

Los Angeles City Council, Journal/Council Proceedings
Wednesday, April 13, 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: Cardenas, Garcetti, Greuel, LaBonge, Ludlow, Miscikowski, Parks, Perry, Reyes, Smith, Zine and President Padilla (12); Absent: Hahn, Villaraigosa and Weiss (3).

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

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 22

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

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

Items Noticed for Public Hearing - Items 1-6

Roll Call #1 - Motion (Greuel - Garcetti) Adopted to Receive and File, Unanimous Vote (12);
Absent: Hahn, Villaraigosa and Weiss (3)
(Item Nos. 1-2)

ITEM NO. (1) - RECEIVE AND FILE INASMUCH AS THE ASSESSMENT HAS BEEN PAID

[04-2449](#)

CD 2 HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of assessment to cover the cost of fencing the lot at 6944 North Van Noord Avenue. (Assessment: \$2,916.48)

ITEM NO. (2) - RECEIVE AND FILE INASMUCH AS THE ASSESSMENT HAS BEEN PAID

[04-2448](#)

CD 13 HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of assessment to cover the costs of demolition of the building(s), asbestos removal from the building(s) and the monitoring of the asbestos removal at 1563-65 West Rockwood Street and 1544-48 West Colton Street. (Assessment: \$18,317.08)

Roll Call #2 - Motion (Reyes - Perry) Adopted, Ayes (12); Absent: Hahn, Villaraigosa and Weiss (3)
(Item Nos. 3-4)

ITEM NO. (3) - PUBLIC HEARING CLOSED - NO APPEALS - ASSESSMENT CONFIRMED

04-2447

CD 1 HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of assessment to cover the costs of cleaning and fencing the lot at 1116 North Edgeware Road. (Assessment: \$6,254.64)

ITEM NO. (4) - PUBLIC HEARING CLOSED - NO APPEALS - ASSESSMENT CONFIRMED

04-2446

CD 9 HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of assessment to cover the costs of barricading of all openings, rebarricading all openings with metal barricades, graffiti abatement of the building(s) and the cleaning and fencing of the lot at 4510 South Broadway. (Assessment: \$15,812.94)

ITEM NO. (5) - RECEIVE AND FILE INASMUCH AS THE ASSESSMENT HAS BEEN PAID

Roll Call #1 - Motion (Greuel - Garcetti) Adopted to Receive and File, Unanimous Vote (12); Absent: Hahn, Villaraigosa and Weiss (3)

04-2444

CD 9 HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of assessment to cover the costs of barricading of all openings and the cleaning and fencing of the lot at 1001 East 35th Street a.k.a. 1010 East Jefferson Street. (Assessment: \$22,469.55)

ITEM NO. (6) - CONTINUED TO MAY 4, 2005

Roll Call #3 - Motion (Cardenas - Smith) Adopted to Continue, Unanimous Vote (12); Absent: Hahn, Villaraigosa and Weiss (3)

05-0065

CD 1 CONSIDERATION OF APPEAL filed by Lacy Street Hospitality Services, Inc., (Roger Jon Diamond, Representative), from the entire determination of the Zoning Administrator in finding that the operation known as the Blue Zebra, an adult entertainment use, located at 2662 Lacy Street, has substantially complied with conditions, and in maintaining as modified, previous conditions. DIR 98-0210 RV (PA2)

Applicant: City of Los Angeles, Office of Zoning Administration

CE

TIME LIMIT FILE - MAY 10, 2005

(LAST DAY FOR COUNCIL ACTION - MAY 10, 2005)

Items for Which Public Hearings Have Been Held - Items 7-23

Roll Call #5 - Motion (Parks - Zine) Adopted, Ayes (12); Absent: Hahn, Villaraigosa and Weiss (3)
(Item Nos. 7-14)

ITEM NO. (7) - ADOPTED - TO THE MAYOR FORTHWITH

05-0259

CD 5

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a vesting zone and height district change for property at 1455 North Hayworth Avenue.

