009

(Notice of Acceptance into the REAP/Rent Reduction Program was released on February 7, 2002)

ITEM NO. (28) - ADOPTED

04-0005 - RESOLUTION removing the property at 925 Lakme Avenue from the Rent Escrow Account Program [REAP], (Case No. 4963), 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 November 17, 2004.

Assessor I.D. No. 7423-010-018

(Notice of Acceptance into the REAP/Rent Reduction Program was released on February 13, 2002)
ITEM NO. (29) - ADOPTED

04-0005 - RESOLUTION removing the property at 1165 3/4 East 42nd Street from the Rent
S485 Escrow Account Program [REAP], (Case No. 6013), inasmuch as the owner has corrected
CD 9 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

Assessor I.D. No. 5115-026-022

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

ITEM NO. (30) - ADOPTED

04-0005 - RESOLUTION removing the property at 5122-24 East Meridian Street from the Rent
S486 Escrow Account Program [REAP], (Case No. 6758), inasmuch as the owner has corrected
CD 14 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

Assessor I.D. No. 5478-001-009

(Notice of Acceptance into the REAP/Rent Reduction Program was released on
July 8, 2003)

ITEM NO. (31) - ADOPTED

04-0005 - RESOLUTION removing the property at 5923 Willowcrest Avenue from the Rent
S487 Escrow Account Program [REAP], (Case No. 7047), inasmuch as the owner has corrected
CD 4 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

Assessor I.D. No. 2415-014-018

(Notice of Acceptance into the REAP/Rent Reduction Program was released on
December 3, 2003)
ITEM NO. (32) - ADOPTED

04-0005 - RESOLUTION removing the property at 326 South Boyle Street from the Rent Escrow Account Program [REAP], (Case No. 7405), 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 November 17, 2004.

Assessor I.D. No. 5174-019-022

(Notice of Acceptance into the REAP/Rent Reduction Program was released on June 3, 2004)

ITEM NO. (33) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

04-0844 - COMMUNICATION FROM CHAIR, AUDITS AND GOVERNMENTAL EFFICIENCY COMMITTEE relative to the Controller’s financial and compliance audit of the El Pueblo de Los Angeles Historical Monument (El Pueblo).

Recommendation for Council action:

NOTE and FILE the Controller’s financial and compliance audit of El Pueblo, dated April 29, 2004, inasmuch as the report is submitted for information only, and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (34) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

04-0844 - COMMUNICATION FROM CHAIR, AUDITS AND GOVERNMENTAL EFFICIENCY COMMITTEE relative to monitoring the administration of the El Pueblo de Los Angeles Historical Monument (El Pueblo).

Recommendations for Council action, as initiated by Motion (Villaraigosa - Greuel):


2. INSTRUCT the General Manager, El Pueblo, to report to the full Council on a quarterly basis on the status of vendor lease negotiations and provide financial updates and progress reports on implementation of the audit recommendations.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.
ITEM NO. (35) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

04-2392 - COMMUNICATION FROM THE CHIEF LEGISLATIVE ANALYST (CLA) and RESOLUTION CDs 1, 8, 9, 14 & 15 relative to the City receiving its share of mandatory AB 1290 tax increment pass-through payments for various Community Redevelopment Agency (Agency) project areas.

Recommendations for Council action:

1. ADOPT the accompanying RESOLUTION relative to the City of Los Angeles electing to receive its share of all past and future year pass-through payments for the Beacon Street, Bunker Hill, Hoover Original Area, Little Tokyo, Los Angeles Harbor, Monterey Hills, Normandie 5, Pico Union 1, and Watts Agency Project Areas.

2. DIRECT the City Clerk to transmit, upon approval, a copy of this action and the adopted Resolution to the Los Angeles County Auditor - Controller’s Office.

Fiscal Impact Statement: The CLA reports that for the current year, the City will receive from the Agency approximately $2,232,300 from all AB 1290 pass-through sources including the project areas listed above.

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

ITEM NO. (36) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

04-2270 - COMMUNICATION FROM THE COMMUNITY DEVELOPMENT DEPARTMENT relative to exempting one position of Chief Grants Administrator from Civil Service provisions of the City Charter.

Recommendation for Council action:

RESOLVE that one position of Chief Grants Administrator, Code 1579, in the Community Development Department, BE EXEMPTED from the Civil Service provisions of the City Charter, pursuant to City Charter Section 1001(d)(4). This position is grant funded for a term not to exceed two years. (On November 4, 2004, the Board of Civil Service Commissioners approved the exemption.)

Fiscal Impact Statement: The Community Development Department reports that this position is fully funded by the Community Development Block Grant.

(Personnel Committee waived consideration of the above matter)
ITEM NO. (37) - ADOPTED

Roll Call #4 - Motion (Garcetti - Ludlow) Adopted, Ayes (13); Absent: Greuel and Perry (2)

01-2631 - CONSIDERATION OF MOTION (PERRY - GARCETTI) relative to providing temporary shelter to homeless persons and designating Winter Shelter Program shelters.

CDs 6,9, 13,14&15 Recommendations for Council action:

1. RECOGNIZE and DECLARE a homeless shelter crisis.

2. DESIGNATE the following shelters as temporary shelters for homeless persons for the period December 2004 though March 2005:
   a. New Image Shelter: 3801 Broadway Place, Los Angeles, CA, 90037.
   b. Proyecto Pastoral: 171 South Gless Street, Los Angeles, CA, 90033.
   c. People Helping People: 5701 South San Pedro Street, Los Angeles, CA, 90011.
   d. MJB Recovery Inc.: 11152 South Main Street, Los Angeles, CA, 90061.
   e. SRO Housing Inc.: 403 East Fifth Street, Los Angeles, CA, 90013.
   f. LA Family Housing Inc.: 7843 Lankershim Boulevard, North Hollywood, CA 91605.
   g. Covenant House: 1325 North Western Avenue, Hollywood, CA, 90027.

3. FIND that:
   a. An emergency exists which affects the health and safety of homeless persons.
   b. A shelter for the homeless in the proposed location would contribute to the alleviation of the shelter crisis.
   c. The project is consistent with the various elements of the General Plan.
   d. The project would have no substantial adverse impact on properties or improvements in the surrounding neighborhood.
   e. There is not an over-concentration of shelters for the homeless in the surrounding area.
   f. The land uses and development in the immediate vicinity of the subject site will not constitute an immediate or potential hazard to occupants of the shelter.

4. PERMIT the Los Angeles Homeless Services Authority to substitute or add facilities as may be necessary to meet the intent of this action provided such facilities meet stated standards and requirements.
5. INSTRUCT all involved City Departments to expedite all applicable permits and waive all fee and associated costs.

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

Roll Call #2 - Motion (Zine - Cardenas) Adopted, Ayes (12); Absent: Greuel, Perry and Weiss (3) (Item Nos. 38-43)

ITEM NO. (38) - ADOPTED

02-2731 - MOTION (LABONGE - GREUEL) relative to declaring the WE CARE Holiday Craft Party on December 2, 2004 a Special Event (fees and costs absorbed by the City = $2,504).

Recommendation for Council action:

DECLARE the WE CARE Holiday Craft Party, sponsored by the Boys and Girls Club of Hollywood on December 2, 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. (39) - ADOPTED

02-2263 - MOTION (PADILLA - MISCIKOWSKI) relative to declaring the Health and Safety Fair on November 20, 2004 a Special Event (fees and costs absorbed by the City = $578).

Recommendation for Council action:

DECLARE the Health and Safety Fair, sponsored by the San Fernando Gardens Resident Management Corporation on November 20, 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.

ITEM NO. (40) - ADOPTED

04-2388 - MOTION (LUDLOW - HAHN) relative to declaring the Wilshire Boulevard Temple 75th Anniversary on November 21, 2004 a Special Event (fees and costs absorbed by the City = $500).

Recommendation for Council action:

DECLARE the Wilshire Boulevard Temple 75th Anniversary, sponsored by the Wilshire Boulevard Temple on November 21, 2004, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance and application requirements.
ITEM NO. (41) - ADOPTED

04-2389 - MOTION (PERRY - PARKS - GREUEL) relative to a request for an exemption from the CDs 8&9 Convention Center fee waiver policy for the Los Angeles City Quality & Productivity Commission Awards Ceremony on October 14, 2004.

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

1. FIND that the Quality and Productivity Commission Award Ceremony held by the Los Angeles City Quality & Productivity Commission, serves a public purpose in that it will promote enhanced work quality and it will recognize City Employees for their outstanding accomplishments.

2. AUTHORIZE the General Manager, Convention Center, to make an exception to the Council’s Convention Center waiver policy by waiving the total costs, which amounts to $2,669.44, associated with the 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. (42) - ADOPTED

04-2387 - MOTION (LABONGE - GREUEL) relative to construction of the Chandler Bikeway in the CD 4 North Hollywood Redevelopment Area.

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

1. INSTRUCT the Bureau of Street Services to construct a bikeway of the Los Angeles portion of the Burbank-Los Angeles Chandler Bikeway on the Chandler/Burbank right-of-way in the North Hollywood Redevelopment Area in accordance with the terms of the Memorandum of Understanding.

2. AUTHORIZE the Controller to deposit a check in the amount of $716,993 from the Community Redevelopment Agency to the Subvention and Grants Fund No. 305, Department 50, Revenue Source Code No. 3734, into an account entitled “Chandler/Burbank Bikeway North Hollywood Redevelopment Project-Los Angeles Portion Project” and TRANSFER and APPROPRIATE therefrom, as follows:

<table>
<thead>
<tr>
<th>Account</th>
<th>Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1010</td>
<td>Salaries, General</td>
<td>$247,505</td>
</tr>
<tr>
<td>1090</td>
<td>Salaries, Overtime</td>
<td>146,165</td>
</tr>
<tr>
<td>3030</td>
<td>Construction Materials</td>
<td>133,056</td>
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<tr>
<td>3040</td>
<td>Contractual Services</td>
<td>7,806</td>
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<tr>
<td>6020</td>
<td>Operating Supplies and Expense</td>
<td>182,461</td>
</tr>
</tbody>
</table>

Total $716,993

WEDNESDAY 11-24-04  PAGE 27
ITEM NO. (43) - ADOPTED

04-0046 - MOTION (HAHN - LABONGE) relative to design and construction of gateways in the Wilmington community.

CD 15

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

1. REPROGRAM $17,827 in Community Development Block Grant funds from the South Bay Boys and Girls Club Project (30th year Community Development Block Grant, I.D. No. 178) to the Wilmington Gateway Beautification Project/LANI.

2. AUTHORIZE the Controller to:
   a. Establish a new account W710 Wilmington Gateway Beautification and appropriate $17,827 within the Community Development Trust Fund No. 424.
   b. Decrease appropriations in the amount of $17,827 from Account No. W459, South Bay Boys and Girls Club/Harbor Gateway within the Community Development Trust Fund No. 424.
   c. Expend funds upon proper demand of the General Manager, Community Development Department (CDD).

3. AUTHORIZE the General Manager, CDD, to:
   a. Prepare Controller instructions and/or make technical adjustments that may be required and are consistent with this action, subject to the approval of the City Administrative Officer.
   b. Amend the Consolidated Plan to reflect this action, subject to the citizen participation process.
   c. Negotiate and execute or amend contracts with the Los Angeles Neighborhood Initiative, Inc., for the Wilmington Gateway Beautification Project as necessary, to accomplish these instructions and request the Controller to implement the instructions.

Closed Sessions - Items 44-49

ITEM NO. (44) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Roll Call #10 - Motion (Miscikowski - Smith) Adopted in Open Session, Ayes (11); Absent: Greuel, Ludlow, Parks and Villaraigosa (4)

04-2269 - 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 Jorge Alvarez v. City of Los Angeles, et al., United States District Court Case No. CV 02-6480 (case arises from the murder of Miguel Malfavon, a.k.a. “Lizard” on February 7, 1996).

(Budget and Finance Committee considered the above matter on November 16, 2004)
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 $850,000 in total settlement of the case entitled Jorge Alvarez v. City of Los Angeles, et al., United States District Court Case No. CV 02-6480, from the Extraordinary Liability Account No. 2000.

2. AUTHORIZE the City Attorney to two draw demands thereon, and payable as follows:
   a. $245,000 made payable to NABCO Assignments Ltd.
   b. $610,000 made payable to the Law Offices of Jerry L. Steering, Law Offices of Andrew M. Stein, and Jorge Alvarez.

This matter was approved by the Budget and Finance Committee (Miscikowski - Smith - Garcetti voted “yes”) at its meeting of November 16, 2004, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (45) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Roll Call #9 - Motion (Miscikowski - Smith) Adopted in Open Session, Ayes (11);
   Absent: Greuel, Ludlow, Parks and Villaraigosa (4)

04-2268 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 Luis Davalos v. City of Los Angeles, et al., United States District Court Case No. CV 02-6582 (case arises from the murder of Miguel Malfavon, a.k.a. “Lizard” on February 7, 1996).

(Budget and Finance Committee considered the above matter on November 16, 2004)

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 $850,000 in total settlement of the case entitled Luis Davalos v. City of Los Angeles, et al., United States District Court Case No. CV 02-6482, from the Extraordinary Liability Account No. 2000.

2. AUTHORIZE the City Attorney to two draw demands thereon, and payable as follows:
   a. $660,000 made payable to NABCO Assignments Ltd.
   b. $190,000 made payable to the Law Offices of Javier B. Ramirez, Law Offices of Veronica L. Alvarez, and Luis Davalos.
This matter was approved by the Budget and Finance Committee (Miscikowski - Smith - Garcetti voted "yes") at its meeting of November 16, 2004, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (46) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Roll Call #11 - Motion (Miscikowski - Smith) Adopted in Open Session, Ayes (11); Absent: Greuel, Ludlow, Parks and Villaraigosa (4)

04-2300 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 Kevin Breslin v. City of Los Angeles, et al., Los Angeles Superior Court Case No. 080686 (plaintiff is suing the City for personal injuries and damages arising out of a traffic collision on July 8, 2003).

(Budget and Finance Committee considered the above matter on November 16, 2004)

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 $300,000 in total settlement of the case entitled Kevin Breslin v. City of Los Angeles, et al., Los Angeles Superior Court Case No. 080686 from City Attorney Fund 100, Department 59, Liability Claims Account No. 9770.

2. AUTHORIZE the City Attorney to draw demand thereon, payable as follows:

   $300,000 made payable to Stone, Dolginer and Wenzel, a Law Corporation, and Kevin Breslin and Kara Breslin.

This matter was approved by the Budget and Finance Committee (Parks - Miscikowski - Cardenas - Smith - Garcetti voted "yes") at its meeting of November 16, 2004, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (47) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Roll Call #13 - Motion (Miscikowski - Smith) Adopted in Open Session, Ayes (11); Absent: Greuel, Ludlow, Parks and Villaraigosa (4)

04-2299 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 William Ward v. City of Los Angeles, Workers' Compensation Appeals Board Case No. VNO 465028, Claim No. 9003-1970-7748 (plaintiff alleges sustained personal injuries during the course and scope of employment with the Los Angeles Fire Department during the period of June 12, 1971 to June 14, 2002 while performing regular job duties).

(Budget and Finance Committee considered the above matter on November 16, 2004)
ADOPTED IN OPEN SESSION

MOTION (MISCIKOWSKI - SMITH)

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

1. AUTHORIZE a Stipulated Award for 72 percent permanent disability or $102,235.00, plus a life pension thereafter in the amount of $46.38 per week in the case entitled William Ward v. City of Los Angeles, Workers’ Compensation Appeals Board Case No. VNO 465028, Claim No. 9003-1970-7748.

2. AUTHORIZE a Stipulated Award to William Ward in the manner prescribed by the Workers’ Compensation Appeals Board Order and AUTHORIZE payment from the Personnel Department’s Human Resources Benefit Account No. 9910.

This matter was approved by the Budget and Finance Committee (Parks - Miscikowski - Smith - Garcetti “yes”) at its meeting of November 9, 2004, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (48) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Roll Call #12 - Motion (Weiss - Smith) Adopted in Open Session, Ayes (11); Absent: Greuel, Ludlow, Parks and Villaraigosa (4)

02-0774 - The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to a request for outside counsel funding for the Adelphia Communications Corporation bankruptcy proceedings.

(Budget and Finance Committee considered the above matter on November 16, 2004; and Information Technology and General Services Committee Chair considered the above matter on October 26, 2004)

ADOPTED IN OPEN SESSION

MOTION (MISCIKOWSKI - SMITH)

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

AUTHORIZE the City Attorney to execute a second contract amendment to Contract No. 104208 with the firm of Manatt, Phelps & Phillips, LLP, to increase the contract amount by $150,000 to a total contract value not to exceed $500,000 for outside legal counsel required in connection with the Adelphia Communications Corporation bankruptcy proceedings.

This matter was approved by the Information, Technology and General Services Committee Chair (Weiss voted "yes") at its meeting of October 26, 2004 and the Budget and Finance Committee (Parks - Miscikowski - Smith - Garcetti voted "yes") at its meeting of November 16, 2004, in Closed Session as permitted by Government Code Section 54956.9(a).
ITEM NO. (49) - MEETING HELD - MOTION ADOPTED, AS AMENDED IN OPEN SESSION - SEE FOLLOWING

Roll Call #8 - Motion (Smith - Miscikowski) Adopted in Open Session, Ayes (11);
Absent: Greuel, Ludlow, Parks and Villaraigosa (4)

02-0488 - 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 status of funding, and appropriation for the outside counsel contract in the case entitled Slade v. Gates, and other Monell issues.

(Budget and Finance Committee considered the above matter on November 9, 2004)

(Continued from Council meeting of November 17, 2004)

ADOPTED IN OPEN SESSION

MOTION (MISCIKOWSKI - SMITH)

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

2. AUTHORIZE the Controller to TRANSFER $350,000 from Department 12, Reserve for Extraordinary Liability Claims Fund, Fund No. 112, Account No. 2000, to the City Attorney, Department No. 12, Fund No. 100, Account No. 3040, Contractual Services, for Quinn, Emanuel Urquhart Oliver & Hedges to assist with Slade, Monell and several Rampart cases.

This matter was approved by the Budget and Finance Committee (Parks - Miscikowski - Cardenas - Garcetti voted “yes”) at its meeting of November 9, 2004, in Closed Session as permitted by Government Code Section 54956.9(a).

Items for Which Public Hearings Have Not Been Held - Items 50-51
(10 Votes Required for Consideration)

ITEM NO. (50) - SUBSTITUTE MOTION ADOPTED IN LIEU OF ORIGINAL COMMUNICATION - SEE FOLLOWING

Roll Call #6 - Motion (Hahn - LaBonge) to Adopt Substitute Motion, Ayes (13);
Absent: Greuel and Perry (2)

05-1100 - CONTINUED CONSIDERATION OF COMMUNICATION FROM THE CITY ATTORNEY, RESOLUTIONS, and ORDINANCE FIRST CONSIDERATION relative to a proposed Charter Amendment authorizing Port Police to become Tier 5 members of the Fire and Police Pension Plan, and calling a Special Election and consolidating it with the City Primary Nominating Election on March 8, 2005.

Recommendations for Council action:
1. ADOPT the accompanying RESOLUTION providing that a certain proposal to amend the Charter of the City of Los Angeles be submitted to a vote of the qualified electors of the City at a Special Election to be called and consolidated with the City Primary Nominating Election to be held on March 8, 2005.

2. ADOPT the accompanying BALLOT TITLE RESOLUTION, as follows:

MODIFICATIONS TO THE FIRE AND POLICE PENSION PLAN TO INCLUDE PORT POLICE.
CHARTER AMENDMENT ____________.

Shall the Charter be amended to authorize the City Council of the City of Los Angeles to include new Port Police officers in the same pension plan as new members of the Los Angeles Police Department (Fire and Police Pension Plan - Tier 5) and to give current Port Police officers the choice of joining that Plan or staying in their current retirement plan, with all Port Police pension costs continuing to be paid by the Harbor Department?

3. PRESENT and ADOPT the accompanying ORDINANCE, SUBJECT TO THE APPROVAL OF THE MAYOR, calling a Special Election to be held on Tuesday, March 8, 2005 for the purpose of submitting to the qualified voters of the City of Los Angeles a proposed Charter amendment, and to consolidate this Special Election with the City Primary Nominating Election to be held on the same date.

ADOPTED

SUBSTITUTE MOTION (AHN - LABONGE)

Recommendations for Council action:

1. ADOPT the accompanying RESOLUTION providing that a certain proposal to amend the Charter of the City of Los Angeles be submitted to a vote of the qualified electors of the City at a Special Election to be called and consolidated with the City Primary Nominating Election to be held on March 8, 2005.

2. ADOPT the accompanying BALLOT TITLE RESOLUTION, as follows:

MODIFICATIONS TO THE FIRE AND POLICE PENSION PLAN TO INCLUDE PORT POLICE.
CHARTER AMENDMENT ____________.

Shall the Charter be amended to authorize the City Council of the City of Los Angeles to include new Port Police officers in the same pension plan as new members of the Los Angeles Police Department (Fire and Police Pension Plan - Tier 5) and to give current Port Police officers the choice of joining that Plan or staying in their current retirement plan, with all Port Police pension costs continuing to be paid by the Harbor Department?
3. PRESENT and ADOPT the accompanying ORDINANCE, SUBJECT TO THE APPROVAL OF THE MAYOR, calling a Special Election to be held on Tuesday, March 8, 2005 for the purpose of submitting to the qualified voters of the City of Los Angeles a proposed Charter amendment, and to consolidate this Special Election with the City Primary Nominating Election to be held on the same date.

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

Roll Call #3 - Motion (Hahn - LaBonge) Adopted, Ayes (12); Absent: Greuel, Perry and Weiss (3)

05-1100 - CONTINUED CONSIDERATION OF COMMUNICATION FROM THE CITY ATTORNEY, RESOLUTIONS and ORDINANCE FIRST CONSIDERATION relative to proposed Charter Amendments to authorize the Council by Ordinance to make changes to the Fire and Police Plan (Plan), and calling a Special Election and consolidating it with the City Primary Nominating Election on March 8, 2005.

Recommendations for Council action:

1. ADOPT the accompanying RESOLUTION providing that a certain proposal to amend the Charter of the City of Los Angeles be submitted to a vote of the qualified electors of the City at a Special Election to be called and consolidated with the City Primary Nominating Election to be held on March 8, 2005.

2. ADOPT the accompanying BALLOT TITLE RESOLUTION, as follows:

MODIFICATIONS TO THE FIRE AND POLICE PENSION PLAN.
CHARTER AMENDMENT ____________.

Shall the Charter be amended to authorize the adoption of ordinances to: (1) allow retired police officers and firefighters to return to active duty by terminating their pensions and being rehired, (2) allow the maximum amount of health subsidies for retirees and beneficiaries of the Plan to be set by ordinance, and (3) allow the City to pay part of employee contributions to the Plan as agreed in labor negotiations?

3. PRESENT and ADOPT the accompanying ORDINANCE, SUBJECT TO THE APPROVAL OF THE MAYOR, calling a Special Election to be held on Tuesday, March 8, 2005 for the purpose of submitting to the qualified voters of the City of Los Angeles a proposed Charter amendment, and to consolidate this Special Election with the City Primary Nominating Election to be held on the same date.

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

04-2451 - MOTION (CARDENAS - PADILLA) relative to declaring the March Against Gang Violence on December 4, 2004 a Special Event (fees and costs absorbed by the City = $578).

04-2452 - MOTION (PADILLA - CARDENAS) relative to declaring the First Annual Christmas Block Party on December 11, 2004 a Special Event (fees and costs absorbed by the City = $620).
04-2453 - MOTION (LABONGE - GARCETTI) relative to declaring the Holiday Party on December 11, 2004 a Special Event (fees and costs absorbed by the City = $1,188).

04-2457 - MOTION (MISCIKOWSKI - LUDLOW) relative to declaring the Westchester Sixth Annual Holiday Street Parade on December 12, 2004 a Special Event (fees and costs absorbed by the City = $8,500).

01-2439 - MOTION (GARCETTI - LABONGE) relative to declaring the Street Festival on December 4, 2004 a Special Event (fees and costs absorbed by the City = $8,158).

04-2458 - MOTION (MISCIKOWSKI - LUDLOW) relative to declaring the Annual Holiday Shopping Festival on December 4, 2004 a Special Event (fees and costs absorbed by the City = $1,776).

02-2757 - MOTION (HAHN - PERRY) relative to declaring the Extravaganza Christmas Giveaway on December 19, 2004 a Special Event (fees and costs absorbed by the City = $1,250).

04-2459 - MOTION (HAHN - PERRY) relative to declaring the Watts/Willowbrook Christmas Parade on December 4, 2004 a Special Event (fees and costs absorbed by the City = $12,000).

04-2460 - MOTION (HAHN - LABONGE) relative to declaring the Toys for Watts Bike Run on December 11, 2004 a Special Event (fees and costs absorbed by the City = $1,720).

02-2790 - MOTION (HAHN - LUDLOW) relative to declaring the Parents of Watts Annual Christmas Party on December 16, 2004 a Special Event (fees and costs absorbed by the City = $1,210).

04-2461 - MOTION (HAHN - LUDLOW) relative to declaring the Grand Open House on December 11, 2004 a Special Event (fees and costs absorbed by the City = $1,210).

02-2715 - MOTION (VILLARAIGOSA - REYES) relative to declaring the Feast of La Virgen de Guadalupe on December 11-12, 2004 a Special Event (fees and costs absorbed by the City = none submitted).

04-2455 - MOTION (SMITH - ZINE) relative to fees associated with boarding and fencing property at 6133 Alonzo Avenue in Encino.

04-2456 - MOTION (HAHN - LABONGE) and ORDINANCE FIRST CONSIDERATION relative to granting the Department of General Services (GSD) and the Bureau of Engineering (BOE), Department of Public Works, limited authority regarding certain City construction projects.

05-1100 - MOTION (PADILLA - MISCIKOWSKI) relative to designating the numbering and ordering of two ballot measures to appear on the March 8, 2005 Primary Nominating Election.

01-0199 - MOTION (MISCIKOWSKI - PARKS) relative to construction shortfall funding needed for S2 the new Los Angeles Regional Crime Laboratory Facility.

04-2454 - MOTION (ZINE - REYES) relative to asserting jurisdiction over the South Valley Area Planning Commissions November 22, 2004 written determination granting an appeal to allow for the operation of a house of worship in a single family dwelling.
05-0002 - MOTION (MISCIKOWSKI - PARKS) relative to the possible disallowance of $74.7 million in Police Officer's Bill of Rights State Mandated Claims from 1994 through 2003.

04-1568 - MOTION (MISCIKOWSKI - LABONGE) and ORDINANCE FIRST CONSIDERATION relative to a technical correction to Subsection D of Section 42.15 of the Los Angeles Municipal Code.

03-0318 - MOTION (GARCETTI - REYES) relative to regulating the issuance of building permits in the Fletcher Square commercial district.

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

05-0002 - RESOLUTION (MISCIKOWSKI - PARKS) relative to methodologies for State mandated reimbursements for costs associated with the Police Officer's Bill of Rights.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

04-1977 - Godzilla (Garcetti - LaBonge)

Alexandra J. Paxton (Garcetti - All Councilmembers)

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

Whereupon the Council did adjourn.

ATTEST: Frank T. Martinez, CITY CLERK

By

Council Clerk   PRESIDENT OF THE CITY COUNCIL