

Los Angeles City Council, Journal/Council Proceedings  
Friday, March 4, 2005  
John Ferraro Council Chamber, Room 340, City Hall - 10 am

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

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

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF  
MARCH 1, 2005

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 18

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

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

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## Items Noticed for Public Hearing - Items 1-2

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

Roll Call #2 - Motion (Greuel - Reyes) Adopted to Grant Application, Ayes (11);  
Absent: Cardenas, Miscikowski, Parks and Weiss (4)

[04-2635](#)

CD 2 CONTINUED CONSIDERATION OF 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 - MARCH 4, 2005

(LAST DAY FOR COUNCIL ACTION - MARCH 4, 2005)

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

(Continued from Council meeting of February 1, 2005)

ADOPTED

MOTION (GREUEL - REYES)

Recommendations for Council action:

1. DETERMINE that the issuance of a liquor license at 13051 Victory Boulevard (Jons Marketplace) will serve the "Public Convenience or Necessity" and will not tend to create a law enforcement problem.
2. GRANT the Application for Determination of "Public Convenience or Necessity" for the sale of alcoholic beverages for off-site consumption at 13051 Victory 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: Berberian Enterprises, Inc.

TIME LIMIT FILE - MARCH 4, 2005

(LAST DAY FOR COUNCIL ACTION - MARCH 4, 2005)

ITEM NO. (2) - WITHDRAWN AND REFERRED BACK TO BUREAU OF ENGINEERING

Roll Call #3 - Motion (Smith - Villaraigosa) Adopted to Withdraw, Unanimous Vote (11);  
Absent: Cardenas, Miscikowski, Parks and Weiss (4)

99-2463

CD9

CONTINUED CONSIDERATION OF COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION TO VACATE relative to the alley northwesterly of Hope Street between Olympic Boulevard and 11th Street - VAC-E1400678.

Recommendations for Council action:

1. REAFFIRM the FINDINGS of December 15, 2000, that this vacation is in substantial conformance with the General Plan, pursuant to Section 556 of the Los Angeles City Charter (subject to the conditions contained therein).
2. ADOPT the accompanying RESOLUTION TO VACATE No. 04-1400678 for the alley northwesterly of Hope Street between Olympic Boulevard and 11th Street.
3. APPROVE the City Engineer report dated May 11, 2004 for the vacation.
4. INSTRUCT the Bureau of Engineering, Land Development Group, to record the Resolution with the Los Angeles County Recorder.

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

## ENVIRONMENTAL WORK COMPLETED FOR THIS PROJECT

(Continued from Council meeting of January 11, 2005)

### Items for Which Public Hearings Have Been Held - Items 3-10

ITEM NO. (3) - ADOPTED

Roll Call #8 - Motion (Smith - Ludlow) Adopted, Ayes (12); Absent: Miscikowski, Parks and Perry (3)

05-0200

CD 9

NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to various zone changes within Southeast Los Angeles and the establishment of [Q] conditions to prohibit and/or limit certain establishments, uses and signage and to require that new development be consistent with the Southeast Los Angeles Design Guidelines.

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 is in compliance with the California Environmental Quality Act; that the 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. 05-0200 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 Negative Declaration [ENV 2003-6302 ND] filed on January 30, 2004.
2. ADOPT the FINDINGS of the Planning and Land Use Management Committee as the Findings of the Council to amend No. 1 to read:
  1. "General Plan Land Use Designation. The subject properties are located within the Southeast Los Angeles Community Plan area which the City Council adopted on March 22, 2000. The Plan designates the subject properties for Neighborhood, Community and General Commercial uses with corresponding zones of CR, C1, C1.5, C2, C4 and RAS. The recommended [Q]C2-1 zone is consistent with the range of zones in the Community and General Plans."

3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the City Planning Commission, effecting the zone changes from [Q]C2-1VL to [Q])C2-1VL (establishing additional [Q] conditions); [Q] C2-1 to [Q]C2-1 (establishing additional [Q] conditions) and C2-1VL to [Q] C2-1VL (establishing new [Q] conditions), for the proposed establishment of [Q] conditions to prohibit and/or limit certain uses including, swap meets, recycling, fast-food, auto-related uses and all establishments containing a drive-through window for customer service. [Q] Conditions would also restrict certain types of signage and will require that new development be consistent with the Southeast Los Angeles Design Guidelines, for properties fronting Central Avenue, from Martin Luther King Jr. Boulevard to the north and Vernon Avenue to the south.

Applicant: City of Los Angeles

CPC 2003-6301-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. 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 - MAY 5, 2005

(LAST DAY FOR COUNCIL ACTION - MAY 4, 2005)

Roll Call #4 - Motion (LaBonge - Smith) Adopted, Ayes (11); Absent: Cardenas, Miscikowski, Parks and Weiss (4)  
(Item Nos. 4-9)

ITEM NO. (4) - ADOPTED

05-0002-S33

COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT and RESOLUTION relative to the City's position in connection with the Federal and State legislation to preserve local authority for entities owning electric power generation and transmission facilities.

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

1. ADOPT the accompanying RESOLUTION to include in the City's 2005-06 Federal and State Legislative Program SPONSORSHIP and/or SUPPORT of legislation to preserve local authority for any load serving entity that owns electric power transmission facilities, or contracts for firm transmission service, and to protect its entitlement to use such firm transmission rights, or at its election, equivalent tradeable or financial transmission rights, in order to meet its obligation to serve. Furthermore, that such load serving entities be entitled to finance its facilities using tax exempt debt.

2. REQUEST that the Department of Water and Power (DWP) prepare a report detailing its infrastructure in respect to both financial investment and location as compared to other municipal authorities with emphasis on:

- a. Investment in power transmission lines
- b. Sources of power and their availability

Fiscal Impact Statement: The Chief Legislative Analyst reports that any loss of local regulatory control of the DWP generation, transmission and/or distribution assets would have a direct and substantial fiscal impact.

ITEM NO. (5) - ADOPTED

[03-1308-S23](#)

CD 4 PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an application for a hardship exemption from provisions of the City's Hancock Park Interim Control Ordinance (ICO) for property at 554 Lillian Way.

Recommendations for Council action:

1. GRANT hardship exemption from the City's Hancock Park ICO (Ordinance No. 175149) as noted and as described in the application attached to Council file No. 03-1308-S23, for the proposed construction of 870 square foot addition to an existing 1,635 feet single-family dwelling, 15 feet high, located at 554 Lillian Way.
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: Hassan Baradaran Azimi

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

ITEM NO. (6) - ADOPTED

[03-0591-S1](#)

CD 5 TRANSPORTATION COMMITTEE REPORT relative to the establishment of a new Council District Five (CD Five) Regional Traffic Task Force.

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

AUTHORIZE CD Five to establish a new CD Five Regional Traffic Task Force, responsible for advising Council on the best possible use of available funds for improvements and mitigation, to include representatives of neighborhood organizations in the West Los Angeles Area of CD Five and said Task Force to coordinate with the existing and planned traffic studies of other organizations within the area to evaluate plans and develop recommendations for improving traffic conditions in the area.

Fiscal Impact Statement: The Department of Transportation reports that the establishment of the CD Five Regional Traffic Task Force has no impact on the General Fund.

ITEM NO. (7) - ADOPTED

04-2276

TRANSPORTATION COMMITTEE REPORT relative to traffic control services for the City of Pasadena for the pre-Rose Parade activities and for the Rose Bowl Game on December 31, 2004 and January 1, 2005.

Recommendation for Council action:

NOTE and FILE the February 15, 2005 status report from the Department of Transportation relative to traffic control services for the City of Pasadena for the pre-Rose Parade activities and for the Rose Bowl Game on December 31, 2004 and January 1, 2005, inasmuch as no major problems were experienced and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (8) - ADOPTED FORTHWITH

05-0002-S23

TRANSPORTATION COMMITTEE REPORT relative to the City's position in connection with federal legislation giving states the authority to decide who can use carpool lanes, and/or permit single-occupant high-mileage hybrid vehicles to use carpool lanes.

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

RESOLVE to include in the City's 2005-06 federal Legislative Program SUPPORT for federal legislation that would give to the states the authority to decide who can use carpool lanes, and/or permit single-occupant high-mileage hybrid vehicles to use carpool lanes.

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

ITEM NO. (9) - ADOPTED

05-0197

TRANSPORTATION COMMITTEE REPORT relative to 2004-05 Transportation Grant Fund (TGF) Annual Work Program.