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

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the lead agency City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 05-0259 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV 2004-2958 MND] filed on June 16, 2004.
2. ADOPT the FINDINGS of the City Planning Commission as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the City Planning Commission, effecting a vesting zone and height district change from C4-1-D and [T][Q]C2-1 to (T)(Q)RAS4-1, subject to conditions of approval, for the proposed construction of a five-story, mixed-use development on 1.7 acres of land, consisting of 183 apartments and up to 12,372 square-feet of restaurant uses or 13,282 square feet of restaurant/retail, providing 582 parking spaces for property at 1455 North Hayworth Avenue.

Applicant: Dennis Cavallari,
Legacy Partners

CPC 2004-2957 VZC-HD-ZV-ZAA-SPR

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

4. REMOVE the (T) Tentative classification as described in detail on the sheet(s) attached to the Committee report.
5. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.

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

TIME LIMIT FILE - MAY 16, 2005

(LAST DAY FOR COUNCIL ACTION - MAY 13, 2005)

ITEM NO. (8) - ADOPTED

05-0371

CD 7

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change at 9146-48 Noble Avenue.

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

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the lead agency City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 05-0371 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV 2004-0282 MND] filed on February 13, 2004.
2. ADOPT the FINDINGS of the North Valley Area Planning Commission (APC) as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the North Valley APC, effecting the zone change from RA-1 to (T)(Q)RD3-1, incident to a subdivision, for a proposed subdivision with a maximum of 12 detached residential condominium units and 30 parking spaces on a 0.86 acre lot for property at 9146-48 Noble Avenue.

Applicant: Gilia Sabet, Owner

APCNV 2004-0281 ZC

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

4. REMOVE the (T) Tentative classification as described in detail on the sheet(s) attached to the Committee report.
5. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.

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

TIME LIMIT FILE - MAY 31, 2005

(LAST DAY FOR COUNCIL ACTION - MAY 31, 2005)

ITEM NO. (9) - ADOPTED

04-1363

CD 6

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to modifying a previously adopted zone change by correcting the dimensions of the property on the ordinance map for property at 7004 North Lennox Avenue.

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

1. ADOPT the March 4, 2005 FINDINGS of the Director of Planning as the Findings of the Council.
2. PRESENT and ADOPT the accompanying ORDINANCE, approved by the Director of Planning, revising Ordinance No. 176255 to modify a previously adopted zone change ordinance by correcting the dimensions of the property on the ordinance map for property at 7004 North Lennox Avenue, within the Van Nuys Community Plan Area.
APCSV 2003-6361 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.

(Mitigated Negative Declaration Adopted by City Council on October 12, 2004)

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

TIME LIMIT FILE - JUNE 2, 2005

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

ITEM NO. (10) - ADOPTED

05-0261

CD 11

CATEGORICAL EXEMPTION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT, RESOLUTION and ORDINANCE FIRST CONSIDERATION relative to a City initiated zoning consistency clean-up General Plan Amendment and zone change for property at 3491 and 3497 Butler Avenue, within the Palms-Mar Vista-Del Rey Community Plan.

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.t of the City's Guidelines.
2. ADOPT the FINDINGS of the City Planning Commission as the Findings of the Council.
3. ADOPT the accompanying RESOLUTION as recommended by the Mayor, the City Planning Commission and the Director of Planning, APPROVING the proposed City initiated zoning consistency clean-up General Plan Amendment from Open Space land use designation to Low Density Residential land use designation.

Applicant: City of Los Angeles

CPC 2003-3785 ZC/GPA

4. PRESENT and ADOPT the accompanying ORDINANCE, approved by the Director of Planning, effecting a zone change from R3-1 to R1-1 for property located at 3491 and 3497 Butler Avenue, within the Palms-Mar Vista-Del Rey Community Plan.
5. INSTRUCT the Planning Department to update the General Plan and appropriate maps pursuant to this action.

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 16, 2005

(LAST DAY FOR COUNCIL ACTION - MAY 13, 2005)

ITEM NO. (11) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

02-1986

COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to prohibiting the sale of large caliber firearms in the City of Los Angeles.

(Public Safety 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 background reports and materials related to this matter, contact the Legislative Assistant for the Public Safety Committee at 213-978-1073.)

ADOPTED

PUBLIC SAFETY COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to prohibiting the sale of large caliber firearms in the City of Los Angeles.

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

PRESENT and ADOPT the accompanying ORDINANCE to amend Section 55.18 of the Los Angeles Municipal Code, prohibiting the sale of large caliber firearms in the City of Los Angeles.

Fiscal Impact Statement: None submitted by the City Attorney. Neither the City Administrative Officer nor the Chief Legislative Analyst has not completed a financial analysis of this report.

ITEM NO. (12) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATION

05-0002-S34

COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to the City's position in connection with credits for the purchase of new hybrid vehicles.

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

RESOLVE to include in the City's 2005-06 Federal Legislative Program SPONSORSHIP and/or SUPPORT of federal legislation to amend Section 507 of the Energy Policy Act of 1992 regarding credits for the purchase of alternative fueled vehicles to allow full or partial credits for the purchase of new qualified hybrid vehicles.

Fiscal Impact Statement: The Chief Legislative Analyst reports that the Department of Water and Power will likely incur penalties for failure to comply with the Federal Policy Act requirements should hybrids not be included in the new definition of alternative fueled vehicles.

ITEM NO. (13) - ADOPTED

05-0463

CD 11 ADMINISTRATION EXEMPTION and COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to a proposed Replacement Lease with Evergreen Aviation Ground Logistics Enterprises, Incorporated (EAGLE) at the Los Angeles International Airport (LAX).

Recommendations for Council action:

1. FIND that the proposed Replacement Lease with EAGLE is exempt from the requirements of the California Environmental Quality Act (CEQA) as provided by Article III, Class I (18) (c) of the Los Angeles City CEQA Guidelines, as amended by the Los Angeles City Council on July 31, 2002.
2. CONCUR with the Board of Airport Commissioners (Board) Order No. AO-4944 as adopted by the Board on March 7, 2005, APPROVE Board Order No. AO-4944 and AUTHORIZE the Executive Director of the Los Angeles World Airports (LAWA) to execute the Replacement Lease with EAGLE covering 81,388 square feet of land with a 3,200 square foot building and 78,188 square feet of asphalt paving located at 6951 Imperial Highway at the LAX for ground handling services for a term of five years.

Fiscal Impact Statement: The City Administrative Officer reports that the proposed Replacement Lease will have no impact on the City General Fund. Revenue to the Airport Revenue Fund will total \$178,485 annually. The total revenue to be paid to the LAWA over the five year period will total \$892,425.

TIME LIMIT FILE - APRIL 15, 2005

(LAST DAY FOR COUNCIL ACTION - APRIL 15, 2005)

ITEM NO. (14) - ADOPTED

05-0464

CD 11 ADMINISTRATION EXEMPTION and COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to a proposed Replacement Lease with F & E Aircraft Maintenance, LLC (F & E) at the Los Angeles International Airport (LAX).

Recommendations for Council action:

1. FIND that the proposed Replacement Lease with F & E is exempt from the requirements of the California Environmental Quality Act (CEQA) as provided by Article III, Class I (18) (c) of the Los Angeles City CEQA Guidelines, as amended by the Los Angeles City Council on July 31, 2002.
2. CONCUR with the Board of Airport Commissioners (Board) Order No. AO-4945 as adopted by the Board on March 7, 2005, APPROVE Board Order No. AO-4945 and AUTHORIZE the Executive Director of the Los Angeles World Airports (LAWA) to execute the Replacement Lease with F & E covering 53,274 square feet of land with a 13,094 square foot building and 32,109 square feet of asphalt paving located at 7001 Imperial Highway at the LAX for aircraft maintenance services for a term of five years.

Fiscal Impact Statement: The City Administrative Officer reports that the proposed Replacement Lease will have no impact on the City General Fund. Revenue to the Airport Revenue Fund will total \$173,368 annually. The total revenue to be paid to the LAWA over the five year period will total \$866,840.

TIME LIMIT FILE - APRIL 15, 2005

(LAST DAY FOR COUNCIL ACTION - APRIL 15, 2005)

ITEM NO. (15) - ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #7 - Motion (Garcetti - Reyes) Adopted, Ayes (12); Absent: Hahn, Villaraigosa and Weiss (3)

05-0002-S46

EDUCATION AND NEIGHBORHOODS COMMITTEE REPORT relative to the City's position in connection with providing benefits to the Filipino veterans who fought with American soldiers during World War II.

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

RESOLVE to establish a position of SUPPORT in the City's 2005-06 Legislative Program for House Resolution 170 which would provide benefits to the Filipino veterans who fought with American soldiers during World War II.

Fiscal Impact Statement: The Chief Legislative Analyst reports that there is no fiscal impact associated with the adoption of this resolution.

ITEM NO. (16) - ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #10 - Motion (Padilla - Zine) Adopted, Ayes (11); Absent: Hahn, Ludlow, Villaraigosa and Weiss (4)

05-0098

05-0002-S26

PERSONNEL COMMITTEE REPORT relative to the City's position in connection with State of California defined contribution pension plan legislation proposals.

Recommendation for Council action, as initiated by Motion (Padilla - Miscikowski) and Resolution (Hahn - Ludlow), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

RESOLVE to include in the City's 2005-06 State Legislative Program OPPOSITION to Assembly Constitutional Amendment No. 5 (ACA 5) and Assembly Constitutional Amendment No. 1 (First Extraordinary Session) (ACAX1-1) (both authored by Richman), and similar legislation, establishing a California Public Employee Defined Contribution Plan, which provides that any person hired on or after July 1, 2007 by a public agency may be enrolled only in a defined contribution plan of a public pension retirement system, and is specifically prohibited from enrolling in a defined benefit plan.

Fiscal Impact Statement: The City Administrative Officer reports that the initial impact to the City from these proposals is estimated to be upwards of \$400 million over the next eight to ten years. After this ten-year period, the City could potentially begin realizing savings from these proposals as the City's contribution rates begin to gradually decrease over time. However, this potential savings will only materialize if health and disability benefits are no longer funded by the City for new employees hired after July 1, 2007.

Roll Call #5 - Motion (Parks - Zine) Adopted, Ayes (12); Absent: Hahn, Villaraigosa and Weiss (3)
(Item Nos. 17-22)

ITEM NO. (17) - ADOPTED

05-0002-S45

PERSONNEL COMMITTEE REPORT relative to the City's position in connection with H.R. 475 (Maloney), the Family and Medical Leave Inclusion Act.

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

RESOLVE to include in the City's 2005-06 Federal Legislative Program SUPPORT for H.R. 475 (Maloney), the Family and Medical Leave Inclusion Act, and similar legislation, which would permit leave to care for a same-sex spouse (as determined under applicable State law), domestic partner, parent-in-law, adult child, sibling, or grandparent if they have a serious health condition, or for other purposes.

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

ITEM NO. (18) - ADOPTED

03-1308-S17

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 the property at 424 Rimpau Boulevard.

Recommendations for Council action:

1. GRANT hardship exemption from the Hancock Park ICO for the proposed new single family residential construction to an existing structure on the first level with 1,200 square feet and on the second level with 1,500 square feet and a new clay roof to match the guest house roof located at 424 South Rimpau Boulevard.
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: Udi and Cathlene Rosha (Philip Viertoch/Viertoch Design Architects, Representative)

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

ITEM NO. (19) - ADOPTED

04-1847-S1

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 the property at 5234 West Second Street.

Recommendations for Council action:

1. GRANT hardship exemption from the City's Hancock Park ICO as noted and as described in the application attached to Council file No. 04-1847-S1, for the proposed renovation and restoration of existing residence, demolition of rear structure and expansion with 4,098 square feet addition, site and landscaping improvements, including in-ground pool for property at 5234 West Second Street.
2. ADVISE the applicant that this hardship exemption, if granted by the City Council, is not a permit or license and that any other approvals, permits and licenses required by law must be obtained from the proper agencies.

Applicant: Steven Spira, (Steve Wunderlich, Representative)

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

ITEM NO. (20) - ADOPTED

[04-1848-S2](#)

CD 4 PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an application for a hardship exemption from provisions of the City's Windsor Square Interim Control Ordinance (ICO) for the property at 541 South Lorraine Boulevard.

Recommendations for Council action:

1. GRANT hardship exemption from the City's Windsor Square ICO as noted and as described in the application attached to Council file No. 04-1848-S2, for the proposed 847 square feet addition to an existing 4,202 single-family dwelling (for a new total of 5,049 square feet single-family dwelling), and landscape improvements at 541 South Lorraine Boulevard.
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: Richard C. Green and Adena M. Smith (Juan-Felipe Goldstein, Representative)

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

ITEM NO. (21) - ADOPTED - FORTHWITH

[05-0131](#)

CD 4 CATEGORICAL EXEMPTION and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to Specific Plan Exception from the Hollywoodland Specific Plan for property at 3180-3200 North Durand Drive.

Recommendations for Council action:

1. FIND that this action is categorically exempt from California Environmental Quality Act pursuant to Article III, Section 1, Class 5 (10) of the City's Environmental Guidelines.
2. ADOPT the FINDINGS of the Central Area Planning Commission as the Findings of the Council.
3. RESOLVE TO DENY APPEAL filed by the Committee to Save the Hollywoodland Specific Plan, Hollywood Heritage, and Hollywood United Neighborhood Council (Doug Carstens, Representative), THEREBY SUSTAIN the decision of the Central Area Planning Commission, IN APPROVING the Specific Plan Exception from the Hollywoodland Specific Plan to permit a 54-inches (4-feet, 6-inches) in height fence along the front property line, in lieu of the fence or wall being permitted no closer than three feet from the front lot line, as specified in the Specific Plan, subject to conditions of approval, for property at 3180-3200 North Durand Drive.

Applicant: Mike and Laura Armstrong, R.J. Cutler

APCC 2003-8003 SPE

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

TIME LIMIT FILE - APRIL 13, 2005

(LAST DAY FOR COUNCIL ACTION - APRIL 13, 2005)

ITEM NO. (22) - ADOPTED - FORTHWITH

05-0246

CD 8

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to inclusion of the Betty Hill House on the site at 1655 West 37th Place in the list of Historic-Cultural Monuments.

Recommendations for Council action:

1. ADOPT the Findings of the Cultural Heritage Commission (CHC) as the Findings of the Council.
2. APPROVE the recommendation of the CHC relative to inclusion of the Betty Hill House on the site at 1655 West 37th Place in the list of Historic-Cultural Monuments.

Applicant: Sheila Mendoza

CHC 2004-6030 HCM

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

ITEM NO.(23) - CONTINUED TO MAY 4, 2005

Roll Call #8 - Motion (Perry - Smith) Adopted to Continue, Unanimous Vote (12);
Absent: Hahn, Villaraigosa and Weiss (3)

03-2748

BUDGET AND FINANCE and ARTS, PARKS, HEALTH AND AGING COMMITTEES' REPORTS relative to the Los Angeles Theatre Center (LATC).

A. BUDGET AND FINANCE COMMITTEE

Recommendations for Council action:

1. RECEIVE and FILE the Cultural Affairs Department (CAD) reports dated April 28, 2004 and October 28, 2004, relative to an operator for the LATC and REJECT all proposals received in response to the Request for Proposal issued by the CAD in May 2003, inasmuch as due to a change in circumstances, it is in the City's best interest to identify a new process to select an operator for the LATC.
2. RECEIVE and FILE the Chief Legislative Analyst (CLA) report dated September 23, 2004 relative to the LATC inasmuch as the report is submitted for information only and no Council action is necessary.

B. ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT

Recommendation for Council action:

RECEIVE and FILE:

- a. Motion (Perry - Villaraigosa), relative to the City entering into a contract with Gilmore & Associates for the operation of the Los Angeles Theatre Center, inasmuch as the proposed relationship between Gilmore & Associates, Will & Company, and the Latino Theatre Company is no longer feasible and no Council action is necessary.
- b. Cultural Affairs Department (CAD) report dated April 5, 2004, inasmuch as the report is submitted for information only and no Council action is necessary.
- c. CAD report dated April 28, 2004, inasmuch as the report is submitted for information only and no Council action is necessary.
- d. Chief Legislative Analyst report dated September 23, 2004, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

Items for Which Public Hearings Have Not Been Held - Items 24-37
(10 Votes Required for Consideration)

Roll Call #6 - Motion (Garcetti - Reyes) Adopted, Ayes (12); Absent: Hahn, Villaraigosa
and Weiss (3)
(Item Nos. 24-31)

ITEM NO. (24) - ADOPTED

05-0005-S88

CD 9 RESOLUTION removing the property at 1037-39 East 23rd Street from the Rent Escrow Account Program [REAP], (Case No. 5357), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No. 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of April 6, 2005. Assessor I.D. No. 5131-016-018
Registration No. 0162164

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on April 30, 2002)

ITEM NO. (25) - ADOPTED

05-0005-S89

CD 8 RESOLUTION removing the property at 1405-11 West 51st Street from the Rent Escrow Account Program [REAP], (Case No. 7026), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No. 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of April 6, 2005. Assessor I.D. No. 5016-031-022
Registration No. 0463117

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on January 29, 2004)

ITEM NO. (26) - ADOPTED

05-0005-S90

CD 15 RESOLUTION removing the property at 635-35 3/4 East 118th Place from the Rent Escrow Account Program [REAP], (Case No. 7155), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No. 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of April 6, 2005. Assessor I.D. No. 6084-004-026
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 31, 2004)

ITEM NO. (27) - ADOPTED

05-0005-S91

CD 10 RESOLUTION removing the property at 1335-35 1/2 South Redondo Boulevard from the Rent Escrow Account Program [REAP], (Case No.7397), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No. 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of April 6, 2005. Assessor I.D. No. 5070-007-007
Registration No. 0049270

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 3, 2004.)

ITEM NO. (28) - ADOPTED

05-0005-S92

CD 1 RESOLUTION removing the property at 1706-10 1/2 South Vermont Avenue from the Rent Escrow Account Program [REAP], (Case No. 7511), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No. 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of April 6, 2005. Assessor I.D. No. 5056-023-030
Registration No. 0005694

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 24, 2004)

ITEM NO. (29) - ADOPTED

05-0005-S93

CD 15 RESOLUTION removing the property at 1565-67 Ravenna Avenue from the Rent Escrow Account Program [REAP], (Case No.7697), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No. 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of April 6, 2005. Assessor I.D. No. 7421-016-015
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on September 23, 2004)

ITEM NO. (30) - ADOPTED

05-0005-S94

CD 10 RESOLUTION removing the property at 1720-24 South LaBrea Avenue from the Rent Escrow Account Program [REAP], (Case No. 7726), inasmuch as the owner has corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No. 173810, and ADOPT the Findings contained in the Los Angeles Housing Department's report of April 6, 2005.

Assessor I.D. No.5067-004-023
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on November 9, 2004)

ITEM NO. (31) - MOTION ADOPTED TO APPROVE COMMUNICATION AND COMMITTEE REPORT RECOMMENDATION

04-2642

CDs 8 & 9 COMMUNICATION FROM CHAIR, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to a contract with PCR Services Corporation to conduct a historic resources survey of the Hoover Redevelopment Project Area.

Recommendation for Council action:

AUTHORIZE the Chief Executive Officer, Community Redevelopment Agency (CRA), or designee, to award a contract to PCR Services Corporation for an amount to exceed \$44,000 for a term of one year to conduct a historic resources survey for the Hoover Redevelopment Project Area, subject to the approval of both the City Attorney as to form and legality, and the Department of Public works, Bureau of Contract Administration for compliance with CRA contracting requirements.

Fiscal Impact Statement: The City Administrative Officer reports that this action will not impact the General Fund. Funding for the contract with PCR Services Corporation is provided from Council District Nine Project Area bond proceeds.

ITEM NO. (32) - CONTINUED TO MAY 4, 2005

Roll Call #4 - Motion (Reyes - Cardenas) Adopted to Continue, Unanimous Vote (12);
Absent: Hahn, Villaraigosa and Weiss (3)

05-0065-S1

CD 1 COMMUNICATION FROM THE CITY ATTORNEY relative to Lacy Street Hospitality SVCS. DBA Blue Zebra v. City of Los Angeles, Los Angeles Superior Court Case No. BS 084476; Court of Appeal Case No. B 170716.

Recommendation for Council action:

SET ASIDE AND VACATE, as ordered by the California Court of Appeal, Second District, the June 13, 2003, Council action (Council file No. 99-0235), and set for further public hearing before the City Council, the appeal filed by the Ad Hoc Committee for Safe Children, et al., from part of the determination of the Zoning Administrator in imposing Conditions Nos. Six (hours of operation) and 19 (security), on the operation of the adult entertainment use known as the Blue Zebra located at 2662 Lacy Street. (DIR 98-0210 RV PA1)

(Court of Appeal remanded the appeal back to the City Council)

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

(Planning and Land Use Management Committee waived consideration of the above matter)

Roll Call #6 - Motion (Garcetti - Reyes) Adopted, Ayes (12); Absent: Hahn, Villaraigosa and Weiss (3)
(Item Nos. 33-36)

ITEM NO. (33) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

01-0983

CD 15 COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION TO VACATE relative to the Murdock Avenue and Vreeland Avenue Vacation District - VAC-E1400750.

Recommendations for Council action:

1. REAFFIRM the FINDINGS of June 11, 2002, 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. 05-1400750 for the Murdock Avenue and Vreeland Avenue Vacation District.
3. APPROVE the City Engineer report dated March 4, 2005 for the vacation.
4. INSTRUCT the Department of Public Works, 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

ITEM NO. (34) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS
- FORTHWITH

03-1970

CD 4 COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION TO VACATE relative to the T-shaped alley northerly of Wilshire Boulevard between Bronson Avenue and Norton Avenue - VAC-E1400873.

Recommendations for Council action:

1. REAFFIRM the FINDINGS of March 30, 2004, 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. 05-1400873 for the T-shaped alley northerly of Wilshire Boulevard between Bronson Avenue and Norton Avenue.
3. APPROVE the City Engineer report dated March 18, 2005 for the vacation.
4. INSTRUCT the Department of Public Works, 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

ITEM NO. (35) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

04-1669

CD 5 COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION TO VACATE relative to Ventura Boulevard (portion of southerly side) from approximately 104 feet easterly of Noeline Avenue - VAC-E1400919.

Recommendations for Council action:

1. REAFFIRM the FINDINGS of January 11, 2005, 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. 05-1400919 for Ventura Boulevard (portion of southerly side) from approximately 104 feet easterly of Noeline Avenue.
3. APPROVE the City Engineer report dated March 4, 2005 for the vacation.

4. INSTRUCT the Department of Public Works, 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

ITEM NO. (36) - ADOPTED

01-1068-S5

CD 9 CONSIDERATION OF MOTION (PERRY - PARKS) relative to amending Ordinance No. 174400 to expand the Graffiti Abatement Pilot Program to include vacant fenced properties in Council District Nine.

Recommendation for Council action:

REQUEST the City Attorney to prepare an ordinance to amend Ordinance No. 174400 and expand the Graffiti Abatement Pilot Program to include vacant fenced properties, except said properties in residential areas, in Council District Nine.

(Public Works Committee waived consideration of the above matter)

ITEM NO. (37) - ADOPTED

Roll Call #9 - Motion (Garcetti - Ludlow) Adopted, Ayes (11); Noes: Smith (1); Absent: Hahn, Villaraigosa and Weiss (3)

05-0002-S68

CONSIDERATION OF RESOLUTION (GARCETTI - HAHN) relative to the City's position in connection with Resolution (HR) 418, the REAL ID ACT.

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

RESOLVE that the City include in its 2005-06 Federal Legislative Program OPPOSITION to HR 418, the REAL ID ACT and any similar legislation that would require that before a valid ID can be issued for any official purposes, by any State, it must meet requirements of the minimum Federal documentation.

(Public Safety Committee waived consideration of the above matter)

Closed Session - Item 38

ITEM NO. (38) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #11 - Motion (Parks - Garcetti) Adopted in Open Session, Ayes (12); Absent: Hahn, Villaraigosa and Weiss (3)

05-0192

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 Richard Hodkinson v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BC 309547. (This action arises from a pedestrian versus motor vehicle accident that occurred on Sunset Boulevard.)

(Budget and Finance Committee considered the above matter in Closed Session on March 29, 2005 - continued from Council meeting of April 5, 2005)

ADOPTED IN OPEN SESSION

MOTION (PARKS - GARCETTI)

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

1. AUTHORIZE the City Attorney to expend \$175,000 in settlement of the case entitled Richard Hodkinson v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BC 309547, from the Liability Claims Account No. 9770, Fund 100, Department 59.
2. AUTHORIZE the City Attorney to draw a demand thereon in said amount payable to the Law Offices of Michael Kahn and Richard Hodkinson.

This matter was approved by the Budget and Finance Committee (Parks - Miscikowski - Garcetti - Cardenas - Smith "yes") at its meeting of March 29, 2005, in Closed Session as permitted by Government Code Section 54956.9(a).

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

05-0639

MOTION (WEISS - GARCETTI) relative to declaring the Banquet in the Streets on April 13, 2005 a Special Event (fees and costs absorbed by the City = \$1,226).

05-0638

MOTION (GARCETTI - LABONGE) relative to declaring the 26th Annual Benefit Art Auction on May 21, 2005 a Special Event (fees and costs absorbed by the City = none submitted).

05-0637

MOTION (SMITH - PERRY) relative to declaring the Northridge Youth Awareness Day on March 19, 2005 a Special Event (fees and costs absorbed by the City = \$914).

04-1887

MOTION (PERRY - PARKS) relative to declaring the Community Impact Day 2005 on June 3, 2005 a Special Event (fees and costs absorbed by the City = none submitted).

02-0654

MOTION (PERRY - SMITH) relative to declaring LA Works Day 2005 on June 11, 2005 a Special Event (fees and costs absorbed by the City = none submitted).

05-0634

MOTION (LUDLOW - GARCETTI) relative to a request for an exemption from the Convention Center fee waiver policy for the Seniors Convention and Health Expo 2005 on May 7, 2005.

04-0010-S56

MOTION (PARKS - SMITH) relative to reinstating the reward offer in the death of Derrick Norwood for an additional 60 days.

03-1283

MOTION (LABONGE - MISCIKOWSKI) relative to streetscape design and management services for Council District 4.

05-0636

MOTION (PERRY - PARKS) relative to expenditures related to the Pershing Square's "Downtown on Ice."

05-0635

MOTION (PERRY - SMITH) relative to use of the Tom Bradley Room on April 14, 2005 by the Congress for the New Urbanism.

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

01-1418

RESOLUTION (MISCIKOWSKI - PARKS) relative to the Victim Emergency Award Payment Program.

COUNCILMEMBER'S REQUEST FOR EXCUSE FROM COUNCIL MEETINGS

Motion (Smith - Reyes) unanimously adopted to excuse Councilmember Hahn from Council session of Wednesday, April 20, 2005 due to City business.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

05-0574 - Detective II Shelley E. DeMucha

(Zine - All Councilmembers)

Detective II John E. DeMucha

(Zine - All Councilmembers)

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

05-0573 - Al Lucas "Big Luke"

(LaBonge - Padilla)

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

Whereupon the Council did adjourn.

ATTEST: Frank T. Martinez, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL