

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

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
NOVEMBER 2, 2004

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 18

PUBLIC TESTIMONY ON NON-AGENDA ITEMS AT THE CALL OF THE CHAIR -
An opportunity for public testimony was provided.

ROLL CALL NUMBER (#) - INDICATES THE ORDER IN WHICH THE ITEMS WERE ACTED
UPON DURING THE COUNCIL MEETING

Item Noticed for Public Hearing - Item 1

ITEM NO. (1) - PUBLIC HEARING CLOSED - MOTION ADOPTED TO GRANT THE APPLICATION -
SEE FOLLOWING

Roll Call #4 - Motion (Cardenas - Zine) Adopted to Grant Application, Ayes (13);
Absent: Perry and Weiss (2)

04-0100 - HEARING COMMENTS relative to application for determination of "Public Convenience
CD 6 or Necessity" for alcohol sales for off-site consumption located at 10161 North San
Fernando Road (Vallarta Supermarket No. 18).

Application filed by: Gonzayo Enterprises, Inc.

TIME LIMIT FILE - NOVEMBER 5, 2004

(LAST DAY FOR COUNCIL ACTION - NOVEMBER 5, 2004)

(Findings and Council recommendations required relative to the above application
request)

ADOPTED

MOTION (CARDENAS - ZINE)

Recommendations for Council action:

1. DETERMINE that the issuance of a liquor license at 10161 North San Fernando Road (Vallarata Supermarket No. 18) will serve the "Public Convenience or Necessity" and will not tend to create a law enforcement problem.
2. GRANT the Application for Determination of "Public Convenience or Necessity" for the sale of alcoholic beverages for off-site consumption at 10161 North San Fernando Road.
3. INSTRUCT the City Clerk to transmit this determination to the State Department of Alcoholic Beverage Control as the required findings under Business and Professions Code Section 23958.4.

Applicant: Gonzayo Enterprises, Inc.

TIME LIMIT FILE - NOVEMBER 5, 2004

(LAST DAY FOR COUNCIL ACTION - NOVEMBER 5, 2004)

Items for Which Public Hearings Have Been Held - Items 2-17

Roll Call #1 - Motion (Hahn - Greuel) Adopted to Continue, Unanimous Vote (13);
Absent: Perry and Weiss (2)
(Item Nos. 2-4)

ITEM NO. (2) - CONTINUED TO DECEMBER 7, 2004

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

1. FIND that the City of Los Angeles is in need of a pipeline franchise to install, retain, operate and maintain pipelines and their adjunct communication lines associated with the transportation of oil and oil products.
2. ACCEPT and AWARD the BID for the pipeline franchise to the responsible bidder offering to pay the City the highest cash consideration, but not less than \$500 and, if ARCO Terminal Services Corporation is the highest responsible bidder, award the franchise to this company.
3. REQUEST the City Attorney to prepare the pipeline franchise ordinance for the successful bidder for presentation to the Council.

4. INSTRUCT the Department of Transportation to notify the successful bidder and ensure that all good faith deposits are returned to the unsuccessful bidders, subsequent to the award of the bid.
5. REQUIRE that the successful bidder file a faithful performance bond in duplicate with the City Clerk within five days after the award of the pipeline franchise, pursuant to Los Angeles Administrative Code Section 13.30.

(Pursuant to Council action of May 11, 2004 - continued from Council meeting of October 5, 2004)

ITEM NO. (3) - CONTINUED TO DECEMBER 7, 2004

04-0524 - CONTINUED CONSIDERATION OF ACCEPTANCE OF BIDS relative to the Notice of CDs 8,10 & 15 Sale for a Pipeline Franchise in the City of Los Angeles.

Recommendations for Council action:

1. FIND that the City of Los Angeles is in need of a pipeline franchise to install, retain, operate and maintain pipelines and their adjunct communication lines associated with the transportation of oil and oil products.
2. ACCEPT and AWARD the BID for the pipeline franchise to the responsible bidder offering to pay the City the highest cash consideration, but not less than \$500 and, if BP West Coast Products LLC is the highest responsible bidder, award the franchise to this company.
3. REQUEST the City Attorney to prepare the pipeline franchise ordinance for the successful bidder for presentation to the Council.
4. INSTRUCT the Department of Transportation to notify the successful bidder and ensure that all good faith deposits are returned to the unsuccessful bidders, subsequent to the award of the bid.
5. REQUIRE that the successful bidder file a faithful performance bond in duplicate with the City Clerk within five days after the award of the pipeline franchise, pursuant to Los Angeles Administrative Code Section 13.30.

(Pursuant to Council action of May 11, 2004 - continued from Council meeting of October 5, 2004)

ITEM NO. (4) - CONTINUED TO DECEMBER 7, 2004

04-0525 - CONTINUED CONSIDERATION OF ACCEPTANCE OF BIDS relative to the Notice of CDs 2,4, 5,6,7,8, 10 & 15 Sale for a Pipeline Franchise in the City of Los Angeles.

Recommendations for Council action:

1. FIND that the City of Los Angeles is in need of a pipeline franchise to install, retain, operate and maintain pipelines and their adjunct communication lines associated with the transportation of crude oil.
2. ACCEPT and AWARD the BID for the pipeline franchise to the responsible bidder offering to pay the City the highest cash consideration, but not less than \$500 and, if ARCO MidCon LLC is the highest responsible bidder, award the franchise to this company.
3. REQUEST the City Attorney to prepare the pipeline franchise Ordinance for the successful bidder for presentation to the Council.
4. INSTRUCT the Department of Transportation to notify the successful bidder and ensure that all good faith deposits are returned to the unsuccessful bidders, subsequent to the award of the bid.
5. REQUIRE that the successful bidder file a faithful performance bond in duplicate with the City Clerk within five days after the award of the pipeline franchise, pursuant to Los Angeles Administrative Code Section 13.30.

(Pursuant to Council action of May 11, 2004 - continued from Council meeting of October 5, 2004)

ITEM NO. (5) - REFERRED TO RULES AND ELECTIONS COMMITTEE

Roll Call #2 - Motion (Padilla - Greuel) Adopted to Refer, Unanimous Vote (13);
Absent: Perry and Weiss (2)

96-0657 - CONTINUED CONSIDERATION OF RULES AND ELECTIONS COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to prohibiting lobbying by City Commissioners.

Recommendation for Council action, as initiated by Motion (Ridley-Thomas - Feuer), SUBJECT TO THE APPROVAL OF THE MAYOR:

PRESENT and ADOPT the accompanying ORDINANCE relative to prohibiting members of certain City Boards and Commissions from communicating directly with any City official for the purpose of attempting to influence municipal legislation on behalf of any other person.

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

(Continued from Council meeting of October 27, 2004)

ITEM NO. (6) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS - FORTHWITH - SEE FOLLOWING

Roll Call #9 - Motion (Zine - LaBonge) Adopted, Ayes (11); Absent: Cardenas, Perry, Reyes and President Padilla (4)

04-2094 - COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER relative to the 2004-07 Memoranda of Understanding (MOU) for the Equipment Operation and Labor Employees, Service and Crafts, Service Employees, and Safety/Security Representation Units--MOU Nos. 4, 14, 15, and 18, respectively.

(Personnel Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comments will be provided.)

(For copies of the background material for this matter, please contact the Legislative Assistant for the Personnel Committee at 213-978-1077)

ADOPTED

PERSONNEL COMMITTEE REPORT relative to 2004-07 Memoranda of Understanding (MOU) for Service Employees International Union (SEIU), Local 347 (MOU Nos. 4, 14, 15 and 18).

Recommendations for Council action:

1. APPROVE the 2004-07 MOU for the Equipment Operation and Labor Employees, Service and Crafts, Service Employees, and Safety/Security Representation Units (MOU Nos. 4, 14, 15, and 18, respectively).
2. AUTHORIZE the City Administrative Officer (CAO) and the Controller to make any clerical or technical corrections to the MOU as required.

Fiscal Impact Statement: The CAO reports that the additional cost for 2004-05, including special adjustments, will be \$1.6 million. The cost per year upon full implementation at the end of three years will be \$24.1 million.

Roll Call #5 - Motion (Miscikowski - Reyes) Adopted, Ayes (13); Absent: Perry and Weiss (2) (Item Nos. 7-17)

ITEM NO. (7) - ADOPTED

00-0211 - PUBLIC SAFETY COMMITTEE REPORT relative to TEAMS II status report.
S61

Recommendation for Council action:

NOTE and FILE the Los Angeles Police Department reports dated September 16, 2004 and October 18, 2004, relative to the TEAMS II monthly status reports, inasmuch as these reports are submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

(Information Technology and General Services Committee waived consideration)

ITEM NO. (8) - ADOPTED

00-0211 - PUBLIC SAFETY COMMITTEE REPORT relative to status on retaliation training plans for S67 the Los Angeles Police Department (LAPD).

Recommendation for Council action:

NOTE and FILE the Los Angeles Board of Police Commissioners report relative to the status on the plans for retaliation training for the LAPD, inasmuch as this report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (9) - ADOPTED

00-0211 - PUBLIC SAFETY COMMITTEE REPORT relative to Los Angeles Police Department S59 (LAPD) Consent Decree status update on compliance by Gang Enforcement Details (GED).

Recommendation for Council action:

NOTE and FILE the LAPD reports dated September 10 and October 6, 2004, relative to review of the LAPD Consent Decree status updates on compliance by the GED, inasmuch as these reports are submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (10) - ADOPTED

00-0211 - PUBLIC SAFETY COMMITTEE REPORT relative to Los Angeles Police Department S70 (LAPD) Consent Decree status update.

Recommendation for Council action:

NOTE and FILE the Chief Legislative Analyst report dated October 15, 2004, relative to the LAPD Consent Decree status update, inasmuch as this report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (11) - ADOPTED

00-0211 - PUBLIC SAFETY COMMITTEE REPORT relative to the Los Angeles Police Department S71 (LAPD) Consent Decree Mental Illness Program status report.

Recommendation for Council action:

NOTE and FILE LAPD Consent Decree Mental Illness Program status report dated October 7, 2004, inasmuch as this report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (12) - ADOPTED

00-0211 - PUBLIC SAFETY COMMITTEE REPORT relative to Los Angeles Police Department status S73 on personnel complaints alleging retaliation and the statute of limitations for personnel complaint investigations.

Recommendation for Council action:

NOTE and FILE the Los Angeles Board of Police Commissioners reports relative to the status on personnel complaints alleging retaliation and the statute of limitations for personnel complaint investigations, inasmuch as these reports are submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (13) - ADOPTED

01-2366 - GENERAL EXEMPTION, TRANSPORTATION COMMITTEE REPORT and RESOLUTION CD 4 relative to the re-establishment of Temporary Preferential Parking District No. 33 on Floyd Terrace and De Witt Drive near Universal City.

Recommendations for Council action:

1. FIND that an adverse parking impact affecting fewer than six blocks exists, from which the residents deserve immediate relief, on the following five blocks in Council District Four:
 - a. De Witt Drive between Floyd Terrace and Troy Drive
 - b. Floyd Terrace between De Witt Drive and Velma Drive
 - c. Floyd Terrace between De Witt Drive and Blair Drive
2. FIND that the proposed re-establishment of Temporary Preferential Parking District No. 33, pursuant to Los Angeles Municipal Code (LAMC) Section 80.58.d, is exempt from the California Environmental Quality Act (CEQA) under the General Exemption (Article II, Section 1 of the 2002 Los Angeles City CEQA Guidelines).

3. ADOPT the accompanying RESOLUTION which re-establishes Temporary Preferential Parking District No. 33 pursuant to Section 80.58.d of the LAMC; Temporary Preferential Parking District No. 33 will include the residential portions of:
 - a. De Witt Drive between Floyd Terrace and Troy Drive
 - b. Floyd Terrace between De Witt Drive and Velma Drive
 - c. Floyd Terrace between De Witt Drive and Blair Drive
4. AUTHORIZE the following parking restriction for use in all of Temporary Preferential Parking District No. 33:

"2-HOUR PARKING 8AM TO 6PM, MONDAY THRU FRIDAY; VEHICLES WITH DISTRICT NO. 33 PERMITS EXEMPTED"
5. INSTRUCT the Department of Transportation (DOT) to continue the necessary procedures for the preparation and sale of parking permits to residents within Temporary Preferential Parking District No. 33, as specified in Section 80.58 of the LAMC.
6. DIRECT the DOT to prepare a Notice of Exemption reflecting the Council's actions under Recommendation No. 2 above and file such notice with the City and County Clerks within five working days of the City Council's action.

Fiscal Impact Statement: The DOT reports there are currently over 75 preferential parking districts citywide. Approximately \$1.1 million in annual General Fund revenue from the sale of over 175,000 Preferential Parking Permits (PPP) currently reimburses the City for only 34 percent of the cost of implementation and administration of the PPP citywide. The revenue shortfall is due to the fact that rates have not been increased in 16 years. The DOT has concluded a study to recover full cost of the PPP and will submit its proposal for permit fee increases to the Council for approval.

ITEM NO. (14) - ADOPTED

[04-2022](#) - GENERAL EXEMPTION, TRANSPORTATION COMMITTEE REPORT and RESOLUTION CD9 relative to the establishment of Temporary Preferential Parking District No. 48 in the West 51st Street neighborhood near Vermont Avenue.

Recommendations for Council action:

1. FIND that an adverse parking impact affecting fewer than six blocks exists, from which the residents deserve immediate relief, on the following five blocks in Council District Nine:
 - a. 900 block of West 51st Place
 - b. 1000 block of West 51st Place
 - c. 900 block of West 51st Street
 - d. 1000 block of West 51st Street
 - e. 900 block of West 52nd Street

2. FIND that the proposed establishment of Temporary Preferential Parking District No. 48, pursuant to Los Angeles Municipal Code (LAMC) Section 80.58.d, is exempt from the California Environmental Quality Act (CEQA) under the General Exemption (Article II, Section 1 of the 2002 Los Angeles City CEQA Guidelines).
3. ADOPT the accompanying RESOLUTION establishing Temporary Preferential Parking District No. 48 pursuant to Section 80.58.d of the LAMC; Temporary Preferential Parking District No. 48 will include the residential portions of:
 - a. 900 block of West 51st Place
 - b. 1000 block of West 51st Place
 - c. 900 block of West 51st Street
 - d. 1000 block of West 51st Street
 - e. 900 block of West 52nd Street
4. AUTHORIZE the following parking restriction for use in all of Temporary Preferential Parking District No. 48:

"2-HOUR PARKING 8AM TO 6PM, MONDAY THRU SATURDAY; NO PARKING 10PM TO 8AM; VEHICLES WITH DISTRICT NO. 48 PERMITS EXEMPTED"
5. INSTRUCT the Department of Transportation (DOT) to initiate the necessary procedures for the preparation and sale of parking permits to residents within Temporary Preferential Parking District No. 48, as specified in Section 80.58 of the LAMC.
6. DIRECT the DOT to post the authorized parking restriction signs on the residential portions of the following blocks within the Proposed Temporary Preferential Parking District upon Council action establishing the District:
 - a. 900 block of West 51st Place
 - b. 1000 block of West 51st Place
 - c. 900 block of West 51st Street
 - d. 1000 block of West 51st Street
 - e. 900 block of West 52nd Street
7. DIRECT the DOT to prepare a Notice of Exemption reflecting Council's actions under Recommendation No. 2 above and file such notice with the City and County Clerks within five working days of the City Council's action.

Fiscal Impact Statement: The DOT reports there are currently over 75 preferential parking districts citywide. Approximately \$1.1 million in annual General Fund revenue from the sale of over 175,000 Preferential Parking Permits (PPP) currently reimburses the City for only 34 percent of the cost of implementation and administration of the PPP citywide. The revenue shortfall is due to the fact that rates have not been increased in 16 years. The DOT has concluded a study to recover full cost of the PPP and will submit its proposal for permit fee increases to the Council for approval.

ITEM NO. (15) - ADOPTED

04-2024 - GENERAL EXEMPTION, TRANSPORTATION COMMITTEE REPORT and RESOLUTION CD 2 relative to the establishment of Temporary Preferential Parking District No. 75 in Carpenter Avenue neighborhood by the Clear Nightclub.

Recommendations for Council action:

1. FIND that an adverse parking impact affecting fewer than six blocks exists, from which the residents deserve immediate relief the following five blocks in Council District No. Two:
 - a. Carpenter Avenue between the alley south of Ventura Boulevard and Laurelwood Drive
 - b. Carpenter Avenue between Laurelwood Drive and Sunshine Terrace
 - c. Carpenter Court between Laurelwood and the dead end south of Laurelwood Drive
 - d. Laurelwood Drive between Carpenter Avenue and Carpenter Court
 - e. Laurelwood Drive between Carpenter Avenue and the dead end west of Carpenter Avenue
2. FIND that the proposed establishment of Temporary Preferential Parking District No. 75, pursuant to Los Angeles Municipal Code Section 80.58.d, is exempt from the California Environmental Quality Act (CEQA) under the General Exemption (Article II, Section 1 of the 2002 Los Angeles City CEQA Guidelines).
3. ADOPT the accompanying RESOLUTION establishing Temporary Preferential Parking District No. 75 pursuant to Section 80.58.d of the Los Angeles Municipal Code (LAMC); Temporary Preferential Parking District No. 75 will include the residential portions of:
 - a. Carpenter Avenue between the alley south of Ventura Boulevard and Laurelwood Drive
 - b. Carpenter Avenue between Laurelwood Drive and Sunshine Terrace
 - c. Carpenter Court between Laurelwood and the dead end south of Laurelwood Drive
 - d. Laurelwood Drive between Carpenter Avenue and Carpenter Court
 - e. Laurelwood Drive between Carpenter Avenue and the dead end west of Carpenter Avenue
4. AUTHORIZE the following parking restriction for use in all of Temporary Preferential Parking District No. 75:

"NO PARKING 10 PM to 6 AM; VEHICLES WITH DISTRICT NO. 75 PERMIT EXEMPTED"
5. INSTRUCT the Department of Transportation (DOT) to initiate the necessary procedures for the preparation and sale of parking permits to residents within Temporary Preferential Parking District No. 75, as specified in Section 80.58 of the LAMC.
6. DIRECT the DOT to post the authorized parking restriction signs on Carpenter Avenue between both sides of the residential portions of the following blocks, upon Council action establishing the District:

- a. Carpenter Avenue between the alley south of Ventura Boulevard and Laurelwood Drive
 - b. Carpenter Avenue between Laurelwood Drive and Sunshine Terrace
 - c. Carpenter Court between Laurelwood and the dead end south of Laurelwood Drive
 - d. Laurelwood Drive between Carpenter Avenue and Carpenter Court
 - e. Laurelwood Drive between Carpenter Avenue and the dead end west of Carpenter Avenue
7. DIRECT the DOT to prepare a Notice of Exemption reflecting Council's actions under Recommendation No. 2 above and file such notice with the City and County Clerks within five working days of the City Council's action.

Fiscal Impact Statement: The DOT reports there are currently over 75 preferential parking districts citywide. Approximately \$1.1 million in annual General Fund revenue from the sale of over 175,000 Preferential Parking Permits (PPP) currently reimburses the City for only 34 percent of the cost of implementation and administration of the PPP citywide. The revenue shortfall is due to the fact that rates have not been increased in 16 years. The DOT has concluded a study to recover full cost of the PPP and will submit its proposal for permit fee increases to the Council for approval.

ITEM NO. (16) - MOTION ADOPTED TO APPROVE BUDGET AND FINANCE COMMITTEE REPORT RECOMMENDATION

03-1250 - BUDGET AND FINANCE and PERSONNEL COMMITTEES' REPORTS relative to hiring S1 freeze exemption request for one position of Programmer/Analyst IV in the Information Technology Agency (ITA).

ADOPTED

A. BUDGET AND FINANCE COMMITTEE REPORT

Recommendation for Council action:

RECEIVE and FILE the City Administrative Officer reports relative to a request to exempt from the hiring freeze one position of Programmer/Analyst IV in the ITA, Police Investigation Application Unit, inasmuch as the position was eliminated in the Fiscal Year 2004-05 Budget and no Council action is required.

Fiscal Impact Statement: Not applicable.

RECEIVED AND FILED

B. PERSONNEL COMMITTEE REPORT

Recommendation for Council action:

EXEMPT one time from the hiring freeze one position of Programmer/Analyst IV, Code 1431-4, in the ITA, Police Investigation Application Unit.

Fiscal Impact Statement: The General Fund cost of exempting this position on an annual basis is \$92,104.

ITEM NO. (17) - MOTION ADOPTED TO APPROVE BUDGET AND FINANCE COMMITTEE REPORT RECOMMENDATION

03-1250 - BUDGET AND FINANCE and PERSONNEL COMMITTEES' REPORTS relative to hiring S17 freeze exemption request for one position of Senior Administrative Analyst II in the Office of the City Administrative Analyst (CAO).

ADOPTED

A. BUDGET AND FINANCE COMMITTEE REPORT

Recommendation for Council action:

RECEIVE and FILE the CAO report relative to a request to exempt from the hiring freeze one position of Senior Administrative Analyst II in the CAO's Office, Physical Plant Group, inasmuch as the CAO reports the position is no longer necessary due to internal reassignments, and no Council action is required.

Fiscal Impact Statement: Not applicable.

RECEIVED AND FILED

B. PERSONNEL COMMITTEE REPORT

Recommendation for Council action:

EXEMPT one time from the hiring freeze one position of Senior Administrative Analyst II, Code 1541-2, in the CAO, Physical Plant Group; and AUTHORIZE the backfilling of one Senior Administrative Analyst vacancy that could be created due to the paygrade advancement of an internal candidate.

Fiscal Impact Statement: The CAO reports that the 2003-04 Adopted Budget provided full funding for these positions.

Items for Which Public Hearings Have Not Been Held - Items 18-26
(10 Votes Required for Consideration)

Roll Call #6 - Motion (Parks - Cardenas) Adopted, Ayes (13); Absent: Perry and Weiss (2)
(Item Nos. 18-21)

ITEM NO. (18) - MOTION ADOPTED APPROVE COMMUNICATION RECOMMENDATION

05-1100 - COMMUNICATION FROM THE CITY CLERK and RESOLUTION relative to consolidation of elections with the Los Angeles Community College District.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION consenting to the consolidation of the member elections of the Board of Trustees of the Los Angeles Community College District - Office Nos. Two, Four and Six with the City of Los Angeles Primary Nominating and General Municipal Elections to be held on March 8, and May 17, 2005, respectively; and further, authorizing and directing the City Clerk to proceed with said consolidated elections, to take the necessary steps to advise the Board of Trustees of the Los Angeles Community College District and to procure reimbursement of the proportionate expenses of conducting consolidated elections.

Fiscal Impact Statement: The City Clerk reports that consolidating the City of Los Angeles regularly scheduled Municipal Elections with the Board of Trustees of the Los Angeles Community College District member elections will reduce the City's portion of the election cost by approximately 25 percent. Depending on the ultimate number of candidates and measures on the ballot, the reduction in the City's share of the election will range between \$2.5 to \$3.5 million.

ITEM NO. (19) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

01-1929 - CATEGORICAL EXEMPTION and COMMUNICATION FROM THE CITY ENGINEER
CD 14 relative to a request to vacate New High Street and Republic Street Vacation District.

Recommendations for Council action:

1. FIND that this vacation is categorically exempt from the California Environmental Quality Act of 1970, pursuant to Article VII, Class 5(3) of the City's Environmental Guidelines.
2. ADOPT the FINDINGS of the City Engineer dated April 15, 2002, as the Findings of Council.
3. ADOPT the City Engineer report dated April 15, 2002, that street vacation proceedings BE INSTITUTED for the vacation of the public rights-of-way for New High Street and Republic Street Vacation District (VAC-E1400777), subject to the conditions enumerated therein.

Fiscal Impact Statement: The City Engineer reports that to date, an estimated \$2,100 in charges have been expended in the investigation and processing of this proceeding. Approximately \$500 will be required from the General Fund to complete these proceedings. Since the Section 7.46 of the Los Angeles Administrative Code exempts all governmental agencies from payment of fees, the processing of this report will be absorbed by the Bureau of Engineering.

(Public Works Committee waived consideration of the above matter)

ITEM NO. (20) - ADOPTED

02-2290 - MOTION (MISCIKOWSKI - LABONGE) relative to declaring the Rialto Neighborhood Halloween Block Party on October 31, 2004 a Special Event (fees and costs absorbed by the City = \$1,226).

Recommendation for Council action:

DECLARE the Rialto Neighborhood Halloween Block Party, sponsored by the residents of Rialto Avenue on October 31, 2004, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance AND application requirements.

ITEM NO. (21) - ADOPTED

02-2406 - MOTION (MISCIKOWSKI - LABONGE) relative to declaring the Venice High School Homecoming on October 29, 2004 a Special Event (fees and costs absorbed by the City = \$2,038).

Recommendation for Council action:

DECLARE the Venice High School Homecoming, sponsored by the Venice High School on October 29, 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. (22) - ADOPTED

Roll Call #10 - Motion (Garcetti - Greuel) Adopted, Ayes (11); Absent: Cardenas, Perry, Reyes and President Padilla (4)

02-2472 - MOTION (GARCETTI - GREUEL) relative to declaring the 18th Annual AFI Film Festival on November 4 - 14, 2004 a Special Event (fees and costs absorbed by the City = \$2,500).

Recommendation for Council action:

DECLARE the 18th Annual AFI Film Festival, sponsored by the American Film Institute on November 4 - 14, 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. (23) - ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #11 - Motion (Parks - Garcetti) Adopted, Ayes (11); Absent: Cardenas, Perry, Reyes and President Padilla (4)

03-2195 - MOTION (PARKS - PADILLA) relative to partial funding to support community programs and groups in Council District Eight.

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

TRANSFER \$20,000 in the Council District Eight portion of the Council Fund No. 100-28, Account No. 1010 (Salaries - General) to the General City Purposes Fund No. 100-56, Account No. 0708 (CD 8 Community Services) to provide funding to support community programs and groups in Council District Eight.

ITEM NO. (24) - ADOPTED

Roll Call #6 - Motion (Parks - Cardenas) Adopted, Ayes (13); Absent: Perry and Weiss (2)

04-2248 - RESOLUTION (GARCETTI - LABONGE) relative to declaring Nine O'Clock Players Theatre for Children Day in the City of Los Angeles.

Recommendation for Council action:

RESOLVE to DECLARE November 6, 2004 as Nine O'Clock Players Theatre for Children Day in the City of Los Angeles, in acknowledgment of its long history of service to the community.

ITEM NO. (25) - CONTINUED TO NOVEMBER 19, 2004

Roll Call #3 - Motion (Parks - Smith) Adopted to Continue, Unanimous Vote (13); Absent: Perry and Weiss (2)

04-2255 - FINAL MAP OF TRACT NO. 53327 for property at West Second Street northwesterly of CD 9 Main Street.

(Approve Subdivision Improvement Agreement and Contract with attached security documents)

(ADOPT City Engineer Report)

(Quimby Fee: \$519,615)

(Less Dwelling Unit Construction Tax: \$27,000)

Applicants: 4371 Winnetka Avenue

Brian Gentry

ITEM NO. (26) - MAP APPROVED - CITY ENGINEER REPORT ADOPTED

Roll Call #6 - Motion (Parks - Cardenas) Adopted, Ayes (13); Absent: Perry and Weiss (2)

04-2265 - FINAL MAP OF TRACT NO. 54054 lying easterly of Devon Avenue on the north side of
CD 5 Wilshire Boulevard.
(Approve Subdivision Improvement Agreement and Contract with
attached security documents)
(ADOPT City Engineer Report)
Applicants: Wilshire Chateau, LLC
Gary Safronoff

Item for Which Public Hearing Has Not Been Held - Item 27
(10 Votes Required for Consideration)

ITEM NO. (27) - ADOPTED, AS AMENDED - FORTHWITH - SEE FOLLOWING

Roll Call #7 - Motion (Cardenas - Padilla) to Adopt as Amended, Ayes (13);
Absent: Perry and Reyes (2)

03-0808 - CONSIDERATION OF MOTION (CARDENAS - PADILLA) relative to creating the Bradley
S1 Landfill Trust Fund.
CD 6

Recommendation for Council action:

REQUEST the City Attorney to draft a Memorandum of Agreement with Waste Management and the City and to draft an ordinance, creating the Bradley Landfill Trust Fund.

(Budget and Finance and Environmental Quality and Waste Management Committees waived consideration of the above matter)

ADOPTED

AMENDING MOTION (CARDENAS - PADILLA)

Recommendation for Council action:

REQUEST the City Attorney to provide an update in 14 days on the status of negotiations with Waste Management and preparation of the draft ordinance.

(Environmental Quality and Waste Management Committee waived consideration of the about matter)

Item Noticed for Public Hearing - Item 28

ITEM NO. (28) - PUBLIC HEARING HELD- NO APPEALS- ASSESSMENT CONFIRMED

Roll Call #8 - Motion (Padilla - Smith) Adopted, Ayes (12); Absent: Cardenas, Perry and Reyes (3)

04-1456 - CONTINUED CONSIDERATION OF HEARING APPEALS OR OBJECTIONS to Building CD 7 and Safety Department report and confirmation of assessment to cover the costs of graffiti abatement of the building(s) and the cleaning and fencing of the lot at 9059 North Langdon Avenue. (Assessment: \$8,571.71)

(Continued from Council meeting of November 3, 2004)

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

01-2399 - MOTION (GREUEL - LABONGE) relative to declaring the Studio City Holiday Open House and Parade on December 4, 2004 a Special Event (fees and costs absorbed by the City = \$6,476).

04-2311 - MOTION (GREUEL - LABONGE) relative to declaring the Studio City Parking Structure Ribbon Cutting Ceremonies on November 13, 2004 a Special Event (fees and costs absorbed by the City = \$774).

04-2313 - MOTION (REYES - PARKS) relative to declaring the Economic Development Outreach on November 20, 2004 a Special Event (fees and costs absorbed by the City = \$1,610).

04-2315 - MOTION (HAHN - LUDLOW) relative to declaring the Community Faith March to King/Drew Magnet School on November 15, 2004 a Special Event (fees and costs absorbed by the City = \$5,419).

03-2251 - MOTION (VILLARAIGOSA - LABONGE) relative to declaring the 14th Annual Intertribal Marketplace on November 5-7, 2004 a Special Event (fees and costs absorbed by the City = \$8,984).

01-2509 - MOTION (GARCETTI - LABONGE) relative to declaring the 73rd Annual Hollywood Christmas Parade on November 28, 2004 a Special Event (fees and costs absorbed by the City = \$91,000).

01-2247 - MOTION (GARCETTI - HAHN) relative to declaring the Fourth Annual Veterans Day Parade and Community Health Fair on November 6, 2004 a Special Event (fees and costs absorbed by the City = \$7,143).

03-2554 - MOTION (MISCIKOWSKI - GREUEL) relative to declaring the Veterans Day Parade on November 10, 2004 a Special Event (fees and costs absorbed by the City = \$4,758).

04-2322 - MOTION (MISCIKOWSKI - GREUEL) relative to declaring the Modern Prometheus LLC on November 17-21, 2004 a Special Event (fees and costs absorbed by the City = \$1,907).

- 04-2323 - MOTION (MISCIKOWSKI - GREUEL) relative to declaring the DePauw Annual Block Party on November 7, 2004 a Special Event (fees and costs absorbed by the City = \$1,226).
- 02-2292 - MOTION (HAHN - GREUEL) relative to declaring the 17th Annual Harbor Holiday Parade on December 12, 2004 a Special Event (fees and costs absorbed by the City = \$4,800).
- 02-2308 - MOTION (HAHN - GREUEL) relative to declaring the 25th Annual Holiday Spirit of San Pedro Parade on December 5, 2004 a Special Event (fees and costs absorbed by the City = \$4,800).
- 04-2324 - MOTION (VILLARAIGOSA - REYES) relative to declaring the Fourth Annual "Posada" A Christmas Celebration on December 18, 2004 a Special Event (fees and costs absorbed by the City = \$3,620).
- 04-0010 - MOTION (REYES - PARKS) relative to an offer of reward for information leading to the S53 identification, apprehension, and conviction of the person(s) responsible for the death of Kenneth Wilson on April 18, 1999.
- 04-2314 - MOTION (REYES - PARKS) relative to the transfer of funds from the Street Furniture Revenue Fund to fund the cost of guardrail installation by the Bureau of Street Services (BSS).
- 00-0211 - MOTION (MISCIKOWSKI - PARKS) relative to funding for and status of the Office of the S75 Inspector General (OIG) staffing plan.
- 04-2312 - MOTION (MISCIKOWSKI - PARKS) relative to an agreement between the City and the County to provide health reciprocity for members of the Los Angeles City Employees' Retirement System (LACERS).
- 04-2067 - MOTION (LABONGE - HAHN) relative to amending a previous Council action in connection with sale of surplus City library site at 1403 Gardner Street.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon her request, and without objections, Councilmember Perry was excused from Council session of Tuesday, November 9, 2004 due to personal business.

Upon his request, and without objections, Councilmember Padilla was excused to leave at 12:00 p.m. from Council session of Tuesday, November 9, 2004 due to City business.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

- 04-1977 - Patricia Huff (Garcetti - Parks)
- Monte Hale (Garcetti - LaBonge)
- Marian Aguilar (Garcetti - Hahn)

At the conclusion of this day's Council Session
ADJOURNING MOTIONS WERE ADOPTED in tribute to the memory of:

04-1978 - Joseph George Simili

(Smith)

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

Whereupon the Council did adjourn.

ATTEST: Frank T. Martinez, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL