

Los Angeles City Council, Journal/Council Proceedings
Tuesday, May 18, 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: Garcetti, Greuel, LaBonge, Ludlow, Miscikowski, Parks, Perry, Reyes, Smith and President Padilla (10); Absent: Cardenas, Hahn, Villaraigosa, Weiss and Zine (5).

SALUTE TO THE FLAG

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
MAY 12, 2004

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - NONE

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 Noticed for Public Hearing - Items 1-7

**Roll Call #4 - Motion (LaBonge - Perry) Adopted, Ayes (10); Absent: Cardenas, Hahn, Villaraigosa, Weiss and Zine (5)
(Item Nos. 1-2)**

**ITEM NO. (1) - PUBLIC HEARING CLOSED - NO PROTESTS - CITY ENGINEER INSTRUCTED
TO PROCEED**

93-1278 - HEARING PROTESTS against the proposed vacation of Mission Road and Seventh Street
CD 14 Vacation District. VAC-03-1400458

**ITEM NO. (2) - PUBLIC HEARING CLOSED - NO PROTESTS - CITY ENGINEER INSTRUCTED
TO PROCEED**

01-1115 - HEARING PROTESTS against the proposed vacation of the alleys southeasterly of
CD 14 Euclid Avenue and northeasterly of Inez Street. VAC-03-1400783

**Roll Call #8 - Motion (Miscikowski - Garcetti) Adopted, Ayes (12); Absent: Cardenas, Weiss and Zine (3)
(Item Nos. 3-5)**

ITEM NO. (3) - PUBLIC HEARING CLOSED - PROTESTS DENIED - ORDINANCE ADOPTED

03-2328 - CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST
CD 7 CONSIDERATION relative to the improvement and maintenance of SAN FERNANDO
MISSION BOULEVARD AND COLUMBUS AVENUE LIGHTING DISTRICT.

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

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting system, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Sections 50078.6 and 54954.6 (Proposition 218).

(Public Hearing held April 27, 2004)

ITEM NO. (4) - PUBLIC HEARING CLOSED - PROTESTS DENIED - ORDINANCE ADOPTED

03-2329 - CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST
CD 11 CONSIDERATION relative to the improvement and maintenance of PURDUE AVENUE
AND MISSOURI AVENUE LIGHTING DISTRICT.

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

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting system, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Sections 50078.6 and 54954.6 (Proposition 218).

(Public Hearing held April 27, 2004)

ITEM NO. (5) - PUBLIC HEARING CLOSED - PROTESTS DENIED - ORDINANCE ADOPTED

03-2483 - CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST
CD 3 CONSIDERATION relative to the improvement and maintenance of ARMINTA STREET
AND WILBUR AVENUE LIGHTING DISTRICT.

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

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting system, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Sections 50078.6 and 54954.6 (Proposition 218).

(Public Hearing held April 27, 2004)

**ITEM NO. (6) - PUBLIC HEARING CLOSED - ORDINANCE ADOPTED, AS AMENDED
- TO THE MAYOR FORTHWITH**

Roll Call #9 - Motion (Parks - Miscikowski) to Adopt as Amended, Ayes (13); Absent: Weiss and Zine (2)

03-0307 - HEARING COMMENTS and ORDINANCE FIRST CONSIDERATION relative to the S2 2004 increases in the Sanitation Equipment Charge.

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

1. HEAR COMMENTS regarding the 2004 increase in Sanitation Equipment Charge.
2. PRESENT and ADOPT the accompanying ORDINANCE amending Section 66.41 of the Los Angeles Municipal Code to increase the Sanitation Equipment Charge.

ITEM NO. (7) - CONTINUED TO JUNE 30, 2004

Roll Call #2 - Motion (LaBonge - Perry) Adopted to Continue, Unanimous Vote (10); Absent: Cardenas, Hahn, Villaraigosa, Weiss and Zine (5)

04-0361 - HEARING APPEALS filed by (1) Arnold Dubin; (2) Helen Itria Norman and Leonard J. Shaffer, Tarzana Property Owners Association; (3) Kathy Delle Donne and Lillian Wall, Tarzana Improvement Association; and (4) Chris Greene, Residents of Clark Street, from the decision of the South Valley Area Planning Commission in its entirety regarding the conversion of an existing 7,630 square foot, one story, 13.5 feet in height commercial building into a religious institution with 71 parking spaces in lieu of the 150 parking spaces required, subject to the conditions of approval, for property at 18648 Clark Street.

Applicant: Temple Beith David

APCSV 2001-5163 (SPE)(SPP)

Items for Which Public Hearings Have Been Held - Items 8-21

ITEM NO. (8) - ADOPTED - FORTHWITH

Roll Call #7 - Motion (Miscikowski - Parks) Adopted, Ayes (12); Absent: Cardenas, Weiss and Zine (3)

04-0725 - PUBLIC SAFETY COMMITTEE REPORT relative to the appointment of Ms. Corina R. Alarcon to the Los Angeles Board of Police Commissioners.

Recommendation for Council action:

RESOLVE that the appointment of Ms. Corina R. Alarcon to the Los Angeles Board of Police Commissioners for the term ending June 30, 2004 to fill the vacancy created by the resignation of Ms. Silvia Saucedo, is APPROVED and CONFIRMED. Ms. Alarcon resides in Council District Seven. (Commission gender composition: M=3; F=1; Vacancy=1)

TIME LIMIT FILE - MAY 29, 2004

(LAST DAY FOR COUNCIL ACTION - MAY 28, 2004)

ITEM NO. (9) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS

Roll Call #8 - Motion (Miscikowski - Garcetti) Adopted, Ayes (12); Absent: Cardenas, Weiss and Zine (3)

03-1350 - INFORMATION TECHNOLOGY AND GENERAL SERVICES and TRANSPORTATION COMMITTEES' REPORT and ORDINANCE FIRST CONSIDERATION relative to amending the Los Angeles Administrative Code (LAAC) to streamline the franchise administrative process.

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

PRESENT and ADOPT the accompanying ORDINANCE amending Chapters 1 and 2 of Division 13 and Chapter 26 of Division 22 of the LAAC to streamline the franchise administrative process.

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

ITEM NO. (10) - CONTINUED TO MAY 19, 2004

**Roll Call #3 - Motion (LaBonge - Ludlow) Adopted to Continue, Unanimous Vote (10);
Absent: Cardenas, Hahn, Villaraigosa, Weiss and Zine (5)**

04-0002 - ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT and RESOLUTION relative to supporting legislation that would allow Americans to buy prescription drugs from Canada.
S29

Recommendation for Council action, pursuant to Resolution (Zine - LaBonge - et al.),
SUBJECT TO THE CONCURRENCE OF THE MAYOR:

ADOPT the accompanying RESOLUTION establishing a position of SUPPORT in the City's 2003-04 State Legislative Program for Senate Bill (SB) 1144 (Burton) and House of Representatives Bill (HR) 2427, the Pharmaceutical Market Access Act of 2003, which would allow Americans to buy prescription drugs from Canada.

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

**Roll Call #5 - Motion (LaBonge - Ludlow) Adopted, Ayes (11); Absent: Cardenas, Hahn, Weiss and Zine (4)
(Item Nos. 11-15)**

ITEM NO. (11) - ADOPTED

04-0002 - ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT and RESOLUTION relative to supporting the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2004.
S37

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

ADOPT the accompanying RESOLUTION establishing a position of SUPPORT in the City's 2003-04 State Legislative Program for Senate Bill (SB) 1161 (Alpert), the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2004 which would provide that a measure be placed on the November 2004 ballot to authorize the issuance of \$2 billion in bonds for the purpose of financing library construction and renovation.

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

ITEM NO. (12) - ADOPTED

04-0556 - ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to the proposed
CD 1 inclusion of the Murdock Residence at 4219 North Figueroa Street in the list of Historic-Cultural Monuments.

Recommendation for Council action:

APPROVE the recommendation of the Cultural Heritage Commission (CHC) to include the Murdock Residence at 4219 North Figueroa Street in the list of Historic-Cultural Monuments.

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

ITEM NO. (13) - ADOPTED

97-1370 - PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to improving
the City's sign ordinance and enforcement program.

Recommendation for Council action:

RECEIVE and FILE the May 1, 1998 Building and Safety Department report relative to improving the City's sign ordinance and enforcement program, inasmuch as the recommendations contained in the report are obsolete, and no Council action is required.

Fiscal Impact Statement: Not applicable.

ITEM NO. (14) - ADOPTED

04-0890 - MITIGATED NEGATIVE DECLARATION and PLANNING AND LAND USE MANAGEMENT
CD 3 COMMITTEE REPORT relative to Parcel Map Appeal for property at 18206 and 18216 Victory Boulevard.

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 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. 04-0890 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 [ENV 2002-3084 MND] filed on August 8, 2002.

2. ADOPT the FINDINGS of the Deputy Advisory Agency as the Findings of Council.
3. RESOLVE TO DENY APPEAL filed by Residents of Tarzana Neighborhood from the entire decision of the South Valley Area Planning Commission, THEREBY GRANTING a Parcel Map for three parcels: Parcel A for a surface parking lot to serve the expanded religious uses; and, Parcel B and C for single-family residences to be sold separately; and the modification of conditions of approval to include conditions volunteered by the applicant and those submitted by the Council District Office for property at 18206 and 18216 Victory Boulevard.

Applicant: Islamic Center of Reseda (Owner)

AA 2002-3082 PMLA-1-A

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.

TIME LIMIT FILE - MAY 18, 2004

(LAST DAY FOR COUNCIL ACTION - MAY 18, 2004)

ITEM NO. (15) - ADOPTED

03-0699 - PUBLIC SAFETY COMMITTEE REPORT relative to the implementation and continuation
S1 of the Juvenile Justice Crime Prevention Program grant.

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

1. AUTHORIZE the Chief of Police to accept the grant award of \$461,000 from the Los Angeles County Probation Department for the Juvenile Justice Crime Prevention Program.
2. AUTHORIZE the Chief of Police to execute Amendment No. 1 to the Memorandum of Understanding for Fiscal Year (FY) 2001-02 and FY 2002-03 between the City and the Los Angeles County Probation Department for the period of July 1, 2003 to June 30, 2004 for a total of \$461,000, subject to the approval of the City Attorney as to form and legality.
3. ESTABLISH Account No. 202, within the Police Department Fund No. 45D for the receipt and disbursement of grant funds.
4. AUTHORIZE the Los Angeles Police Department to prepare Controller's instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer (CAO), and AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: The CAO reports that the Juvenile Justice Crime Prevention Program costs are fully reimbursable up to the grant limit of \$461,000. Of this amount, \$321,000 will reimburse the City for overtime costs associated with sworn personnel for work performed relative to this grant.

ITEM NO. (16) - CONTINUED TO JUNE 1, 2004

**Roll Call #1 - Motion (Reyes - Smith) Adopted to Continue, Unanimous Vote (10);
Absent: Cardenas, Hahn, Villaraigosa, Weiss and Zine (5)**

03-2009 - CONTINUED CONSIDERATION OF CATEGORICAL EXEMPTION and PUBLIC WORKS
CD 1 COMMITTEE REPORT relative to vacating Valencia Street between Wilshire Boulevard and Ingraham Street and the Ingraham 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 February 10, 2004, as the Findings of Council.
3. ADOPT the City Engineer report dated February 10, 2004, that street vacation proceedings (VAC-E1400875) BE INSTITUTED for Valencia Street between Wilshire Boulevard and Ingraham Street and the Ingraham Street Vacation District, subject to conditions enumerated therein.

Fiscal Impact Statement: The City Engineer reports that an estimated \$3,400 in charges have been expended in the investigation and processing of this proceeding. Approximately \$6,000 will be required from the General Fund to complete these proceedings. Since Los Angeles Administrative Code Section 7.46 exempts all governmental agencies from the payment of fees, the processing of this report will be absorbed by the Bureau of Engineering.

(Continued from Council meeting of May 4, 2004)

**Roll Call #5 - Motion (LaBonge - Ludlow) Adopted, Ayes (11); Absent: Cardenas, Hahn, Weiss and Zine (4)
(Item Nos. 17-21)**

ITEM NO. (17) - ADOPTED

00-2061 - TRANSPORTATION COMMITTEE REPORT relative to conducting additional focus group
S1 meetings to solicit specific input from key community members on their community vision relative to the Northeast Community Linkages Project.

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

AUTHORIZE the Department of Transportation to negotiate and execute a contract amendment with Huitt-Zollars, subject to the approval of the City Attorney as to form and legality, to conduct additional focus group meetings to solicit specific input from key community members on their community vision, utilizing an amount not to exceed \$50,000, from the Proposition A Fund No. 385 Account No. V312 to pay for this increased scope of work.

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

ITEM NO. (18) - ADOPTED

01-2195 - TRANSPORTATION COMMITTEE REPORT relative to the establishment and
S1 enforcement of a Civic Center "Media Parking Only" zone.
CD 9

Recommendations for Council action, pursuant to Motion (Zine - Padilla, et al.):

1. ADOPT the accompanying MOTION dated April 13, 2004 and attached to Council file No. 01-2195-S1, instructing and authorizing the Department of Transportation (DOT) to take any necessary measures to implement the establishment of the Civic Center "Media Parking Only" zone.
2. DIRECT the DOT to file a copy of the revised "Policy for News Media Parking" creating the Civic Center "Media Parking Only" zone with the City Clerk within 30 days of Council action, for attachment to Council file No. 01-2195-S1.
3. DIRECT the DOT to inform the Radio and Television News Association of Southern California immediately upon establishment and appropriate delineation of the Civic Center "Media Parking Only" zone.

Fiscal Impact Statement: The DOT reports that the recommended action may result in an increase in General Fund revenue from parking citations issued for violations of the Civic Center parking restrictions.

(Information Technology and General Services Committee waived consideration of the above matter)

ITEM NO. (19) - ADOPTED

03-0468 - TRANSPORTATION COMMITTEE REPORT relative to necessary parking restrictions
CDs 1 along Cesar Chavez Boulevard/Sunset Boulevard and Elysian Park Drive on Dodger
& 14 Opening Day and all subsequent Friday evening games during the 2004 baseball season.

Recommendation for Council action:

RECEIVE and FILE the Motion (Reyes - Villaraigosa) dated March 26, 2004 relative to directing the Department of Transportation (DOT) to provide the necessary parking restrictions along Cesar Chavez Boulevard/Sunset Boulevard and Elysian Park Drive to enable a center-lane "bus only" lane, on Dodger Opening Day and all subsequent Friday evening games during the 2004 baseball season, inasmuch as this Motion was superseded by a more comprehensive Motion (Reyes - Villaraigosa) adopted by Council on April 7, 2004, under Council File No. 03-0468-S1.

Fiscal Impact Statement: Not applicable.

ITEM NO. (20) - ADOPTED

04-0257 - TRANSPORTATION COMMITTEE REPORT relative to the extension of Huston Street CD 4 easterly to Vineland Avenue.

Recommendation for Council action, pursuant to Motion (LaBonge - Greuel):

INSTRUCT the Bureau of Engineering to:

- a. Acquire the necessary rights from Southern California Edison, in accordance with Section 581(e) of the City Charter, at no cost to the City, to allow for the extension of Huston Street easterly to Vineland Avenue.
- b. Issue the appropriate permits to Colony Inn to allow for the construction of the Houston Street extension in accordance with City standards and specifications.

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

(Public Works Committee waived consideration of the above item)

ITEM NO. (21) - ADOPTED

04-0662 - TRANSPORTATION COMMITTEE REPORT relative to erecting a permanent ceremonial CD 4 sign for "Hoover Walk" on the southeastern portion of Prospect Avenue above North Hoover Street.

Recommendation for Council action, pursuant to Motion (LaBonge - Garcetti):

DIRECT the Department of Transportation (DOT) to erect a permanent ceremonial sign for "Hoover Walk" on the southeastern portion of Prospect Avenue above North Hoover Street.

Fiscal Impact Statement: The DOT reports that this action has no impact on the General Fund.

Items for Which Public Hearings Have Not Been Held - Items 22-42

(10 Votes Required for Consideration)

**Roll Call #8 - Motion (Miscikowski - Garcetti) Adopted, Ayes (12); Absent: Cardenas, Weiss and Zine (3)
(Item Nos. 22-24)**

ITEM NO. (22) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - SET FOR HEARING JULY 27, 2004

04-0532 - COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF CD 11 INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of CENTINELA AVENUE AND OLYMPIC 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 March 17, 2004.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of JULY 27, 2004 as the hearing date for the maintenance of Centinela Avenue and Olympic Boulevard Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Sections 50078.6, 54954.6 and 54960.1.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$3,184.02 will be collected annually and dedicated to a street lighting maintenance assessment account for the operation and maintenance of this street lighting system. An initial collection of \$6,368.04 will be collected in 2005-06 for the Fiscal Years of 2004-05 and 2005-06.

(Board of Public Works Hearing Date: July 19, 2004)

ITEM NO. (23) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - SET FOR HEARING JULY 27, 2004

04-0533 - COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF CD 11 INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of SEPULVEDA BOULEVARD AND 83RD STREET LIGHTING DISTRICT.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated March 17, 2004.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of JULY 27, 2004 as the hearing date for the maintenance of Sepulveda Boulevard and 83rd Street Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Sections 50078.6, 54954.6 and 54960.1.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$88 will be collected annually and dedicated to a street lighting maintenance assessment account for the operation and maintenance of this street lighting system. An initial collection of \$176 will be collected in 2005-06 for the Fiscal Years of 2004-05 and 2005-06.

(Board of Public Works Hearing Date: July 19, 2004)

ITEM NO. (24) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - SET FOR HEARING JULY 27, 2004

04-0534 - COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of LEADWELL STREET AND HASKELL AVENUE LIGHTING DISTRICT.
CD 6

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated March 17, 2004.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of JULY 27, 2004 as the hearing date for the maintenance of Leadwell Street and Haskell Avenue Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Sections 50078.6, 54954.6 and 54960.1.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$548.71 will be collected annually and dedicated to a street lighting maintenance assessment account for the operation and maintenance of this street lighting system. An initial collection of \$1,097.42 will be collected in 2005-06 for the Fiscal Years of 2004-05 and 2005-06.

(Board of Public Works Hearing Date: July 19, 2004)

**Roll Call #6 - Motion (LaBonge - Reyes) Adopted, Ayes (11); Absent: Cardenas, Hahn, Weiss and Zine (4)
(Item Nos. 25-34)**

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

04-0832 - COMMUNICATION FROM THE DEPARTMENT OF RECREATION AND PARKS (DRP) relative to accepting a grant from the Amateur Athletic Foundation to fund the 2004 Spring and Summer Swim Program.

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

1. AUTHORIZE the DRP to accept a grant in the amount of \$69,947.44 from the Amateur Athletic Foundation for the 2004 Spring and Summer Swim Program.
2. AUTHORIZE the General Manager, DRP, to execute the grant agreement, and any subsequent amendments thereto, pursuant to Administrative Code Section 14.8 et seq. as may be amended on behalf of the City, subject to the review of the City Attorney as to form and legality.

Fiscal Impact Statement: The DRP reports that this grant does not require a match and will have no impact on the City General Fund.

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

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

01-0952 - CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and
CD 7 RESOLUTION relative to acceptance of future street as public street lying along San Fernando Mission Boulevard east of Columbus Avenue.

Recommendations for Council action:

1. FIND that this acceptance is categorically exempt from the California Environmental Quality Act of 1970, pursuant to Article VII, Class 5(4) of the City's Environmental Guidelines.
2. FIND that this acceptance of the future street as public street is in substantial conformance with the General Plan, pursuant to Section 556 of the Los Angeles City Charter.
3. ADOPT the City Engineer report dated May 8, 2001, and the accompanying RESOLUTION OF ACCEPTANCE for the future street as public street lying on the north side of San Fernando Mission Boulevard east of Columbus Avenue.
4. INSTRUCT the Real Estate Division, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that a fee of \$897.73 was collected for processing this request pursuant to Sections 7.3 and 7.41.1 of the Los Angeles Administrative Code. An additional \$600 is needed from the General Fund.

ITEM NO. (27) - ADOPTED

03-0799 - MOTION (PARKS - SMITH) relative to declaring the Peace on Streets Rally on May 23, 2004 a Special Event (fees and costs absorbed by the City = \$1,250).
CD 8

Recommendation for Council action:

DECLARE the Peace on Streets Rally, sponsored by the New Ground Harvest Church on May 23, 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. (28) - ADOPTED

04-0935 - MOTION (PERRY - PARKS) relative to declaring the National Endowment for the Arts Youth Event on May 17, 2004 a Special Event (fees and costs absorbed by the City = \$2,270).
CD 9

Recommendation for Council action:

DECLARE the National Endowment for the Arts Youth Event, sponsored by the Center Theatre Group on May 17, 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. (29) - ADOPTED

02-0872 - MOTION (HAHN - LABONGE) relative to declaring the Croatian Independence Day Celebration on May 30, 2004 a Special Event (fees and costs absorbed by the City = \$380).
CD 15

Recommendation for Council action:

DECLARE the Croatian Independence Day Celebration, sponsored by the Croatian American Club on May 30, 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. (30) - ADOPTED

00-0605 - MOTION (HAHN - LABONGE) relative to declaring the 14th Annual Observance of National Maritime Day on May 22, 2004 a Special Event (fees and costs absorbed by the City = none submitted).

Recommendation for Council action:

DECLARE the 14th Annual Observance of National Maritime Day, sponsored by the American Merchant Marine Veterans Memorial Committee on May 22, 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. (31) - ADOPTED

04-0938 - MOTION (WEISS - ZINE) relative to declaring the Fourth Annual Share-A-Thon on May 15, 2004 a Special Event (fees and costs absorbed by the City = \$1,000).

Recommendation for Council action:

DECLARE the Fourth Annual Share-A-Thon, sponsored by the LAUSD Nutrition Network on May 15, 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. (32) - ADOPTED

04-0941 - MOTION (GREUEL - WEISS) relative to declaring the Studio City Farmers' Market on Sundays a Special Event (fees and costs absorbed by the City = none submitted).

Recommendation for Council action:

DECLARE the Studio City Farmers' Market on Sundays, 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. (33) - ADOPTED

04-0942 - MOTION (GARCETTI - HAHN) relative to declaring the May Fair on May 14-16, 2004 a Special Event (fees and costs absorbed by the City = \$4,325).

Recommendation for Council action:

DECLARE the May Fair, sponsored by the Our Lady of Loretto Church on May 14-16, 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. (34) - ADOPTED

02-0431 - MOTION (PERRY - SMITH) relative to a request for an exemption from the Convention Center fee waiver policy for the Los Angeles Unified School District (LAUSD) Parent Summit on May 1, 2004.

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

1. FIND that the event, sponsored by the LAUSD, serves a public purpose in that it provides extremely valuable information to approximately 2,000 parents regarding opportunities to help their children excel in school.
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 a maximum of \$ 9,437 in room rental fees, 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. (35) - ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #10 - Motion (Perry - Parks) Adopted, Ayes (13); Absent: Weiss and Zine (2)

04-0010 - MOTION (PERRY - PARKS) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the February 21, 2004 death of Miguel Bolaños Barrera.

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

1. PROVIDE an offer of reward in the amount of \$25,000 for information leading to the identification, apprehension and conviction of the person(s) responsible for the February 21, 2004 death of Miguel Bolaños Barrera.
2. FIND that the subject reward complies with the provisions of Chapter 12, Article 1, Division 19, of the Los Angeles Administrative Code.
3. DIRECT the City Clerk to publish the required notices and/or advertisements to effectuate this reward.

**Roll Call #11 - Motion (Ludlow - Smith) Adopted, Ayes (13); Absent: Weiss and Zine (2)
(Item Nos. 36-38)**

ITEM NO. (36) - ADOPTED - TO THE MAYOR FORTHWITH

04-0010 - MOTION (LUDLOW - SMITH) relative to an offer of reward for information leading to the identification, apprehension and conviction of the person(s) responsible for the March 6, 2004 death of Kenneth Ross.

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

1. PROVIDE an offer of reward in the amount of \$25,000 for information leading to the identification, apprehension and conviction of the person(s) responsible for the March 6, 2004 death of Kenneth Ross.
2. FIND that the subject reward complies with the provisions of Chapter 12, Article 1, Division 19, of the Los Angeles Administrative Code.
3. DIRECT the City Clerk to publish the required notices and/or advertisements to effectuate this reward.

ITEM NO. (37) - ADOPTED - TO THE MAYOR FORTHWITH

04-0010 - MOTION (LUDLOW - SMITH) relative to an offer of reward for information leading to the identification, apprehension and conviction of the person(s) responsible for the April 26, 2003 injury and subsequent death of Edmundo Vasquez.

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

1. PROVIDE an offer of reward in the amount of \$25,000 for information leading to the identification, apprehension and conviction of the person(s) responsible for the April 26, 2003 injury and subsequent death of Edmundo Vasquez.
2. FIND that the subject reward complies with the provisions of Chapter 12, Article 1, Division 19, of the Los Angeles Administrative Code.
3. DIRECT the City Clerk to publish the required notices and/or advertisements to effectuate this reward.

ITEM NO. (38) - ADOPTED - TO THE MAYOR FORTHWITH

04-0010 - MOTION (LUDLOW - SMITH) relative to an offer of reward for information leading to the identification, apprehension and conviction of the person(s) responsible for the March 26, 2004 death of 16-year old Fidel Tizcareno and injuries caused to the 15-year old victim.

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

1. PROVIDE an offer of reward in the amount of \$25,000 for information leading to the identification, apprehension and conviction of the person(s) responsible for the March 26, 2004 death of 16-year old Fidel Tizcareno and injuries caused to the 15-year old victim.
2. FIND that the subject reward complies with the provisions of Chapter 12, Article 1, Division 19, of the Los Angeles Administrative Code.
3. DIRECT the City Clerk to publish the required notices and/or advertisements to effectuate this reward.

**Roll Call #6 - Motion (LaBonge - Reyes) Adopted, Ayes (11); Absent: Cardenas, Hahn, Weiss and Zine (4)
(Item Nos. 39-40)**

ITEM NO. (39) - ADOPTED

03-1250 - MOTION (PADILLA - ZINE) relative to exempting from the hiring freeze one Captain III S67 position for the new North Valley Area Police Station.

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

1. RESOLVE that Employment Authority from May 17, 2004 through June 30, 2004, for one position of Captain III for the new North Valley Area Police Station, is APPROVED; and, EXEMPT this position and backfill authorities from the hiring freeze.
2. INSTRUCT the Police Department, City Administrative Officer and the Personnel Department to expedite all administrative matters relative to this position.

ITEM NO. (40) - ADOPTED

02-1890 - MOTION (ZINE - LABONGE) relative to depositing funds received for the Seventh Annual CD 12 Oktoberfest on October 17-19, 2003.

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

AUTHORIZE the Department of General Services to accept and deposit a check in the amount of \$400 into General Services Department 40, Fund No. 100-40, to account 1090 (Overtime Account) for Fleet Services for costs associated with the Seventh Annual Oktoberfest for the use of the mobile stage.

ITEM NO. (41) - CONTINUED TO MAY 25, 2004

**Roll Call #12 - Motion (LaBonge - Parks) Adopted to Continue, Unanimous Vote (14);
Absent: Zine (1)**

04-0943 - MOTION (PARKS - MISCIKOWSKI) relative to transferring funds to pay for overtime to comply with the federal Fair Labor Standards Act.

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

1. AUTHORIZE the City Administrative Officer (CAO) to provide instructions to the Controller to transfer up to \$5 million from the Reserve Fund to various Departments, as well as within Departmental accounts, to pay down overtime.
2. INSTRUCT the CAO to report back on the exact amounts of the transfers in the 2003-04 Year End Financial Status Report.
3. INSTRUCT the CAO to present the necessary recommendations to reflect this change as part of the Council's 2004-05 Budget deliberations.

ITEM NO. (42) - ADOPTED

Roll Call #6 - Motion (LaBonge - Reyes) Adopted, Ayes (11); Absent: Cardenas, Hahn, Weiss and Zine (4)

04-0937 - RESOLUTION (PERRY - SMITH) relative to declaring June 5, 2004 as "L.A. Works Day 2004."

Recommendation for Council action:

RESOLVE to DECLARE June 5, 2004 as "L.A. Works Day 2004" in the City of Los Angeles and congratulate L.A. Works on its 12 years of service.

Closed Sessions - Items 43-51

ITEM NO. (43) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

**Roll Call #20 - Motion (Miscikowski - Cardenas) Adopted in Open Session, Ayes (13);
Absent: Zine and President Padilla (2)**

01-0976 - The City Council shall recess to Closed Session, pursuant to Government Code Section S41 54956.9(a), to confer with its legal counsel relative to settlement in the case entitled Rene Barela Mationg v. City of Los Angeles, United States District Court Case No. CV 00-10367 GAF. (This action arises out of the March 21, 1998 arrest of plaintiff.)

(Budget and Finance Committee waived consideration of the above matter)

ADOPTED IN OPEN SESSION

MOTION (MISCIKOWSKI - CARDENAS)

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

- 1. AUTHORIZE the City Attorney to expend \$240,000 in settlement of the case entitled Rene Barela Mationg v. City of Los Angeles, United States District Court Case No. CV 00-10367 GAF, from the Extraordinary Liability Claims Account No. 2000.**
- 2. AUTHORIZE the City Attorney to draw a demand thereon in said amount payable to Lisoni & Lisoni and Rene Barela Mationg.**

(Budget and Finance Committee waived consideration of the above matter)

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

Roll Call #14 - Motion (Miscikowski - Cardenas) Adopted in Open Session, Ayes (12); Absent: Parks, Zine and President Padilla (3)

01-0976 - The City Council shall recess to Closed Session, pursuant to Government Code Section S42 54956.9(a), to confer with its legal counsel relative to settlement in the case entitled Carlos Oliva v. City of Los Angeles, et al., United States District Court (USDC) Case No. CV 01-01020 GAF (AJWx), Carlos Menjivar v. City of Los Angeles, et al., USDC Case No. CV 02-02465 GAF (AJWx), Carlos Menjivar v. City of Los Angeles, et al., USDC Case No. 02-02467 GAF (AJWx), Carlos Menjivar v. City of Los Angeles, et al., USDC Case No. CV 02-03970 GAF (AJWx). (Plaintiff alleges numerous instances of excessive force, verbal insults and deprivation of civil rights by Los Angeles Police Department officers, beginning in September 1995.)

(Budget and Finance Committee waived consideration of the above matter)

ADOPTED IN OPEN SESSION

MOTION (MISCIKOWSKI - CARDENAS)

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

- 1. AUTHORIZE the City Attorney to expend \$3,900,000 in settlement of the cases entitled Carlos Oliva v. City of Los Angeles, et al., United States District Court (USDC) Case No. CV 01-01020 GAF (AJWx), Carlos Menjivar v. City of Los Angeles,**

et al., USDC Case No. CV 02-02465 GAF (AJWx), Carlos Menjivar v. City of Los Angeles, et al., USDC Case No. 02-02467 GAF (AJWx), Carlos Menjivar v. City of Los Angeles, et al., USDC Case No. CV 02-03970 GAF (AJWx). (Plaintiff alleges numerous instances of excessive force, verbal insults and deprivation of civil rights by Los Angeles Police Department officers, beginning in September, 1995), from the Extraordinary Liability Claims Account No. 2000, Department 12, Fund 112.

2. AUTHORIZE the City Attorney to draw demands thereon in the following amounts and payable as follows:

- a. \$2,450,000 made payable to the Law Offices of Gregory Yates for 42 U.S.C. Section 1988 Attorney Fees;
- b. \$550,000 made payable to the Law Offices of Gregory Yates for 42 U.S.C. Section 1988 Costs;
- c. \$400,000 made payable to the Law Offices of Gregory Yates and Carlos Oliva. (Carlos Oliva is also known by the name of Carlos Menjivar);
- d. \$500,000 made payable to Prudential Assigned Settlement Services Corporation (a structured settlement for Carlos Oliva).

(Budget and Finance Committee waived consideration of the above matter)

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

Roll Call #15 - Motion (Miscikowski - Cardenas) Adopted in Open Session, Ayes (12); Absent: Parks, Zine and President Padilla (3)

04-0727 - The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to settlement in the case entitled Blanca Prudhomme, et al. v. City of Los Angeles, et al., United States District Court Case No. CV03-1662 GAF (AJWx). (This action arises from the shooting death of a 16-year old by rival gang members on November 5, 1996.)

(Budget and Finance Committee waived consideration of the above matter)

ADOPTED IN OPEN SESSION

MOTION (MISCIKOWSKI - CARDENAS)

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

1. AUTHORIZE the City Attorney to expend \$950,000 in settlement of the case entitled Blanca Prudhomme, et al., v. City of Los Angeles, et al., United States District Court Case No. CV03-1662 GAF (AJWx), from the Extraordinary Liability Claims Account No. 2000.
2. AUTHORIZE the City Attorney to draw a demand thereon in said amount payable to the Law Offices of Gregory A. Yates and Blanca Prudhomme, individually and as personal representative of the Estate of Erik Giovanni Vega, Alma Vega.

(Budget and Finance Committee waived consideration of the above matter)

ITEM NO. (46) - MEETING HELD - ACTION TAKEN IN CLOSED SESSION

04-0893 - The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to the case entitled Estate of Christopher G.L. Wallace v. City of Los Angeles, et al., United States District Court Case No. CV02-02929 GAF. (Plaintiffs allege wrongful death, loss of association of rights, and violations of the Fourth and 14th amendments arising out of the shooting death of the decedent on March 9, 1997.)

(Budget and Finance Committee waived consideration of the above matter)

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

**Roll Call #18 - Motion (Parks - Miscikowski) Adopted in Open Session, Ayes (13);
Absent: Zine and President Padilla (2)**

04-0896 - The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to settlement in the case entitled Jose Amaya v. City of Los Angeles, et al., Los Angeles Superior Court Case No. EC 037157. (This action arises out of a bicycle accident on a city sidewalk uplifted by a tree in front of 6532 Babcock Avenue, North Hollywood.)

(Budget and Finance Committee waived consideration of the above matter)

ADOPTED IN OPEN SESSION

MOTION (PARKS - MISCIKOWSKI)

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

1. AUTHORIZE the City Attorney to expend \$250,000 in settlement of the case entitled Jose Amaya v. City of Los Angeles, et al., Los Angeles Superior Court Case No. EC 037157, from the Liability Claims Account No. 9770.

2. AUTHORIZE the City Attorney to draw a demand thereon in said amount payable to the Law Offices of Linda L. House and Jose Amaya.

(Budget and Finance Committee waived consideration of the above matter)

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

**Roll Call #19 - Motion (Parks - Miscikowski) Adopted in Open Session, Ayes (13);
Absent: Zine and President Padilla (2)**

04-0897 - The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to settlement in the case entitled Carlos Morales, et al., v. City of Los Angeles, Los Angeles Superior Court Case No. BC 298141. (This action arises from an accident involving a Lincoln Park Recreation Director, driving a City vehicle on park grounds, who ran over a sleeping park patron on August 5, 2002.)

(Budget and Finance Committee waived consideration of the above matter)

ADOPTED IN OPEN SESSION

MOTION (PARKS - MISCIKOWSKI)

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

- 1. AUTHORIZE the City Attorney to expend \$1,500,000 in settlement of the case entitled Carlos Morales, et al., v. City of Los Angeles, Los Angeles Superior Court Case No. BC 298141, from the Liability Claims Account No. 9770, Fund 100, Department 59.**
- 2. AUTHORIZE the City Attorney to draw a demand thereon in said amount payable to Neil M. Howard, Attorney at Law, Carlos Morales and Cristina Morales.**

(Budget and Finance Committee waived consideration of the above matter)

ITEM NO. (49) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

**Roll Call #16 - Motion (Miscikowski - Cardenas) Adopted in Open Session, Ayes (12);
Absent: Parks, Zine and President Padilla (3)**

01-0976 - The City Council shall recess to Closed Session, pursuant to Government Code Section S39 54956.9(a), to confer with its legal counsel relative to settlement in the case entitled Gerald Peters v. James Hahn, et al., United States District Court Case No. CV 00-11597

GAF. (This case arises out of the arrest of plaintiff by Rampart CRASH officers and the alleged violation of plaintiff's civil rights.)

(Budget and Finance Committee waived consideration of the above matter)

(Continued from Council meeting of May 12, 2004)

ADOPTED IN OPEN SESSION

MOTION (MISCIKOWSKI - CARDENAS)

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

1. **AUTHORIZE the City Attorney to expend \$565,000 in settlement of the case entitled Gerald Peters v. James Hahn, et al., United States District Court Case No. CV 00-11597 GAF, from the Extraordinary Liability Claims Account No. 2000, Department 12, Fund 112.**
2. **AUTHORIZE the City Attorney to draw a demand thereon in said amount payable to Martin Stanley, Attorney at Law and Gerald Joseph Peters.**

(Budget and Finance Committee waived consideration of the above matter)

ITEM NO. (50) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #17 - Motion (Miscikowski - Cardenas) Adopted in Open Session, Ayes (12); Absent: Parks, Zine and President Padilla (3)

01-0976 - The City Council shall recess to Closed Session, pursuant to Government Code Section S40 54956.9(a), to confer with its legal counsel relative to settlement in the cases entitled Saldana v. City of Los Angeles, et al., United States District Court (USDC) Case No. CV 99-12130, and Peralta - Iraheta v. City of Los Angeles, et al., USDC Case No. CV 00-00018. (Plaintiffs allege wrongful death, battery, and violations of the First and Fourth Amendments for an officer-involved shooting on July 20, 1996.)

(Budget and Finance Committee waived consideration of the above matter)

(Continued from Council meeting of May 12, 2004)

ADOPTED IN OPEN SESSION

MOTION (MISCIKOWSKI - CARDENAS)

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

1. AUTHORIZE the City Attorney to expend \$710,000 in settlement of the cases entitled Saldana V. City of Los Angeles, et al., United States District Court (USDC) Case No. CV 99-12130, and Peralta - Iraheta v. City of Los Angeles, et al., USDC Case NO. CV 00-00018, from the Extraordinary Liability Claims Account No. 2000, Department 12, Fund 112.
2. AUTHORIZE the City Attorney to draw a demand thereon in said amount payable as follows:
 - a. \$375,000 payable to the Law Offices of Sam Paz and Sofia Saldana and the Estate of Juan Saldana.
 - b. \$335,000 payable to the Law Offices of Antonio Rodriguez and Oscar Stanley Peralta-Iraheta.

(Budget and Finance Committee waived consideration of the above matter)

ITEM NO. (51) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #13 - Motion (Miscikowski - Cardenas) Adopted in Open Session, Ayes (12); Absent: Parks, Zine and President Padilla (3)

04-0826 - The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to settlement in the cases entitled Mark A. Johnson v. City of Los Angeles, United States District Court Case No. CV 03-2808-NM (AJWx), and Mark A. Johnson v. City of Los Angeles, Los Angeles Superior Court Case No. BS087830. (Plaintiff alleges he was subjected to discrimination and unlawful retaliation during the course of his employment with the Los Angeles Police Department.)

(Budget and Finance Committee waived consideration of the above matter)

(Continued from Council meeting of May 12, 2004)

ADOPTED IN OPEN SESSION

MOTION (MISCIKOWSKI - CARDENAS)

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

1. AUTHORIZE the payment to Plaintiff of \$70,128.20 in back pay to be paid by the Los Angeles Police Department (LAPD).
2. ALLOW the Plaintiff to be deemed to have retired from his employment with the LAPD effective December 31, 2003.

3. ALLOW the Plaintiff to be deemed to have been on Injured on Duty status from April 7, 2003 through December 31, 2003.

(Budget and Finance Committee waived consideration of the above matter)

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

- 02-1531 - MOTION (MISCIKOWSKI - GREUEL) relative to declaring the Annual Venice Hongwanji Buddhist Temple Memorial Service and Festival on July 17-18, 2004 a Special Event (fees and costs absorbed by the City = \$4,568).
- 02-0510 - MOTION (MISCIKOWSKI - GREUEL) relative to declaring the 25th Annual Venice Art Walk on May 23, 2004 a Special Event (fees and costs absorbed by the City = \$5,118).
- 01-0548 - MOTION (MISCIKOWSKI - GREUEL) relative to declaring the 28th Annual Brentwood Run on May 30, 2004 a Special Event (fees and costs absorbed by the City = \$3,420).
- 01-1149 - MOTION (LABONGE - GREUEL) relative to declaring the United Armenian Congregational Church 35th Annual Picnic on June 13, 2004 a Special Event (fees and costs absorbed by the City = \$966).
- 03-1454 - MOTION (LABONGE - HAHN) relative to declaring the Bastille Day 2004 on July 11, 2004 a Special Event (fees and costs absorbed by the City = \$366).
- 02-2041 - MOTION (PADILLA - CARDENAS) relative to declaring the Annual MI School Festival on May 21, 2004 a Special Event (fees and costs absorbed by the City = \$800).
- 04-0988 - MOTION (HAHN - LUDLOW) relative to declaring the Bloomwood Road Neighborhood Block Party on July 4, 2004 a Special Event (fees and costs absorbed by the City = \$380).
- 04-0989 - MOTION (LUDLOW - LABONGE) relative to declaring the St. Mary's Bazaar on May 15, 2004 a Special Event (fees and costs absorbed by the City = \$3,504).
- 01-0427 - MOTION (LUDLOW - WEISS) relative to declaring the Culver City Farmers' Market on every Tuesday from May 18 through November 29, 2004 a Special Event (fees and costs absorbed by the City = \$16,790).
- 03-2058 - MOTION (LABONGE - LUDLOW) relative to declaring the Design House 2004 on July 7, 2004 a Special Event (fees and costs absorbed by the City = \$1,300).
- 04-0010 - MOTION (PARKS - SMITH) relative to reinstating the reward offer in the death of Lamont S5 Charles James for an additional 60 days.
- 03-1179 - MOTION (PERRY - SMITH) relative to extending the term of agreement for a personal services contract for Council District Nine.

04-0542 - MOTION (REYES - PERRY) relative to amending Council action in connection with case entitled Harmik A.M. Carapetian v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BC 279042.

04-0987 - MOTION (CARDENAS - PERRY) relative to authorizing the Environmental Affairs Department (EAD) to submit a grant application to the California Integrated Waste Management Board (CIWMB) to address public safety and environmental concerns at landfill sites.

02-1194 - MOTION (HAHN - LABONGE) relative to providing traffic control in the Cabrillo Beach area during the weekends between May 29, 2004 through September 6, 2004.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon his request, and without objections, Councilmember Garcetti was excused from Council session of Friday, May 21, 2004 due to City business.

Upon her request, and without objections, Councilmember Miscikowski was excused to arrive at 10:45 a.m. to Council session of Friday, May 21, 2004 due to City business.

Motion (Parks - Smith) unanimously adopted to excuse Councilmember Hahn to leave at 12:00 p.m. from Council session of Friday, May 21, 2004 due to City business.

Upon his request, and without objections, President Padilla was excused from Council sessions on Wednesday, June 30, 2004 and Friday, July 2, 2004 due to City business.

Motion (Parks - Smith) unanimously adopted to excuse Councilmember Perry to leave at 12:30 p.m. from Council session of Friday, May 21, 2004 due to City business.

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

04-0607 - Les Benson	(LaBonge - All Councilmembers)
Khelcey Barrs	(Parks)
Senator William "Pete" Knight	(Smith)
Robert Morales	(Villaraigosa)

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

Whereupon the Council did adjourn.

ATTEST: J. Michael Carey, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL