Los Angeles City Council, Journal/Council Proceedings  
Wednesday, March 30, 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, Hahn, Ludlow, Miscikowski, Parks, Perry, Reyes, Smith, Villaraigosa, Weiss, Zine and President Padilla (14); Absent: LaBonge (1).

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF MARCH 23, 2005

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - NONE

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 1-9

ITEM NO. (1) - PUBLIC HEARING CLOSED - NO PROTESTS - ADOPTED

Roll Call #1 - Motion (Cardenas - Garcetti) Adopted, Ayes (14); Absent: LaBonge (1)

02-0296 CD 4  
HEARING OF PROTESTS and ORDINANCE FIRST CONSIDERATION relative to levying the special assessment Los Feliz Village Business Improvement District (District) for the District's Fiscal Year (FY) period beginning on January 1, 2005 through December 31, 2005.

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

1. HEAR PROTESTS against the proposed levying of the special assessment for the District's FY 2005, pursuant to Section 36524 of the California Streets and Highways Code.

2. PRESENT and ADOPT the accompanying ORDINANCE levying the special assessment for the District's FY 2005, if a majority protest, as defined by Section 36525 of the California Streets and Highways Code is found not to exist.

3. AUTHORIZE the City Clerk, subject to City Attorney approval, to prepare, execute and administer a contract between the City and the District, the nonprofit service provider for administration of the District, if the ordinance levying the special assessment is adopted.
4. AUTHORIZE the Controller to provide, if necessary and if available, an advance against the District assessment revenue, in an amount not to exceed $18,125 (representing 25 percent of the anticipated assessment revenue for the District’s FY 2005), to the District, if the ordinance levying the special assessment is adopted.

**Fiscal Impact Statement:** The City Clerk reports that direct costs for Department administration of the District program for its FY 2005 will be recovered from the assessments collected. There are no assessments to be paid for City-owned properties located within the boundaries of the District. Therefore, there is no impact on the General Fund.

(Pursuant to Council adoption of Ordinance No. 176531 on March 9, 2005)

ITEM NO. (2) - PUBLIC HEARING CLOSED - ADOPTED - SEE FOLLOWING

Roll Call #2 - Motion (Villaraigosa - Smith) Adopted, Ayes (14); Absent: LaBonge (1)

**04-2593 CD 14**

HEARING COMMENTS relative to redesignation of public street to pedestrian mall at Mariachi Plaza de Los Angeles between Boyle Street and First Street.

(Public Works Committee report adopted on December 17, 2004)

ADOPTED

MOTION (VILLARAIGOSA - SMITH)

Recommendation for Council action:

INSTRUCT the City Engineer to INSTITUTE the redesignation of public street to pedestrian mall proceedings, pursuant to the Pedestrian Mall Law of 1960, over Mariachi Plaza de Los Angeles lying between Boyle Street and First Street.

ITEM NO. (3) - PUBLIC HEARING CLOSED - NO PROTESTS - CITY ENGINEER INSTRUCTED TO PROCEED

Roll Call #3 - Motion (Villaraigosa - Smith) Adopted, Ayes (14); Absent: LaBonge (1)

**03-1034 CD 14**

HEARING PROTESTS against the proposed vacation of a portion of the alley northwesterly of Calzona Street from approximately 80 feet to 120 feet northeasterly of the Santa Ana Freeway.

(Public Works Committee waived consideration of the above matter)

(Pursuant to Council action of March 9, 2005)
ITEM NO. (4) - RECEIVE AND FILE, INASMUCH AS THE ASSESSMENT HAS BEEN PAID

Roll Call #4 - Motion (Parks - Greuel) Adopted to Receive and File, Unanimous Vote (14); Absent: LaBonge (1)

01-0604  
CD 9  HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of assessment to cover the cost of cleaning the lot at 1525 East 46th Street. (Assessment: $788.48)

ITEM NO. (5) - PUBLIC HEARING CLOSED - NO APPEALS - ASSESSMENT CONFIRMED

Roll Call #5 - Motion (Hahn - Greuel) Adopted, Ayes (14); Absent: LaBonge (1)

02-0370  
CD 2  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 6941 North Coldwater Canyon Avenue. (Assessment: $10,638.80)

Roll Call #4 - Motion (Parks - Greuel) Adopted to Receive and File, Unanimous Vote (14); Absent: LaBonge (1)  
(Item Nos. 6-8)

ITEM NO. (6) - RECEIVE AND FILE, INASMUCH AS THE ASSESSMENT HAS BEEN PAID

04-0367  
CD 10  HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of assessment to cover the cost of cleaning the lot at 2934 South Potomac Avenue. (Assessment: $646.80)

ITEM NO. (7) - RECEIVE AND FILE, INASMUCH AS THE ASSESSMENT HAS BEEN PAID

04-2209  
CD 8  HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of assessment to cover the costs of graffiti abatement of the building(s) and the cleaning and fencing of the lot at 1404 West 58th Place. (Assessment: $3,357.99)

ITEM NO. (8) - RECEIVE AND FILE, INASMUCH AS THE ASSESSMENT HAS BEEN PAID

04-2257  
CD 4  HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of assessment to cover the costs of barricading of all openings and rebarricading all openings with metal barricades, graffiti abatement of the building(s) and the cleaning and fencing of the lot at 3223 West Sixth Street a.k.a. 3213 West Sixth Street. (Assessment: $2,634.32)
ITEM NO. (9) - PUBLIC HEARING CLOSED - NO APPEALS - ASSESSMENT CONFIRMED

Roll Call #5 - Motion (Hahn - Greuel) Adopted, Ayes (14); Absent: LaBonge (1)

04-2445
CD 15 HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of assessment to cover the costs of barricading all openings, graffiti abatement of the building(s) and the cleaning and fencing of the lot at 2102 East 110th Street. (Assessment: $7,488.70)

Items for Which Public Hearings Have Been Held - Items 10-28

Roll Call #6 - Motion (Zine - Parks) Adopted, Ayes (14); Absent: LaBonge (1) (Item Nos. 10-11)

ITEM NO. (10) - ADOPTED

01-1476-S1
HOUSING, COMMUNITY, AND ECONOMIC DEVELOPMENT COMMITTEE REPORT, RESOLUTION, and ORDINANCE FIRST CONSIDERATION relative to American Financial Services Association v. Los Angeles, Los Angeles Superior Court Case No. BC289550, and the City's Anti-Predatory Loan Ordinance.

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

1. PRESENT and ADOPT the accompanying ORDINANCE repealing Chapter XVIII of the Los Angeles Municipal Code to eliminate the regulation of predatory lending practices.

2. ADOPT the accompanying RESOLUTION relative to including in the City's 2005-06 State Legislative Program SUPPORT and SPONSORSHIP of legislation to strengthen anti-predatory lending laws as detailed in, and consistent with, the City's Anti-Predatory Loan Ordinance, or to permit local jurisdictions to develop their own anti-predatory lending legislation to mitigate local problems not fully addressed by State law.

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.

ITEM NO. (11) - ADOPTED

00-1206
PUBLIC SAFETY COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to creating the Participant Shelter Program (PSP) and to allow the Animal Services Department (ASD) to waive or defer adoption fees for organizations that are part of the PSP.
Recommendation for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

PRESENT and ADOPT the accompanying ORDINANCE relative to amending Section 53.11 Subsections (o) and (p) of the Los Angeles Municipal Code to allow the ASD to transfer a shelter animal to another municipal or county animal control agency, and to allow the General Manager of the ASD to waive various animal adoption fees anytime it releases a sheltered animal to another municipal or county animal control humane agency, Society for the Prevention of Cruelty to Animals (SPCA), humane society or rescue organization that meet the eligibility requirements of the PSP and enter into an agreement with the department.

Fiscal Impact Statement: The ASD reports that other than perhaps an occasional cost of transporting an animal to a shelter operated by a participant in the program the department anticipates that there will be no additional costs to the City for implementing the proposed changes. However, because no fees will be charged to agencies involved in the proposed PSP, the department anticipates that there may be some decline in generated revenues.

ITEM NO. (12) - ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #9 - Motion (Parks - LaBonge) Adopted, Ayes (13); Absent: Perry and President Padilla (2)

05-0002-S22
ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT and RESOLUTION relative to establishing a City position on legislation regarding the Baldwin Hills Conservancy.

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

ADOPT the accompanying RESOLUTION thereby establishing the following positions in the City’s Legislative Program:

a. OPPOSITION to RES 12 of the California Performance Review and the recommendation to eliminate the Baldwin Hills Conservancy.

b. SUPPORT for Assembly Bill (AB) 856 (Bass) which would extend the repeal date for the Baldwin Hills Conservancy to January 1, 2011.

Fiscal Impact Statement: The Chief Legislative Analyst reports that there is no fiscal impact on the General Fund.
ITEM NO. (13) - ADOPTED

Roll Call #6 - Motion (Zine - Parks) Adopted, Ayes (14); Absent: LaBonge (1)

02-1508-S1 CD 11

BUDGET AND FINANCE COMMITTEE REPORT and RESOLUTIONS relative to amending Playa Vista Community Facilities Districts (CFD) No. 5 and No. 6.

Recommendations for Council action:

1. ADOPT the accompanying RESOLUTION of the City of Los Angeles of Consideration to Make Changes to CFD No. 5 (Playa Vista - Master Plan) (City Administrative Officer [CAO] Report Attachment A).

2. ADOPT the accompanying RESOLUTION of the City of Los Angeles of Consideration to Make Changes to CFD No. 6 (The Campus at Playa Vista) (CAO Attachment B).

3. ADOPT the accompanying RESOLUTION of the City of Los Angeles Authorizing the Execution and Delivery of an Amended and Restated Joint Community Facilities Agreement for CFD No. 5 and CFD No. 6 (CAO Attachment C).

4. INSTRUCT the City Clerk to publish notice by April 20, 2005 of a Public Hearing to take place on MAY 24, 2005, at 10:00 AM during the regularly scheduled City Council meeting.

5. INSTRUCT the City Clerk to set an agenda item for Public Hearing on the City Council agenda for MAY 24, 2005, to include the following actions, SUBJECT TO THE APPROVAL OF THE MAYOR:
   a. PRESENT and ADOPT the accompanying ORDINANCE calling a Special Election for proposed changes to CFD No. 5 (CAO Attachment D).
   b. PRESENT and ADOPT the accompanying ORDINANCE calling a Special Election for proposed changes to CFD No. 6 (CAO Attachment E).

6. INSTRUCT the City Clerk to set an agenda item to determine the results of the Special Elections of the qualified electors of CFD No. 5 and CFD No. 6 on the City Council agenda for JUNE 7, 2005, to include the following actions, SUBJECT TO THE APPROVAL OF THE MAYOR:
   a. PRESENT and ADOPT the accompanying ORDINANCE of Change declaring the results of a Special Election for CFD No. 5 (CAO Attachment F).
   b. PRESENT and ADOPT the accompanying ORDINANCE of Change declaring the results of a Special Election for CFD No. 6 (CAO Attachment G).

Fiscal Impact Statement: The CAO reports there is no impact on the General Fund as a result of the recommended actions. All administrative costs associated with the formation of CFDs are paid by the developer.
ITEM NO. (14) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #10 - Motion (Parks - Miscikowski) Adopted, Ayes (12); Noes: Smith (1); Absent: Perry and President Padilla (2)

05-0140

CONTINUED CONSIDERATION OF COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER relative to a contractual services funding request to complete a management audit of the Office of the Treasurer.

(Budget and Finance 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 related staff-generated reports for this matter, please contact the Legislative Assistant for the Budget and Finance Committee, at 213-978-1075.)

(Continued from Council meeting of March 23, 2005)

ADOPTED

BUDGET AND FINANCE COMMITTEE REPORT relative to Management Audit of the Office of the Treasurer.

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

1. INSTRUCT the Controller to unencumber $80,000 in prior year funds in Fund No. 100/26, Account No. 6040 and revert said funds to the Reserve Fund.

2. TRANSFER $80,000 from the Reserve Fund to the Unappropriated Balance and APPROPRIATE therefrom to Fund 100/26, Account No. 6040.

3. TRANSFER $120,000 from the Unappropriated Balance Fund No. 100, Department No. 58, Account No. 0163, Workforce Displacement Mitigation, to Department No. 100/26, Account No. 6040.

Fiscal Impact Statement: The City Administrative Officer reports that contracting for an outside management audit of the Office of the Treasurer will result in a one-time cost to the General Fund of $200,000. This cost consists of $80,000 in prior year funds in the Office of the Controller, Contractual Services account that can be unencumbered and reappropriated to finance the audit, and $120,000 in additional funds from the Unappropriated Balance, Account 0163, Workforce Displacement Mitigation.
Roll Call #6 - Motion (Zine - Parks) Adopted, Ayes (14); Absent: LaBonge (1) (Item Nos. 15-26)

ITEM NO. (15) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATION - FORTHWITH - SEE FOLLOWING

05-0356

COMMUNICATIONS FROM THE BOARD OF WATER AND POWER COMMISSIONERS AND THE CITY ADMINISTRATIVE OFFICER relative to Agreement No. 47335-5 between the Department of Water and Power and the Southern California Gas Company for natural gas storage.

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

TIME LIMIT FILE - APRIL 25, 2005

(LAST DAY FOR COUNCIL ACTION - APRIL 22, 2005)

ADOPTED

COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to proposed Agreement No. 47335-5 with the Southern California Gas Company for underground natural gas storage.

Recommendation for Council action:

CONCUR with Resolution No. 005-168 as adopted by the Board of Water and Power Commissioners (Board) on February 15, 2005, APPROVE Agreement No. 47335-5 and AUTHORIZE the General Manager of the Department of Water and Power (DWP) to execute said agreement with the Southern California Gas Company to provide underground natural gas storage firm inventory capacity for storing approximately one-half billion cubic feet of natural gas with the right to use up to 10,000 British Thermal Units (MMBtu) per day of injection capacity and 50,000 MMBtu per day of withdrawal capacity for the term April 1, 2005 through March 31, 2006 with total cost not to exceed $1,130,000.

Fiscal Impact Statement: The City Administrative Officer reports that the proposed Agreement amount of $1,130,000 will be financed from the DWP Power Revenue Fund and will have no impact on the City General Fund.

TIME LIMIT FILE - APRIL 25, 2005

(LAST DAY FOR COUNCIL ACTION - APRIL 22, 2005)
ITEM NO. (16) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS
- TO THE MAYOR FORTHWITH - SEE FOLLOWING

05-0460

COMMUNICATION FROM THE BOARD OF HARBOR COMMISSIONERS relative to continuing the interim appointment of Mr. Bruce Seaton as the Executive Director of the Harbor Department for an additional six months.

(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 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

ADMINISTRATIVE EXEMPTION and COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to continuing the interim appointment of Mr. Bruce Seaton as the Executive Director of the Harbor Department for an additional six months.

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

1. FIND that continuing the appointment of Mr. Seaton as the Interim Executive Director of the Harbor Department is exempt from the California Environmental Quality Act (CEQA) requirements pursuant to Article II, Section 2(f) of the Los Angeles City CEQA Guidelines, as amended by the City Council on July 31, 2002.

2. RESOLVE that Resolution No. 6348 as adopted by the Board of Harbor Commissioners (Board) on March 9, 2005 to extend the appointment of Mr. Seaton as Interim General Manager of the Harbor Department for an additional six months is APPROVED and CONFIRMED.

3. REQUEST the Harbor Department to prepare a comprehensive report for Council detailing the executive search process to hire a permanent Executive Director of the Harbor Department and include in said report time frames for interviewing and hiring the successful candidate.

Fiscal Impact Statement: None submitted by the Board. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.
ITEM NO. (17) - ADOPTED

02-0678


Recommendation for Council action:

AUTHORIZE the Chief Executive Officer, CRA, or designee to submit the CRA Annual Report of Financial Transactions for the Fiscal Year ending June 30, 2004, to the State Controller and the State Department of Housing and Community Development.

Fiscal Impact Statement: The CRA reports that this action will not impact the General Fund.

ITEM NO. (18) - ADOPTED

03-0209-S15

CD 1

HOUSING, COMMUNITY, AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION relative to the issuance of up to $9,136,000 of tax-exempt multifamily housing revenue bonds for the Hartford Avenue Apartments Project.

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

1. ADOPT the accompanying RESOLUTION authorizing the issuance of up to $9,136,000 of tax-exempt multifamily housing revenue bonds for the Hartford Avenue Apartments Project, a 54-unit residential apartment building at 440-58 Hartford Avenue.

2. APPROVE the related bond documents (attached to the Council file), subject to the approval of the City Attorney as to form and legality.

3. AUTHORIZE the General Manager, Los Angeles Housing Department (LAHD), or designee, to negotiate and execute the relevant bond documents, subject to the approval of the City Attorney as to form and legality.

Fiscal Impact Statement: The LAHD reports that the City loan in the amount of $2,690,061 will be funded by $117,040 from the General Fund, and $118,844 from the McKinney Act Bond Funds for the development of the Hartford Avenue Apartments Project. Both funding sources are components of the Affordable Housing Trust Fund. In addition, $2,454,177 will be made available from Federal HOME Funds.
ITEM NO. (19) - ADOPTED

04-0292-S4
CDs 1,8,9,10
13, & 15
HOUSING, COMMUNITY, AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION relative to the issuance of up to $10,208,936 of tax-exempt multifamily housing revenue bonds for the Leeward Apartments Project.

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

1. ADOPT the accompanying RESOLUTION authorizing the issuance of up to $10,208,936 of tax-exempt multifamily housing revenue bonds for the Leeward Apartments Project, a scattered site project consisting of 257 residential units at various locations.

2. APPROVE the related bond documents (attached to the Council file), subject to the approval of the City Attorney as to form and legality.

3. APPROVE the Interlocal Cooperation Agreement (attached to the Council file) between the City and County of Los Angeles to permit the City to issue revenue bonds for the purpose of financing the acquisition, construction, and rehabilitation of multifamily rental housing located, in part, in the County of Los Angeles.

4. AUTHORIZE the General Manager, Los Angeles Housing Department (LAHD), or designee, to negotiate and execute the relevant bond documents, subject to the approval of the City Attorney as to form and legality.

Fiscal Impact Statement: The LAHD reports that this action will not impact the General Fund. The City is providing bond financing and no direct loan(s) for the development of this project.

ITEM NO. (20) - ADOPTED

04-0292-S5
CDs 1,8,9,10
13, & 15
HOUSING, COMMUNITY, AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION relative to the issuance of up to $10,315,226 of tax-exempt multifamily housing revenue bonds for the Lexington Apartments Project.

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

1. ADOPT the accompanying RESOLUTION authorizing the issuance of up to $10,315,226 of tax-exempt multifamily housing revenue bonds for the Lexington Apartments Project, a scattered site project consisting of 251 residential units at various locations.
2. APPROVE the related bond documents (attached to the Council file), subject to the approval of the City Attorney as to form and legality.

3. APPROVE the Interlocal Cooperation Agreement (attached to the Council file) between the City and County of Los Angeles to permit the City to issue revenue bonds for the purpose of financing the acquisition, construction, and rehabilitation of multifamily rental housing located, in part, in the County of Los Angeles.

4. AUTHORIZE the General Manager, Los Angeles Housing Department (LAHD), or designee, to negotiate and execute the relevant bond documents, subject to the approval of the City Attorney as to form and legality.

Fiscal Impact Statement: The LAHD reports that this action will not impact the General Fund. The City is providing bond financing and no direct loan(s) for the development of this project.

ITEM NO. (21) - ADOPTED

05-0318 CD 9
HOUSING, COMMUNITY, AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to amending the Community Redevelopment Agency (CRA) contract with Kimley-Horn and Associates for mandated environmental studies of the Upper Second Street project.

Recommendation for Council action:

AUTHORIZE the Chief Executive Officer, CRA, or designee, to execute a fourth amendment to Agency Contract No. 502259 with Kimley-Horn and Associates in an amount not to exceed $50,000, for a revised total contract amount of $828,100, for mandated environmental studies related to the Upper Second Street project in the Bunker Hill Redevelopment Project Area, 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 Agency contracting requirements.

Fiscal Impact Statement: The City Administrative Officer reports that this action will not impact the General Fund. Funding for the Kimley-Horn and Associates contract amendment for the Upper Second Street project will be provided by Bunker Hill Redevelopment Project Area bond proceeds, Metropolitan Transportation Authority Proposition C funds, and Federal Surface Transportation - Local funds.

ITEM NO. (22) - ADOPTED

05-0403 CD 4
HOUSING, COMMUNITY, AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to a 65-unit loft condominium project, a residential use, in a commercial zone within the North Hollywood Redevelopment Project Area.
Recommendations for Council action:

1. APPROVE the residential use, a proposed 65-unit loft condominium project at 11011 Huston Street, on a commercially zoned property, as outlined in the Owner Participation Agreement (attached to the Council file) with the project developer, 11011 Huston Street, LLC.

2. AUTHORIZE the Chief Executive Officer, Community Redevelopment Agency (CRA), or designee, to:
   a. Execute an Owner Participation Agreement for the project that will include the Developer’s commitment to provide a minimum of two income-restricted units for moderate income households, with the CRA reserving the right to designate and subsidize up to ten additional units based on funding availability.
   b. Record an Agreement Containing Covenants for the project that will include a minimum of two income-restricted units for moderate income households.

   Fiscal Impact Statement: The Chief Legislative Analyst reports that this action will not impact the General Fund. No CRA funds or financial assistance is required for this action.

ITEM NO. (23) - ADOPTED

04-2556 CD 6 INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to the proposed posting of “No Loitering” signs in the Erwin Street Mall, Van Nuys Government Center.

Recommendations for Council action, as initiated by Motion (Cardenas - Padilla):

1. INSTRUCT the Department of General Services (GSD) to post signs stating "No Loitering between the hours of 7 p.m. and 6 a.m." in the Erwin Street Mall, Van Nuys Government Center.

2. REQUEST the City Attorney to prepare and present an ordinance that would prohibit loitering in the Erwin Street Mall, Van Nuys Government Center, between the hours specified.

   Fiscal Impact Statement: The Department of Transportation reports that the General Fund would be impacted by the GSD’s cost of fabricating and installing the signs.

   (Transportation Committee waived consideration of the above matter)
ITEM NO. (24) - ADOPTED

05-0091
INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to incorporating Neighborhood Council contact information into the City’s “3-1-1 One Call to City Hall” service directory.

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

INSTRUCT the Department of Neighborhood Empowerment to work with the Information Technology Agency to incorporate Neighborhood Council contact information into the “3-1-1 One Call to City Hall” Citywide Service Directory and report back to Information Technology and General Services Committee.

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

ITEM NO. (25) - ADOPTED

05-0024
PERSONNEL COMMITTEE REPORT relative to implementing an expertise sharing program for the tsunami recovery effort.

Recommendation for Council action, as initiated by Motion (LaBonge - Greuel - Zine - Garcetti):

INSTRUCT the Personnel Department to:

a. Develop a survey for distribution to current and retired City employees for the purpose of identifying areas of expertise in order to establish an expertise sharing database for use in future tsunami recovery efforts.

b. Work with the City Administrative Officer (CAO) to develop participation guidelines and restrictions for identified employees.

c. Work with the Emergency Preparedness Department to develop and coordinate recovery deployment procedures.

Fiscal Impact Statement: None submitted by the Personnel Department. Neither the CAO nor the Chief Legislative Analyst has completed a financial analysis of this report.

ITEM NO. (26) - ADOPTED

05-0002-S9
PUBLIC SAFETY COMMITTEE REPORT relative to the City’s position in connection with legislation to provide greater funding for regulatory enforcement of laws against Spanish language media fraud.
Recommendations for Council action, as initiated by Resolution (Cardenas - Padilla), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

1. RESOLVE to include in the City’s 2005-06 State and Federal Legislative Program, as appropriate, SPONSORSHIP and SUPPORT of legislation to provide greater funding for regulatory enforcement of laws against fraudulent consumer services advertised over Spanish language radio and other media and legislation to increase penalties for persons who commit these fraudulent financial transactions which especially target vulnerable populations such as seniors, immigrants, and non-English speaking communities.

2. REQUEST the Chief Legislative Analyst (CLA) to report back with an overview of other City departments’ programs dealing with consumer fraud.

Fiscal Impact Statement: None submitted by the CLA. The City Administrative Officer has not completed a financial analysis of this report.

ITEM NO. (27) - ADOPTED

Roll Call #11 - Motion (Smith - Zine) Adopted, Ayes (13); Absent: Perry and President Padilla (2)

05-0002-S15

PUBLIC SAFETY COMMITTEE REPORT relative to the City’s position in connection with legislation to provide for Driving Under the Influence (DUI) vehicle confiscation and/or forfeiture.

Recommendations for Council action, as initiated by Resolution (Smith - Zine), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

1. RESOLVE to include in the City’s 2005-06 State Legislative Program SUPPORT of Senate Bill (SB) 207 (Scott) relative to seizure and/or confiscation relating to driving a motor vehicle under the influence of alcohol or drugs, or both.

2. RESOLVE to include in the City’s 2005-06 State Legislative Program, as appropriate, SPONSORSHIP, to provide vehicle forfeiture mandatory of DUI offenders with two or more prior convictions, provide for proceeds gained from forfeited vehicles to be returned to the confiscating agency and allow for a 30-day hold on vehicles driven by persons under the influence.

Fiscal Impact Statement: None submitted by the CLA. The City Administrative Officer has not completed a financial analysis of this report.
ITEM NO. (28) - MOTION ADOPTED TO APPROVE COMMUNICATION AND COMMITTEE REPORT RECOMMENDATIONS

Roll Call #6 - Motion (Zine - Parks) Adopted, Ayes (14); Absent: LaBonge (1)

05-0314

COMMUNICATION FROM CHAIR AND MEMBER, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE and PERSONNEL COMMITTEE REPORT relative to the Personnel Department conducting a classification and compensation study for the Community Redevelopment Agency (CRA).

ADOPTED

A. COMMUNICATION FROM CHAIR AND MEMBER, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

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

1. AUTHORIZE the Chief Executive Officer, CRA, or designee, and the General Manager, Personnel Department, or designee, to negotiate and execute an agreement, substantially as shown in the document entitled “Attachment A,” of the March 4, 2005 Chief Legislative Analyst (CLA) report to the Housing, Community, and Economic Development Committee (attached to the Council file) for a classification and compensation study to be undertaken by the City’s Personnel Department and the City Administrative Officer (CAO) for an amount not to exceed $68,000.

2. AUTHORIZE the Chief Executive Officer, CRA, or designee, to amend the Agency’s Fiscal Year 2004-2005 Budget and Work Program to reflect the proposed classification and compensation study and the transfer of funds as appropriate.

3. INSTRUCT the General Manager, Personnel Department, to:

   a. Prepare the necessary Controller instructions and/or make any technical adjustments that may be required and consistent with this action subject to the approval of the CAO.

   b. Authorize the Controller to implement these instructions, including the acceptance of such funds from the CRA.

ADOPTED

B. PERSONNEL COMMITTEE REPORT

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:
CONCUR with the recommendations of the Chair and Member, Housing, Community and Economic Development Committee, in their Communication, dated March 11, 2005, relative to the Personnel Department conducting a classification and compensation study for the CRA.

Fiscal Impact Statement: The CLA reports that this action will not impact the General Fund. Funds are derived from the CRA’s operating budget.

Items for Which Public Hearings Have Not Been Held - Items 29-58
(10 Votes Required for Consideration)

Roll Call #7 - Motion (Zine - Greuel) Adopted, Ayes (14); Absent: LaBonge (1)
(Item Nos. 29-46)

ITEM NO. (29) - ADOPTED

05-0005-S77
CD 8 RESOLUTION removing the property at 2939-43 1/2 Brighton Avenue from the Rent Escrow Account Program [REAP], (Case No. 4334), 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 March 23, 2005.

Assessor I.D. No. 5053-030-034
Registration No. 5089032

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on November 16, 2001)

ITEM NO. (30) - ADOPTED

05-0005-S78
CD 13 RESOLUTION removing the property at 731-33 1/2 North Heliotrope Drive from the Rent Escrow Account Program [REAP], (Case No. 5905), 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 March 23, 2005.

Assessor I.D. No. 5538-016-023
Registration No. 8804353

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on October 10, 2002)
ITEM NO. (31) - ADOPTED

05-0005-S79
CD 15 RESOLUTION removing the property at 1406-08 West 220th Street from the Rent Escrow Account Program [REAP], (Case No. 6580), 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 March 23, 2005.
Assessor I.D. No. 7346-013-029
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 3, 2003)

ITEM NO. (32) - ADOPTED

05-0005-S80
CD 1 RESOLUTION removing the property at 1271-71 1/2 Court Street from the Rent Escrow Account Program [REAP], (Case No. 7034), 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 March 23, 2005.
Assessor I.D. No. 5160-020-048
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on November 10, 2003)

ITEM NO. (33) - ADOPTED

05-0005-S81
CD 1 RESOLUTION removing the property at 458-58 1/2 Isabel Street from the Rent Escrow Account Program [REAP], (Case No. 7852), 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 March 23, 2005.
Assessor I.D. No. 5446-004-005
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 3, 2005)
ITEM NO. (34) - ADOPTED

05-0005-S82
CD 8 RESOLUTION removing the property at 1818-18 1/2 West Jefferson Boulevard from the Rent Escrow Account Program [REAP], (Case No. 8103), 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 March 23, 2005.

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 15, 2005)

ITEM NO. (35) - ADOPTED

05-0002-S53
CONSIDERATION OF RESOLUTION (ZINE - GREUEL) relative to establishing a City position on proposed legislation to extend the state law which allows for the safe surrender of newborn babies.

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

RESOLVE to establish a position of SUPPORT in the City's 2004-05 Legislative Program for Senate Bill 116 (Dutton, Scott, Simitian) which would extend indefinitely existing state law which allows for the safe surrender of newborn babies.

(Arts, Parks, Health and Aging Committee waived consideration of the above matter)

ITEM NO. (36) - ADOPTED

04-0758
CD 6 MOTION (CARDENAS - GARCETTI) relative to declaring the St. Elisabeth's Community Festival on April 28-May 1, 2005 a Special Event (fees and costs absorbed by the City = $578).

Recommendation for Council action:

DECLARE the St. Elisabeth's Community Festival, sponsored by St. Elisabeth's Church, 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. (37) - ADOPTED

01-0564 CD 14

MOTION (VILLARAIGOSA - SMITH) relative to declaring the 2005 Blessing of the Animals on March 26, 2005 a Special Event (fees and costs absorbed by the City = $5,258).

Recommendation for Council action:

DECLARE the 2005 Blessing of the Animals, sponsored by the El Pueblo Historic Monument on March 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, except insurance AND application requirements.

ITEM NO. (38) - ADOPTED

03-0960 CD 14

MOTION (VILLARAIGOSA - SMITH) relative to declaring the State Street Recreation Center Baseball Opening Day on May 7, 2005 a Special Event (fees and costs absorbed by the City = $1,226).

Recommendation for Council action:

DECLARE the State Street Recreation Center Baseball Opening Day, sponsored by the State Street Recreation Center on May 7, 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 and fees and costs that may be associated with the use of facilities under the jurisdiction of the Board of Recreation and Park Commissioners.

ITEM NO. (39) - ADOPTED

03-0959 CD 14

MOTION (VILLARAIGOSA - SMITH) relative to declaring the Fifth Annual International Kids Day on April 30, 2005 a Special Event (fees and costs absorbed by the City = $3,419).

Recommendation for Council action:

DECLARE the Fifth Annual International Kids Day, sponsored by the Yorkdale Leadership Group on April 30, 2005, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance AND application requirements.
ITEM NO. (40) - ADOPTED

01-0679 CD 14  
MOTION (VILLARAIGOSA - SMITH) relative to declaring the Festival de Los Ninos on March 26-27, 2005 a Special Event (fees and costs absorbed by the City = $14,307).

Recommendation for Council action:

DECLARE the Festival de Los Ninos, sponsored by the Jovenes, Inc. and Comite Civico Latino-Americano on March 26-27, 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. (41) - ADOPTED

03-0745 CD 12  
MOTION (SMITH - PARKS) relative to declaring the 10th Annual National Street Rod Association Appreciation Day on April 10, 2005 a Special Event (event sponsor to reimburse the City for all fees and cost incurred).

Recommendation for Council action:

DECLARE the 10th Annual National Street Rod Association Appreciation Day, sponsored by the California Car Company on April 10, 2005, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion AND application requirements.

ITEM NO. (42) - ADOPTED

02-0467 CD 3  
MOTION (ZINE - SMITH) relative to declaring the Arts and Crafts Faire on June 11-12, 2005 a Special Event (fees and costs absorbed by the City = $8,535).

Recommendation for Council action:

DECLARE the Arts and Crafts Faire, sponsored by the Woodland Hills Rotary Club on June 11-12, 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. (43) - ADOPTED

05-0534
CD 3

MOTION (ZINE - SMITH) relative to declaring the St. Mary's Parish Assyrian Church of the East First Ever Carnival on April 15-17, 2005 a Special Event (fees and costs absorbed by the City = $14,547).

Recommendation for Council action:

DECLARE the St. Mary's Parish Assyrian Church of the East First Ever Carnival, sponsored by the St. Mary's Parish Assyrian Church of the East on April 15-17, 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 and fees and costs that may be associated with the use of facilities under the jurisdiction of the Board of Recreation and Park Commissioners.

ITEM NO. (44) - ADOPTED

05-0533
CD 6

MOTION (CARDENAS - PADILLA) relative to declaring the Re-dedication of the San Fernando Valley Municipal Building on April 25, 2005 a Special Event (fees and costs absorbed by the City = $2,500).

Recommendation for Council action:

DECLARE the Re-dedication of the San Fernando Valley Municipal Building, sponsored by Council District Six on April 25, 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. (45) - ADOPTED

05-0532
CD 5

MOTION (WEISS - SMITH) relative to declaring the Annual Meeting of the Ferrari Club of America on May 29, 2005 a Special Event (fees and costs absorbed by the City = $2,904).

Recommendation for Council action:

DECLARE the Annual Meeting of the Ferrari Club, sponsored by the Ferrari Club of America Southwest Region on May 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. (46) - ADOPTED

02-0612
CD 5  MOTION (WEISS - VILLARAIGOSA) relative to declaring the Achievable Walk, Run and Woof on April 3, 2005 a Special Event (fees and costs absorbed by the City = $3,517).

Recommendation for Council action:

DECLARE the Achievable Walk, Run and Woof, sponsored by the Achievable Foundation on April 3, 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. (47) - SUBSTITUTE MOTION ADOPTED IN LIEU OF ORIGINAL MOTION - SEE FOLLOWING

Roll Call #12 - Motion (Villaraigosa - Reyes) Adopted, Ayes (13); Absent: Perry and President Padilla (2)

05-0531
CD 14  MOTION (VILLARAIGOSA - SMITH) relative to declaring the Olvera Street 75th Anniversary Parade on April 16, 2005 a Special Event (fees and costs absorbed by the City = $12,071).

Recommendation for Council action:

DECLARE the Olvera Street 75th Anniversary Parade, sponsored by the Olvera Street Merchants Association and All Access Entertainment on April 16, 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.

ADOPTED

SUBSTITUTE MOTION (VILLARAIGOSA - SMITH) relative to declaring the Olvera Street 75th Anniversary Parade on April 16, 2005 a Special Event (fees and costs absorbed by the City = $12,071).

Recommendation for Council action:

DECLARE the Olvera Street 75th Anniversary Parade, sponsored by the Olvera Street Merchants Association and All Access Entertainment on April 16, 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.
Roll Call #7 - Motion (Zine - Greuel) Adopted, Ayes (14); Absent: LaBonge (1)  
(Item Nos. 48-51)

ITEM NO. (48) - ADOPTED

03-0499  
CD 9    
MOTION (PERRY - ZINE) relative to declaring the Kids Ride and Volvo City of Los Angeles Fun Ride on April 23-24, 2005 a Special Event (fees and costs absorbed by the City = $4,007).

Recommendation for Council action:

DECLARE the Kids Ride and Volvo City of Los Angeles Fun Ride, sponsored by the Heumann Powered Productions, on April 23-24, 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. (49) - ADOPTED

05-0528  
CD 13    
MOTION (GARCETTI - LABONGE) relative to declaring the Thai New Year Event on April 3, 2005 a Special Event (fees and costs absorbed by the City = $9,766).

Recommendation for Council action:

DECLARE the Thai New Year Event, sponsored by the Thai Community Development Center on April 3, 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. (50) - ADOPTED

05-0527  
CD 15    
MOTION (HAHN - PERRY) relative to declaring the Grand Chair Affair Event on April 2, 2005 a Special Event (fees and costs absorbed by the City = $1,478).

Recommendation for Council action:

DECLARE the Grand Chair Affair Event, sponsored by the Grand Vision Foundation on April 2, 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. (51) - ADOPTED

05-0529

MOTION (PERRY - ZINE) relative to a request for an exemption from the Convention Center fee waiver policy for the Graduation Ceremony on June 22, 2005.

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

1. FIND that the Graduation Ceremony event, sponsored by the Los Angeles Unified School District and City of Angels School, serves a public purpose in that it will provide an opportunity for approximately 500 high school students to receive their diplomas in a City facility, with their family members in attendance, and their parents and other supporters will be able to attend this event.

2. AUTHORIZE the General Manager, Convention Center, to make an exception to the Council’s Convention Center waiver policy by waiving a maximum of $4,500 in room rental fees for this event.

3. INSTRUCT all concerned departments that should unforeseen circumstances change the actual date of the Special Event, the aforementioned departmental instructions continue to apply.

ITEM NO. (52) - ADOPTED, AS AMENDED - FORTHWITH - SEE FOLLOWING

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

04-1362

MOTION (GARCETTI - VILLARAIGOSA) relative to extending the pilot program enabling hybrid vehicles to park free at City parking meters.

Recommendations for Council action:

1. EXTEND the six-month pilot program enabling hybrid vehicles to park for free at City parking meters through May 31, 2005, so that this program can continue while its long-term financial impacts are under evaluation.

2. DIRECT the Department of Transportation to report to the Transportation Committee on how it has explained this program extension to its staff, to ensure that meter-enforcement personnel are aware that they should not ticket hybrid vehicles that are parked at City parking meters and are in compliance of posted time limits through May 31, 2005.
ADOPTED

AMENDING MOTION (GARCETTI - VILLARAIGOSA)

Recommendation for Council action:

DIRECT the Department of Transportation to report to the Council on APRIL 1, 2005, on the implementation of this program.

Roll Call #7 - Motion (Zine - Greuel) Adopted, Ayes (14); Absent: LaBonge (1)
(Item Nos. 53-58)

ITEM NO. (53) - ADOPTED

03-1410-S1
CD 15  MOTION (HAHN - LABONGE) relative to the Vincent Thomas Bridge Decorative Lighting Contract.

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

1. TRANSFER $21,448.32 which has already been authorized by the Harbor Department from the Harbor Department, Revenue Fund, Fund No. 702, Department 42, Account No. 52031, Organization and Event Sponsorship, to the Street Lighting Maintenance Fund No. 347, Department 50, Account No. T292 (Vincent Thomas Bridge Decorative Lighting Project).

2. AUTHORIZE the Director, Bureau of Street Lighting, subject to the approval of the City Administrative Officer, to make any technical adjustments and corrections as necessary, to implement the Mayor and Council intentions, and AUTHORIZE the Controller to implement the instructions.

ITEM NO. (54) - ADOPTED

05-1073-S3
CD 15  MOTION (HAHN - LABONGE) relative to transferring funds to assist design and right of way acquisition of the street improvement project known as the Cabrillo Avenue Extension Project.

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

1. TRANSFER and APPROPRIATE $50,000 in the Council District 15 portion of the Street Furniture Revenue Fund No. 43D, Department 50, to the Engineering Special Services Fund No. 682, Department 50, Account V213, Revenue Source No. 4610 to assist the design and right-of-way acquisition of the Cabrillo Avenue Extension Project.

2. INSTRUCT the Real Estate Division, Bureau of Engineering, to take the necessary steps to purchase or acquire the vacant lot/parcel(s) on behalf of the City.
ITEM NO. (55) - ADOPTED

03-0556
RESOLUTION (GREUEL - ZINE) relative to declaring April 2005 as The Month of the Young Child in the City of Los Angeles.

Recommendation for Council action:

RESOLVE to DECLARE April 2005 as “The Month of the Young Child” in the City of Los Angeles.

ITEM NO. (56) - ADOPTED

03-0556-S1
RESOLUTION (ZINE - GREUEL) relative to declaring the week of April 4, 2005 as “Safe Surrender Week.”

Recommendation for Council action:

RESOLVE to DECLARE the week of April 4, 2005 as “Safe Surrender Week” in the City of Los Angeles.

ITEM NO. (57) - MAP APPROVED - CITY ENGINEER REPORT ADOPTED

04-0677
CD 3  PARCEL MAP L.A. NO. 2002-2820 lying southerly of Stagg Street and westerly of Winnetka Avenue.
(Approve Subdivision Improvement Agreement and Contract with attached security documents)
(ADOPT City Engineer Report)
(ADOPT Bond No. C-107917)
(Quimby Fee: $ 3,028)
Applicants: TRI X. Huynh and Linda Huynh
Axial Engineering Group Inc.

ITEM NO. (58) - MAP APPROVED - CITY ENGINEER REPORT ADOPTED

05-0537
CD 5  FINAL MAP OF TRACT NO. 54289 for property lying easterly of Topanga Canyon Boulevard and northerly of Erwin Street.
(Approve Subdivision Improvement Agreement and Contract with attached security documents)
(ADOPT City Engineer Report)
(ADOPT Bond No. C-107916)
Applicants: MARS, LLC
S.E.C. Civil Engineers, Inc.
Closed Sessions - Items 59-65

ITEM NO. (59) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #15 - Motion (Parks - Smith) Adopted in Open Session, Ayes (11); Absent: Cardenas, Perry, Villaraigosa and President Padilla (4)

04-0082
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 J.S. Lee v. Daryl F. Gates, et al., United States District Court Case No. CV 03-3126 GAF (VBKx). (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 March 22, 2005)

ADOPTED IN OPEN SESSION

MOTION (PARKS - SMITH)

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

1. AUTHORIZE the City Attorney to expend $800,000 in settlement of the case entitled J.S. Lee v. Daryl F. Gates, et al., United States District Court Case No. CV 03-3126 GAF (VBKx), 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 Yagman and Yagman and Reichmann and Jung Suk Lee.

This matter was approved by the Budget and Finance Committee (Parks - Miscikowski - Garcetti - Smith "yes") at its meeting of March 22, 2005, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (60) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #16 - Motion (Parks - Smith) Adopted in Open Session, Ayes (11); Absent: Cardenas, Perry, Villaraigosa and President Padilla (4)

05-0373
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 Jesse Ivey v. City of Los Angeles and William J. Bratton, Los Angeles Superior Court Case No. BS 088014. (This matter arises out of a Petition for a Writ of Mandate challenging the imposition of discipline after a Board of Rights hearing.)

(Budget and Finance Committee considered the above matter in Closed Session on March 22, 2005)
ADOPTED IN OPEN SESSION

MOTION (PARKS - SMITH)

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

APPROVE the terms and conditions of the proposed settlement agreement as follows:

a. The City of Los Angeles will re-instate Plaintiff to the civil service classification, rank, pay grade and step within the pay grade Plaintiff held prior to his termination. Plaintiff’s reinstatement will be deemed effective November 17, 2003, the date his termination was effective. In turn, Plaintiff shall resign and withdraw from the DROP program effective November 17, 2003.

b. Plaintiff will not receive back pay nor interest on back pay.

c. Each party will bear its own attorney’s fees and court costs.

This matter was approved by the Budget and Finance Committee (Parks - Miscikowski - Garcetti - Smith “yes”) at its meeting of March 22, 2005, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (61) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #17 - Motion (Parks - Smith) Adopted in Open Session, Ayes (11); Absent: Cardenas, Perry, Villaraigosa and President Padilla (4)

05-0434

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 cases entitled W. Bell v. D. Gates, et al., United States District Court Case No. CV 01-01863 FMC, and R. Berry v. D. Gates, et al., United States District Court Case No. CV 01-02066 FMC. (This action arose from an incident on October 5, 2001, in the area of Spring and Fifth Streets involving Los Angeles Police Department officers assigned to Transit Patrol.)

(Budget and Finance Committee considered the above matter in Closed Session on March 22, 2005)

ADOPTED IN OPEN SESSION

MOTION (PARKS - SMITH)

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

1. AUTHORIZE the City Attorney to expend $150,000 in settlement of the cases entitled W. Bell v. D. Gates, et al., United States District Court Case No. CV 01-01863 FMC, and R. Berry v. D. Gates, et al., United States District Court Case No. CV 01-02066 FMC, 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 Yagman & Yagman & Reichmann, Ronald Berry and William Bell, plaintiffs.

This matter was approved by the Budget and Finance Committee (Parks - Miscikowski - Garcetti - Smith "yes") at its meeting of March 22, 2005, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (62) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION -TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #14 - Motion (Garcetti - Smith) Adopted in Open Session, Ayes (10); Absent: Cardenas, Parks, Perry, Villaraigosa and President Padilla (5)

05-0450

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 Fernando Zaragoza v. City of Los Angeles, et al., United States District Court Case No. CV 04-4318 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 March 22, 2005)

ADOPTED IN OPEN SESSION

MOTION (GARCETTI - SMITH)

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

1. AUTHORIZE the City Attorney to expend $250,000 in settlement of the case entitled Fernando Zaragoza v. City of Los Angeles, et al., United States District Court Case No. CV 04-4318 GAF, from the Extraordinary Liability Claims Account No. 2000.

2. AUTHORIZE the City Attorney to draw a demand thereon in said amount payable to Moreno, Becerra, Guerrero & Casillas; Moreno & Perez; and Fernando Zaragoza.

This matter was approved by the Budget and Finance Committee (Miscikowski - Garcetti - Smith "yes"; Parks recused himself) at its meeting of March 22, 2005, in Closed Session as permitted by Government Code Section 54956.9(a).
ITEM NO. (63) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #18 - Motion (Parks - Smith) Adopted in Open Session, Ayes (11); Absent: Cardenas, Perry, Villaraigosa and President Padilla (4)

05-0451
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 Jerry Allan Short v. City of Los Angeles, Los Angeles Superior Court Case No. BC 311189. (This personal injury action arises from a traffic accident that occurred on January 27, 2003, on the northbound Pasadena Freeway.)

(Budget and Finance Committee considered the above matter in Closed Session on March 22, 2005)

ADOPTED IN OPEN SESSION

MOTION (PARKS - SMITH)

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

1. AUTHORIZE the City Attorney to expend $118,000 in settlement of the case entitled Jerry Allan Short v. City of Los Angeles, Los Angeles Superior Court Case No. BC 311189, 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 Cherin and Yelsky and Jerry Allen Short.

This matter was approved by the Budget and Finance Committee (Parks - Miscikowski - Garcetti - Smith "yes") at its meeting of March 22, 2005, in Closed Session as permitted by Government Code Section 54956.9(a).

ITEM NO. (64) - RECEIVE AND FILE

05-0452
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 Jose Antonio Sanchez, et al., v. City of Los Angeles, et al., Los Angeles Superior Court Case No. PC 031050 Y. (This matter arises from an ambulance versus auto accident that occurred on February 11, 2002, at Van Nuys Boulevard and Glenoaks Boulevard.)

(Budget and Finance Committee considered the above matter in Closed Session on March 22, 2005)
ITEM NO. (65) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #19 - Motion (Parks - Smith) Adopted in Open Session, Ayes (11); Absent: Cardenas, Perry, Villaraigosa and President Padilla (4)

05-0453

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 Mikhail Gotlinsky v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BC 306373. (This matter arises from a trip and fall incident on June 20, 2003, at the Ariel Durant Branch Library located at 1430 North Gardner in Los Angeles.)

(Budget and Finance Committee considered the above matter in Closed Session on March 22, 2005)

ADOPTED IN OPEN SESSION

MOTION (PARKS - SMITH)

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 Mikhail Gotlinsky v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BC 306373, 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 Marina Kab and Mikhail Gotlinsky.

This matter was approved by the Budget and Finance Committee (Parks - Miscikowski - Garcetti - Smith "yes") at its meeting of March 22, 2005, in Closed Session as permitted by Government Code Section 54956.9(a).

Item Noticed for Public Hearing - Item 66

ITEM NO. (66) - PUBLIC HEARING CLOSED - MOTION ADOPTED TO GRANT APPLICATION - SEE FOLLOWING

Roll Call #8 - Motion (Zine - Reyes) Adopted to Grant Application, Ayes (14); Absent: LaBonge (1)

04-0493

CD 3	CONTINUED CONSIDERATION OF HEARING COMMENTS relative to application for determination of "Public Convenience or Necessity" for alcohol sales for off-site consumption at 20801 Ventura Boulevard (Target).

Application filed by: Target Corporation, Derek Stohr
TIME LIMIT FILE - MARCH 30, 2005

(LAST DAY FOR COUNCIL ACTION - MARCH 30, 2005)

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

(Continued from Council meeting of March 29, 2005)

ADOPTED

MOTION (ZINE - REYES)

Recommendations for Council action:

1. DETERMINE that the issuance of a liquor license at 20810 Ventura Boulevard 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 20810 Ventura Boulevard.

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

Applicant: Target Corporation, Derek Stohr

TIME LIMIT FILE - MARCH 30, 2005

(LAST DAY FOR COUNCIL ACTION - MARCH 30, 2005)

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

01-0427 - MOTION (LUDLOW - GREUEL) relative to declaring the Culver City Farmers’ Market, every Tuesday, beginning on April 5, 2005, to June 28, 2005 a Special Event (fees and costs absorbed by the City = $2,496).

03-0348 - MOTION (LABONGE - HAHN) relative to declaring the 24th Annual Jimmy Stewart Relay Marathon on April 17, 2005, a Special Event (fees and costs absorbed by the City = $6,886).

03-0229 - MOTION (HAHN - LUDLOW) relative to declaring the 2005 Earth Day Celebration on April 23, 2005, a Special Event (fees and costs absorbed by the City = $2,918).

05-0567 - MOTION (HAHN - LUDLOW) relative to declaring the LAPD Experience Day, on April 7, 2005, a Special Event (fees and costs absorbed by the City = $2,660).
05-0010 - MOTION (PARKS - 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 Felix Rodriguez on November 22, 2004.

05-0010- S16 MOTION (PARKS - 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 Anthony Andre Bennett on March 16, 2004.

05-0566 - MOTION (PERRY - PARKS) relative to a personal services contract for services related to the Ninth Council District.

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

05-0002 - RESOLUTION (MISCIKOWSKI - ZINE) relative to the City's position regarding legislation that would require a gun safety warning to be on all firearm sales contracts and posted conspicuously wherever guns are sold.

COUNCILMEMBER'S REQUEST FOR EXCUSE FROM COUNCIL MEETINGS

Upon her request, and without objections, Councilmember Hahn was excused to leave at 11:00 a.m. from Council session of Tuesday, May 3, 2005 due to City business.

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

05-0013 - Johnnie L. Cochran, Jr. (Parks - All Councilmembers)
Seak Veng Suy (Garcetti)

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

Whereupon the Council did adjourn.

ATTEST: Frank T. Martinez, CITY CLERK

By

Council Clerk PRESIDENT OF THE CITY COUNCIL