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

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF FEBRUARY 8, 2005

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 18

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

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

Items for Which Public Hearings Have Been Held - Items 1-9

Roll Call #1 - Motion (Hahn - Weiss) Adopted, Ayes (11); Absent: Cardenas, Parks, Reyes and Zine (4)

(Item Nos. 1-9)

ITEM NO. (1) - ADOPTED - ORDINANCE OVER ONE WEEK TO FEBRUARY 18, 2005

04-2587

CATEGORICAL EXEMPTION, COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to granting a non-exclusive easement to the City of Malibu.

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

1. FIND that granting the City of Malibu in the County of Los Angeles a non-exclusive easement for public street and highway purposes is exempt from further requirements under the Los Angeles City California Environmental Quality Act Guidelines, Article III, Class 5(4), Categorical Exemption.

2. CONCUR with the Board of Water and Power Commissioners’ action on December 7, 2004, Resolution No. 005-129, granting a non-exclusive easement to the City of Malibu in the County of Los Angeles, for public street and highway purposes, affecting a portion of the Department of Water and Power’s (DWP) proposed Malibu Generating Station property located in the vicinity of Pacific Coast Highway and Corral Canyon Road.
3. PRESENT and ADOPT the accompanying ORDINANCE approving the execution of a written instrument granting to the City of Malibu a non-exclusive public street easement upon property owned by the City and under the management and control of the DWP pursuant to Charter Sections 385 and 675(d)(2).

Fiscal Impact Statement: The DWP reports that sale of the non-exclusive easement for a public street and highway will generate $24,000 which will be deposited in the DWP Power Revenue Fund.

ITEM NO. (2) - ADOPTED - ORDINANCE OVER ONE WEEK TO FEBRUARY 18, 2005

05-0079
CD 15 COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to amending Section 5 of the Port of Los Angeles (Port) Tariff No. 4 regarding transferred merchandise.

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

1. CONCUR with the Board of Harbor Commissioners' (Board) action on October 13, 2004, adopting Permanent Order 6808 amending Item No. 520 and establishing Item No. 550-033 in Section 5 of the Port of Los Angeles Tariff No. 4 which will provide shipping lines in an alliance agreement to transfer merchandise, not crossing the wharf within the Port, to a proprietary rail facility at a rate of $68.25 per container.

2. PRESENT and ADOPT the accompanying ORDINANCE approving Board Order No. 6808 amending Port of Los Angeles Tariff No. 4.

Fiscal Impact Statement: The Board reports that unless there are expenditures associated with yet to be developed procedures that will count the containers subject to the new Tariff Item No. 550-033, there will be no cost associated with the approval of Permanent Order 6808. Although the prior temporary implementation of this tariff did not generate any additional revenue to the Port, additional revenues are anticipated. Assuming that 200 containers are moved under the new tariff per seven-day period by one alliance for a year, the additional annual revenue to the Port will amount to $711,750.

ITEM NO. (3) - ADOPTED

03-2453
CD 6 CATEGORICAL EXEMPTION AND COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to proposed 30-month lease with Syncro Aircraft Interiors, Incorporated (Syncro) at Van Nuys Airport in settlement of pending litigation.

Recommendations for Council action:

1. FIND that the issuance of leases and renewals, amendments or extensions thereof granting use of an existing facility at a municipal airport involving negligible or no expansion of use is categorically exempt from California Environmental Quality Act (CEQA) requirements as provided by Article III, Class 1 (18)(c) of the Los Angeles City CEQA Guidelines, as amended by City Charter on July 31, 2002.
2. APPROVE Board Order No. AO-4936 as adopted by the Board of Airport Commissioners (Board) on January 10, 2005 authorizing the 30-month lease, including an option to extend for up to an additional 30-months, with Syncro covering approximately 4,108 acres of land, 32,000 square feet of hanger and 61,242 square feet of office and storage space at Van Nuys Airport in settlement of pending litigation.

**Fiscal Impact Statement:** The Board reports that approval of the 30-month lease will have a minimal impact on the City General Fund. The City General Fund will receive less than $25,000 in possessory interest taxes.

**TIME LIMIT FILE - FEBRUARY 18, 2005**

**(LAST DAY FOR COUNCIL ACTION - FEBRUARY 18, 2005)**

**ITEM NO. (4) - ADOPTED**

05-0077

COMMERCe, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to a proposed Foreign Trade Zone (FTZ) Developer Agreement No. 2369 between the Port of Los Angeles (Port) and Industrial Development International, Incorporated (IDI).

Recommendation for Council action:

CONCUR with the Board of Harbor Commissioners' (Board) action on November 10, 2004, approving the proposed FTZ Developer Agreement No. 2369 between the Port and IDI for a five-year Agreement with three five-year renewal options, for a total up to 20 years to operate FTZ Site No. 20 in the Cities of Mira Loma and Ontario.

**Fiscal Impact Statement:** The Board reports that the proposed Agreement No. 2369 with IDI as a FTZ Developer, will require no funds. The applicant will pay an initial fee of $2,500 to the Port. A subsequent fee of $5,000 will be required from IDI to activate the site. While the site is active, IDI will pay an annual fee of $5,000.

**TIME LIMIT FILE - MARCH 9, 2005**

**(LAST DAY FOR COUNCIL ACTION - MARCH 9, 2005)**

**ITEM NO. (5) - ADOPTED**

05-0078  

CD 15 COMMERCe, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to a proposed First Amendment to Agreement No. 2286 between the Port of Los Angeles (Port) and Crescent Warehouse Company, LTD. (Crescent), for operation of warehouses and sheds in San Pedro.
Recommendation for Council action:

CONCUR with the Board of Harbor Commissioners’ (Board) action on October 27, 2004, approving the proposed First Amendment to Agreement No. 2286 between the Port and Crescent granting a five-year extension to the term of the Agreement from January 1, 2005 to January 1, 2010 for continued operation of warehouses and sheds in San Pedro.  

Fiscal Impact Statement: The Board reports that the proposed First Amendment to Agreement No. 2286 with Crescent will require no funds. Crescent generates approximately $964,000 of the revenue to the Port. Warehouses 6, 9, and 10 provide $404,256 of that amount. As of September 30, 2004, Crescent's rent deposit was $136,126; approval of the First Amendment to Agreement No. 2286 would reduce that deposit to $36,497.

TIME LIMIT FILE - FEBRUARY 13, 2005

(LAST DAY FOR COUNCIL ACTION - FEBRUARY 11, 2005)

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

05-0080

COMMUNICATIONS FROM THE BOARD OF HARBOR COMMISSIONERS (BOARD) relative to Proposed Permit No. 845 with G&A Ice and Fish Company for occupancy of premises for a wholesale fish buying and retail ice sales facility for a term of 20 years.

TIME LIMIT FILE - FEBRUARY 13, 2005

(LAST DAY FOR COUNCIL ACTION - FEBRUARY 11, 2005)

(Commerce, Energy and Natural Resources Committee report to be submitted in Council. If a public hearing is not held in Committee, an opportunity for public comment will be provided.)

(For copies of the related, staff-generated reports for this matter, please contact the Legislative Assistant for the Commerce, Energy and Natural Resources Committee at 213-978-1076)

ADOPTED

COMMERCER, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to proposed Permit No. 845 with G&A Ice and Fish Company (G&A) for occupancy of premises for a wholesale fish buying and retail ice sales facility.

Recommendations for Council action:
1. DISAPPROVE the Board of Harbor Commissioners' (Board) action on August 11, 2004, approving proposed Permit No. 845 between the Port of Los Angeles and G&A for a Permit for the occupancy of premises at Berth 261 for construction, operation and maintenance of a wholesale fish buying and retail ice sales facility for a term of 20 years inasmuch as, the Permit may be too restrictive in regards to Permit length and the Harbor Master Plan has not yet been adopted which may adversely impact said Permit.

2. RETURN the proposed Permit to the Board and request the Board to reconsider.

TIME LIMIT FILE - FEBRUARY 13, 2005
(LAST DAY FOR COUNCIL ACTION - FEBRUARY 11, 2005)

ITEM NO. (7) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATION - SEE FOLLOWING

04-2602

COMMUNICATIONS FROM THE BOARD OF WATER AND POWER COMMISSIONERS relative to Agreement No. 47367-5 with California Utilities Emergency Association which provides procedures for mutual assistance from one another in the restoration of electric service following natural or man-made disasters or emergencies.

TIME LIMIT FILE - FEBRUARY 13, 2005
(LAST DAY FOR COUNCIL ACTION - FEBRUARY 11, 2005)

(Commerce, Energy and Natural Resources Committee report to be submitted in Council. If a public hearing is not held in Committee, an opportunity for public comment will be provided.)

(For copies of the related, staff-generated reports for this matter, please contact the Legislative Assistant for the Commerce, Energy and Natural Resources Committee at 213-978-1076)

ADOPTED

COMMERCCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to Agreement No. 47367-5 between the Department of Water and Power (DWP) and the California Utilities Emergency Association (CUEA).

Recommendation for Council action:

CONCUR with the Board of Water and Power Commissioners action on December 7, 2004, Resolution No. 005-121, approving Agreement No. 47367-5 with the CUEA to provide the procedures under which CUEA members party to this Agreement may request and receive assistance from each other in the restoration of electric service following natural or man-made disasters or emergencies.
Fiscal Impact Statement: The DWP reports that there is a potential fiscal impact if an emergency or disaster occurs. If the DWP were to request assistance from the other CUEA members party to this Agreement, or if the DWP were to respond with aid to another Party, the provisions of the Agreement would then be invoked.

TIME LIMIT FILE - FEBRUARY 13, 2005
(LAST DAY FOR COUNCIL ACTION FEBRUARY 11, 2005)

ITEM NO. (8) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS - SEE FOLLOWING

03-0595 CD 7
MITIGATED NEGATIVE DECLARATION and MOTION (PADILLA - GARCETTI) relative to acceptance of Economic Development administration grant funds and other related actions to the Pacoima Revitalization Center project (Project).

(Housing, Community and Economic Development Committee report to be submitted in Council. If a public hearing is not held in Committee, an opportunity for public comment will be provided.)

(For copies of the related, staff-generated reports for this matter, please contact the Legislative Assistant for the Housing, Community and Economic Development Committee at 213-978-1051)

ADOPTED

MITIGATED NEGATIVE DECLARATION and HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to acceptance of Economic Development administration grant funds and other related actions to the Pacoima Revitalization Center project (Project).

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

1. FIND that the environmental records, including the Initial Study and Mitigated Negative Declaration for the Project dated December 2004, indicate that the Project will have no significant impact on the environment.

2. AUTHORIZE the Mayor's Office of Economic Development (MOED), on behalf of the City, to accept the United States Department of Commerce, Economic Development Administration Earthquake Assistance grant funds in the amount of $953,382 for use by the Valley Economic Development Corporation (VEDC) for the Project.

3. AUTHORIZE the MOED, with assistance of Council District Seven, to negotiate and execute a sub-grant agreement with VEDC for the purpose of utilizing the Economic Development Administration grant funds for an amount not to exceed $953,382 and
30th Program Year Community Development Block Grant (CDBG) Reprogramming funds in an amount not to exceed $150,000, and to include a provision to substitute CDBG funds with federal earmark funding allocated to the Project, if the funding is received prior to Project completion, in compliance with federal regulations, subject to the approval of the City Attorney as to form and legality and the Department of Public Works, Bureau of Contract Administration for compliance with the City's contract requirements.

4. AUTHORIZE the General Manager, Community Development Department, or designee, to prepare Controller instructions and make any technical adjustments that may be required and are consistent with this action, subject to the approval of the City Administrative Officer (CAO) and AUTHORIZE the Controller to implement these instructions.

Fiscal Impact Statement: The CAO states there is no impact on the General Fund as a result of these actions. Funding for the Project in the amount of $1,103,382 is provided from United States Department of Commerce, Economic Development Administration Earthquake Assistance Grant ($953,382) and the CDBG ($150,000).

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

01-1322
CD5 CATEGORICAL EXEMPTION, COMMUNICATION FROM ZONING ADMINISTRATOR and RESOLUTION relative to the new helicopter landing and take off area located at the top of the North Care Tower located at 8720 Beverly Boulevard, on the Cedars-Sinai Medical Center campus.

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

(For copies of the related, staff-generated reports for this matter, please contact the Legislative Assistant for the Planning and Land Use Management Committee at 213-978-1068)

ADOPTED

CATEGORICAL EXEMPTION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and RESOLUTION relative to relocation of Cedars-Sinai Medical Center Helipad located at 8720 Beverly Boulevard on the Cedars-Sinai Medical Center Campus.

Recommendations for Council action:

1. FIND that this action is generally exempt from California Environmental Quality Act pursuant to Article III, Section 3 of the City's Guidelines.
2. ADOPT FINDINGS of the Zoning Administrator as the findings of the City Council.

3. ADOPT the accompanying RESOLUTION pursuant to Section 21661.6 of the California Public Utilities authorizing approval of the plans for the new helicopter landing and take off area to be located on top of the North Care Tower at 8720 Beverly Boulevard on the Cedars-Sinai Medical Center Campus.

Fiscal Impact Statement: None submitted by the Zoning Administrator. Neither the Chief Legislative Analyst or City Administrative Officer has completed a financial analysis of this Committee report.

Items for Which Public Hearings Have Not Been Held - Items 10-25
(10 Votes Required for Consideration)

Roll Call #2 - Motion (Miscikowski - Ludlow) Adopted, Ayes (11); Absent: Cardenas, Parks, Reyes and Zine (4)
(Item Nos. 10-25)

ITEM NO. (10) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - ORDINANCE OVER ONE WEEK TO FEBRUARY 18, 2005

02-2795
CD 11
COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of JEFFERSON BOULEVARD AND CULVER BOULEVARD (REBALLOT) LIGHTING DISTRICT.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated September 13, 2004.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of APRIL 15, 2005 as the hearing date for the maintenance of Jefferson Boulevard and Culver Boulevard (reballot) Lighting District, in accordance with Proposition 218, Articles XIIIC and XIID of the California Constitution and Government Code Sections 50078.6, 54954.6 and 54960.1.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $1,072.77 will be collected annually starting with tax year 2004-05 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: April 4, 2005)
ITEM NO. (11) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - ORDINANCE OVER ONE WEEK TO FEBRUARY 18, 2005

03-2480 CD 7

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of SAYRE STREET AND FRANK MODUGNO DRIVE (REBALLOT) LIGHTING DISTRICT.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated September 13, 2004.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of APRIL 15, 2005 as the hearing date for the maintenance of Sayre Street and Frank Modugno Drive (reballot) Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID of the California Constitution and Government Code Sections 50078.6, 54954.6 and 54960.1.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $594.35 will be collected annually starting with tax year 2004-05 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: April 4, 2005)

ITEM NO. (12) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - ORDINANCE OVER ONE WEEK TO FEBRUARY 18, 2005

04-1834 CD 3

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of VENTURA BOULEVARD AND ETIWANDA AVENUE LIGHTING DISTRICT.

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


2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of APRIL 15, 2005 as the hearing date for the maintenance of Ventura Boulevard and Etiwanda Avenue Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID of the California Constitution and Government Code Sections 50078.6, 54954.6 and 54960.1.
Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $671.43 will be collected annually starting with tax year 2004-05 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: April 4, 2005)

ITEM NO. (13) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - ORDINANCE OVER ONE WEEK TO FEBRUARY 18, 2005

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of SHELDON STREET AND EL DORADO AVENUE LIGHTING DISTRICT.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated September 13, 2004.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of APRIL 15, 2005 as the hearing date for the maintenance of Sheldon Street and El Dorado Avenue Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID of the California Constitution and Government Code Sections 50078.6, 54954.6 and 54960.1.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $516.03 will be collected annually starting with tax year 2004-05 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: April 4, 2005)

ITEM NO. (14) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - ORDINANCE OVER ONE WEEK TO FEBRUARY 18, 2005

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of LINCOLN BOULEVARD AND BLUFF CREEK DRIVE LIGHTING DISTRICT.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated September 13, 2004.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of APRIL 15, 2005 as the hearing date for the maintenance of Lincoln Boulevard and Bluff Creek Drive Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIID of the California Constitution and Government Code Sections 50078.6, 54954.6 and 54960.1.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $402.84 will be collected annually starting with tax year 2005-06 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: April 4, 2005)

ITEM NO. (15) - ADOPTED

01-0427 CD 10 MOTION (LUDLOW - ZINE) relative to declaring the Culver City Farmers' Market from December 7, 2004 to March 29, 2005 a Special Event (fees and costs absorbed by the City = $4,744).

Recommendation for Council action:

DECLARE the Culver City Farmers' Market, sponsored by the Social and Environmental Wild Farm from December 7, 2004 to March 29, 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. (16) - ADOPTED

05-0203 CD 14 MOTION (VILLARAIGOSA - REYES) relative to declaring the El Sereno Music Festival on February 19, 2005 a Special Event (fees and costs absorbed by the City = $6,795).

Recommendation for Council action:

DECLARE the El Sereno Music Festival, sponsored by the Council District 14 and Center for the Arts, Eagle Rock on February 19, 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. (17) - ADOPTED

05-0204 CD 1  
MOTION (REYES - PARKS) relative to declaring the National Soul Winning Conference and Community Outreach on February 7-8, 2005 a Special Event (fees and costs absorbed by the City = $3,000).

Recommendation for Council action:

DECLARE the National Soul Winning Conference and Community Outreach, sponsored by the Hillside Baptist Church on February 7-8, 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. (18) - ADOPTED

01-0010-S54  
MOTION (LUDLOW - SMITH) relative to reinstating the reward offer in the deaths of Sean Cochran and Anthony Caldwell for an additional 60 days.

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

REAFFIRM Council's findings and REINSTATE the reward offer relative to the deaths of Sean Cochran and Anthony Caldwell (Council action of December 19, 2001, Council file No. 01-0010-S54) for an additional period of 60 days from the publication of the offer of reward by the Office of the City Clerk and, further, that the sum of $50,000 shall be the aggregate maximum sum of any payment or payments of a City reward in this instance.

ITEM NO. (19) - ADOPTED

04-2540-S1 CD 11  
MOTION (MISCIKOWSKI - CARDENAS) relative to funding from the Council District 11 Real Property Trust Fund for any aspect of the Van Nuys Community Court, including general operating expenses.

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

1. TRANSFER $20,000 in the Council District 11 Real Property Trust Fund No. 693 to the General City Purposes Fund No. 100-56, Account 0711 (CD 11 Community Services) to provide funding for any aspect of the Van Nuys Community Court, including general operating expenses.

2. DIRECT the City Clerk to prepare the necessary agreement or other document(s) with the Van Nuys Community Court, or the Los Angeles Superior Court, or any other agency or organization, as appropriate, in the above amount, for the above purpose, subject to the approval of the City Attorney as to form and legality, and AUTHORIZE the Councilmember of the District to execute the contract on behalf of the City.
ITEM NO. (20) - ADOPTED

04-2286-S3
CD 1  MOTION (REYES - PARKS) relative to funding from the Council District 1 Real Property Trust Fund for any aspect of the programs of the Los Angeles Conservancy involving restoration projects in Lincoln Heights.

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

1. TRANSFER $10,000 in the Council District 1 Real Property Trust Fund No. 683 to the General City Purposes Fund No. 100-56, Account No. 0701 (CD 1 Community Services) to provide funding for any aspect of the programs of the Los Angeles Conservancy involving restoration projects in Lincoln Heights.

2. DIRECT the City Clerk to prepare the necessary agreement or other document(s) with the Los Angeles Conservancy, or any other agency or organization, as appropriate, in the above amount, for the above purpose, subject to the approval of the City Attorney as to form and legality, and AUTHORIZE the Councilmember of the District to execute the contract on behalf of the City.

ITEM NO. (21) - ADOPTED

05-0205  MOTION (MISCIKOWSKI - LUDLOW) relative to appropriating funding for costs associated with the use of the mobile stage for an event on May 7, 2005.

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

APPROPRIATE $480 from the Unappropriated Balance Fund No. 100-58 to the General Services Department 40 Fund No. 100-40, to Account No. 1090 (Overtime Account) for Fleet Services, for costs associated with the use of the mobile stage to be reimbursed by the Paul Revere Middle School PTA for their “Battle of the Bands” event on May 7, 2005.

ITEM NO. (22) - ADOPTED

02-0533-S4
CD 5  MOTION (WEISS - PARKS) relative to a supplemental agreement to the Proposition K Grant Agreement between the City and Los Angeles Unified School District's (LAUSD) Fairfax Senior High School.

Recommendations for Council action:

1. DIRECT the City Engineer to negotiate and execute a Supplemental Agreement to the Proposition K Grant Agreement between the City and LAUSD Fairfax Senior High School (Contract No. C-101449) to extend the time for completion of the Proposition K - L.A. for Kids funded project to March 31, 2005, including all closeout activities, subject to the approval of the City Attorney as to form and legality.
2. REQUIRE that the Supplemental Agreement include language which informs the LAUSD that no further extensions of this agreement shall be granted under any circumstance.

ITEM NO. (23) - MAP APPROVED - CITY ENGINEER REPORT ADOPTED

04-1806
(Approve Subdivision Improvement Agreement and Contract with attached security documents)
(ADOPT City Engineer Report)
(ADOPT Bond No. C-107709)
(ADOPT Resolution of Acceptance of Future Street)
(Quimby Fee: $7,520)
 Applicants: Gary Mark, Inc.
 Wagner-Kerr Associates, Inc.

ITEM NO. (24) - MAP APPROVED - CITY ENGINEER REPORT ADOPTED

05-0215
CD 6 FINAL MAP OF TRACT NO. 54076 for property lying easterly of De Celis Place and southerly of Gault Street.
(ADOPT City Engineer Report)
 Applicants: Robert Koury
 Phillips Aturas Company

ITEM NO. (25) - MAP APPROVED - CITY ENGINEER REPORT ADOPTED

05-0216
CD 2 FINAL MAP OF TRACT NO. 53712 for property lying easterly of Tyrone Avenue on the north side of Riverside Drive.
(Approve Subdivision Improvement Agreement and Contract with attached security documents)
(ADOPT City Engineer Report)
(ADOPT Bond No. C-107710)
 Applicants: Riverside LLC
 David T. Rosell
ITEM NO. (26) - FAILED OF ADOPTION

Roll Call #5 - Motion (Miscikowski - Reyes) Failed of Adoption, Ayes (9); Noes: Parks, Smith, Villaraigosa, Weiss, Zine and President Padilla (6)

CONTINUED CONSIDERATION OF COMMUNICATION FROM THE CITY ATTORNEY, RESOLUTIONS and ORDINANCE FIRST CONSIDERATION relative to a proposed one-half percent sales tax to hire more police officers, firefighters and paramedics and to fund anti-gang projects, and calling for a Special Election to be consolidated with the City General Municipal Election on May 17, 2005.

Recommendations for Council action:

1. ADOPT the accompanying RESOLUTION to submit to the voters of the City of Los Angeles for adoption by two-thirds of the qualified voters voting at a Special Election to be called on May 17, 2005 and consolidated with the City General Municipal Election to be held on the same date, an ordinance, as attached to the Council file.

2. ADOPT the accompanying BALLOT TITLE RESOLUTION, as follows:

ONE-HALF CENT SALES TAX TO HIRE MORE POLICE OFFICERS, FIREFIGHTERS AND PARAMEDICS AND FUND ANTI-GANG PROJECTS.
CITY OF LOS ANGELES ORDINANCE PROPOSITION _____.

For greater public safety by providing funding to:

(A) hire and equip 1,200 or more police officers; build and equip 2 new police stations; equip crime laboratories to enhance DNA analysis and other scientific techniques; improve police communications capabilities; by using 75% of revenues;

(B) hire more firefighters to staff new fire stations and to increase firefighting and rescue capabilities; hire and train paramedics to staff 24 hours per day ambulance service at each fire station; acquire advanced communications and dispatch center equipment; by using 10% of revenues;

(C) fund gang and crime prevention and intervention projects, including those to dissuade youth from joining or remaining in gangs, and provide alternatives to gang involvement and crime by using 15% of revenues; with citizens oversight to monitor projects and budgets, and annual reporting; shall an ordinance imposing a one-half percent (.50%) Transactions (Sales) and Use Tax be adopted?
3. PRESENT and ADOPT the accompanying ORDINANCE, SUBJECT TO THE APPROVAL OF THE MAYOR, calling a Special Election to be held on Tuesday, May 17, 2005 for the purpose of submitting to the qualified voters of the City of Los Angeles a certain ordinance proposition, and to consolidate this Special Election with the City General Municipal Election to be held on the same date.

TIME LIMIT FILE - FEBRUARY 11, 2005

(LAST DAY FOR COUNCIL ACTION - FEBRUARY 11, 2005)

10 VOTES REQUIRED

(Scheduled pursuant to Council Rule 53)

RECONSIDERATION OF ITEM NOS. 20, 21, 22 AND 23 FROM COUNCIL MEETING OF WEDNESDAY, FEBRUARY 9, 2005

Roll Call #3 - Motion (Garcetti - Miscikowski) Adopted to Reconsider, Ayes (13);
Absent: Cardenas and Parks (2)
Roll Call #4 - Motion (Garcetti - Miscikowski) Adopted In Open Session, Ayes (13);
Absent: Cardenas and Parks (2)
(Reconsidered Item Nos. 20-23)

ITEM NO. (20) - RECONSIDERED - RE-ADOPTED IN OPEN SESSION

05-0104
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 H. Slade v. Daryl F. Gates, et al., United States District Court Case No. CV 01-8244 RMT. (Plaintiff alleges a violation of civil rights and false arrest by the Los Angeles Police Department.)

(Budget and Finance Committee considered the above matter in Closed Session on February 1, 2005)

ITEM NO. (21) - RECONSIDERED - RE-ADOPTED IN OPEN SESSION

05-0107
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 Eddie Banks v. City of Los Angeles, et al., United States District Court Case No. CV 04-9743 GAF. (Plaintiff alleges a violation of civil rights and false arrest by the Los Angeles Police Department.)

(Budget and Finance Committee considered the above matter in Closed Session on February 1, 2005)
ITEM NO. (22) - RECONSIDERED - RE-ADOPTED IN OPEN SESSION

05-0108

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 *Raul Calderon Munoz v. City of Los Angeles, et al.*, United States District Court Case No. CV 02-03074 GAF. (Plaintiff alleges a violation of civil rights and false arrest by the Los Angeles Police Department.)

(Budget and Finance Committee considered the above matter in Closed Session on February 1, 2005)

ITEM NO. (23) - RECONSIDERED - RE-ADOPTED IN OPEN SESSION

05-0109

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to settlement in the case entitled *Carlos Corrales v. City of Los Angeles, et al.*, United States District Court Case No. CV 03-0910 GAF. (Plaintiff alleges a violation of civil rights and false arrest by the Los Angeles Police Department.)

(Budget and Finance Committee considered the above matter in Closed Session on February 1, 2005)

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

02-0192 - MOTION (HAHN - GREUEL) relative to declaring the Fourth Annual Watts Black History Month Celebration on February 26, 2005 a Special Event (fees and costs absorbed by the City = $4,740).

05-0178 - MOTION (GARCETTI - HAHN) relative to declaring the MusiCares Gala on February 11, 2005 a Special Event (fees and costs absorbed by the City = $1,188).

05-0254 - MOTION (PARKS - PERRY) relative to declaring the 15th Annual NAACP Theatre Awards on February 21, 2005 a Special Event (fees and costs absorbed by the City = $15,000).

05-0255 - MOTION (PARKS - PERRY) relative to declaring the Pan African Film and Arts Festival on February 10-21, 2005 a Special Event (fees and costs absorbed by the City = $1,500).

05-0251 - MOTION (MISCIKOWSKI - PADILLA) relative to various actions in connection with a grant award from the Office for Domestic Preparedness, U.S. Department of Homeland Security, for the Assistance to Firefighters Grant Program.

05-0253 - MOTION (HAHN - GREUEL) relative to authorizing the Department of Building and Safety to waive the fee for elevator inspection at Bannings Landing.
05-1300 - MOTION (PADILLA - MISCIKOWSKI) relative to designation and order for two ballot measures on the City of Los Angeles' May 17, 2005 General Municipal Election.

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

05-0252 - RESOLUTION (GREUEL - SMITH) relative to declaring March 18, 2005 as Mediation Day 2005 in the City of Los Angeles.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Motion (LaBonge - Hahn) unanimously adopted to excuse President Padilla to leave at 12:00 p.m. from Council session of Friday, March 4, 2005 due to personal business.

Upon his request, and without objections, Councilmember Cardenas was excused to arrive at 11:00 a.m. to Council session of Friday, February 25, 2005 due to City business.

Motion (LaBonge - Hahn) unanimously adopted to excuse Councilmember Greuel to leave at 11:00 a.m. from Council session of Tuesday, February 15, 2005 due to City business.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

05-0014 - East West Players (Perry - Villaraigosa)
Brenda and Dale Surowitz (Zine - All Councilmembers)
Waleed Howrani (Zine - All Councilmembers)
Captain I James Richard Finn (Zine - All Councilmembers)

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

05-0013 - Elaine Weissman (Garcetti - Weiss)
Ann Clay Johnson (Parks - All Councilmembers)
Henry Ortiz (Smith - Padilla)
K. Patrick Okura (Zine)
Ayes, Garcetti, Greuel, Hahn, LaBonge, Ludlow, Miscikowski, Parks, Perry, Reyes, Smith, Weiss, Zine and President Padilla (13); Absent: Cardenas and Villaraigosa (2).

Whereupon the Council did adjourn.

ATTEST: Frank T. Martinez, CITY CLERK

By

Council Clerk                           PRESIDENT OF THE CITY COUNCIL