ROLL CALL - Members present: Garcetti, Greuel, LaBonge, Ludlow, Miscikowski, Perry, Reyes, Villaraigosa, Zine and President Padilla (10); Absent: Cardenas, Hahn, Parks, Smith and Weiss (5).

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF JANUARY 25, 2005

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 10

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

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

Item Noticed for Public Hearing - Item 1

ITEM NO. (1) - CONTINUED TO FEBRUARY 1, 2005

Roll Call #5 - Motion (Greuel - Reyes) Adopted to Continue, Unanimous Vote (12); Absent: Smith, Villaraigosa and Zine (3)

04-2635 CD 2 HEARING COMMENTS relative to Application for Determination of “Public Convenience or Necessity” for the sale of alcohol for off-site consumption at the Jons Marketplace (supermarket) at 13051 Victory Boulevard.

Application filed by: Berberian Enterprises, Inc.

TIME LIMIT FILE - FEBRUARY 1, 2005

(LAST DAY FOR COUNCIL ACTION - FEBRUARY 1, 2005)

(Findings and Council recommendations required relative to the above application request)
Item for Which Public Hearing Has Been Held - Item 2

ITEM NO. (2) - ADOPTED

Roll Call #1 - Motion (Miscikowski - Zine) Adopted, Ayes (10); Absent: Cardenas, Hahn, Parks, Smith and Weiss (5)

00-0211-S70

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

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

1. AUTHORIZE the City Attorney to submit the City’s Semi-Annual Consent Decree Status Report, with concurrence of the Chief Legislative Analyst (CLA) and the Mayor, based upon the status reports submitted to the City Council and including the most up to date information, to the court by February 1, 2005, on behalf of the City.

2. REAFFIRM the request for the LAPD to report to the Public Safety Committee bi-monthly regarding the Force Investigation Division (FID) operations and staffing, including the status of the backlog of cases associated with the Critical Incident Investigation Division transition to the FID and internal FID auditing procedures.

3. REAFFIRM the request for the LAPD to report in greater detail regarding any complaint investigations that fall out of statute in the future, including the complaint allegations, the investigative time period and investigating entity, and the adjudication time period of each step of the chain-of-command adjudication process.

4. REQUEST the LAPD to report the information requested in recommendation No. 3 above, for Complaint file Nos. 02-4290, 02-3960, 03-0311, 03-1741, 03-1075, 03-1593, 03-2754, 03-3920 and 03-5237 and to document the process for closure of out of statute complaints and the time frame required to accomplish that task.

5. REQUEST the LAPD to report to the Public Safety Committee in 60 days regarding the actions being taken to address the law enforcement related death and law enforcement related injury uses of force data gap in evaluating Field Training Officer and Gang Enforcement Detail selections.

Fiscal Impact Statement: None submitted by the CLA. The City Administrative Officer has not completed a financial analysis of this report.
ITEM NO. (3) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - FORTHWITH TO THE MAYOR

Roll Call #4 - Motion (Hahn - Garcetti) Adopted, Ayes (12); Absent: Smith, Villaraigosa and Zine (3)

01-2372 CD 15

COMMUNICATION FROM CHAIR AND MEMBER, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to the Wilmington Merchant-Based Business Improvement District (BID).

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

1. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION confirming the Wilmington BID Annual Report and levying an annual assessment for the Wilmington BID’s fifth fiscal year, January 1, 2005 to December 31, 2005.

2. DIRECT the City Clerk to schedule, prepare, publish, and mail the public hearing notice, as required by the provisions of Section 36500 et seq. of the California Streets and Highways Code.

3. INSTRUCT the City Clerk, subject to approval by the City Attorney as to form and legality, to prepare an enabling Ordinance levying the special assessment for the Wilmington BID’s 2005 fiscal year beginning January 1, 2005 through December 31, 2005.

4. AUTHORIZE the City Clerk, subject to City Attorney approval, to prepare, execute and administer a contract between the City and the Wilmington Commercial District, Inc. to administer the Wilmington BID, if the enabling Ordinance is adopted.

5. AUTHORIZE the Controller to provide, if necessary and if available, an advance against the Wilmington BID 2005 fiscal year assessment revenue in an amount not to exceed $11,531.25, representing 25 percent of the BID’s anticipated revenue receipts for its 2005 fiscal year, to the Wilmington Commercial District, Inc., if the enabling Ordinance is adopted.

Fiscal Impact Statement: The City Clerk reports that administrative expenses will be charged to the Wilmington BID and recovered from assessments collected. Amount of recoverable costs to be charged to the BID for 2005 fiscal year will be $2,767.50. The City Clerk states that there are no assessments to be paid for City-owned properties within the BID and there is no impact on the General Fund.
ITEM NO. (4) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - FORTHWITH TO THE MAYOR

Roll Call #6 - Motion (Reyes - Cardenas) Adopted, Ayes (13); Absent: Smith and Villaraigosa (2)

04-2509

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CHAIR, PLANNING AND LAND USE MANAGEMENT COMMITTEE and ORDINANCE FIRST CONSIDERATION amending the Los Angeles Municipal Code (LAMC) to allow the establishment of schools in the Commercial Manufacturing (CM) Zone pursuant to a conditional use permit.

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

1. FIND that this action is categorically exempt from California Environmental Quality Act pursuant to Article II, Section 2(m) of the City's Guidelines.

2. ADOPT the December 14, 2004 FINDINGS of the City Planning Commission as the Findings of the Council.

3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the Director of Planning, amending LAMC Section 12.17.1 to allow the establishment of schools in the CM Zone pursuant to a conditional use permit.

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.

Roll Call #2 - Motion (Zine - LaBonge) Adopted, Ayes (10); Absent: Cardenas, Hahn, Parks, Smith and Weiss (5)

(Item Nos. 5-7)

ITEM NO. (5) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

02-2217

COMMUNICATION FROM CHAIR AND MEMBER, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE relative to Encino Commons Business Improvement District (BID).

Recommendation for Council action:

AUTHORIZE the City Clerk, subject to City Attorney approval, to prepare, execute and administer a contract between the City and the Encino Commons BID, Incorporated in an amount not to exceed $15,000 for activities and expenses related to the re-establishment of the Encino Commons BID.

Fiscal Impact Statement: The City Clerk reports that a total of $15,000 is available from BID Trust Fund No. 659 for this project.
ITEM NO. (6) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

COMMUNICATION FROM CHAIR AND MEMBER, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE relative to the use of $40,000 from the Business Improvement District Trust Fund No. 659 to begin the review process for a Pacoima City Business Improvement District (BID).

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

1. INSTRUCT the City Clerk and the City Attorney to meet with the San Fernando Road business community in Pacoima to provide the necessary assistance to begin the review process for a Pacoima City BID.

2. APPROVE the allocation of up to $40,000 from the BID Trust Fund No. 659 to be used for professional consulting services, including: to collect, categorize and interpret data; to design and conduct interviews with business and property owners; to develop focus group activities, questionnaires and surveys; to organize meetings and prioritize community needs, to identify and organize key stakeholders; to produce cost estimates for service delivery; to develop alternative assessment district boundaries and formulas; to prepare all required reports and documents; to create a nonprofit service provider, as necessary; and to generally coordinate the entire process for establishment of a Pacoima BID.

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

ITEM NO. (7) - ADOPTED

MOTION (ZINE - CARDENAS) relative to declaring the Los Angeles Chamber Orchestra at the Madrid Theatre on January 21, 2005 a Special Event (fees and costs absorbed by the City = $1,270).

Recommendation for Council action:

DECLARE the Los Angeles Chamber Orchestra at the Madrid Theatre, sponsored by the Los Angeles Chamber Orchestra and the Cultural Affairs Department on January 21, 2005, 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. (8) - ADOPTED

Roll Call #7 - Motion (Cardenas - Parks) Adopted, Ayes (12); Absent: Hahn, Smith and Villaraigosa (3)

05-0114
CD 15
MOTION (HAHN - PARKS) relative to declaring the Dr. King Day 2005 on January 28, 2005 a Special Event (fees and costs absorbed by the City = $570).

Recommendation for Council action:

DECLARE the Dr. King Day 2005, sponsored by the Community Redevelopment Department and the Watts Community Development Advisory Committee on January 28, 2005, 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.

Roll Call #2 - Motion (Zine - LaBonge) Adopted, Ayes (10); Absent: Cardenas, Hahn, Parks, Smith and Weiss (5)

(Item Nos. 9-15)

ITEM NO. (9) - ADOPTED

04-2358
CD 15
MOTION (HAHN - LABONGE) relative to declaring the Via Italia Way dedication on January 30, 2005 a Special Event (fees and costs absorbed by the City = $1,260).

Recommendation for Council action:

DECLARE the Via Italia Way dedication, sponsored by the Italian American Club on January 30, 2005, 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, including insurance.

ITEM NO. (10) - ADOPTED

05-0115
CD 5
MOTION (WEISS - REYES) relative to declaring the Sefer Torah Procession Ceremony on February 13, 2005 a Special Event (fees and costs absorbed by the City = $3,370).

Recommendation for Council action:

DECLARE the Sefer Torah Procession Ceremony, sponsored by the Bais Yaakov school on February 13, 2005, 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. (11) - ADOPTED

05-0116
CD 15 MOTION (HAHN - GREUEL) relative to declaring the Wilmington Clean Up on February 5, 2005 a Special Event (fees and costs absorbed by the City = $2,360).

Recommendation for Council action:

DECLARE the Wilmington Clean Up, sponsored by Council District 15 and the Los Angeles Neighborhood Housing Services on February 5, 2005, 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. (12) - ADOPTED

05-0033 CDs 8&9 MOTION (PERRY - PARKS) relative to amending Council action of January 7, 2005 in connection with the temporary closure of the pedestrian tunnel at 69th and Flower Streets.

Recommendation for Council action:

AMEND Council action of January 7, 2005 in connection with the temporary closure of the pedestrian tunnel at 69th and Flower Streets pending further advice from the Los Angeles Police Department (LAPD), to also temporarily close the pedestrian tunnel at 61st and Grand/Flower Streets, as recommended by the LAPD.

ITEM NO. (13) - ADOPTED

05-0113 MOTION (CARDENAS for PADILLA - MISCIKOWSKI) relative to transferring funds for various services provided by the Department of General Services in connection with a reception for the Los Angeles Superior Court.

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

TRANSFER $332 from the Reserve Fund to the Unappropriated Balance Fund No. 100-58, and APPROPRIATE therefrom to the General Services Fund No. 100-40, Account No. 1090 (Salaries - Overtime), for services in connection with the January 20, 2005 Council District Seven reception for the Los Angeles Superior Court, in the City Hall Tom Bradley Room - said funds to be reimbursed to the General Fund by the Los Angeles Superior Court.
ITEM NO. (14) - ADOPTED

MOTION (MISCIKOWSKI - LABONGE) transferring funds from the Oxford Triangle/Venice Neighborhood Protection and Off-Site Beautification Trust Fund to the Bureau of Street Services for sidewalk repair.

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

TRANSFER $283,506 from the Oxford Triangle/Venice Neighborhood Protection and Off-Site Street Beautification Trust Fund No. 912-94 to the below named accounts and in the amounts specified in the Street Services Fund No. 100-86, for sidewalk repair and related efforts in the Oxford Triangle area of Venice, in accordance with the provisions of the Oxford Triangle/Venice Neighborhood Protection and Off-Site Street Beautification Trust Fund:

<table>
<thead>
<tr>
<th>Account</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1100</td>
<td>$ 50,000</td>
</tr>
<tr>
<td>1120</td>
<td>25,000</td>
</tr>
<tr>
<td>3030</td>
<td>108,506</td>
</tr>
<tr>
<td>3040</td>
<td>75,000</td>
</tr>
<tr>
<td>6020</td>
<td>25,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$283,506</strong></td>
</tr>
</tbody>
</table>

ITEM NO. (15) - ADOPTED

MOTION (WEISS - PARKS) relative to accepting funds from the County of Los Angeles for improvements at the former Department of Public Social Services office at 10961 West Pico Boulevard.

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

1. AUTHORIZE the Director, Bureau of Street Services, to perform the work associated with the Street Tree Pruning and Sidewalk Replacement at 10961 West Pico Boulevard.

2. AUTHORIZE the Controller to deposit a check from the County of Los Angeles in the amount of $46,291 to Fund 305, the Subventions and Grants Fund, Department 50, Revenue Source 3734 “Reimbursement from Other Agencies” and TRANSFER and APPROPRIATE therefrom, to the Bureau of Street Services, Department 86, Fund 100, into the following account:

<table>
<thead>
<tr>
<th>Account</th>
<th>Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>6020</td>
<td>Operating Supplies and Expense</td>
<td>$ 46,291</td>
</tr>
</tbody>
</table>
Item Noticed for Public Hearing - Item 16

ITEM NO. (16) - PUBLIC HEARING CLOSED - MOTION ADOPTED TO DENY APPLICATION

Roll Call #3 - Motion (Zine - Reyes) Adopted to Deny Application, Ayes (13); Absent: Smith and Villaraigosa (2)

04-1353
CD 3
CONTINUED CONSIDERATION OF HEARING COMMENTS relative to application for determination of "Public Convenience or Necessity" for alcohol sales for on-site consumption at 21347 Ventura Boulevard (Whole Foods Market No. 16).

Recommendations for Council action:

1. DETERMINE that the "Public Convenience or Necessity" WILL NOT be served by the proposed sale of alcohol for on-site consumption at 21347 Ventura Boulevard (Whole Foods Market No. 16).

2. DENY WITHOUT PREJUDICE the Application for Determination of "Public Convenience or Necessity" for the sale of alcoholic beverages at 21347 Ventura Boulevard.

3. INSTRUCT the City Clerk to transmit this determination to the State Department of Alcoholic Beverage Control as the required findings under Business and Professions Code Section 23958.4.

Applicant: Michael Bescanson

TIME LIMIT FILE - JANUARY 31, 2005
(LAST DAY FOR COUNCIL ACTION - JANUARY 28, 2005)

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

02-0648 - MOTION (LUDLOW - MISCIKOWSKI) relative to declaring the Wilshire Center Farmers’ Market on every Friday, beginning January 7, 2005 to February 25, 2005 a Special Event (fees and costs absorbed by the City = $4,496).

04-0174 - MOTION (PADILLA - LABONGE) relative to declaring the Students Run L.A. on February 6, 2005 a Special Event (fees and costs absorbed by the City = $11,508).

04-0296 - MOTION (WEISS - ZINE) relative to declaring the 34th Annual Police-Celebrity Golf Tournament on May 21, 2005 a Special Event (fees and costs absorbed by the City = $2,950).

05-0160 - MOTION (PERRY - PARKS) relative to declaring the Grand Opening on January 31, 2005 a Special Event (fees and costs absorbed by the City = $1,106).
05-0161 - MOTION (PERRY - PARKS) relative to declaring the Friends Serving Friends on February 19, 2005 a Special Event (fees and costs absorbed by the City = $3,815).

02-0997 - MOTION (MISCIKOWSKI - LABONGE) relative to reallocating funds from the Venice Beach Bike Path and Venice Beach Los Angeles Police Department Substation accounts for the timely completion of the Venice Boardwalk skate park project.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon his request, and without objections, Councilmember Garcetti was excused to leave at 11:15 a.m. from Council session of Tuesday, February 1, 2005 due to City business.

Upon her request, and without objections, Councilmember Hahn was excused from Council session of Wednesday, March 9, 2005 due to City business.

Upon his request, and without objections, Councilmember Smith was excused from Council session of Friday, March 18, 2005 due to personal business.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

05-0014 - Fred Travelena (Garcetti - LaBonge)

Captain III, Joseph Curreri and the Officers of the Devonshire Community Station (Smith - Zine)

Athgo International (Garcetti - All Councilmembers)

Janice Freedman (Zine - All Councilmembers)

St. Peter Armenian Apostolic Church (Zine - All Councilmembers)

At the conclusion of this day's Council Session

ADJOURNING MOTIONS WERE ADOPTED in tribute to the memory of:

05-0013 - Metrolink Train Derailment Victims (LaBonge - All Councilmembers)

Julie A. Bennett (LaBonge - Zine - Villaraigosa - All Councilmembers)

Robbie Preston Williams (Parks - Perry)

Francisco Julio Villalobos Molina (Reyes - Padilla)

Nadine Kerner (Padilla - Cardenas - Greuel - Weiss)
Ayes, Cardenas, Garcetti, LaBonge, Ludlow, Miscikowski, Parks, Perry, Reyes, Weiss, and President Padilla (10); Absent: Greuel, Hahn, Smith, Villaraigosa and Zine (5).

Whereupon the Council did adjourn.

ATTEST: Frank T. Martinez, CITY CLERK

By

Council Clerk             PRESIDENT OF THE CITY COUNCIL