ALL ITEMS FORTHWITH

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

ROLL CALL - Members present: Cardenas, Garcetti, Greuel, Hahn, LaBonge, Ludlow, Miscikowski, Smith, Villaraigosa, Weiss, Zine and President Padilla (12); Absent: Parks, Perry and Reyes (3).

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF AUGUST 13, 2004

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 48

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 1-5

Roll Call #2 - Motion (Miscikowski - Villaraigosa) Adopted to Continue, Unanimous Vote (12); Absent: Parks, Perry and Reyes (3)

(Item Nos. 1-3)

ITEM NO. (1) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED ON SEPTEMBER 8, 2004

04-0682 - HEARING PROTESTS against the proposed improvement and maintenance of the CD 14 ALAMEDA STREET AND BAY STREET NO. 2 LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Alameda Street and Bay Street No. 2 Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.
ITEM NO. (2) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED ON SEPTEMBER 8, 2004

04-0683 - HEARING PROTESTS against the proposed improvement and maintenance of the CD 11 WESTGATE AVENUE AND DARLINGTON AVENUE LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Westgate Avenue and Darlington Avenue Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on June 16, 2004 - Continue hearing and present Ordinance on SEPTEMBER 8, 2004 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (3) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED ON SEPTEMBER 8, 2004

04-0750 - HEARING PROTESTS against the proposed improvement and maintenance of the CD 3 CLARENDON STREET AND TOPANGA CANYON BOULEVARD NO. 1 LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Clarendon Street and Topanga Canyon Boulevard No. 1 Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on June 16, 2004 - Continue hearing and present Ordinance on SEPTEMBER 8, 2004 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (4) - CONTINUED TO SEPTEMBER 8, 2004

Roll Call #3 - Motion (Ludlow - LaBonge) Adopted to Continue, Unanimous Vote (12); Absent: Parks, Perry and Reyes (3)

04-0809 - CONTINUED CONSIDERATION OF HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of assessment to cover the costs of barricading and graffiti abatement of the building(s) and the fencing of the lot at 3939 Wellington Road. (Assessment: $10,240.77)

(Continued from Council meeting of August 4, 2004)
ITEM NO. (5) - CONTINUED TO SEPTEMBER 22, 2004

Roll Call #4 - Motion (Greuel - Weiss) Adopted to Continue, Unanimous Vote (12);
Absent: Parks, Perry and Reyes (3)

04-1304 - NUISANCE ABATEMENT APPEAL filed by Zegarra Family Day Care Center (Charles CD 2 and Guadalupe Zegarra, owners/operators) from the entire determination of the Zoning Administrator for the revocation of the child care center at 7035 Cantaloupe Avenue for the failure to comply with corrective conditions. Nuisance problems continue to the detriment of the neighborhood.

Applicant: City of Los Angeles,
Office of Zoning Administration

Items for Which Public Hearings Have Been Held - Items 6-28

Roll Call #9 - Motion (Weiss - LaBonge) Adopted, Ayes (12); Absent: Parks, Perry and Reyes (3)
(Item Nos. 6-8)

ITEM NO. (6) - ADOPTED

04-1438 - ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to the appointment of Ms. Candy Spelling to the Board of Recreation and Park Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Candy Spelling to the Board of Recreation and Park Commissioners, for the term ending June 30, 2009, to fill the vacancy created by the resignation of Ms. Lisa Specht, is APPROVED and CONFIRMED. Ms. Spelling resides in Council District Five. (Current Commission gender composition: M=2; F=2; vacancy=1)

Ethics Commission Review: Pending

TIME LIMIT FILE - SEPTEMBER 5, 2004
(LAST DAY FOR COUNCIL ACTION - AUGUST 20, 2004)

ITEM NO. (7) - ADOPTED

02-1829 - BUDGET AND FINANCE COMMITTEE REPORT relative to the reappointment of Ms. Vicky L. Schiff to the City Employees’ Retirement System.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Ms. Vicky L. Schiff to the City Employees' Retirement System, for a new term ending June 30, 2009, is APPROVED and CONFIRMED. Ms. Schiff resides in Council District 11. (Current Commission gender composition: F=2; M=5)
ITEM NO. (8) - ADOPTED

04-1421 - INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to the appointment of Mr. James A. Burkhardt, III to the Board of Information Technology Commissioners.

Recommendation for Council action:

RESOLVE that the appointment of Mr. James A. Burkhardt, III to the Board of Information Technology Commissioners for the term ending June 30, 2007, is APPROVED and CONFIRMED. Mr. Burkhardt is a resident of Council District Four. (Current Commission gender composition: M=2; F=2; vacancy=1).

ITEM NO. (9) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #10 - Motion (Smith - Cardenas) to Adopt as Amended, Ayes (12); Absent: Parks, Perry and Reyes (3)

04-1052 - ENVIRONMENTAL IMPACT REPORT, PLANNING AND LAND USE MANAGEMENT CD 12 COMMITTEE REPORT, RESOLUTION and ORDINANCES FIRST CONSIDERATION relative to a General Plan Amendment, zone change and building line for property at 19601 Nordhoff Street, within the Chatsworth-Porter Ranch Community Plan.

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

1. CERTIFY that the Environmental Impact Report (EIR No. 2002-1230; State Clearing House No. 2002051125) has been completed in compliance with the California Environmental Quality Act, the State Guidelines and the City Guidelines and that the City Council has reviewed the information contained therein and considered it along with other factors related to this project; that this determination reflects the independent judgment of the lead agency, City of Los Angeles; and that the documents constituting the record of proceedings in this matter are located in Council file No. 04-1052 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 Environmental Impact Report.
2. ADOPT FINDINGS of the City Planning Commission, including a consistency Finding, as modified by the Planning and Land Use Management Committee, to add language to Finding No. 2 and 3 to read as follows:

a. Finding No. 2:

City Charter Section 556 and 558: The recommended general plan amendment over the project site and added areas to Community Commercial (CR, C2, C4, PB, and P ....

b. Finding No. 3:

Zone Change, Los Angeles Municipal Code Section 12.32.F: The recommended zone change, to C2 is consistent with the proposed plan amendment to Community Commercial, for the project site and....

3. ADOPT the accompanying RESOLUTION as recommended by the Mayor, the City Planning Commission and the Director of Planning APPROVING the proposed General Plan Amendment from Light Manufacturing to Community Commercial, over approximately 35.5 acres, bounded by Prairie Street on the north, Nordhoff Street on the south, Corbin Avenue on the west and Shirley Avenue on the east, for the property at 19601 Nordhoff Street, within the Chatsworth-Porter Ranch Community Plan - Geographic Area 1 - North Valley.

Applicant: F. Ron Krausz, Krausz-Capistrano Partners, et al.

CPC 2002-7295 MPR/GPA/ZC/BL

4. PRESENT and ADOPT the accompanying ORDINANCE, approved by the Director of Planning, effecting a zone change from P-1, (Q)C4-1 and MR2-1 to [T][Q]C2-1 for the subject property. The Committee recommended approval of this matter, and requested the following amendments, as recommended by the Planning Deputy, speaking on behalf of Councilmember Greig Smith of Council District 12:

Add to the “Q” Conditions: The following uses shall be prohibited: bail-bond business; cyber cafes; motels; night-clubs; tattoo parlors; massage parlors and smoke shops.

Modify Condition No. 6: Residential height: The maximum height of any residential development shall not exceed 6-stories, 75-feet. However, utilizing the maximum height shall only be allowed on the interior portions of the eastern half of the lot.

Modify Condition No. 81: Mason Avenue improvement contributions: Since Mason has been completed, apply the financial contribution toward additional transportation management programs and street improvements needed within two miles of the project.
Add: That an Ad Hoc Design Review Committee be appointed prior to the approval of the first project-based approval to review the individual projects prior to final approval. This committee will be appointed by the Councilmember and will remain in effect until the entire site is completed.

Said rezoning shall be subject to the “Q” Qualified classification zone limitations as shown on the attached sheets.

5. DELETE the Public Storage property at 9341 Shirley Avenue (a portion of Add Area C) from the proposed Plan Amendment; and pursuant to Charter Section 11.5.6 F., RETURN this proposed change simultaneously to the Planning Commission and the Mayor for their recommendation on the matter. (Pursuant to Charter Section 11.5.6 F., the City Planning Commission shall act within 60 days of receipt of the Council’s proposed change, and the Mayor shall act within 30 days of the receipt of the City Planning Commission’s recommendation on the proposed change. If either the City Planning Commission or the Mayor does not act within the time period, that inaction shall be deemed a recommendation of approval of the proposed changes.)

6. INSTRUCT the Planning Department to initiate a zone change from P-1, (Q)C4-1 and MR2-1 to [T][Q]C2-1 for the Add Areas identified as Sites A and C as amended, and as attached to Council file No. 04-1052.

7. PRESENT and ADOPT the accompanying ORDINANCE, approved by the City Planning Commission for the 25-foot building line for said property.

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

9. NOT PRESENT and ORDER FILED the zone change ordinance approved by City Planning Commission on March 25, 2004.

10. INSTRUCT the Planning Department to update the General Plan and appropriate maps pursuant to this action.

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

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 - AUGUST 26, 2004

(LAST DAY FOR COUNCIL ACTION - AUGUST 20, 2004)
ADOPTED

AMENDING MOTION (SMITH - CARDENAS)

Recommendation for Council action:

ADD the following language at the end of No. 3, on Page Q-1, [Q] Qualified Conditions of Approval:

The trip Equivalency Table (Table 2, page 78) of the Master Environmental Impact Report, EIR No. 2002-1230-EIR, dated December 2003, may be used to adjust maximum permitted uses subject to approval by the Department of Transportation and the City Planning Department. Any approved revision to the mix of the uses shall not result in an increase of vehicular trips above that generated by the uses permitted by this condition.

Roll Call #5 - Motion (Garcetti - Smith) Adopted, Ayes (12); Absent: Parks, Perry and Reyes (3) (Item Nos. 10-11)

ITEM NO. (10) - ADOPTED

04-0569 - MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT CD 7 COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to zone change at 12931 Telfair Avenue.

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

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and 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. 04-0569 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration filed on June 20, 2003 [ENV 2003-3570 MND].

2. ADOPT the August 3, 2004 FINDINGS of the Director of Planning as the Findings of Council.

3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the Director of Planning, effecting the zone change, incident to subdivision, from the existing RA-1 to (T)(Q) RD6-1, subject to the (T) Conditions and (Q) Condition No. 2 as revised by the North Valley Area Planning Commission (APC) for a proposed one lot subdivision for a maximum of a new 20-unit detached single-family condominium project on 2.76 net acre site at 12931 Telfair Avenue.

Applicant: Spiegel Development

APCNV 2003-3569 ZC ZAD-1A
Said rezoning shall be subject to the "Q" Qualified classification zone limitations substantially as shown on the sheet(s) attached to the Committee report.

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

5. NOT PRESENT and ORDER FILED the ordinance signed by the North Valley APC on March 18, 2004.

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

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

**TIME LIMIT FILE - AUGUST 20, 2004**

**(LAST DAY FOR COUNCIL ACTION - AUGUST 20, 2004)**

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

04-1097 - MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to zone change at 15151 Foothill Boulevard.

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

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and 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. 04-1097 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration filed on September 18, 2003 [ENV 2003-4167 MND].

2. ADOPT the FINDINGS of the North Valley Area Planning Commission (APC), as modified by the Planning and Land Use Management Committee to modify Finding No. 1 as shown in the attachment to this Committee report.

3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the North Valley APC, effecting the zone change, incident to subdivision, from RA-1 to (T)(Q)RD3-1 for the proposed subdivision of a maximum new 17-unit condominium project on a 1.29 net acre lot at 15151 Foothill Boulevard, subject to Conditions of Approval.

Applicant: Vincent Schaub

APCNV 2003-4166 ZC
Said rezoning shall be subject to the "Q" Qualified classification zone limitations substantially as shown on the sheet(s) attached to the Committee report.

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

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

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

TIME LIMIT FILE - SEPTEMBER 5, 2004
(LAST DAY FOR COUNCIL ACTION - AUGUST 20, 2004)

ITEM NO. (12) - ADOPTED

Roll Call #15 - Motion (Miscikowski - Parks) Adopted, Ayes (11); Absent: Parks, Perry, Reyes and Smith (4)

00-1675 - ORDINANCE SECOND CONSIDERATION relative to amending the Los Angeles Municipal Code Section 12.24 U 14 to regulate “Superstores” in Economic Assistance Areas in the City of Los Angeles.


10 VOTES REQUIRED

ITEM NO. (13) - ADOPTED

Roll Call #12 - Motion (Parks - Smith) Adopted, Ayes (13); Absent: Perry and Reyes (2)

04-1299 - BUDGET AND FINANCE COMMITTEE REPORT relative to the City of Los Angeles General Obligation Bond credit ratings.

Recommendation for Council action:

NOTE and FILE the City Administrative Officer report relative to the City of Los Angeles General Obligation Bond credit ratings inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.
ITEM NO. (14) - ADOPTED

Roll Call #5 - Motion (Garcetti - Smith) Adopted, Ayes (12); Absent: Parks, Perry and Reyes (3)

04-1350 - BUDGET AND FINANCE COMMITTEE REPORT relative to a Reserve Fund loan to provide demolition work on the West Hills properties after the El Nino Storms in 1998.

Recommendation for Council action:

NOTE and FILE the Department of General Services report relative to a Reserve Fund loan for the West Hills properties inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (15) - ADOPTED, *AS AMENDED

Roll Call #26 - Motion (Parks - Miscikowski) to Adopt as Amended, Ayes (13); Absent: Perry and Reyes (2)

01-0600 - BUDGET AND FINANCE COMMITTEE REPORT relative to Department of Building and Safety Reserve Fund loans.

Recommendations for Council action:

1. APPROVE the Controller’s recommendation to write-off a Reserve Fund loan to the Department of Building and Safety (DBS), in the amount of $91,629, inasmuch as the loan dates to pre-1976, before the existing financial management system, and neither the Controller nor the DBS have records pertaining to this matter any longer.

2. INSTRUCT the *DBS Department of General Services to repay its $47,746 Reserve Fund loan upon reimbursement by the Federal Emergency Management Agency. *(Parks - Miscikowski)

3. INSTRUCT the DBS to repay its $200,000 Reserve Fund loan from the Department’s Repair and Demolition Fund.

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

ITEM NO. (16) - ADOPTED

00-1876 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to receiving and filing a Community Redevelopment Agency (Agency) request to dedicating, for public purposes, the easterly portion of Agency Lot R between Olive Street and Grand Avenue.
Recommendation for Council action:

RECEIVE and FILE report from the Chief Executive Officer, Agency, dated July 15, 2004 (attached to the Council file) relative to an Agency Board request to dedicate, for public purposes, the easterly portion of Agency Lot R between Olive Street and Grand Avenue, also known as Upper Second Street, in the Bunker Hill Redevelopment Project Area.

Fiscal Impact Statement: Not applicable.

ITEM NO. (17) - ADOPTED

02-0846 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the status of United States Department of Housing and Urban Development (HUD) 2004 SuperNOFA Grant applications filed by various City agencies and departments.

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

1. NOTE and FILE reports submitted by the Community Development Department, Human Relations Commission, the Los Angeles Homeless Services Authority, the Department of Aging, Commission for Children, Youth, and the Los Angeles Housing Department relative to the status of their 2004 HUD SuperNOFA grant applications.

2. REQUEST that the Departments of Disability and Building and Safety, the Environmental Affairs Department, the City Attorney, the Housing Authority of the City of Los Angeles, and the Community Redevelopment Agency to report to the Housing, Community, and Economic Development Committee relative to the status of their 2004 HUD SuperNOFA grant applications.

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, *AS AMENDED

04-1349 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and CD 9 RESOLUTION relative to a bridge and permanent loan for Beyond Shelter Housing Development Corporation's Broadway Village II affordable housing project at 5105 South Broadway.

Recommendations for Council action:

1. AMEND the Community Redevelopment Agency (Agency) 2004-05 Budget to establish a new Work Objective C91960 (Broadway Village II) and transfer $500,000 from C91950 (New Housing Initiatives) to C91960.
2. AUTHORIZE the Chief Executive Officer, Agency, or designee, to execute a bridge and permanent loan agreement with Beyond Shelter Housing Development Corporation in an amount not to exceed $500,000 for the Broadway Village II development located at 5101 South Broadway and to take such other actions as may be necessary to carry out the agreement, subject to the approval of the City Attorney as to form and legality.

*3. ADOPT the accompanying RESOLUTION relative to making a finding that an economically feasible alternative method of financing on substantially comparable terms without subordination of the Agency's Deed of Trust, covenants, and use restrictions is not reasonably available; and, authorizing the subordination of the Agency's Deed of Trust, covenants, and use restrictions to the construction and permanent loans provided for the project.

Fiscal Impact Statement: The City Administrative Officer reports that this action will not impact the General Fund. Approval of the above recommendations would authorize $500,000 in Council District Nine Housing Trust Funds for development of the Broadway Village II project to assist Beyond Shelter Housing Development Corporation in closing the funding gap caused by a delay during construction.

ITEM NO. (19) - ADOPTED

Roll Call #15 - Motion (Miscikowski - Parks) Adopted, Ayes (13); Absent: Perry and Reyes (2)

04-1484 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and CD 13 RESOLUTION relative to the issuance of tax-exempt revenue bonds for the Children's Hospital Los Angeles to re-finance the cost of construction, acquisition, improvement, and equipping of health facilities.

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

1. ADOPT the accompanying RESOLUTION relative to the California Statewide Communities Development Authority issuing tax-exempt bonds, in an amount not to exceed $110 million, for use by the Children's Hospital Los Angeles to re-finance an indebtedness used to finance the cost of construction, acquisition, improvement, and equipping of health facilities located at or near 4546, 4551, 4584, 4601, 4650, and 4661 Sunset Boulevard; 4616 De Longpre Avenue; and, 4600 Maubert.

2. AUTHORIZE the General Manager, Community Development Department (CDD), or designee, to negotiate and execute all bond related documents and any other ancillary agreements required for the issuance of the bonds, subject to the approval of the City Attorney as to form and legality.

Fiscal Impact Statement: CDD reports that this action will not impact the General Fund impact. Proceeds derived from the bonds are generated from private investor capital and require no pledge of public funds for their backing or security. The primary source of repayment will be the operating activities of the borrower. The City does not provide funds in this transaction, nor incur any responsibility for repayment or ensuring repayment of the referenced debt. Under the structure and terms of this financing, the City will not bear any financial responsibility for repayment of the bonds under any circumstances.
ITEM NO. (20) - CONTINUED TO SEPTEMBER 21, 2004

Roll Call #1 - Motion (Weiss - Smith) Adopted to Continue, Unanimous Vote (12); Absent: Parks, Perry and Reyes (3)

04-0839 - COMMUNICATION FROM THE CHIEF LEGISLATIVE ANALYST and MOTION (ZINE - WEISS - PARKS - GREUEL) relative to the consolidated operations of Channels 35 and 36 by the Los Angeles Cable Television Access Corporation.

(Information Technology and General Services Committee report to be submitted in Council. If a public hearing is not held in Committee, an opportunity for public comments will be provided.)

ITEM NO. (21) - ADOPTED

Roll Call #5 - Motion (Garcetti - Smith) Adopted, Ayes (12); Absent: Parks, Perry and Reyes (3)

04-0323 - INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to the public performances of copyrighted musical works on City premises and at City facilities and special events.

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

INSTRUCT the Chief Legislative Analyst (CLA), with the advice of the City Attorney, to undertake a study of public performances of copyrighted musical works on City premises and at City facilities and special events and report to the Council regarding the actions, if any, that need to be taken by the City to ensure that it has the appropriate licenses with performance rights organizations.

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

ITEM NO. (22) - RECEIVED AND FILED

Roll Call #11 - Motion (Smith - Weiss) Adopted to Receive and File, Ayes (12); Absent: Parks, Perry and Reyes (3)

04-1256 - INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to the ensuring that the Bureau of Sanitation Recycling Division's "larecycles.org" website is operational.

Recommendations for Council action, as initiated by Motion (Smith - Perry):

1. INSTRUCT the Information Technology Agency (ITA) to have the Bureau of Sanitation Recycling Division's "larecycles.org" website designed and up and running within 30 days, or allow the Bureau of Sanitation to contract out to have this accomplished.
2. INSTRUCT the Chief Legislative Analyst (CLA) to conduct a survey of the City departments having websites which were not produced by the ITA and provide a report to the Information Technology and General Services Committee.

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

ITEM NO. (23) - ADOPTED

Roll Call #5 - Motion (Garcetti - Smith) Adopted, Ayes (12); Absent: Parks, Perry and Reyes (3)

04-1433 - INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to notifying the representative Council office of the availability of underutilized City property.

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

1. INSTRUCT the Department of General Services (GSD) to notify the representative Council office of the availability of underutilized City property prior to initiating the process to declare that property as surplus.

2. INSTRUCT the GSD to ensure that a record of the contacts with Council Offices is maintained.

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

ITEM NO. (24) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #14 - Motion (Weiss - Ludlow) to Adopt as Amended, Ayes (13); Absent: Perry and Reyes (2)

04-1019 - CONTINUED CONSIDERATION OF ENVIRONMENTAL IMPACT REPORT, STATEMENT OF OVERRIDING CONSIDERATIONS, BALANCE OF PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and RESOLUTION relative to a General Plan Amendment to the Westwood Community Plan and the Transportation Element to change Tiverton Avenue from a Secondary Highway to a Collector Street and various actions in connection with the proposed construction of a project at 1015-65 and 1000-70 Glendon Avenue, 1001-29 Tiverton Avenue, and 10870 Weyburn Avenue.

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

1. CERTIFY that the Environmental Impact Report (EIR No. 2000-3213; State Clearing House No. 2000101123) has been completed in compliance with the California Environmental Quality Act, the State Guidelines and the City Guidelines and that the
City Council has reviewed the information contained therein and considered it along with other factors related to this project; that this determination reflects the independent judgment of the lead agency City of Los Angeles; and that the documents constituting the record of proceedings in this matter are located in Council file No. 04-1019 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 Environmental Impact Report.

2. ADOPT the FINDINGS made pursuant to and in accordance with Section 21081 of the Public Resources Code and the Statement of Overriding Considerations prepared by the City Planning Department.

3. ADOPT the FINDINGS of the City Planning Commission, as modified to include technical corrections recommended by the Department of City Planning, as the Findings of the City Council.

4. ADOPT the accompanying RESOLUTION as recommended by the Mayor, the City Planning Commission and the Director of Planning APPROVING the proposed General Plan Amendment to the Westwood Community Plan and the Transportation Element to change Tiverton Avenue from a Secondary Highway to a Collector Street.

Applicant: Casden Properties, Inc./Ron Mayhew

5. INSTRUCT the Planning Department to update the General Plan and appropriate maps pursuant to this action.

7. DENY APPEALS IN PART filed by Save Westwood Village Holmby-Westwood Homeowners Association (HOA), et al., from the entire determination of the City Planning Commission, THEREBY APPROVING the proposed construction, use and maintenance of a mixed-use development on two sites located on the east and west sides of Glendon Avenue, composed of various retail and 350 apartment units with five stories above street level, over three levels of subterranean garage on a 185,119 square foot lot, in the C4-2-D-0 zone, subject to conditions of approval, as modified, for property at 1015-65 and 1000-70 Glendon Avenue, 1001-29 Tiverton Avenue and 10870 Weyburn Avenue. (Appeals were filed on a Specific Plan Exception, a Conditional Use, Zoning Administrator Adjustments, and Site Plan Review, as approved by the City Planning Commission).

CPC 2002-2860 GPA SP SPE CUB ZAA

8. DENY APPEALS IN PART filed by Save Westwood Village Holmby-Westwood HOA, et al. and Teacher Insurance Annuity Association of America, in whole and in part from the determination of the City Planning Commission, THEREBY APPROVING a Parcel Map for a merger of the subsurface portion of Glendon Avenue, and a merger/re-subdivision to merge 20 lots into two lots over the entire site, as approved by the City Planning Commission.

AA 2003-0748-PMLA
Fiscal Impact Statement: The Planning Department reports that there is no General Fund impact, as administrative costs are recovered through fees.

TIME LIMIT FILE - AUGUST 23, 2004

(LAST DAY FOR COUNCIL ACTION - AUGUST 20, 2004)

(Recommendation No. 6 adopted on August 3, 2004 and balance of report continued to August 18, 2004)

ADOPTED

AMENDING MOTION (WEISS - MISCIKOWSKI), *AS AMENDED

Recommendation for Council action:

AMEND the conditions of approval in the City Planning Commission Case NO. CPC-2002-2860-GPA-SP-SPE-CUB ZAA-SPR and Case NO. AA-2003-0748-PMLA-A1-A2 with the following underlined changes:

A. Case NO. CPC-2002-2860-GPA-SP-SPE-CUB ZAA-SPR

1. Condition 5 Floor Area

   The total floor area shall be limited to no more than 446,721 square feet (423,824 square feet of new construction on Parcel A and 22,897 square feet in the existing Glendon Manor, which is to be retained, on Parcel B) as defined by Section 12.03 of the Municipal Code. The total floor area of non-residential commercial uses on the subject property shall not exceed 50,000 square feet, as defined by Section 12.03 of the Municipal Code. The total square footage of restaurant uses, included in the commercial square footage, shall not exceed 17,250 square.

   The 1,800 square foot leasing office as shown in Exhibit D, dated August 18, 2004 shall be counted toward the permitted residential square footage and shall not be used for commercial purposes unless the overall commercial square footage is reduced so as not to exceed a total of 50,000 square feet.

2. 14. Parking (Valet Services)

   a. Valet Service may be provided to commercial tenants and visitors to be subject to the project during the hours the facility is open for customer service.

3. 15. Covenant and Agreement (Parking Validation).

   Prior to the issuance of any building permits, in accordance with Section 9.D of the Westwood Village Specific Plan, the owner shall record a Covenant and Agreement satisfactory to the Department of City Planning to provide validated...
parking. The project shall make parking available for public use *in connection with a Village-wide validation system. In the event a Village-wide validation system is not in place when the project’s Certificate of Occupancy is issued, then the project shall offer first two hour parking free to the public as currently offered in the Broxton Parking Garage. *in connection with a Village-wide validation system. In the event a Village-wide validation system is not in place when the project’s Certificate of Occupancy is issued, then for the first year following the issuance of the Certificate of Occupancy the project shall offer first two hours parking free to the public as currently offered in the Broxton Parking Garage. Valet parking shall not be included as part of the validation system.

*(Weiss - Miscikowski)

4. Condition 22e. Neighborhood Protection Plan (Traffic)

e. Monitoring of traffic conditions affected by the Neighborhood Protection Plan shall continue after issuance of any certificates of occupancy for the project with the applicant’s submittal of annual reports to LADOT and the Director of Planning, in conjunction with the review required under Condition No. 26 below, every year for a minimum of five years starting on the first anniversary of issuance of the project’s first certificate of occupancy. The need for additional annual reports beyond the first five years shall be evaluated by the Departments of City Planning and Transportation at the conclusion of the fifth-year review.

5. Condition 27 Public Improvements

B. A double row of trees, decorative paving on portions of sidewalks and within the crosswalks, and street lighting shall be provided, similar to Broxton Avenue, within the Westwood Village Specific Plan and shown conceptually in Exhibit A of Case No. AA 2003-0748 PMLA. Sidewalks may be wide on one side of the street, but shall be no less that 10-feet. The streetscape plan shall be submitted and approved by the Director of Planning in consultation with the applicable Council District Office prior to approval of any permit by the Department of Building and Safety or the Bureau of Engineering, including a building permit or B permit.

C. Street Dedication Improvements. If determined necessary, dedicate and improve all adjacent streets to the satisfaction of the City Engineer.

Prior to issuance of any permit by the Department of Building and Safety or the Bureau of Engineering, a site plan showing street improvements for Glendon Avenue shall be submitted and approved by the Director of Planning and in consultation with the applicable Council District Office. These plans shall include the provision of angled (diagonal) parking spaces along one side of Glendon Avenue between Weyburn Avenue and Kinross Avenue. These parking places may be non-continuos, with increased sidewalk portions between groups of parking spaces as show conceptually in Exhibit A of Case No. AA 2003-0748 PMLA. The pavement width shall be approved by the Department of Transportation, but shall be no less than 44-feet with no reduction in width of the travel lanes.
6. Condition 49 Open Space

   a. A minimum of 12,321 square feet of required open space shall be provided for the portion of subject property located on the west side of Glendon Avenue.


That, to the satisfaction of the City Engineer, a 70 foot wide and variable width public right-of-way above a dept of 5 feet below the flow line of Glendon Avenue be rededicated only over that portion of Glendon Avenue that is going to be merged, as shown on Parcel Map 2003-748 dated August 18, 2004 and including 15 foot radius property line returns at the intersection with Weyburn Avenue, if needed.

ITEM NO. (25) - ADOPTED

Roll Call #15 - Motion (Miscikowski - Parks) Adopted, Ayes (13); Absent: Perry and Reyes (2)

04-0002 - PUBLIC SAFETY COMMITTEE REPORT relative to legislation to provide for the issuance of a driver’s license to undocumented immigrants who qualify under a background check.

Recommendation for Council action, pursuant to Resolution (Garcetti - Cardenas), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

RESOLVE to establish a position of SUPPORT in the City’s 2003-04 State Legislative Program for Senate Bill 1160 (Cedillo) which would provide for the issuance of a driver’s license to undocumented immigrants who qualify under a background check.

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 (Garcetti - Smith) Adopted, Ayes (12); Absent: Parks, Perry and Reyes (3) (Item Nos. 26-27)

ITEM NO. (26) - ADOPTED

86-1101 - RULES AND ELECTIONS and BUDGET AND FINANCE COMMITTEES’ REPORT relative to the sale of surplus City equipment to the Oak Grove Volunteer Fire Department, Oak Grove, Kentucky.

Recommendation for Council action:

RECEIVE and FILE the Motion (Bernson - Alatorre) requesting the sale of one surplus City fire engine at the below market value of $1.00 to the Oak Grove Volunteer Fire Department, Oak Grove, Kentucky, inasmuch as this equipment is no longer available and the City has a new policy for requesting surplus equipment, rendering this request moot, and no Council action is necessary.

Fiscal Impact Statement: Not applicable.
ITEM NO. (27) - ADOPTED

96-0020 - RULES AND ELECTIONS and BUDGET AND FINANCE COMMITTEES' REPORT relative to providing funding for the Elected Charter Reform Commission.

Recommendation for Council action:

RECEIVE and FILE the Motion (Holden - Svorinich) to provide funding for the Charter Reform Commission, in the same manner and same amount as the City’s appointed Charter Reform Commission, inasmuch as this Commission has completed its work, and no additional actions concerning funding are required, and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (28) - ADOPTED, AS AMENDED - SEE FOLLOWING

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

03-1066 - TRANSPORTATION COMMITTEE REPORT relative to comments on the California High Speed Rail Authority’s draft Program Environmental Impact Report and Statement (PEIRS).

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

1. APPROVE the comments provided in the July 30, 2004 Department of Transportation (DOT) report, attached to the Council file, as the City’s formal comments on the California High Speed Rail Authority’s draft Program Environmental Impact Report. It is understood that the City will provide additional, and more detailed and specific, comments when the draft “project-level” environmental impact reports are prepared.

2. AUTHORIZE the DOT General Manager to transmit the comments contained in the DOT’s July 30, 2004 report to the California High Speed Rail Authority as the City’s formal comments to the draft Program Environmental Impact Report.

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

ADOPTED

AMENDING MOTION (PADILLA - CARDENAS)

Recommendation for Council action:

INCLUDE the following comments in the Department of Transportation communication to the current environmental review process as presented by the High Speed Rail Authority:
1. That alternative corridors be examined other than the San Fernando Road corridor and that a full environmental impact analysis be conducted before finally selecting a preferred alternative.

2. That if the San Fernando Road Corridor is chosen as the preferred alternative, that the entire City of Los Angeles section be underground with appropriate covering to protect the community.

Items for Which Public Hearings Have Not Been Held - Items 29-63
(10 Votes Required for Consideration)

Roll Call #9 - Motion (Weiss - LaBonge) Adopted, Ayes (12); Absent: Parks, Perry and Reyes (3) (Item Nos. 29-30)

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

04-1420 - COMMUNICATION FROM THE MAYOR and ETHICS COMMISSION relative to appointment of Mr. Gabriel Buelna to the Human Relations Commission.

Recommendation for Council Action:

RESOLVE that the Mayor’s appointment of Mr. Gabriel Buelna to the Human Relations Commission for the term ending June 30, 2006 to fill the vacancy created by the resignation of Ms. Erica Kim, is APPROVED and CONFIRMED. Mr. Buelna resides in Council District 14. (Current Commission gender composition: M=3; F=5; vacancies=3)

Ethics Commission Review: Pending

(Education and Neighborhoods Committee waived consideration of the above matter)

ITEM NO. (30) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

04-1556 - COMMUNICATION FROM THE MAYOR and ETHICS COMMISSION relative to appointment of Mr. Nirinjan Singh Khalsa to the Human Relations Commission.

Recommendation for Council Action:

RESOLVE that the Mayor’s appointment of Mr. Nirinjan Singh Khalsa to the Human Relations Commission for the term ending June 30, 2008 to fill the vacancy created by the expiration of Mr. Warren Steinberg, is APPROVED and CONFIRMED. Mr. Khalsa resides in Council District Five. (Current Commission gender composition: M=3; F=5; vacancies=3)

Ethics Commission Review: Pending

(Education and Neighborhoods Committee waived consideration of the above matter)
Roll Call #6 - Motion (Weiss - LaBonge) Adopted, Ayes (12); Absent: Parks, Perry and Reyes (3) (Item Nos. 31-40)

ITEM NO. (31) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

03-1350 - COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCES FIRST CONSIDERATION relative to extensions of cable television franchise agreements.

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

1. PRESENT and ADOPT the accompanying ORDINANCE extending Area A Cable Television Franchise in the City held by Time Warner Cable, Inc. an additional 12 months until August 5, 2005 in order to provide the parties additional time to continue renewal proceedings.

2. PRESENT and ADOPT the accompanying ORDINANCE extending Area B Cable Television Franchise in the City held by Comcast of California VII, Inc. an additional 12 months until August 5, 2005 in order to provide the parties additional time to continue renewal proceedings.

3. PRESENT and ADOPT the accompanying ORDINANCE extending Area D Cable Television Franchise in the City held by Comcast of California VII, Inc. an additional 12 months until August 5, 2005 in order to provide the parties additional time to continue renewal proceedings.

4. PRESENT and ADOPT the accompanying ORDINANCE extending Area I Cable Television franchise in the City held by Comcast of Los Angeles, Inc. an additional 12 months until August 5, 2005 in order to provide the parties additional time to continue renewal proceedings.

5. PRESENT and ADOPT the accompanying ORDINANCE extending Area J Cable Television Franchise in the City held by Comcast of Los Angeles, Inc. an additional 12 months until August 5, 2005 in order to provide the parties additional time to continue renewal proceedings.

6. PRESENT and ADOPT the accompanying ORDINANCE extending Area K Cable Television Franchise in the City held by Comcast of South Central Los Angeles, Inc. an additional 12 months until August 5, 2005 in order to provide the parties additional time to continue renewal proceedings.

7. PRESENT and ADOPT the accompanying ORDINANCE extending Area M Cable Television Franchise in the City held by Comcast of Harbor, Inc. an additional 12 months until August 5, 2005 in order to provide the parties additional time to continue renewal proceedings.

8. PRESENT and ADOPT the accompanying ORDINANCE extending Area N Cable Television Franchise in the City held by Coxcom, Inc. an additional 12 months until August 5, 2005 in order to provide the parties additional time to continue renewal proceedings.
Fiscal Impact Statement: Neither the City Administrative Office nor the Chief Legislative Analyst has completed a financial analysis of this report.

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

ITEM NO. (32) - ADOPTED

04-0005 - RESOLUTION terminating the rent reduction for property at 2316 South 4th Avenue, Units 2316, 2316 1/2, 2318 1/2, 2318 3/4 and 2320 from the Rent Escrow Account Program [REAP], (Case No. 4842), inasmuch as the owner has corrected the cited REAP violations for the above units and has been verified by the Department of Building and Safety, Interagency Housing Task Force, and ADOPT the Findings contained in the Los Angeles Housing Department’s report of August 11, 2004.

Assessor ID No. 5059-025-021
Registration No. None

(The recommendation only terminates the rent reduction for the specified units and does not remove the property from the REAP)

(Notice of Acceptance into the REAP/Rent Reduction Program was released on December 28, 2001)

ITEM NO. (33) - ADOPTED

04-0005 - RESOLUTION removing the property at 1625 Morton Avenue from the Rent Escrow Account Program [REAP], (Case No. 4862), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No. 173810, and ADOPT the Findings contained in the Los Angeles Housing Department’s report of August 11, 2004.

Assessor I.D. No. 5420-028-019
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on December 28, 2001)

ITEM NO. (34) - ADOPTED

04-0005 - RESOLUTION removing the property at 1625 Morton Avenue from the Rent Escrow Account Program [REAP], (Case No. 6944), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No. 173810, and ADOPT the Findings contained in the Los Angeles Housing Department’s report of August 11, 2004.

Assessor I.D. No. 5420-028-019
Registration No. None
ITEM NO. (35) - ADOPTED

04-0005 - RESOLUTION removing the property at 113 South New Hampshire from the Rent Escrow
S334 Account Program [REAP], (Case No. 5315), inasmuch as the owner has corrected the
CD 13 cited REAP violations and provided proof of compliance with the Los Angeles Housing
Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No.
173810, and ADOPT the Findings contained in the Los Angeles Housing Department's

Assessor I.D. No. 5518-028-003
Registration No. None

ITEM NO. (36) - ADOPTED

04-0005 - RESOLUTION removing the property at 1001 North Berendo Street from the Rent Escrow
S335 Account Program [REAP], (Case No. 5907), inasmuch as the owner has corrected the
CD 13 cited REAP violations and provided proof of compliance with the Los Angeles Housing
Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No.
173810, and ADOPT the Findings contained in the Los Angeles Housing Department's

Assessor I.D. No. 5538-020-009
Registration No. None

ITEM NO. (37) - ADOPTED

04-0005 - RESOLUTION removing the property at 3106-10 3/4 Baldwin Street from the Rent Escrow
S336 Account Program [REAP], (Case No. 5152), inasmuch as the owner has corrected the
CD 1 cited REAP violations and provided proof of compliance with the Los Angeles Housing
Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No.
173810, and ADOPT the Findings contained in the Los Angeles Housing Department's

Assessor I.D. No. 5210-028-007
Registration No. 0117705

(Notice of Acceptance into the REAP/Rent Reduction Program was released on
October 10, 2002)
ITEM NO. (38) - ADOPTED

04-0005 - RESOLUTION removing the property at 3106-10 3/4 Baldwin Street from the Rent Escrow Account Program [REAP], (Case No. 6349), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No. 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of August 11, 2004. Assessor I.D. No. 5210-028-007 Registration No. 0117705

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

ITEM NO. (39) - ADOPTED

04-0005 - RESOLUTION removing the property at 205 Lake Shore Terrace from the Rent Escrow Account Program [REAP], (Case No. 6942), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No. 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of August 11, 2004. Assessor I.D. No. 5159-017-009 Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on November 13, 2003)

ITEM NO. (40) - ADOPTED

04-0005 - RESOLUTION removing the property at 126 East 89th Street from the Rent Escrow Account Program [REAP], (Case No. 7456), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No. 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of August 11, 2004. Assessor I.D. No. 6041-006-012 Registration No. None

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

ITEM NO. (41) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

Roll Call #16 - Motion (Parks - Weiss) Adopted, Ayes (13); Absent: Perry and Reyes (2)

04-1305 - MITIGATED NEGATIVE DECLARATION and COMMUNICATION FROM THE CHAIR, PLANNING AND LAND USE MANAGEMENT COMMITTEE relative to Zone Variance appeal for property at 3736-38 Santa Rosalia Drive.
Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and in compliance with the California Environmental Quality Act of 1970; 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. 04-1305 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration filed on September 5, 2003 [ENV 2003-5068 MND].

2. ADOPT the FINDINGS of the South Los Angeles Area Planning Commission, as revised by the Planning and Land Use Management Committee.

3. RESOLVE TO DENY APPEALS filed by Parkview Manor-Lockland, Inc.; Baldwin Hills Estates Homeowners Association; and Rhonda R. Trotter from the decision of the South Los Angeles Area Planning Commission, THEREBY APPROVE a Variance to allow a two-phased mixed use development with 172 market-rate units: 102 apartments on Parcel A and 70 condominiums on Parcel B and approximately 9,500 square feet of commercial uses on 104,000 square foot lot within the [Q]C2-1 and PB-1 Zones, and a Floor Area Ratio (FAR) of 2.26 over the combined site, including Parcels A and B with FAR not to exceed 3.05 on Parcel B, and FAR not to exceed 1.82 on Parcel A, in lieu of the FAR limitation of 1.5, subject to conditions of approval for property at 3736-38 Santa Rosalia Drive.

Applicant: Quarles Family Trust/FR Ventures, LLC (Owner)

ZA 2003-5066 ZV SPR-1A

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

ITEM NO. (42) -MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

04-1536 - MITIGATED NEGATIVE DECLARATION and COMMUNICATION FROM THE CHAIR, CD 5 PLANNING AND LAND USE MANAGEMENT COMMITTEE relative to Tentative Tract appeal for property at 3401-07 South Bently Avenue.

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 of 1970; 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. 04-1536 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration filed on April 6, 2004 [ENV- 2004-1490-MND].

2. ADOPT FINDINGS of the City Planning Commission.

3. DENY APPEAL filed by Susan Chang from the entire decision of the West Los Angeles Area Planning Commission, THEREBY APPROVING Tentative Tract No. 61044 (composed of one lot), for the proposed construction and maintenance of a maximum of 23 residential condominium units 3401-07 South Bently Avenue, subject to modified condition that a two foot wide sidewalk easement be dedicated along Bently Avenue adjoining the subdivision including a 15-foot radius easement line return at the intersection with Rose Avenue all satisfactory to the City Engineer.

Applicant: Spencer and Morin Properties (formerly noted as Spiegel Development Inc.)

Fiscal Impact Statements: 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 - AUGUST 30, 2004
(LAST DAY FOR COUNCIL ACTION - AUGUST 20, 2004)

ITEM NO. (43) -MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

Roll Call #6 - Motion (Weiss - LaBonge) Adopted, Ayes (12); Absent: Parks, Perry and Reyes (3)

00-1566 - COMMUNICATION FROM THE CHAIR, PLANNING AND LAND USE MANAGEMENT
S37 COMMITTEE relative to an application for a hardship exemption from provisions of the
CD 1 City's Pico Union Interim Control Ordinance (ICO) for the property at 1034-40 Beacon Avenue.

Recommendations for Council action:

1. GRANT hardship exemption from the City's Pico Union ICO (Ordinance No. 175692) for the proposed demolition of a garage and replacing with a parking lot for tenant parking located at 1034-40 Beacon Avenue, subject to the following conditions:

   a. The tenant parking shall be located in the rear of the lot.

   b. That the applicant understand no request is included for exterior work on the existing front structure.
2. ADVISE the applicant that this hardship exemption, if granted by the City Council, is not a permit or license and that any other approvals, permits and licenses required by law must be obtained from the proper agencies.

Applicant: Zona Steffen

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

ITEM NO. (44) - SUBSTITUTE MOTION ADOPTED IN LIEU OF ORIGINAL COMMUNICATION - SEE FOLLOWING

Roll Call #18 - Motion (Cardenas - Smith) to Adopt Substitute Motion , Ayes (13); Absent: Perry and Reyes (2)

00-1566 - COMMUNICATION FROM THE CHAIR, PLANNING AND LAND USE MANAGEMENT COMMITTEE relative to an application for a hardship exemption from provisions of the City’s Pico Union Interim Control Ordinance (ICO) for the property at 1210 South Lake Street.

Recommendations for Council action:

1. GRANT hardship exemption from the City’s Pico Union ICO (Ordinance No. 175692) for the proposed subdivision to 12 units, demolition of addition in parking area (9th unit) to create more parking space, replacing of 24 windows enclosing eight windows on sides and rear, altering the side of eight windows on sides and rear, adding six new windows to sides and rear. On front facade to replace existing aluminum windows with dual glazed vinyl french windows; re-stucco front with smooth undulated stucco; enlarge top windows to match with windows on the first floor; add trim to second story windows and relocate rain gutter for property at 1210 South Lake Street, subject to the following conditions:

a. The applicant shall maintain the same window openings and wood trim for the windows on the front facade and replaced the interior window with wood windows to match the original windows. The applicant shall replace existing aluminum small slider windows on the top floor front facade with matching wood and wood trimmed windows on the first floor of the front facade.

b. Of the proposed 24 windows to be replaced, the applicant shall maintain the existing wood trim and place vinyl, double hung windows where the original double hung exists.

c. Of the proposed eight windows to be altered, the applicant shall check the size first; if a double hung window is not available to fit the proposed altered size, the applicant shall be allowed to install aluminum, clear, white, double pane, sliders windows with a foam trim.
d. Of the proposed six new windows to be added, the applicant shall check the size first and if a double hung window is not available to fit the proposed new window opening, then the applicant will be allowed to install a white, clear, aluminum slider with foam trim window.

2. ADVISE the applicant that this hardship exemption, if granted by the City Council, is not a permit or license and that any other approvals, permits and licenses required by law must be obtained from the proper agencies.

Applicant: Jose G. Perez

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

ADOPTED

SUBSTITUTE MOTION (CARDENAS for REYES - MISCIKOWSKI)

Recommendation for Council action:

DELETE former conditions 1a-1d and substitute with the following NEW conditions 1a-1e, 2, 3, 4 and 5 (former No. 2) as follows:

1. Front Facade:
   a. First Floor Windows: The applicant shall maintain the existing tripartite wood trim and replace the aluminum sliding windows with tripartite wood windows of the same dimension on the first floor.
   b. Second Story Windows: The applicant shall enlarge the window openings on the second story to match the openings on the first floor and replace the aluminum sliding windows with tripartite wood windows with the same dimensions as those of the first floor. The applicant shall add tripartite wood trim that matches the dimensions of that on the first story.
   c. Sides within the Tripartite Windows: If possible, the applicant will reuse/relocate the existing French wood windows located on the sides of the building to install on the sides of the tripartite windows. If not possible to reuse, the applicant shall have the option to install French windows or clear, double-hung wood windows at the sides of the tripartite windows.
   d. The applicant shall not make any other alterations to the front facade, including maintaining the existing dormers.
   e. Any stuccoing done to the front facade shall be of a smooth finish and shall not cover any character defining feature of the building (includes “half-timbering”).
2. On the Side and Rear Windows:

The applicant shall be allowed to install aluminum sliding windows with white edging along the metal strips of the window and clear glass without sashes or dividers. Foam molding that replicates the appearance of wood trip shall be installed.

3. Salvageable Wood Windows:

The applicant has agreed to make any salvageable wood windows available to any interested community groups in the area for preservation purposes.

4. Demolish Rear Unit:

The applicant shall demolish the real unit (against the alley) and will be creating an opening in the rear of the existing main structure for creation of a passageway that allows pedestrian passage from the courtyard to the rear yard parking area. A security gate will also be installed between the parking area and the entrance into the passageway. The demolition of the rear unit will allow to reconfigure the rear yard to provide code required parking spaces.

5. ADVISE the applicant that this hardship exemption application, if granted by the City Council, is not a permit or license and that any other approvals, permits and licenses required by law must be obtained by the proper agencies.

Roll Call #6 - Motion (Weiss - LaBonge) Adopted, Ayes (12); Absent: Parks, Perry and Reyes (3) (Item Nos. 45-49)

ITEM NO. (45) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

00-1566 - COMMUNICATION FROM THE CHAIR, PLANNING AND LAND USE MANAGEMENT S41 COMMITTEE relative to an application for a hardship exemption from provisions of the CD 1 City's Pico Union Interim Control Ordinance (ICO) for the property at 1025 Albany Street.

Recommendations for Council action:

1. GRANT hardship exemption from the City's Pico Union ICO (Ordinance No. 175692) for the proposed new apartment building with 13 units totaling 27,090 square feet, 26 parking spaces, two stories, maximum 35 foot height located at 1025 Albany Street.

2. ADVISE the applicant that this hardship exemption, if granted by the City Council, is not a permit or license and that any other approvals, permits and licenses required by law must be obtained from the proper agencies.

Applicant: Community Redevelopment Agency/Pico Union Housing Corporation (Representative D'Lynda Fischer, Fischer Associates)

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.
ITEM NO. (46) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

02-1912 - COMMUNICATION FROM THE CHAIR, PLANNING AND LAND USE MANAGEMENT
S16 COMMITTEE relative to an application for a hardship exemption from provisions of the
CD 1 City's Lincoln Heights Interim Control Ordinance (ICO) for the property at 314 South
Avenue 21.

Recommendations for Council action:

1. GRANT hardship exemption from the City's Lincoln Heights ICO (Ordinance No. 175154) for the proposed replacement of a roof on the existing single family residence located at 314 South Avenue 21, subject to the following condition: that the applicant shall retain the same roof pitch and profile and shall replace with similar shingle to that of their immediate neighbors (i.e. individual shingle is also appropriate).

2. ADVISE the applicant that this hardship exemption, if granted by the City Council, is not a permit or license and that any other approvals, permits and licenses required by law must be obtained from the proper agencies.

Applicant: Ruben Diaz, Jr.

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

ITEM NO. (47) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

03-1472 - COMMUNICATION FROM THE CHAIR, PLANNING AND LAND USE MANAGEMENT
S12 COMMITTEE relative to an application for a hardship exemption from provisions of the
CD 4 City's Windsor Square Interim Control Ordinance (ICO) for the property at 245 North
Gower Street.

Recommendations for Council action:

1. GRANT hardship exemption from the City's Windsor Square ICO (Ordinance No. 175150) for the proposed construction of a second story to a single family dwelling over the front part of the house located at 245 North Gower Street (to be a master bedroom suite - total addition approximately 537 square feet).

2. ADVISE the applicant that this hardship exemption, if granted by the City Council, is not a permit or license and that any other approvals, permits and licenses required by law must be obtained from the proper agencies.

Applicant: Ruben Kasap (Tiffany Flynn, representative)

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.
ITEM NO. (48) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

02-2153 - COMMUNICATION FROM CHAIR and MEMBER, PUBLIC SAFETY COMMITTEE relative to care and maintenance of dogs and imposing penalties for failure to comply.

Recommendations for Council action:

1. REQUEST the City Attorney to draft an ordinance amending the Los Angeles Municipal Code to include a new section on the care and maintenance of dogs and imposing penalties for failure to comply, as substantially submitted by the Animal Services Department in reports dated September 17, 2002 and November 20, 2002, and to include new sections on both tethering and caging of dogs.

2. INSTRUCT the Animal Services Department to investigate and define the parameters regarding caging and tethering for inclusion in the City Attorney’s ordinance.

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

ITEM NO. (49) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

04-1589 COMMUNICATION FROM INFORMATION TECHNOLOGY AGENCY (ITA) relative to Fiscal Year (FY) 2004-05 funding for the Los Angeles Cable Television Access Corporation (LACTAC).

Recommendations for Council action:

1. APPROVE the proposed FY 2004-05 Grant Agreement, listed as Exhibit A of the ITA report, dated August 9, 2004 and attached to the Council file.

2. APPROVE the funding for LACTAC for FY 2004-05 in the amount of $555,000, as reflected in LACTAC’s proposed budget listed as Exhibit B of the ITA report, dated August 9, 2004 and attached to the Council file.

3. APPROVE the performance measures listed as Exhibit C of the ITA report, dated August 9, 2004 and attached to the Council file.

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

(Information Technology and General Services Committee waived consideration of the above matter)
ITEM NO. (50) - ADOPTED

Roll Call #19 - Motion (Parks - Villaraigosa) Adopted, Ayes (13); Absent: Perry and Reyes (2)

04-1567 - CONSIDERATION OF MOTION (PARKS - VILLARAIGOSA, ET AL.) relative to naming CD 8 West 25th Street between South Hobart Boulevard and South Harvard Boulevard “Dr. Cecil L. ‘Chip’ Murray Circle.”

Recommendations for Council action:

1. APPROVE the renaming of West 25th Street between South Hobart Boulevard and South Harvard Boulevard as “Dr. Cecil L. ‘Chip’ Murray Circle.”

2. INSTRUCT the Department of Transportation (DOT) to fabricate and install permanent ceremonial signs, in conjunction with Dr. Murray’s retirement in September 2004, on West 25th Street between South Hobart Boulevard and South Harvard Boulevard “Dr. Cecil L. ‘Chip’ Murray Circle” in recognition of Dr. Murray’s long-standing civic service to the City of Los Angeles; and further INSTRUCT the DOT to coordinate the appropriate sign location with Council District 8.

(Transportation Committee waived consideration of the above matter)

Roll Call #6 - Motion (Weiss - LaBonge) Adopted, Ayes (12); Absent: Parks, Perry and Reyes (3)

ITEM NO. (51) - ADOPTED

01-1590 - MOTION (MISCIKOWSKI - WEISS) relative to declaring the Hartzell Street Block Party CD 11 on July 10, 2004 a Special Event (fees and costs absorbed by the City = $1,226).

Recommendation for Council action:

DECLARE the Hartzell Street Block Party, sponsored by the residents of Hartzell Street on July 10, 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. (52) - ADOPTED

04-1600 - MOTION (MISCIKOWSKI - WEISS) relative to declaring the Oxford Triangle CD 11 Neighborhood Get Together on August 1, 2004 a Special Event (fees and costs absorbed by the City = $1,226).

Recommendation for Council action:
DECLARE the Oxford Triangle Neighborhood Get Together, sponsored by the Oxford Neighborhood Committee on August 1, 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. (53) - ADOPTED

03-1928 - MOTION (MISCIKOWSKI - WEISS) relative to declaring the Firebrand Block Club Party CD 11 on July 10, 2004 a Special Event (fees and costs absorbed by the City = $1,226).

Recommendation for Council action:

DECLARE the Firebrand Block Club Party, sponsored by the residents of Firebrand on July 10, 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. (54) - ADOPTED

02-1665 - MOTION (MISCIKOWSKI for LABONGE - HAHN) relative to declaring the 12th Annual “CD 4 A Taste of Larchmont Village” on August 30, 2004 a Special Event (fees and costs absorbed by the City = $650).

Recommendation for Council action:

DECLARE the 12th Annual “A Taste of Larchmont Village”, sponsored by Larchmont Village on August 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. (55) - ADOPTED

02-1961 - MOTION (PARKS - PERRY) relative to declaring the Creative Arts Emmy Awards CD 8 Presentation on September 12, 2004 a Special Event (fees and costs absorbed by the City = $10,000).

Recommendation for Council action:

DECLARE the Creative Arts Emmy Awards, on September 12, 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. (56) - ADOPTED

03-2014 - MOTION (PARKS - PERRY) relative to declaring the 56th Annual Emmy Awards Presentation on September 19, 2004 a Special Event (fees and costs absorbed by the City = $35,000).

Recommendation for Council action:

DECLARE the 56th Annual Emmy Awards, on September 19, 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. (57) - ADOPTED

01-1704 - MOTION (PARKS - PERRY) relative to declaring the University of Southern California (USC) “Salute to Troy” on August 20, 2004 a Special Event (fees and costs absorbed by the City = $1,500).

Recommendation for Council action:

DECLARE the USC “Salute to Troy”, sponsored by the USC on August 20, 2004, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance.

ITEM NO. (58) - ADOPTED

03-1298 - MOTION (PARKS - PERRY) relative to declaring the 78th Street Dalton Avenue Block Club’s “Unity of Our Community” on August 14, 2004 a Special Event (fees and costs absorbed by the City = $1,000).

Recommendation for Council action:

DECLARE the 78th Street Dalton Avenue Block Club’s “Unity of Our Community”, sponsored by the 78th Street Dalton Avenue Block Club on August 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. (59) - ADOPTED

04-0863 - MOTION (GARCETTI - CARDENAS) relative to the El Grito celebration at City Hall on September 15, 2004.

Recommendation for Council action:
AMEND previous Council action of July 23, 2004 relative to the El Grito celebration, to INSTRUCT and AUTHORIZE the General Manager, Department of General Services, to negotiate and execute a contract with any party or entity providing the best proposal to produce the El Grito celebration at City Hall on September 15, 2004, utilizing available funding.

ITEM NO. (60) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #20 - Motion (Parks - LaBonge) to Adopt as Amended, Ayes (13); Absent: Perry and Reyes (2)

04-1601 - MOTION (PARKS - PADILLA) relative to the calculation errors in the City’s Annual Required Contribution to the Los Angeles City Employees’ Retirement System (LACERS).

Recommendation for Council action:

INSTRUCT the City Administrative Officer to report to Council on August 18, 2004 regarding the factors that contributed to the calculation errors in the City’s Annual Required Contribution to the LACERS in Fiscal Years 2003-04 and 2004-05, including a timeline of when the error was first discovered and when it was reported, recommendations for how the contribution deficiencies will be addressed, and the steps that will be taken to prevent such errors from ever happening again.

ADOPTED

AMENDING MOTION (PARKS - MISCIKOWSKI)

Recommendations for Council action:

1. DEFER any action until Budget and Finance Committee has had enough time to review all recommendations.

2. REQUEST Los Angeles City Employees’ Retirement System to report to Budget and Finance Committee within 60 days on all issues pertaining to the contribution deficiencies.

3. REQUEST the City Attorney to report to Budget and Finance Committee on strategy and possible remedies available to the City relative to the consultant’s errors and omissions.

ITEM NO. (61) - MAP APPROVED - CITY ENGINEER REPORT ADOPTED

Roll Call #6 - Motion (Weiss - LaBonge) Adopted, Ayes (12); Absent: Parks, Perry and Reyes (3)

03-2440 - FINAL MAP OF TRACT NO. 53724 and RESOLUTION for property lying westerly of Coldwater Canyon Avenue and northerly of Strathern Street.

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

(ADOPT City Engineer Report)
ITEM NO. (62) - MAP APPROVED - CITY ENGINEER REPORT ADOPTED

Roll Call #21 - Motion (Smith - Ludlow) Adopted, Ayes (13); Absent: Perry and Reyes (2)

04-1384 - FINAL MAP OF TRACT NO. 53544 for property lying westerly of Manning Avenue CD 5 and southerly of Wilkins Avenue.
(Approve Subdivision Improvement Agreement and Contract with attached security documents)
(ADOPT City Engineer Report)
(ADOPT Bond No. C-106750)
(Quimby Fee: $24,180)
Applicants: Fifteen Fifty Five, L.P.
Jack Little

ITEM NO. (63) - MAP APPROVED - CITY ENGINEER REPORT ADOPTED

Roll Call #6 - Motion (Weiss - LaBonge) Adopted, Ayes (12); Absent: Parks, Perry and Reyes (3)

04-1605 - PARCEL MAP L.A. NO. 2003-3466 lying westerly of Gramercy Place and southerly of Wilshire Boulevard.
(ADOPT City Engineer Report)
(Quimby Fee: $9,100)
(Dwelling Unit Construction Tax: $800)
Applicants: In Woong Huh
Nathan Freeman

Closed Sessions - Items 64-70

ITEM NO. (64) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Roll Call #27 - Motion (Miscikowski - Smith) Adopted in Open Session, Ayes (11); Absent: Parks, Perry, Reyes and Weiss (4)

02-2654 - 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 Cesar Menendez v. City of Los Angeles, et al., United States District Court Case No. CV 01-10827 GAF (AJWx). (This action arises from the murder of Miguel Malfavon, aka “Lizard,” on February 7, 1996.)

(Budget and Finance Committee considered the above matter in Closed Session on August 10, 2004)
ADOPTED IN OPEN SESSION

MOTION (MISCIKOWSKI - SMITH)

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

1. AUTHORIZE the City Attorney to expend $475,000 in settlement of the case entitled Cesar Menendez v. City of Los Angeles, et al., United States District Court Case No. CV 01-10827 GAF (AJWx), from the Extraordinary Liability Claims Account No. 2000, Fund 112, Department 12.

2. AUTHORIZE the City Attorney to draw a demand thereon in said amount payable to the Law Offices of Gregory A. Yates and Cesar Menendez.

This matter was approved by the Budget and Finance Committee (Miscikowski - Smith - Garcetti "yes"; Parks recused himself) at its meeting of August 10, 2004, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (65) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Roll Call #28 - Motion (Miscikowski - Smith) Adopted in Open Session, Ayes (11); Absent: Parks, Perry, Reyes and Weiss (4)

04-1508 - 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 Martin Fernandez v. City of Los Angeles, et al., United States District Court Case No. CV 04-3290 GAF (AJWx). (This action arises out of the April 3, 1997, arrest of Plaintiff.)

(Budget and Finance Committee considered the above matter in Closed Session on August 10, 2004)

ADOPTED IN OPEN SESSION

MOTION (MISCIKOWSKI - SMITH)

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

1. AUTHORIZE the City Attorney to expend $105,000 in settlement of the case entitled Martin Fernandez v. City of Los Angeles, et al., United States District Court Case No. CV 04-3290 GAF (AJWx), from the Extraordinary Liability Claims Account No. 2000, Fund 112, Department 12.

2. AUTHORIZE the City Attorney to draw a demand thereon in said amount payable to the Law Offices of Gregory Yates and Martin Fernandez.

This matter was approved by the Budget and Finance Committee (Miscikowski - Smith - Garcetti "yes"; Parks recused himself) at its meeting of August 10, 2004, in Closed Session as permitted by Government Code Section 54956.9(a).
ITEM NO. (66) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Roll Call #29 - Motion (Miscikowski - Smith) Adopted in Open Session, Ayes (11);
Absent: Parks, Perry, Reyes and Weiss (4)

04-1507 - 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 Anthony Adams v. City of Los Angeles, et al., United States District Court Case No. CV 01-08304 GAF (AJWx). (This action arises from the murder of Miguel Malfavon, aka “Lizard,” on February 7, 1996.)

(Budget and Finance Committee considered the above matter in Closed Session on August 10, 2004)

ADOPTED IN OPEN SESSION

MOTION (MISCIKOWSKI - SMITH)

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

1. AUTHORIZE the City Attorney to expend $800,000 in settlement of the case entitled Anthony Adams v. City of Los Angeles, et al., United States District Court Case No. CV 01-08304 GAF (AJWx), from the Extraordinary Liability Claims Account No. 2000, Fund 112, Department 12.

2. AUTHORIZE the City Attorney to draw a demand thereon in said amount payable to the Law Offices of Gregory A. Yates and Anthony Adams.

This matter was approved by the Budget and Finance Committee (Miscikowski - Smith - Garcetti “yes”; Parks recused himself), at its meeting of August 10, 2004, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (67) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Roll Call #30 - Motion (Miscikowski - Smith) Adopted in Open Session, Ayes (12);
Absent: Perry, Reyes and Weiss (3)

04-1545 - 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 Hattie Logan, et al., v. City of Los Angeles, et al., United States District Court Case No. CV 02-6200 TJH (CTx). (This action arises from an altercation involving officers assigned to the Los Angeles Police Department Southeast Area.)

(Budget and Finance Committee considered the above matter in Closed Session on August 3, 2004.)

(Continued from Council meeting of August 11, 2004)
ADOPTED IN OPEN SESSION

MOTION (MISCIKOWSKI - SMITH)

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

1. AUTHORIZE the City Attorney to expend $170,000 in settlement of the case entitled Hattie Logan, et al., v. City of Los Angeles, et al., United States District Court Case No. CV 02-6200 TJH (CTx), 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 the Law Office of Ellen Hammill Ellison and Carl Williams, plaintiff.

This matter was approved by the Budget and Finance Committee (Parks, Misckowski - Cardenas - Smith - Garcetti “yes”) at its meeting of August 3, 2004, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (68) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Roll Call #31 - Motion (Miscikowski - Smith) Adopted in Open Session, Ayes (12); Absent: Perry, Reyes and Weiss (3)

04-1544 - 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 Jamie Bennet, et al., v. City of Los Angeles and William J. Bratton, Los Angeles Superior Court Case No. BS 082692. (This case arises out of the imposition of an official reprimand by the Los Angeles Police Department against Officer Jamie Bennett for an on-duty discharge of his weapon that was determined to be in violation of Department policy.)

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

ADOPTED IN OPEN SESSION

MOTION (MISCIKOWSKI - SMITH)

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

APPROVE the terms of the proposed settlement agreement as follows: 1) The City would rescind the imposition of an Official Reprimand and remove all documents and references to it from Bennett’s Personnel file; 2) the written finding of the Use of Force Review Board relating to Bennett’s use of force will not be removed from the Department’s records and will remain on Bennett’s TEAMS Report; and, 3) each party shall bear its own attorney’s fees and court costs.

(Budget and Finance Committee waived consideration of the above matter.)
ITEM NO. (69) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Roll Call #32 - Motion (Miscikowski - Smith) Adopted in Open Session, Ayes (12);
Absent: Perry, Reyes and Weiss (3)

04-1496 - 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 Ernie Madrigal and Patrick Strutman v. City of Los Angeles, Los Angeles Superior Court Case No. VC 036622. (This matter arises from a traffic accident that occurred April 22, 2001, involving a Los Angeles Police Department officer working security detail and driving the Mayor’s personal SUV.)

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

ADOPTED IN OPEN SESSION

MOTION (MISCIKOWSKI - SMITH)

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

1. AUTHORIZE the City Attorney to expend $1,500,000 in settlement of the case entitled Ernie Madrigal and Patrick Strutman v. City of Los Angeles, Los Angeles Superior Court Case No. VC 036622, 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 the Law Offices of Michael Alder, the Law Offices of Kottler and Kottler and Patrick Strutman.

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

ITEM NO. (70) - MEETING HELD - ACTION TAKEN IN CLOSED SESSION

04-1234 - 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 Ezequiel Garcia, et al., v. Dikran Melkonian, et al., United States District Court Case No. CV 00-02033 RSWL (Ex). (This action arises from a violation of civil rights claim brought by Immigration and Naturalization Service agents against members of the Los Angeles Police Department.)

(Budget and Finance Committee waived consideration of the above matter)
RECONSIDERATION OF ORDINANCES FROM TUESDAY, AUGUST 17, 2004

Roll Call #7 - Motion (Miscikowski - Garcetti) Adopted to Reconsider, Ayes (12); Absent: Parks, Perry and Reyes (3)
Roll Call #8 - Motion (Miscikowski - Garcetti) Adopted, Ayes (12); Absent: Parks, Perry and Reyes (3)

ITEM NO. (1) - ORDINANCE ADOPTED

04-0532 - CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of CENTINELA AVENUE AND OLYMPIC BOULEVARD 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 July 27, 2004)

ITEM NO. (2) - ORDINANCE ADOPTED

04-0533 - CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of SEPULVEDA BOULEVARD AND 83RD STREET LIGHTING DISTRICT.

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

1. FIND that a majority protest exists in the Street Lighting Maintenance Assessment District and therefore the proposed assessment cannot be enacted.

2. PRESENT and ADOPT the accompanying ORDINANCE abandoning all proceedings for the above lighting district, 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).

3. INSTRUCT the Director, Bureau of Street Lighting, to assure that the streetlights are not installed or are removed from service if previously installed.

(Public Hearing held July 27, 2004)
ITEM NO. (3) - ORDINANCE ADOPTED

04-0534 - CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST
CD 6 CONSIDERATION relative to the improvement and maintenance of LEADWELL STREET
AND HASKELL AVENUE LIGHTING DISTRICT.

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

1. FIND that a majority protest exists in the Street Lighting Maintenance Assessment
District and therefore the proposed assessment cannot be enacted.

2. PRESENT and ADOPT the accompanying ORDINANCE abandoning all proceedings for
the above lighting district, 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).

3. INSTRUCT the Director, Bureau of Street Lighting, to assure that the streetlights are
not installed or are removed from service if previously installed.

(Public Hearing held July 27, 2004)

ITEM NO. (6) - ORDINANCE ADOPTED

04-0726 - BUDGET AND FINANCE COMMITTEE REPORT and ORDINANCE FIRST
CONSIDERATION relative to the Los Angeles Police Department (LAPD) Trust Fund.

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

PRESENT and ADOPT the accompanying ORDINANCE amending the LAPD Fund to
provide that interest earned in the Fund or in any account in the Fund be retained by the
Fund.

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.

(Public Safety Committee waived consideration of the above matter)

ITEM NO. (7) - ORDINANCE ADOPTED

00-0444 - MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT
CD 2 COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to zone change
for property at 11600 Big Tujunga Canyon Road.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:
1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and 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. 00-0444 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration filed on March 5, 1999 [ENV 98-0361 ZC (SUB)(ZV) MND].

2. ADOPT the August 10, 2004 FINDINGS of the Director of Planning as the Findings of the City Council.

3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the Director of Planning, effecting the zone change, incident to Tentative Tract No. 52642, from A2-1 and (T)RE-11-1 to (T)(Q)RE11-1 for the proposed subdivision for a maximum of a new 15-lot single family residential development on a 128,794 net square feet for the property at 11600 Big Tujunga Canyon Road.

   Applicant: Faribozi P. Lavaei
   CPC 98-0353 ZC
   TT No. 52642

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

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

5. NOT PRESENT and ORDER FILED Ordinance signed by the City Planning Commission on December 16, 1999.

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

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

ITEM NO. (8) - ORDINANCE ADOPTED

02-1167 - MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT
S1 COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to the CDs 4, 5 & 13 Hollywood Signage Supplemental Use District.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:
1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and 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. 02-1167-S1 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration filed on February 28, 2003 [ENV 2003-1377 MND].

2. ADOPT the May 12, 2004 FINDINGS of the Director of Planning as the Findings of City Council.

3. PRESENT and ADOPT the accompanying ORDINANCE, disapproved by the Director of Planning on behalf of the City Planning Commission, establishing the Hollywood Signage Supplemental Use District for the area of the Hollywood Community Plan roughly bounded by Franklin Avenue and the Hollywood Freeway to the north, the Hollywood Freeway and Wilton Avenue on the east, Melrose Avenue on the south and Highland Avenue, Fountain Avenue and La Brea Avenue on the West.

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.

(Budget and Finance Committee waived consideration of this matter)

ADOPTED

AMENDING MOTION (GARCETTI - LABONGE)

Recommendation for Council action:

AMEND the Mitigated Negative Declaration, Planning and Land Use Management Committee Report and Ordinance First Consideration relative to the Hollywood Signage Supplemental Use District to add to the proposed Hollywood Signage Supplemental Use District ordinance an incentive for removing concentrations of billboards by providing a bonus to applicants requesting the approval of a supergraphic sign, as further described on the attachment.

ITEM NO. (17) - ORDINANCE ADOPTED

04-0772 - COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCE FIRST
CDs 13 & 4 CONSIDERATION relative to prohibiting the possession, use, sale or distribution of “Silly String” in the Los Angeles Police Department’s Hollywood Division on Halloween.

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

PRESENT and ADOPT the accompanying ORDINANCE relative to adding Section 56.02 to the Los Angeles Municipal Code to prohibit the possession, use, sale, or distribution of a product known as “Silly String” in the Los Angeles Police Department’s Hollywood Division on Halloween to address public safety issues and environmental concerns.
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.

(Public Works Committee waived consideration of the above matter)

ITEM NO. (55) - ORDINANCE ADOPTED

04-1632 - COMMUNICATIONS FROM THE CITY ATTORNEY AND CONTROLLER and ORDINANCE FIRST CONSIDERATION relative to levying taxes and fixing the tax rates for the several interest and sinking funds for the bonded indebtedness of the City for the Fiscal Year (FY) 2004-05.

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

PRESENT and ADOPT the accompanying ORDINANCE levying taxes and fixing the tax rates for the several interest and sinking funds for the bonded indebtedness of the City of Los Angeles for the FY beginning July 1, 2004 and ending June 30, 2005.

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

MOTIONS ADOPTED UPON FINDINGS BY COUNCIL THAT THE NEED TO TAKE ACTION AROSE SUBSEQUENT TO THE POSTING OF THE COUNCIL AGENDA FOR WEDNESDAY, AUGUST 18, 2004, PURSUANT TO GOVERNMENT CODE SECTION 54954.2(b)(2) AND COUNCIL RULE 23

ADOPTED - FORTHWITH

Roll Call #22 - Motion (Cardenas - Padilla) Findings on Need to Act - Adopted, Ayes (13); Absent: Perry and Reyes (2)
Roll Call #23 - Motion (Cardenas - Padilla) Adopted, Ayes (13); Absent: Perry and Reyes (2)

04-1613 - MOTION (CARDENAS - PADILLA) relative to the August 17, 2004 action of the Board of Water and Power Commissioners adopting a resolution authorizing a payment to Golden Eagle Insurance company in full settlement of litigation against the Department of Water and Power [Golden Eagle v. DWP, BC 306934].

Recommendation for Council action:

Pursuant to Charter Section 245 (b), WAIVE review of the August 17, 2004 action of the Board of Water and Power Commissioners adopting a resolution authorizing a payment to Golden Eagle Insurance company in full settlement of litigation against the Department of Water and Power [Golden Eagle v. DWP, BC 306934].
ADOPTED - FORTHWITH

Roll Call #24 - Motion (Zine - LaBonge) Findings on Need to Act - Adopted, Ayes (13);
   Absent: Perry and Reyes (2)
Roll Call #25 - Motion (Zine - LaBonge) Adopted, Ayes (13);
   Absent: Perry and Reyes (2)

04-0002 - RESOLUTION (ZINE - LABONGE) relative to the City's position in connection with
   AB 1798 (Levine) and efforts to amend existing legislation which will address legal issues
   that have stopped construction of the Metro Orange Line.

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

RESOLVE to include in the City's 2003-04 Legislative Program SUPPORT of AB 1798
   (Levine), which would clarify appropriated sections of the Public Resources Code to
   address project alternatives that need to be evaluated in the environmental process, and
   allow construction to continue on the Metro Orange Line.

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

02-1637 - MOTION (MISCIKOWSKI - PADILLA) relative to declaring the 10th Annual Block Party on
   September 5, 2004 a Special Event (fees and costs absorbed by the City = $1,226).
01-2235 - MOTION (MISCIKOWSKI - PADILLA) relative to declaring the Jet to Jetty 5K and 10K on
   August 28, 2004 a Special Event (fees and costs absorbed by the City = $6,960).
03-1392 - MOTION (MISCIKOWSKI - PADILLA) relative to declaring the Anise Avenue Block Party
   on August 29, 2004 a Special Event (fees and costs absorbed by the City = $1,226).
01-1761 - MOTION (MISCIKOWSKI - PADILLA) relative to declaring the 2004 Labor Day Block Party
   on September 5, 2004 a Special Event (fees and costs absorbed by the City = $1,226).
03-1927 - MOTION (MISCIKOWSKI - PADILLA) relative to declaring the 5th Annual Block Party on
   September 6, 2004 a Special Event (fees and costs absorbed by the City = $1,226).
03-1744 - MOTION (MISCIKOWSKI - PADILLA) relative to declaring the 13th Annual Block Party on
   September 4, 2004 a Special Event (fees and costs absorbed by the City = $1,226).
02-1446 - MOTION (LUDLOW - LABONGE) relative to declaring the Citrus Avenue Block Club Party
   on August 28, 2004 a Special Event (fees and costs absorbed by the City = $1,226).
04-1657 - MOTION (PADILLA - GREUEL) relative to declaring the Terrace Eagles Neighborhood
   Block Party on September 11, 2004 a Special Event (fees and costs absorbed by the City
   = $1,226).
04-1658 - MOTION (PADILLA - GREUEL) relative to declaring the Renegades Neighborhood Block Party on August 28, 2004 a Special Event (fees and costs absorbed by the City = $1,226).

03-1705 - MOTION (HAHN - LABONGE) relative to declaring the 13th Annual Festival of Philippine Arts and Culture on September 11 and 12, 2004 a Special Event (fees and costs absorbed by the City = $4,260).

04-1659 - MOTION (HAHN - LABONGE) relative to declaring the Seventh Annual Chocolate Lobster Dive on September 25, 2004 a Special Event (fees and costs absorbed by the City = $1,260).

04-1660 - MOTION (HAHN - LABONGE) relative to declaring the Sixth Annual Port of Los Angeles Lobster Festival 2004 on September 17-19, 2004 a Special Event (fees and costs absorbed by the City = $4,620).

03-2042 - MOTION (LABONGE - HAHN) relative to declaring the 8TH Annual Art in the Park on September 11-12,2004 a Special Event (fees and costs absorbed by the City = $5,138).

00-1352 - MOTION (PARKS for REYES - SMITH) relative to declaring the L.A. Greek Fest 2004 on September 10-12, 2004 a Special Event (fees and costs absorbed by the City = $34,064).

04-1662 - MOTION (PARKS for REYES - SMITH) relative to declaring the New Hampshire Avenue New Housing Groundbreaking on August 29, 2004 a Special Event (fees and costs absorbed by the City = $1,226).

04-1664 - MOTION (WEISS - SMITH) relative to declaring the AIDS Walk 2004 on October 17, 2004 a Special Event (fees and costs absorbed by the City = $22,652).

04-1665 - MOTION (MISCIKOWSKI - CARDENAS) relative to declaring the Foxboro Block Party on September 12, 2004 a Special Event (fees and costs absorbed by the City = $1,226).

04-1666 - MOTION (MISCIKOWSKI - CARDENAS) relative to declaring the Back to School Block Party on September 4, 2004 a Special Event (fees and costs absorbed by the City = $1,226).

03-1760 - MOTION (ZINE - GARCETTI) relative to declaring the Leadwell Block Party on August 28, 2004 a Special Event (fees and costs absorbed by the City = $1,226).

04-1130 - MOTION (VILLARAIGOSA - CARDENAS) relative to declaring the Latin Grammy’s Street Party on August 29, 2004 a Special Event (fees and costs absorbed by the City = $8,304).

00-1661 - MOTION (VILLARAIGOSA - PARKS) relative to declaring the Los Angeles 223rd Birthday Celebration on September 4, 2004 a Special Event (fees and costs absorbed by the City = $21,736).

03-1583 - MOTION (VILLARAIGOSA - LUDLOW) relative to declaring the LA CAN Labor Day Gala on September 6, 2004 a Special Event (fees and costs absorbed by the City = $4,751).

02-2362 - MOTION (VILLARAIGOSA - LUDLOW) relative to declaring the 3rd Annual Boyle Heights Resource Fair on August 28-29, 2004 a Special Event (fees and costs absorbed by the City = $2,198).
02-1775 - MOTION (VILLARAIGOSA - PARKS) relative to declaring the Hollister/Vaquero Neighborhood Watch Block Party on August 21, 2004 a Special Event (fees and costs absorbed by the City = $1,226).

02-0333 - MOTION (WEISS - ZINE) relative to declaring the Taste of Encino on October 10, 2004 a Special Event (fees and costs absorbed by the City = $4,472).

03-1094 - MOTION (PARKS for PERRY - GARCETTI) relative to a request for an exemption from the Convention Center fee waiver policy for the Los Angeles Black Business Weekend, sponsored by the Los Angeles Black Business Expo and Trade Show on September 10-12, 2004.

04-1670 - MOTION (LUDLOW - PARKS) relative to partial funding to support community programs and groups in Council District 10.

04-1669 - MOTION (SMITH - VILLARAIGOSA) relative to initiating street vacation proceedings for a portion of the south side of Ventura Boulevard from approximately 104 feet easterly of Noeline Avenue 240 feet easterly thereof.

04-0941 - MOTION (GREUEL - LABONGE) relative to street closures related to the Studio City Farmers Market.

04-1661 - MOTION (PADILLA - SMITH) relative to the proposed retail development at 13500 Paxton Street in Pacoima.

04-1663 - MOTION (WEISS - SMITH) relative to asserting jurisdiction over the Central Area Planning Commission’s August 11, 2004 approval of an appeal relative to a conditional use to permit the sale and dispensing a full line of alcoholic beverages as a use accessory to a motel at 115 South Fairfax.

04-1667 - MOTION (ZINE - SMITH) relative to waiving permit fees relative to the Canoga Park Walk of Hearts Project.

COMMENDATORY RESOLUTION ADOPTED IN HONOR OF:

04-1297 - Space and Missile Systems Center Day (Hahn - All Councilmembers)

At the conclusion of this day's Council Session

ADJOURNING MOTIONS WERE ADOPTED in tribute to the memory of:

04-1298 - Diamond La'Prii Rodgers (Ludlow)
Carmen Tidwell (Parks)
Pete Rossick (Parks - Hahn)
Thelma Lewis (Zine)
Ayes, Cardenas, Garcetti, Greuel, Hahn, LaBonge, Ludlow, Miscikowski, Parks, Smith, Villaraigosa, Zine and President Padilla (12); Absent: Perry, Reyes and Weiss (3).

Whereupon the Council did adjourn.

ATTEST: J. Michael Carey, CITY CLERK

By

Council Clerk PRESIDENT OF THE CITY COUNCIL