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

1. AUTHORIZE the General Manager, Department of Transportation (DOT), and the Directors, Bureaus of Engineering (BOE), Street Lighting (BSL) and Street Services (BOSS), to continue their respective work programs for 2004-05 as shown in Attachment A of the City Administrative Officer's (CAO) January 25, 2005 report (attached to the Council file).
2. AUTHORIZE the appropriation of and transfer as needed of \$21,786,370 (\$15,017,065 for front funds and \$6,769,305 for matching funds) from the Proposition C Local Transit Assistance Fund No. 540, Matching Funds - Other Agencies Account No. W700, to the TGF No. 655, in the amounts listed in Attachment A of the CAO's January 25, 2005 report (attached to the Council file), Column 4, Accounts to be designated by the DOT.
3. AUTHORIZE the DOT to receive Metropolitan Transportation Authority (MTA) grant funds, and transfer those funds to the TGF No. 655, and appropriate these funds, less front funding, to the projects in the amounts listed on Attachment A, Column 5 of the CAO's January 25, 2005 report (attached to the Council file).
4. INSTRUCT all bureaus and departments to reimburse the General Fund for any appropriate related costs as of June 30, 2005.
5. INSTRUCT all bureaus and departments to closely monitor their projects to ensure that the expenditures of funds are for the purposes of each of the projects and that the expenditures of funds are correctly recorded and reported as such, and do not exceed the appropriations.
6. INSTRUCT all bureaus and departments to use the information in Attachment B of DOT's report in requesting and reporting on expenditures of the Proposition C funds and TGF monies (attached to the Council file).
7. DIRECT the DOT to provide front and matching funding for only those projects where the MTA has determined that the project meets MTA criteria for Proposition C Local Return Funding.
8. DIRECT the DOT to provide front and matching funding for only those projects where DOT staff prepares the invoices for grant reimbursement.
9. AUTHORIZE the CAO to approve transfers within the TGF of up to 25 percent of the project amount, not to exceed \$100,000, to or between projects or accounts included in this report as approved by the Mayor and Council.
10. INSTRUCT all bureaus and departments to return uncommitted advances at the end of Fiscal Year 2004-05 and all prior year unexpended balances to the TGF No. 655, to be reappropriated to their respective project accounts.
11. TRANSFER \$364,000 for general administration of TGF-related work from Prop C Fund No. 540, Matching Funds Account No. W700 to DOT 100/94, Account No. 1010, Salaries General.
12. TRANSFER, as needed for the Advanced Transit Management Systems Program, \$402,000 from the TGF No. 655 to DOT Fund No. 100/94, in accordance with Table 1 in the Attachments of the CAO's January 25, 2005 report (attached to the Council file).

13. TRANSFER, as needed for the ATSAC Work Program, \$214,767 from the ATSAC Trust Fund No. 484, Revenue Source Account No. 4403 and \$50,000 from the ATSAC Trust Fund No. 484, Unappropriated Balances to the TGF No. 655, ITS Project Implementation Account No. to be determined.
14. TRANSFER, as needed for the ATSAC Work Program, \$2,601,549 from various funds to the DOT Fund No. 100/94, in accordance with Table 2 in the attachments of the CAO's January 25, 2005 report (attached to the Council file).
15. TRANSFER, as needed for the Bikeways Program, \$155,469 from the TGF No. 655 to the Bureau of Engineering (BOE) Fund No. 100/78 and \$345,896 to the BOSS Fund No. 100/86; in accordance with Table 3 in the Attachments of the CAO's January 25, 2005 report (attached to the Council file).
16. TRANSFER, as needed for the Regional Surface Transportation Improvement Program, \$2,601,549 from various funds to the DOT Fund No. 100/94, in accordance with Table 2 in the Attachments of the CAO's January 25, 2005 report (attached to the Council file).
17. TRANSFER, as needed for the Transportation Enhancements Program, \$158,000 from the TGF No. 655 to DOT Fund No. 100/94 in accordance with Table 5 in the Attachments of the CAO's January 25, 2005 report (attached to the Council file).
18. AUTHORIZE the DOT to enter into a cooperative agreement with the Hollywood Media District Wayfinding Signs and Bus Stop Improvements Project to provide services up to \$264,700, receive funds to pay for the work and transfer the funds to the TGF No. 655, account number to be designated.
19. TRANSFER, as needed for the BOE Work Program, \$3,540,300 from the TGF No. 655 to the BOE Fund No. 100/78; \$66,200 to DOT Fund No. 100/94 in accordance with Table 6 in the Attachments of the CAO's January 25, 2005 report (attached to the Council file).
20. TRANSFER, as needed for the BSL Work Program, \$2,070,000 from the TGF No. 655 to the BSL Fund No. 100/84, in accordance with Table 7 in the Attachments (attached to the Council file).
21. TRANSFER, as needed for the BOSS Work Program, \$1,585,000 from the TGF No. 655 to the BOSS Fund No. 100/86 and \$123,000 to the BOE Fund No. 100/78 in accordance with Table 8 in the Attachments of the CAO's January 25, 2005 report (attached to the Council file).
22. TRANSFER, as needed for the Traffic and Pedestrian Safety Program, \$379,000 from the TGF Fund No. 655 to the DOT Fund 100/94, \$22,000 to the BOE Fund 100/78, \$156,400 to the BSL Fund 100/84 and \$245,000 to the BOSS Fund 100/86 in accordance with Table 9 in the Attachments of the CAO's January 25, 2005 report (attached to the Council file).
23. AUTHORIZE the DOT to receive and expend a Federal grant for the implementation of the upgrade access to the Sylmar/San Fernando Metrolink Station Project.



Fiscal Impact Statement: The CAO reports that the recommended funding is from various grant funds and the Proposition C Anti-Gridlock Transit Improvement Fund. Proposition C funds have been budgeted in 2004-05 as front or matching funds for grant monies or for staff support. The salaries and related costs for all positions are funded by these sources. There is no impact to the General Fund.

ITEM NO. (10) - CONTINUED TO MARCH 22, 2005

Roll Call #1 - Motion (Hahn - Smith) Adopted to Continue, Unanimous Vote (11);  
Absent: Cardenas, Miscikowski, Parks and Weiss (4)

04-1436

BUDGET AND FINANCE and TRANSPORTATION COMMITTEES' REPORTS relative to pipeline franchise fee proceeds.

#### A. BUDGET AND FINANCE COMMITTEE REPORT

Recommendations for Council action, as initiated by Motion (Parks - Hahn):

1. CONCUR with the actions of the Transportation Committee relative to 50 percent of any proceeds from the sale of franchises to install, retain, operate and maintain pipelines and adjunct communication lines within the City be deposited into the Real Property Trust Fund of the Council District(s) through which the pipeline passes and require that the proceeds be spent only for infrastructure projects within their respective Council Districts.
2. INSTRUCT the Department of Transportation to prepare for Council consideration of this matter, charts with various distribution options of the 50 percent of franchise fees to be deposited into the Council District(s) Real Property Trust Fund (i.e., distribution by linear mile, equally distributed among 15 Council Districts, equal distribution among the Council Districts through which a particular pipeline passes, etc.)

#### B. TRANSPORTATION COMMITTEE REPORT

Recommendations for Council action; as initiated by Motion (Parks - Hahn):

1. REQUEST the City Attorney to prepare and present an ordinance which would require that 50 percent of any proceeds from the sale of franchises to install, retain, operate and maintain pipelines and adjunct communication lines within the City be deposited into the Real Property Trust Fund of the Council District(s) through which the pipeline passes and require that the proceeds be spent only for infrastructure projects within their respective Council Districts.
2. RECEIVE and FILE the Department of Transportation (DOT) reports dated October 5, 2004 and January 5, 2005 and City Administrative Officer (CAO) report dated August 12, 2004 relative to pipeline franchise fee proceeds, inasmuch as these reports are submitted for information only and no Council action is necessary.

Fiscal Impact Statement: The CAO reports that splitting the pipeline franchise fee proceeds between the Council Districts and the General Fund would result in an estimated \$1.5 million shortfall to the General Fund in 2004-05, and higher amounts in the ensuing fiscal years. Additionally, the resources needed to develop an interface between two pipeline franchise databases and maintain the system are unknown and would need to be further researched by the DOT.

## Items for Which Public Hearings Have Not Been Held - Items 11-25 (10 Votes Required for Consideration)

Roll Call #8 - Motion (Smith - Ludlow) Adopted, Ayes (12); Absent: Miscikowski, Parks and Perry (3)  
(Item Nos. 11-16)

### ITEM NO. (11) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

04-1951

CD 11 COMMUNICATION FROM THE BUREAU OF STREET LIGHTING (BSL) and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of WELLESLEY AND ROCHESTER AVENUES LIGHTING DISTRICT.

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

1. ADOPT the report of the Director, BSL dated September 24, 2004.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of MAY 6, 2005 as the hearing date for the maintenance of Wellesley and Rochester Avenues Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The BSL reports that if adopted, \$255.02 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 district.

(Board of Public Works Hearing Date: April 25, 2005)

### ITEM NO. (12) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

04-1912

CD 3 COMMUNICATION FROM THE BUREAU OF STREET LIGHTING (BSL) and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of STRATHERN STREET AND OAKDALE AVENUE LIGHTING DISTRICT.

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

1. ADOPT the report of the Director, BSL dated September 22, 2004.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of MAY 6, 2005 as the hearing date for the maintenance of Strathern Street and Oakdale Avenue Lighting District, in accordance with Proposition 218, Articles XIII C and XIII D of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The BSL reports that if adopted, \$428.40 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 district.

(Board of Public Works Hearing Date: April 25, 2005)

ITEM NO. (13) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

04-1910

CD 14

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING (BSL) and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of ALAMEDA AND LOS ANGELES STREETS LIGHTING DISTRICT.

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

1. ADOPT the report of the Director, BSL dated September 22, 2004.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of MAY 6, 2005 as the hearing date for the maintenance of Alameda Street and Los Angeles Street Lighting District, in accordance with Proposition 218, Articles XIII C and XIII D of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The BSL reports that if adopted, \$768.92 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 district.

(Board of Public Works Hearing Date: April 25, 2005)

ITEM NO. (14) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

04-1909

CD 11

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING (BSL) and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of RALSTON AND HUBBARD AVENUES LIGHTING DISTRICT.

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

1. ADOPT the report of the Director, BSL dated September 22, 2004.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of MAY 6, 2005 as the hearing date for the maintenance of Ralston and Hubbard Avenues Lighting District, in accordance with Proposition 218, Articles XIII C and XIII D of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The BSL reports that if adopted, \$719.86 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 district.

(Board of Public Works Hearing Date: April 25, 2005)

ITEM NO. (15) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

04-1875

CD 2

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING (BSL) and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of FOOTHILL BOULEVARD AND MT. GLEASON AVENUE LIGHTING DISTRICT.

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

1. ADOPT the report of the Director, BSL dated September 20, 2004.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of MAY 6, 2005 as the hearing date for the maintenance of Foothill Boulevard and Mt. Gleason Avenue Lighting District, in accordance with Proposition 218, Articles XIII C and XIII D of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The BSL reports that if adopted, \$174.17 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 district.

(Board of Public Works Hearing Date: April 25, 2005)

ITEM NO. (16) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

04-1874

CD 2

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING (BSL) and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of SHERMAN WAY AND RANCHITO AVENUE LIGHTING DISTRICT.

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

1. ADOPT the report of the Director, BSL dated September 20, 2004.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of MAY 6, 2005 as the hearing date for the maintenance of Sherman Way and Ranchito Avenue Lighting District, in accordance with Proposition 218, Articles XIII C and XIII D of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The BSL reports that if adopted, \$1,071 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 district.

(Board of Public Works Hearing Date: April 25, 2005)

Roll Call #5 - Motion (Smith - Ludlow) Adopted, Ayes (11); Absent: Cardenas, Miscikowski, Parks and Weiss (4)  
(Item Nos. 17-25)

ITEM NO. (17) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

05-0124

CD 13 COMMUNICATION FROM THE CITY ENGINEER relative to inclusion of the name of Susan Lucci on the Hollywood Walk of Fame.

Recommendation for Council action:

APPROVE the installation of the name of Susan Lucci on the Hollywood Walk of Fame at 6801 Hollywood Boulevard.

Fiscal Impact Statement: The City Engineer reports that there is no General Fund impact.

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

05-0152

CD 13 COMMUNICATION FROM THE CITY ENGINEER relative to inclusion of the name of Fred Travalena on the Hollywood Walk of Fame.

Recommendation for Council action:

APPROVE the installation of the name of Fred Travalena on the Hollywood Walk of Fame at 7018 Hollywood Boulevard.

Fiscal Impact Statement: The City Engineer reports that there is no General Fund impact.

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

05-0185

CD 13 COMMUNICATION FROM THE CITY ENGINEER relative to inclusion of the name of Pierre Cossette on the Hollywood Walk of Fame.

Recommendation for Council action:

APPROVE the installation of the name of Pierre Cossette on the Hollywood Walk of Fame at 6233 Hollywood Boulevard.

Fiscal Impact Statement: The City Engineer reports that there is no General Fund impact.

ITEM NO. (20) - ADOPTED

05-0347-S1

CD4 MOTION (LABONGE - GARCETTI) relative to declaring the Grand Opening of the Church of Scientology of Los Feliz on February 25, 2005 a Special Event (event sponsor to reimburse the City for all fees and cost incurred AND meet insurance and application requirements of the City).

Recommendation for Council action:

DECLARE the Grand Opening of the Church of Scientology of Los Feliz, sponsored by the Church of Scientology of Los Feliz on February 25, 2005, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion.

ITEM NO. (21) - ADOPTED

05-0370

CD 9 MOTION (ZINE for PERRY - GARCETTI) relative to declaring the Pershing Square Farmers' Market on every Wednesday, from March 2, 2005 to March 1, 2008 a Special Event (fees and costs absorbed by the City = \$224,952).

Recommendation for Council action:

DECLARE the Pershing Square Farmers' Market, sponsored by the California Certified Farmer's Market on every Wednesday, from March 2, 2005 to March 1, 2008, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance AND application requirements.

ITEM NO. (22) - ADOPTED

05-0369

CD 13 MOTION (GARCETTI - LABONGE) relative to declaring the premier of Ice Princess on March 13, 2005 a Special Event (event sponsor to reimburse the City for all fees and cost incurred).

Recommendation for Council action:

DECLARE the premier of Ice Princess, sponsored by the Buena Vista Theatres, Inc. and Walt Disney Pictures on March 13, 2005, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion.

ITEM NO. (23) - ADOPTED

04-0836

CD 8 MOTION (ZINE for PARKS - REYES) relative to declaring the Sigma Nu Philanthropy on April 29, 2005 a Special Event (fees and costs absorbed by the City = \$312).

Recommendation for Council action:

DECLARE the Sigma Nu Philanthropy, sponsored by the University of Southern California chapter of the Sigma Nu Fraternity on April 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.

ITEM NO. (24) - ADOPTED

05-0368

CD 9 MOTION (ZINE for PERRY - GARCETTI) relative to declaring the Community Clean Up on February 26, 2005 a Special Event (fees and costs absorbed by the City = \$1,360).

Recommendation for Council action:

DECLARE the Community Clean Up, sponsored by Council District Nine and the Santo Nino Community Center on February 26, 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. (25) - ADOPTED

05-0367

CD 11 MOTION (MISCIKOWSKI - ZINE) relative to formation of a Sepulveda Business Improvement District (BID) along Sepulveda Boulevard from Manchester to Lincoln in Westchester.

Recommendations for Council action:

1. INSTRUCT the City Clerk and REQUEST the City Attorney to meet with the Westchester Business Improvement Committee and provide the necessary assistance to begin the review process for the creation of a Sepulveda BID.
2. ALLOCATE up to \$40,000 from the BID Trust Fund No. 659, as available, and subject to terms and conditions as described in the City's BID Policy documents 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 the proposed Sepulveda BID in Westchester.

MOTION ADOPTED UPON FINDINGS BY COUNCIL THAT THE NEED TO TAKE ACTION AROSE SUBSEQUENT TO THE POSTING OF THE COUNCIL AGENDA FOR FRIDAY, MARCH 4, 2005, PURSUANT TO GOVERNMENT CODE SECTION 54954.2(b)(2) AND COUNCIL RULE 23

ADOPTED - FORTHWITH

Roll Call #6 - Motion (Padilla - Smith) Findings on Need to Act - Adopted, Ayes (13);

Absent: Miscikowski and Parks (2)

Roll Call #7 - Motion (Padilla - Smith) Adopted, Ayes (13);

Absent: Miscikowski and Parks (2)

**05-0418** - MOTION (PADILLA - SMITH) relative to stabilization of the Osborne Street Bridge.

Recommendations for Council action:

1. REQUEST the Department of Public Works, Bureau of Street Services, Bureau of Engineering, Department of Water and Power, and any other involved City department to immediately begin emergency construction work to stabilize the Osborne Street Bridge and to restore its support structure.
2. INSTRUCT the City Administrative Officer to report back to Council with the appropriate funding and fund transfer recommendations to finance the above described emergency project.



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

- 03-2141** - MOTION (VILLARAIGOSA - REYES) relative to declaring the Braceros Monthly Meetings on January 30, February 27, March 27, April 24, May 8, June 19, July 17, August 21, October 23, November 13 and December 11, 2005 and the Fifth Anniversary Bracero Day Celebration on September 25, 2005 a Special Event (fees and costs absorbed by the City = \$9,594).
- 04-0383** - MOTION (VILLARAIGOSA - LUDLOW) relative to declaring the Annual Black History Health and Marketplace Fair on February 28, 2005 a Special Event (fees and costs absorbed by the City = \$1,030).
- 05-0410** - MOTION (PADILLA - SMITH) relative to declaring the 48th Annual Opening Day Ceremony for Sylmar Independent Baseball League and Baseball Season on March 5, 2005 a Special Event (fees and costs absorbed by the City = \$2,600).
- 04-0585** - MOTION (PERRY - REYES) relative to declaring the Easter Personal Care Day on March 19, 2005 a Special Event (fees and costs absorbed by the City = \$1,226).
- 02-0648** - MOTION (LUDLOW - SMITH) relative to declaring the Wilshire Center Farmers' Market every Friday, beginning March 3, 2005 to June 24, 2005 a Special Event (fees and costs absorbed by the City = \$4,496).
- 04-0461** - MOTION (WEISS - GREUEL) relative to declaring the Purim Carnival on March 20, 2005 a Special Event (fees and costs absorbed by the City = \$1,643).
- 05-0415** - MOTION (GARCETTI - LABONGE) relative to declaring the International Festival on March 20, 2005 a Special Event (fees and costs absorbed by the City = \$8,000).
- 05-0416** - MOTION (WEISS - GREUEL) relative to declaring the Iranian New Year on March 20, 2005 a Special Event (fees and costs absorbed by the City = none submitted).
- 05-0417** - MOTION (GREUEL - HAHN) relative to declaring the Bulky Item Cleanup Event on March 12, 2005 a Special Event (fees and costs absorbed by the City = \$914).
- 04-0811** - MOTION (PADILLA for MISCIKOWSKI - GREUEL) relative to declaring the Trees to the Sea on March 12, 2005 a Special Event (fees and costs absorbed by the City = \$1,226).
- 05-0411** - MOTION (PADILLA - SMITH) relative to funding for a Council District Seven hosted reception for HOPE in the City Hall Tom Bradley Room.
- 05-0414** - MOTION (GREUEL - SMITH) relative to redesignating and downgrading Milbank Street between Van Nuys Boulevard and Woodman Avenue (east of Van Nuys Boulevard) from a Collector Street to a Local Street.
- 05-0010** - MOTION (VILLARAIGOSA - REYES) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Julio Rudy Rodriguez on February 8, 2005.  
S11

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

**05-0002** - RESOLUTION (LABONGE - SMITH) relative to promoting the City's bid to be selected as S42 the future site for the California Institute for Regenerative Medicine.

## COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon his request, and without objections, Councilmember Cardenas was excused to leave at 12:15 p.m. from Council session of Wednesday, March 30, 2005 due to City business.

Upon his request, and without objections, Councilmember LaBonge was excused to leave at 11:00 a.m. from Council session of Wednesday, April 6, 2005 due to City business.

Motion (Weiss - Greuel) unanimously adopted to excuse Councilmember Garcetti to leave at 12:00 p.m. from Council session of Wednesday, March 9, 2005 due to City business.

## COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

<b>05-0014</b> - Detective II Francisco M. Caingcoy	(Zine - All Councilmembers)
Lieutenant Richard Long	(Zine - All Councilmembers)
Craig A. Taylor	(Zine - All Councilmembers)
Robert G. Kolesar	(Zine - All Councilmembers)
Daw Taw Myo Myint	(Garcetti - Miscikowski)

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

<b>05-0013</b> - Mario D. Prado	(Villaraigosa)
Jeffrey James Legaspi	(Villaraigosa - All Councilmembers)
Guadalupe P. Leal	(Villaraigosa)
Nancy Leventhal	(Weiss)
Ron Emler	(Garcetti - LaBonge)
Daniel Edward Williamson	(Garcetti)

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

Whereupon the Council did adjourn.

ATTEST: Frank T. Martinez, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL