Los Angeles City Council, Journal/Council Proceedings
Friday, December 10, 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, Greuel, LaBonge, Miscikowski, Parks, Perry, Reyes, Villaraigosa, Weiss, Zine and President Padilla (12); Absent: Hahn, Ludlow and Smith (3).

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF DECEMBER 7, 2004

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 16

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

Annual L.A. Music Week

Items for Which Public Hearings Have Been Held - Items 1-24

ITEM NO. (1) - ADOPTED

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

04-2309 - BUDGET AND FINANCE COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to reclassification of the Linked Banking Ordinance.

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

PRESENT and ADOPT the accompanying ORDINANCE relative to redesignating Article 4, Chapter 5 of Division 20 of the Los Angeles Administrative Code (LAAC), the Linked Banking Ordinance, as Article 2, Chapter 5.1 of Division 20 of the LAAC.

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) - CONTINUED TO DECEMBER 14, 2004

Roll Call #2 - Motion (Greuel - Weiss) Adopted to Continue, Unanimous Vote (12);
Absent: Hahn, Ludlow and Smith (3)

04-2043 - ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to the dedicated deployment of Park Rangers at the City’s larger regional parks.

Recommendation for Council action, as initiated by Motion (LaBonge - Hahn - Greuel):

INSTRUCT the Department of Recreation and Parks, in consultation with the City Administrative Officer (CAO) and the Department of General Services, to report back to the Arts, Parks, Health and Aging and the Audits and Governmental Efficiency Committees with a deployment and staffing plan that will result in the deployment of 30 Park Rangers (consisting of one Chief Ranger, three Regional Park Rangers, and 26 dedicated Park Rangers) at the City's larger regional parks including Griffith Park, Elysian Park, Runyon Canyon, Sepulveda Basin, Hansen Dam, Ernest Debs Park, Angels Gate/Cabrillo Beach, Venice Beach, Bee Canyon/O'Melveny, Harbor Regional Park.

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

Community Impact Statement: The Greater Griffith Park Neighborhood Council supports the development and implementation of a Park Ranger deployment system whereby each of the City's largest regional parks will have dedicated coverage, as appropriate, in the recreational, environmental, and security areas.

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

ITEM NO. (3) - ADOPTED

01-1845 - BUDGET AND FINANCE COMMITTEE REPORT relative to the Fiscal Year (FY) 2003-04 Annual Expenditure Reports for the Council District Community Services funds of the General City Purposes (GCP) Budget.

Recommendation for Council action:

RECEIVE and FILE the FY 2003-04 Annual Expenditure Reports for the Council District Community Services funds of the GCP Budget, inasmuch as the reports are submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.
ITEM NO. (4) - ADOPTED


Recommendation for Council action:

NOTE and FILE the Controller’s Preliminary Financial Report of Financial Operations for the City, for FY ended June 30, 2004, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (5) - ADOPTED

03-1250 - BUDGET AND FINANCE COMMITTEE REPORT relative to hiring freeze exemption request by El Pueblo de Los Angeles Historical Monument Authority (El Pueblo).

Recommendation for Council action:

RECEIVE and FILE the City Administrative Officer reports relative to a hiring freeze exemption request by El Pueblo for one Assistant General Manager position inasmuch as the Council action of August 3, 2004 (Council file No. 03-1250-S84) approved the hiring freeze exemption for this position and no further Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (6) - ADOPTED

00-0656 - ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE REPORT relative to the adoption of the revised Biosolids Policy Statement as a requirement for maintaining a certified Biosolids Environmental Management System (EMS).

Recommendation for Council action:

RESOLVE to establish a position to support biosolids recycling and the Biosolids EMS by adopting the revised biosolids policy that will be used to guide the City of Los Angeles’ biosolid management program.

Fiscal Impact Statement: The Bureau of Sanitation reports that there is no impact on the General Fund.
ITEM NO. (7) - ADOPTED

02-0563 - ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE REPORT
S2 relative to the Stormwater Program bi-monthly status report for June and July 2004.

Recommendation for Council action:

NOTE and FILE the Bureau of Sanitation, Stormwater Program bi-monthly report for June and July 2004, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (8) - ADOPTED

03-0307 - ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE REPORT
S1 relative to agreements of transfer and assumption for nine contracts assumed by the City of Los Angeles with the purchase of the Central Los Angeles Recycling and Transfer Station (CLARTS).

Recommendations for Council action:

1. AUTHORIZE the Board of Public Works to execute the agreements of transfer and assumption for the nine contracts assumed by the City of Los Angeles with the purchase of the Central Los Angeles Transfer Station, subject to City Attorney review as to form.

2. INSTRUCT the Bureau of Sanitation (BOS) staff to ensure agreements that are renewed, extended, and/or renegotiated comply with the City of Los Angeles' Standard Provisions for Personal Services Contracts.

Fiscal Impact Statement: The City Administrative Officer reports that funding for the estimated $3.1 million expense for the first year of the contracts for transport of refuse and the equipment and tire leases is available in the BOS Fiscal Year 2004-05 Adopted Budget Fund 100/82, Account 6020, Operating Supplies. All revenues derived from the transloading contract will be deposited in the CLARTS Trust Fund. There is no additional impact to the General Fund as a result of assuming these contracts.

ITEM NO. (9) - ADOPTED

04-1185 - ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE REPORT relative to an amendment to the Homeboy Industries agreement for the operation of a community bulky item drop-off program.

Recommendation for Council action:
AUTHORIZE the Board of Public Works (BPW) to execute a fourth amendment to the Homeboy Industries agreement for the operation of a community bulky item drop-off program.

**Fiscal Impact Statement:** The BPW reports that funds in the amount of $171,000 are available in Fund 100/82, Account 3040 Contractual Services.

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

02-0774 - INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to Charter Communications' new service updates and rate increase information.

**Recommendation for Council action:**

RECEIVE and FILE the Information Technology Agency report, dated August 3, 2004, relative to Charter Communications' new service updates and rate increase information for Franchise Area E, inasmuch as the report is submitted for information only and no Council action is necessary.

**Fiscal Impact Statement:** Not applicable.

**ITEM NO. (11) - ADOPTED**

04-2344 - INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to withholding any action to sell or lease a City-owned vacant lot at 3410 South La Cienega.

**Recommendation for Council action, pursuant to Motion (Ludlow - Parks):**

DIRECT City staff, including but not limited to the Department of Public Works and the Department of Transportation, not to make any agreements to sell or lease the vacant lot located at 3410 South La Cienega to the Los Angeles County Metropolitan Transportation Authority or any other entity until all options for economic development are addressed; the surrounding community is aware of the various proposals/projects; and, residents are included in any land use decisions in their neighborhood.

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

**ITEM NO. (12) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT - SEE FOLLOWING**

04-2356 - MOTION (REYES - MISCIKOWSKI) relative to replacing the existing members of the Construction Services Committee with new members who will serve for a two year term.

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

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to replacing the existing members of the Construction Services Committee with new members who will serve for a two year term.

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

ADOPT that the existing members of the Construction Services Committee be removed as members of that Committee and that they be replaced by the following new members who shall serve for a two year term beginning December 1, 2004: Roberto Barragan, Maria Lou Calanche, Tina Choi, Dan Falcon Jr., Morrie Goldman, Mary Lee, Tammy Membreno, Frank Parello, Sam Ross, Tom Stemnock, Daniel Tellalian, Roxana Tynan.

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

ITEM NO. (13) - ADOPTED

00-0211 - 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 November 10, 2004, relative to review of the LAPD Consent Decree status update on compliance by the GED, inasmuch as this report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (14) - ADOPTED

00-0211 - PUBLIC SAFETY COMMITTEE REPORT relative to TEAMS II status report.

Recommendation for Council action:

NOTE and FILE the Los Angeles Police Department report dated November 19, 2004 relative to the TEAMS II monthly status report, inasmuch as this report is submitted for information only and no Council action is necessary.

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

00-0211 - PUBLIC SAFETY COMMITTEE REPORT relative to Los Angeles Police Department (LAPD) Consent Decree status update.

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

1. AUTHORIZE the City Attorney, in coordination with the Chief Legislative Analyst (CLA) and the Mayor’s Office, upon resolving any outstanding issues with the U.S. Department of Justice (DOJ), to submit a joint filing with the DOJ effectuating the agreed upon changes to the LAPD Consent Decree.

2. REQUEST the Inspector General to report to the Public Safety Committee monthly regarding compliance with the Office of the Inspector General related Consent Decree provisions.

3. REAFFIRM the request for the LAPD to report to the Public Safety Committee in 30 days regarding the Force Investigation Division operations and staffing.

4. INSTRUCT the LAPD to report to the Public Safety Committee in 30 days with a revised TEAMS II Development Program schedule, with systems project dependencies identified.

5. INSTRUCT the LAPD to report to the Public Safety Committee in 30 days regarding the actions being taken to address the law enforcement related death and law enforcement related injury uses of force data gap in TEAMS 1.5.

6. AUTHORIZE the CLA, on behalf of City Council, to write a letter to the Chief of Police and the Police Commission relative to concerns about any systemic changes that would change/impact the TEAMS II project.

7. AUTHORIZE the CLA and the Mayor’s Office to submit appropriate documents to document the disagreements regarding monitoring methodology and criteria, in order to identify those disagreements in the discussions for substantial compliance.

Fiscal Impact Statement: None submitted by the CLA. The City Administrative Officer has not completed a financial analysis of this report.

ITEM NO. (16) - ADOPTED

CD 11 - CATEGORICAL EXEMPTION and PUBLIC WORKS COMMITTEE REPORT relative to vacating Regent Street from Kelton Avenue to its terminus northeasterly thereof.

Recommendations for Council action:

1. FIND that the vacation is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article VII, Class 5(3) of the City of Los Angeles Environmental Guidelines.
2. ADOPT the FINDINGS of the City Engineer dated July 21, 2004, as the Findings of the Council.

3. DIRECT the Bureau of Engineering to move forward with street vacation proceedings (VAC EXX21518) for Regent Street from Kelton Avenue to its terminus northeasterly thereof.

Fiscal Impact Statement: The City Engineer reports that the petitioner has paid a fee of $6,540 for the investigation of this request. Any deficit fee to recover the cost pursuant to Section 7.44 of the Los Angeles Administrative Code may be required of the petitioner. Maintenance of the public easement by City forces will be eliminated.

ITEM NO. (17) - CONTINUED TO DECEMBER 14, 2004 TOGETHER WITH AMENDING MOTION - SEE FOLLOWING

Roll Call #5 - Motion (Reyes - Villaraigosa) Adopted to Continue, Unanimous Vote (10); Absent: LaBonge, Ludlow, Parks, Zine and President Padilla (5)

04-1136 - NEGATIVE DECLARATION and PUBLIC WORKS COMMITTEE REPORT relative to the CDs 1 & 14 Soto Street Bridge over Mission Road and Huntington Drive.

Recommendations for Council action:

1. FIND that this project will not have a significant effect on the environment, pursuant to the City’s Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Negative Declaration reflects the independent judgement 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. 04-1136 in the custody of the City Clerk and in the files of the Bureau of Engineering in the custody of the Environmental Management Group; and ADOPT the Negative Declaration filed on April 16, 2004.

2. APPROVE the Soto Street Bridge over Mission Road and Huntington Drive project as submitted in the City Engineer report dated June 9, 2004 and contained in the Council file.

Fiscal Impact Statement: The City Engineer reports that there is no fiscal impact to the General Fund since this project is financed by Special Funds. Funding for the project will be provided from following sources in the amounts indicated: Proposition G, Seismic Bond $778,000; Proposition C $716,000; Highway Bridge Replacement and Rehabilitation Program $2,300,000; Metropolitan Transportation Authority, 2001 Call for Projects $3,582,000; Total $7,376,000.

CONTINUED TO DECEMBER 14, 2004

AMENDING MOTION (REYES - VILLARAIGOSA)

Recommendation for Council action:
INSTRUCT the Bureau of Engineering and Bureau of Street Services staff to work with both Council District One and Council District 14 to provide a landscaped median and address maintenance in lieu of the proposed asphalt median for the area generally bounded between Turquoise Street and the intersection of Huntington Drive North with Mission Road.

Roll Call #3 - Motion (Reyes - Perry) Adopted, Ayes (12); Absent: Hahn, Ludlow and Smith (3)
(Item Nos. 18-19)

ITEM NO. (18) - ADOPTED

04-2041 - PUBLIC WORKS COMMITTEE REPORT relative to fund transfers from the Special Gas Tax Street Improvement Fund to support the Quail Drive Street Improvements Project.

Recommendations for Council action, pursuant to Motion (Villaraigosa - Smith), SUBJECT TO THE APPROVAL OF THE MAYOR:

1. INSTRUCT the Bureau of Street Services to perform the work assigned to the Quail Drive Street Improvement project.

2. TRANSFER $319,600 and APPROPRIATE from the Special Gas Tax Street Improvement Fund No. 206, Department 50, Account W571, “Quail Drive” to Fund 100, Department 86 in the accounts and amounts as follows:

<table>
<thead>
<tr>
<th>Account</th>
<th>Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1090</td>
<td>Salaries, Overtime</td>
<td>$237,000</td>
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<tr>
<td>3030</td>
<td>Construction Materials</td>
<td>42,600</td>
</tr>
<tr>
<td>3040</td>
<td>Contractual Services</td>
<td>20,000</td>
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<tr>
<td>6020</td>
<td>Operating Supplies &amp; Expense</td>
<td>20,000</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>$319,600</td>
</tr>
</tbody>
</table>

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

ITEM NO. (19) - ADOPTED

04-2047 - CATEGORICAL EXEMPTION, PUBLIC WORKS COMMITTEE REPORT and RESOLUTION relative to the temporary closure of Mulholland Highway Northeasterly of Ledgewood Drive to Woodview Drive.

Recommendations for Council action:

1. FIND that this temporary closure is similar to a minor vacation and is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article VII, Class 5(3) of the City of Los Angeles Environmental Guidelines.
2. ADOPT the FINDINGS of the City Engineer dated October 5, 2004, as the findings of the Council.

3. APPROVE the temporary closure, for a period of 18 months, of Mulholland Highway Northeasterly of Ledgewood Drive to Woodview Drive pursuant to State Vehicle Code Section 21101.4, subject to the conditions enumerated in the City Engineer report, attached to the Council File.

4. ADOPT the accompanying RESOLUTION signed by the City Attorney on October 1, 2004.

Fiscal Impact Statement: The City Engineer reports that the processing of this report will impact the General Fund by approximately $1,050. Maintenance of the public easement by City forces will be eliminated.

Roll Call #1 - Motion (Perry - Villaraigosa) Adopted to Continue, Unanimous Vote (12); Absent: Hahn, Ludlow and Smith (3) (Item Nos. 20-21)

ITEM NO. (20) - CONTINUED TO JANUARY 7, 2005

04-1134 - CONTINUED CONSIDERATION OF TRANSPORTATION COMMITTEE REPORT CDs 9, 10, 11 & 15 relative to application of Southern California Water Company (SCWC) for a pipeline franchise to operate existing pipelines within the City.

Recommendations for Council action:

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

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

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

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

(Continued from Council meeting of November 9, 2004)

ITEM NO. (21) - CONTINUED TO JANUARY 7, 2005

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

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

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

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

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

(Continued from Council meeting of November 9, 2004)

Roll Call #3 - Motion (Reyes - Perry) Adopted, Ayes (12); Absent: Hahn, Ludlow and Smith (3) (Item Nos. 22-24)

ITEM NO. (22) - ADOPTED

04-2397 - TRANSPORTATION COMMITTEE REPORT relative to the Fiscal Year 2004-05 Metropolitan Transportation Authority (MTA) Metro Rail Annual Work Program.

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

1. AUTHORIZE the Department of Transportation (DOT) to TRANSFER, as needed $683,516 from Proposition A Anti-Gridlock Transit Improvement Fund No. 385, Metro Rail Annual Work Program Account No. W411, to the following funds and accounts, in the amounts indicated:

<table>
<thead>
<tr>
<th>Fire Department, Fund No. 100/38</th>
<th>Account</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries Overtime Sworn</td>
<td>1092</td>
<td>$13,513</td>
</tr>
<tr>
<td>Travel Expense</td>
<td>2130</td>
<td>1,500</td>
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<tr>
<td>Field Equipment Expense</td>
<td>3090</td>
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<td><strong>Total</strong></td>
<td></td>
<td><strong>$17,173</strong></td>
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</table>

<table>
<thead>
<tr>
<th>Department of General Services, Fund No. 100/40</th>
<th>Account</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parts Revolving Account</td>
<td>3090</td>
<td>$4,000</td>
</tr>
<tr>
<td>Department, Fund No.</td>
<td>Account</td>
<td>Amount</td>
</tr>
<tr>
<td>---------------------</td>
<td>---------</td>
<td>----------</td>
</tr>
<tr>
<td>Police Department, Fund No. 100/70</td>
<td>1020</td>
<td>$70,694</td>
</tr>
<tr>
<td>Salaries Sworn</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bureau of Engineering, Fund No. 100/78</td>
<td>1010</td>
<td>$62,726</td>
</tr>
<tr>
<td>Salaries General</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salaries Overtime</td>
<td>1090</td>
<td>$14,190</td>
</tr>
<tr>
<td>Bureau of Contract Administration, Fund No. 100/76</td>
<td>1090</td>
<td>$71,322</td>
</tr>
<tr>
<td>Salaries Overtime</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transportation</td>
<td>3310</td>
<td>$18,450</td>
</tr>
<tr>
<td>Bureau of Street Lighting, Fund No. 100/84</td>
<td>1090</td>
<td>$93,005</td>
</tr>
<tr>
<td>Salaries Overtime</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bureau of Street Services, Fund No. 100/86</td>
<td>1010</td>
<td>$36,899</td>
</tr>
<tr>
<td>Salaries General</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salaries Overtime</td>
<td>1090</td>
<td>$2,000</td>
</tr>
<tr>
<td>Department of Transportation, Fund No. 100/94</td>
<td>1010</td>
<td>$32,857</td>
</tr>
<tr>
<td>Salaries General</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salaries Overtime</td>
<td>1090</td>
<td>$260,200</td>
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<tr>
<td>Total</td>
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<td>$76,916</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>$89,772</td>
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<tr>
<td>Total</td>
<td></td>
<td>$38,899</td>
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<tr>
<td>Total</td>
<td></td>
<td>$293,057</td>
</tr>
</tbody>
</table>

2. INSTRUCT the DOT to invoice the MTA for eligible reimbursements relative to the Metro Rail projects, with reimbursement to be deposited by the Controller into the Proposition A Anti-Gridlock Transit Improvement Fund No. 385, as appropriate.

3. AUTHORIZE the DOT to expend funds not to exceed $258,500 from Proposition A Anti-Gridlock Transit Improvement Fund. No. 385, Metro Rail Annual Work Program (MRAWP) Account No. W411 to purchase reimbursable equipment and materials for the MRAWP; and $93,000 to purchase non-reimbursable equipment and materials for the MRAWP.

4. AUTHORIZE the DOT, with City Administrative Officer (CAO) concurrence, to make technical adjustments to the recommendations of this report reflecting Mayor and Council intent associated with the 2004-05 Preliminary MRAWP, and AUTHORIZE the Controller to implement such adjustments.
Fiscal Impact Statement: The CAO reports that the MTA reimburses the City for the Metro Rail Annual Work Program, and $6.4 million in City front-funding and salary costs is provided in the 2004-05 Proposition A Budget. There is no impact on the General Fund.

ITEM NO. (23) - ADOPTED

02-0945 - ARTS, PARKS, HEALTH AND AGING and EDUCATION AND NEIGHBORHOODS COMMITTEES' REPORT relative to an independent study entitled “Parks and Park Funding in Los Angeles; an Equity Mapping Analysis” (Study).

Recommendation for Council action:

RECEIVE and FILE Motion (Hahn - Greuel), relative to instructing the Chief Legislative Analyst (CLA) to provide a report to the Arts, Parks, Health and Aging Committee and the Education and Neighborhoods Committee addressing the findings of the Study conducted by the GIS Research Laboratory of the University California, inasmuch as:

a. The Study focuses on the City's Proposition K Program (Program), primarily on the competitive grants portion, and does not take into consideration the effect of the designated projects of the Program which contribute substantially to the park and recreational resources of the City; additionally, the Study does not include other sources of funding used by the City to fund parks and open space.

b. The authors of the Study do not distinguish between an "assessment" district and a "bond" measure. Proposition K is an assessment, that is, a surcharge on property tax paid by City property owners whereby every payer of the assessment is entitled to receive benefits from the assessment.

c. Since the issuance of the Study, the Program has undergone significant changes so that the Study's conclusions may no longer be applicable to the Program.

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

ITEM NO. (24) - ADOPTED

04-1917 - BUDGET AND FINANCE and PUBLIC SAFETY COMMITTEES' REPORTS relative to National Fire Protection Association (NFPA) standardized staffing level for Los Angeles Fire Department truck companies.

ADOPTED

A. BUDGET AND FINANCE COMMITTEE REPORT

Recommendations for Council action, as initiated by Motion (Garcetti - Ludlow - Cardenas), SUBJECT TO THE APPROVAL OF THE MAYOR:
1. TRANSFER $735,299 from the Unappropriated Balance (UB) to the Los Angeles Fire Department (LAFD) Fund No. 100/38, Account No. 1012 - Salaries, Sworn, in order to add the fifth person on seven truck companies for a period of three months.

2. INSTRUCT the LAFD not to staff, or expend the monies, until April 2005 (the last three months of Fiscal Year 2004-05).

ADOPTED

B. PUBIC SAFETY COMMITTEE REPORT

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

TRANSFER $735,299 from the Unappropriated Balance (UB) to the Los Angeles Fire Department Fund No. 100/38, Account No. 1012 - Salaries, Sworn, in order to add the fifth person on seven truck companies for a period of three months.

Fiscal Impact Statement: The City Administrative Officer reports that during the Fiscal Year (FY) 2004-05 budget, $735,299 was set aside in the UB to add the fifth person on seven truck companies, for a period of three months. The cost to fund the additional fifth member for the remaining seven months of the FY 2004-05 is $1,649,817 and the cost to continue to fund the fifth member on seven truck companies for the FY 2005-06 is $2,900,479.

Item for Which Public Hearing Has Not Been Held - Item 25
(10 Votes Required for Consideration)

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

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

04-2399 - COMMUNICATION FROM THE PLANNING DEPARTMENT relative to 38 proposed Mills Act Historical Property Contracts.

Recommendation for Council action:

AUTHORIZE the Director of Planning, Planning Department, to execute 38 Mills Act Historical Property Contracts between the City and the property owners identified in the Planning Department transmittal dated November 10, 2004 (attached to the Council File), subject to the review of the City Attorney as to form and legality.
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.

(Artis, Parks, Health and Aging Committee waived consideration of the above matter)

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

04-2514 - MOTION (PERRY - PARKS) relative to declaring the Free Senior Center Dress Rehearsal on January 19, 2005 a Special Event (fees and costs absorbed by the City = $800).

03-0350 - MOTION (PERRY - PARKS) relative to declaring the Gift and Home Furnishings Show on January 18-25, 2005 a Special Event (event sponsor will reimburse the City for all fees and costs incurred AND meet insurance and application requirements).

04-0400 - MOTION (PERRY - PARKS) relative to declaring the Performing for Los Angeles Youth on January 11-14, 2005 a Special Event (fees and costs absorbed by the City = $5,426).

04-2513 - MOTION (PERRY - PARKS) relative to declaring the Holiday Celebration on December 11, 2004 a Special Event (fees and costs absorbed by the City = $2,520).

02-2259 - MOTION (SMITH - REYES) relative to declaring the 2004 Holiday Parade and Classic Car Show on December 12, 2004 a Special Event (fees and costs absorbed by the City = $9,446).

02-2785 - MOTION (PERRY - PARKS) relative to a request for an exemption from the Convention Center fee waiver policy for the Los Angeles Jobs Corps Center Graduation Ceremony on December 10, 2004.

04-1416 - MOTION (GARCETTI - HAHN) relative to partial funding to support community programs and groups in Council District 13.

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

04-2512 - RESOLUTION (HAHN - PERRY) relative to waiving review of expected actions by the Board of Harbor Commissioners at its meeting of December 15, 2004, to approve three contracts for construction work at the Port of Los Angeles.
COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

04-1977 - Dia de Los Muertos Festival (Zine - All Councilmembers)
   Daphna Edwards Ziman (Zine - All Councilmembers)
   Ronald F. Deaton (Miscikowski - Padilla - All Councilmembers)

Councilmember Reyes moved, seconded by Councilmember LaBonge, that the Council meeting adjourn, due to the lack of a quorum.

Ayes, Cardenas, Garcetti, Greuel, Hahn, Miscikowski, Perry, Reyes, Smith and Weiss(9); Absent: LaBonge, Ludlow, Parks, Villaraigosa, Zine and President Padilla (6).

Whereupon the Council did adjourn.

ATTEST: Frank T. Martinez, CITY CLERK

By

Council Clerk PRESIDENT OF THE CITY COUNCIL