Los Angeles City Council, Journal/Council Proceedings
Wednesday, May 11, 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, LaBonge, Miscikowski, Perry, Reyes, Smith, Zine and President Padilla (11); Absent: Ludlow, Parks, Villaraigosa and Weiss (4).

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF MAY 4, 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 1-7

ITEM NO. (1) - PUBLIC HEARING HELD - ORDINANCE TO BE PRESENTED ON JUNE 1, 2005

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

05-0343
CD 15

HEARING PROTESTS against the proposed improvement and maintenance of the DOWNTOWN SAN PEDRO (SEVENTH AND MESA STREETS) LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Downtown San Pedro (Seventh and Mesa Streets) Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on March 9, 2005 - Continue hearing and present Ordinance on JUNE 1, 2005 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)
ITEM NO. (2) - PUBLIC HEARING CLOSED - NO APPEALS - ASSESSMENT CONFIRMED

Roll Call #3 - Motion (Zine - Hahn) Adopted, Ayes (11); Absent: Ludlow, Parks, Villaraigosa and Weiss (4)

05-0278
CD 3 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 6460 North Valley Circle Boulevard.  
(Assessment: $6,151.53)

ITEM NO. (3) - RECEIVED AND FILED INASMUCH AS THE ASSESSMENT HAS BEEN PAID

Roll Call #2 - Motion (Zine - Reyes) Adopted to Receive and File, Unanimous Vote (11); Absent: Ludlow, Parks, Villaraigosa and Weiss (4)

05-0279
CD 14 HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of assessment to cover the costs of demolition of the building(s) and the cleaning of the lot at 554-54 1/2 South Soto Street.  
(Assessment: $2,981.58)

Roll Call #3 - Motion (Zine - Hahn) Adopted, Ayes (11); Absent: Ludlow, Parks, Villaraigosa and Weiss (4)  
(Item Nos. 4-5)

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

05-0280
CD 14 HEARING APPEALS OR OBJECTIONS to Building and Safety Department report and confirmation of assessment to cover the costs of demolition of the building(s) and the cleaning of the lot at 4153 North Palmero Drive.  
(Assessment: $1,787.55)

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

05-0281
CD 15 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 11238 South Hooper Avenue.  
(Assessment: $12,857.11)
ITEM NO. (6) - CONTINUED TO MAY 18, 2005

Roll Call #4 - Motion (Perry - Reyes) Adopted to Continue, Unanimous Vote (11); Absent: Ludlow, Parks, Villaraigosa and Weiss (4)

05-0618 CD 9

HEARING COMMENTS relative to application for determination of “Public Convenience or Necessity” for alcohol sales for off-site consumption located at 8301-05 South Main Street, (Fiesta Rancho Liquor Market, neighborhood market).

Recommendations for Council action:

1. DETERMINE that the “Public Convenience or Necessity” WILL NOT be served by the sale and dispensing of liquor for off-site consumption at 8301-05 South Main Street, (Fiesta Rancho Liquor Market, neighborhood market), for the following reasons: 1) Significant criminal activity has taken place at this location; including, but not limited to possession of alcoholic beverages on posted premises, drinking in public, and begging; 2) there is an undue concentration of liquor licenses in this census tract; and, 3) the store is located in a high crime area.

2. DENY the application for Determination of “Public Convenience or Necessity” for the sale and dispensing of liquor at 8301-05 South Main Street, based upon the above findings and the negative influence associated with the sale of alcohol in the concerned community.

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.

Application filed by: Annie Shin

TIME LIMIT FILE - MAY 23, 2005

(LAST DAY FOR COUNCIL ACTION - MAY 20, 2005)

ITEM NO. (7) - PUBLIC HEARING CLOSED - MOTION ADOPTED TO GRANT APPLICATION

Roll Call #11 - Motion (Garcetti - Reyes) Adopted to Grant Application, Ayes (11); Absent: Ludlow, Parks, Villaraigosa and Weiss (4)

05-0775 CD 13

HEARING COMMENTS relative to application for determination of “Public Convenience or Necessity” for alcohol sales for off-site consumption located at 7021 Hollywood Boulevard, (Longs Drugs Store).

Recommendations for Council action:
1. DETERMINE that the issuance of a liquor license at 7021 Hollywood Boulevard, (Longs Drugs Store) 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 located at 7021 Hollywood 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: Chris Finn - Longs Drugs California, Inc.

TIME LIMIT FILE - JUNE 6, 2005
(LAST DAY FOR COUNCIL ACTION - JUNE 3, 2005)

Items for Which Public Hearings Have Been Held - Items 8-42

Roll Call #9 - Motion (Garcetti - Hahn) Adopted, Ayes (11); Absent: Ludlow, Parks, Villaraigosa and Weiss (4)
(Item Nos. 8-9)

ITEM NO. (8) - ADOPTED - FORTHWITH

03-0435

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the reappointment of Mr. Albert Dib to the Relocation Appeals Board.

Recommendation for Council action:

RESOLVE that the Mayor’s reappointment of Mr. Albert Dib to the Relocation Appeals Board for the new term ending April 3, 2007, is APPROVED and CONFIRMED. Mr. Dib resides in Council District 7. (Current Commission gender composition: M=4; F=1)

Ethics Commission Review: Not applicable

ITEM NO. (9) - ADOPTED - FORTHWITH

05-0662

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the reappointment of Mr. Anthony M. Misetich to the Relocation Appeals Board.

Recommendation for Council action:
RESOLVE that the Mayor’s reappointment of Mr. Anthony M. Misetich to the Relocation Appeals Board for the new term ending April 3, 2007, is APPROVED and CONFIRMED. Mr. Misetich resides in Council District 15. (Current Commission gender composition: M=4; F=1)

Ethics Commission Review: Not applicable

Roll Call #16 - Motion (Reyes - Cardenas) Adopted, Ayes (13); Absent: Ludlow and Villaraigosa (2)
(Item Nos. 10-19)

ITEM NO. (10) - ADOPTED

05-0455 CD 6

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change at 8793 North Haddon 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. 05-0455 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 2004-1989 MND] filed on August 26, 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)R1-1, incident to subdivision, and subject to conditions of approval, for the proposed creation of two single family residential parcels from one 25,200 square foot lot in the RA-1 zone located at 8793 North Haddon Avenue.

Applicant: Leonel and Cricelda Valencia APCNV 2004-2362 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 - JUNE 13, 2005
(LAST DAY FOR COUNCIL ACTION - JUNE 10, 2005)

ITEM NO. (11) - ADOPTED

05-0535 MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change at 9763 North Vesper Avenue and 9768 North Cedros 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. 05-0535 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 2003-8392 MND] filed on January 16, 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 RS-1 to (T)(Q)R1-1, incident to subdivision and subject to conditions of approval, for the proposed subdivision for a maximum of a new nine single family detached condominums plus two density bonus units on Lot No. 1 on 1.45 net acre located at 9763 North Vesper Avenue and 9768 North Cedros Avenue.

Applicant: Matias Meza

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 - JUNE 21, 2005
(LAST DAY FOR COUNCIL ACTION - JUNE 21, 2005)

ITEM NO. (12) - ADOPTED

05-0536
CD 6

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change at 15643 West Wyandotte 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. 05-0536 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 2004-2878 MND] filed on August 20, 2004.

2. ADOPT the FINDINGS of the Planning and Land Use Management Committee as the Findings of the Council, as attached to the report.

3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the South Valley APC, effecting the zone change from R1-1 and R-3 to (T)(Q)R3-1, subject to conditions of approval, for property located at 15643 West Wyandotte Avenue. (There is no proposed project for the site at this time.)

Applicant: Paul T. Everett, The Edifice Group

APCSV 2004-2877 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 - JUNE 21, 2005**

(LAST DAY FOR COUNCIL ACTION - JUNE 21, 2005)

**ITEM NO. (13) - ADOPTED**

`05-0538 CD 7`

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change at 9231, 9237, and 9251 Lemona 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. 05-0538 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 2003-9302 MND] filed on January 30, 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, subject to conditions of approval, for the proposed one lot subdivision for a maximum of a new 24 single family detached condominiums project on 1.66 net acres at 9231, 9237, and 9251 Lemona Avenue.

   Applicant: Mark Handel and Sarah Lulloff

   APCNV 2003-9302 ZC ZAA

   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.

6. ADVISE the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination filing.

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

TIME LIMIT FILE - JUNE 22, 2005
(LAST DAY FOR COUNCIL ACTION - JUNE 22, 2005)

ITEM NO. (14) - ADOPTED

05-0568
CD 12

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change at 6539 North Andasol 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. 05-0568 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 2004-4000 MND] filed on August 6, 2004.

2. ADOPT the FINDINGS of the South Valley Area Planning Commission (APC) as the Findings of the Council.

3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the South Valley APC, effecting the zone change from RA-1 to (T)(Q)R1-1, subject to conditions of approval, for the proposed development of three single family lots, and the demolition of one existing single family dwelling on 17,297 square foot lot, for property located at 6539 North Andasol Avenue.

Applicant: Hagop Basteghian  
APCSV 2004-7222 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.

6. ADVISE the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.

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

**TIME LIMIT FILE - JUNE 28, 2005**

(LAST DAY FOR COUNCIL ACTION - JUNE 28, 2005)

ITEM NO. (15) - ADOPTED

| 05-0597 |
| CD 3 |

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change for property at 7401 North Tampa Avenue and 19315 West Valerio Street.

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. 05-0597 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 2003-8973 MND] filed on March 12, 2004.

2. ADOPT the FINDINGS of the South Valley Area Planning Commission (APC) as the Findings of the Council.

3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the South Valley APC, effecting the zone change from RA-1 to (T)(Q)RD3-1, incident to subdivision, and subject to conditions of approval for the proposed three new condominium units to be constructed on a 13,000 square foot lot with an existing single family dwelling, to remain, for a total of four units at property located at 7401 North Tampa Avenue and 19315 West Valerio Street.

**Applicant:** Mia Kia, Owner, Oscar Ensafi, Representative

**APCSV 2004-0131 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.

6. ADVISE the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination filing.

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

**TIME LIMIT FILE - JULY 5, 2005**

(LAST DAY FOR COUNCIL ACTION - JULY 5, 2005)

ITEM NO. (16) - ADOPTED

05-0651 CD 12

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change for property at 8800 Tampa 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. 05-0651 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 2004-4903 MND] filed on October 1, 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 (Q)M2-1VL to (T)(Q)M2-1VL, subject to conditions of approval, for the proposed construction of a 3,200 square foot fast food/drive through restaurant, one story, 26 feet high with 102 seats, (70 inside and 32 outside), with 33 parking spaces, on an approximately 36,677 square foot lot located at 8800 Tampa Avenue.
Applicant: 88 Tampa LLC, & Cen-Century LLC, Kathy Kuper  APCNV 2004-4902 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 - JULY 7, 2005
(LAST DAY FOR COUNCIL ACTION - JULY 6, 2005)

ITEM NO. (17) - ADOPTED

05-0652

CD 3

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change for property at 20415 West Runnymede Street.

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. 05-0652 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 2004-4360 MND] filed on August 20, 2004.

2. ADOPT the FINDINGS of the South Valley Area Planning Commission (APC) as the Findings of the Council.

3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the South Valley APC, effecting the zone change from RA-1 to (T)(Q)R1-1, subject to conditions of approval, for the proposed development of two single-family dwellings on two proposed single-family lots on a 17,849 square foot lot for property at 20415 West Runnymede Street.

Applicant: Mark Steinman  APCSV 2004-5433 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.

6. ADVISE the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.

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

TIME LIMIT FILE - JULY 6, 2005
(LAST DAY FOR COUNCIL ACTION - JULY 6, 2005)

ITEM NO. (18) - ADOPTED

05-0735
CD 3

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change for property at 6927-35 Owensmouth 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. 05-0735 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 2004-3211 MND] filed on November 22, 2004.

2. ADOPT the FINDINGS of the South Valley Area Planning Commission (APC) as the Findings of the Council.

3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the South Valley APC, effecting the zone change from R1-1VL and [Q]C1-1VL to (T)(Q)RAS4-1VL, subject to conditions of approval, for the proposed demolition of existing single family dwellings and construction of a mixed use project consisting of 47 affordable apartment units and a 4,820 square foot childcare facility for a maximum of 48 children, 3 and 4 stories, 40 feet in height, having 75 parking spaces, including 47 spaces for residents, 18 guest parking spaces, and 10 spaces for the childcare use for the combined lot area of 56,052 square feet for property at 6927-6935 Owensmouth Avenue.

WEDNESDAY 05-11-05 PAGE 13
Applicant: L.A. Community Design Center

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.

6. ADVISE the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.

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

TIME LIMIT FILE - JULY 19, 2005
(LAST DAY FOR COUNCIL ACTION - JULY 19, 2005)

ITEM NO. (19) - ADOPTED

05-0737
CD 6

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change for property at 15941-43 West Victory Boulevard.

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. 05-0737 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 2004-4742 MND] filed on October 1, 2004.

2. ADOPT the FINDINGS of the South Valley Area Planning Commission (APC) as the Findings of the Council.

3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the South Valley APC, effecting the zone change from R1-1 and RD1.5-1 to (T)(Q)RD1.5-1, subject to conditions of approval for the proposed addition of a 5 unit apartment building on a lot with 7 existing apartment units for a total of 12 units, two stories, approximately 25 feet, 8 inches in height, with 10 tandem parking spaces for a total of 17 parking spaces, on a 17,695 square foot lot located at 15941-43 West Victory Boulevard.
Applicant: Uri Arbel

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 - JULY 19, 2005
(LAST DAY FOR COUNCIL ACTION - JULY 19, 2005)

ITEM NO. (20) - CONTINUED TO MAY 20, 2005

Roll Call #5 - Motion (Reyes - Cardenas) Adopted to Continue, Unanimous Vote (11);
Absent: Ludlow, Parks, Villaraigosa and Weiss (4)

04-2661
GENERAL EXEMPTION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION amending the standards applicable to the conversion of existing buildings to joint live/work quarters in Chapter IX of the Los Angeles Municipal Code (LAMC).

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

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

2. PRESENT and ADOPT the accompanying ORDINANCE, amending Division 85 of Article 1, Chapter IX of the LAMC in its entirety to be in conformance with the requirements of Section 17958.11 of the Health and Safety Code regarding conversion of an existing commercial or industrial building, or portion thereof, to “Joint Living and Work Quarters.”

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.
Roll Call #7 - Motion (Reyes - Cardenas) Adopted, Ayes (11); Absent: Ludlow, Parks, Villaraigosa and Weiss (4)
(Item Nos. 21-24)

ITEM NO. (21) - ADOPTED

05-0627 CD 4 ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to a proposed Second Amendment to the Toyon Canyon Landfill Gas Lease Agreement (Lease) with Covanta Power Pacific, Incorporated (Covanta).

Recommendations for Council action:

1. APPROVE the Second Amendment to the Lease with Covanta for the renovation and continued operation of a Gas Recovery and Generation Project at the Toyon Canyon Landfill for an additional 10 years, through February 5, 2014 (substantially as outlined in the City Administrative Officer [CAO] report dated March 22, 2005), attached to Council file, subject to the review of the City Attorney as to form and legality.

2. AUTHORIZE the President and Secretary, Board of Recreation and Park Commissioners (Board), to execute the proposed Second Amendment to the Lease with Covanta, subject to the review of the City Attorney as to form and legality.

3. CONCUR with the Board action:
   a. Consenting to the assignment of the Lease with Covanta to Toyon Landfill Gas Conversion, LLC (TLGC).
   b. Consenting to the acquisition of TLGC by GGPentoy, LP (GGP).

Fiscal Impact Statement: The CAO reports that there will be no impact to the General Fund. The Department of Recreation and Parks anticipates receiving monthly royalty payments from GGP, of up to $4,000, or up to $48,000 annually, from the sale of electricity to Southern California Edison.

ITEM NO. (22) - ADOPTED

04-0600-S37 AUDITS AND GOVERNMENTAL EFFICIENCY COMMITTEE REPORT relative to consolidations, transfers, and efficiencies in the Fiscal Year 2004-05 Budget.

Recommendation for Council action:

NOTE and FILE the City Administrative Officer's quarterly report, dated November 12, 2004, relative to consolidations, transfers, and efficiencies in the Fiscal Year 2004-05 Budget, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.
ITEM NO. (23) - ADOPTED

02-0950-S2
CD 11  ADMINISTRATIVE EXEMPTION and COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to a proposed Third Amendment to Concession Agreement with the McDonald’s Corporation covering a food and beverage concession at the Los Angeles International Airport (LAX).

Recommendations for Council action:

1. FIND that the proposed Third Amendment to Concession Agreement No. LAA-7466 with the McDonald’s Corporation is exempt from the requirements of the California Environmental Quality Act as provided by Article III, Class 1 (18)(c) of the Los Angeles City CEQA Guidelines, as amended by the Los Angeles City Council on July 31, 2002.

2. CONCUR with Board Order No. AO-4951 as adopted by the Board of Airport Commissioners (Board) on April 4, 2005, APPROVE Board Order No. AO-4951 and AUTHORIZE the Executive Director of the Los Angeles World Airports to execute the Third Amendment to Concession Agreement No. LAA-7466 with the McDonald’s Corporation covering the operation of food and beverage facilities at Terminals 1, 5, 7 and the Tom Bradley International Terminal at the LAX.

Fiscal Impact Statement: The City Administrative Officer reports that approval of the proposed term extension will have a minimal impact on the City General Fund. The City General Fund will receive less than $75,000 in possessory interest taxes. Revenue generated from this agreement will be a minimum of $2,597,112 per year during the term of the extension period.

TIME LIMIT FILE - MAY 19, 2005

(LAST DAY FOR COUNCIL ACTION - MAY 18, 2005)

ITEM NO. (24) - ADOPTED

02-1113
CD 11  ADMINISTRATIVE EXEMPTION and COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to a Sixth Amendment to two Concession Agreements with Java Java, Incorporated, (Java Java) covering food and beverage concessions at the Los Angeles International Airport (LAX).

Recommendations for Council action:

1. FIND that the proposed Sixth Amendments to Concession Agreement Nos. LAA-7616 and LAA-7617 with Java Java is exempt from the requirements of the California Environmental Quality Act (CEQA) as provided by Article III, Class 1 (18)(c) of the Los Angeles City CEQA Guidelines, as amended by the Los Angeles City Council on July 31, 2002.
2. CONCUR with Board Order No. AO-4952 as adopted by the Board of Airport Commissioners (Board) on April 4, 2005, APPROVE Board Order No. AO-4952 and AUTHORIZE the Executive Director of the Los Angeles World Airports to execute the Sixth Amendment to Concession Agreement Nos. LAA-7616 and LAA-7617 with Java Java covering the operation of food and beverage facilities at Terminal 3 and 6 at the LAX.

**Fiscal Impact Statement:** The City Administrative Officer reports that approval of the proposed term extension will have a minimal impact on the City General Fund. The City General Fund will receive less than $75,000 in possessory interest taxes. Revenue generated from this agreement will be a minimum of $197,298 per year during the term of the extension period.

**TIME LIMIT FILE - MAY 19, 2005**

**LAST DAY FOR COUNCIL ACTION - MAY 18, 2005**

**ITEM NO. (25) - ADOPTED, *AS AMENDED - SEE FOLLOWING**

Roll Call #12 - Motion (Cardenas - Miscikowski) to Adopt as Amended, Ayes (11);
Absent: Ludlow, Parks, Villaraigosa and Weiss (4)

**05-0002-S70**

**COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT** relative to the City’s position in connection with AB 556 (Gordon) relative to noise impact areas surrounding airports.

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

RESOLVE to include in the City’s 2005-06 State Legislative Program OPPOSITION to AB 556 (Gordon) as amended on April 12, 2005 and/or similar legislation, which would require the proprietor of an airport with a noise impact area to request from the California Department of Transportation (Caltrans) a variance from noise standards in effect on January 1, 2006 for up to three years, in accordance with prescribed procedures. *unless amended to:

- a. Use the existing definition of “noise impact area” in Section 5001(k) of the California Code of Regulations, which recognizes compatible land uses (including soundproofed homes, schools, churches and hospitals) versus incompatible land uses within the noise impact boundary and which includes only incompatible land uses within the noise impact area;

- b. Delete the reference to the specific date of January 6, 2006 as part of the requirement that an airport proprietor must request a variance from the airport noise standard in effect in the California Code of Regulations as of that date, inasmuch as this would not allow Caltrans to revise its airport noise regulations from time to time.

**WEDNESDAY**

05-11-05
e. Assign to Caltrans the responsibility for public notice of a Caltrans hearing on an airport operator’s request for a variance from State airport noise standards, inasmuch as the notice requirements in the bill are not entirely clear and the airport operator’s failure to meet those requirements could be interpreted as a violation of this act, notwithstanding Resolution (Parks – Weiss) to support AB 556 if amended to require Caltrans to hold a public hearing at the time of consideration of a variance requested by an airport operator, and notwithstanding the City’s Department of Airport’s recommendation to oppose the bill. *(Cardenas - Miscikowski)*

Fiscal Impact Statement: The Los Angeles World Airports (LAWA) reports that AB 556 would result in unspecified cost to LAWA and the City due to increased criminal liability. AB 556 would require the City (and others) to absorb the cost of an administrative hearing for each and every variance, even if parties could negotiate a variance agreement and stipulate that a hearing was not necessary.

ITEM NO. (26) - ADOPTED

Roll Call #13 - Motion (Cardenas - Miscikowski) Adopted, Ayes (11); Absent: Ludlow, Parks, Villaraigosa and Weiss (4)

05-0586

CD 11  COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to the development of the Concessions Master Plan at the Los Angeles International Airport (LAX).

Recommendation for Council action:

NOTE and FILE the April 12, 2005 Los Angeles World Airport (LAWA) report in response to Motion (Cárdenas - Smith) relative to the development of the Concessions Master Plan at LAX and providing for the inclusion of a local business component in said Concessions Master Plan, inasmuch as the LAWA reports that a strong local business component is included in the Concessions Master Plan at LAX and the consultant contract has 31 percent local business participation.

Fiscal Impact Statement: Not applicable.

Roll Call #7 - Motion (Reyes - Cardenas) Adopted, Ayes (11); Absent: Ludlow, Parks, Villaraigosa and Weiss (4)

(Item Nos. 27-37)

ITEM NO. (27) - ADOPTED

05-0725

CD 11  ADMINISTRATIVE EXEMPTION and COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to a proposed Second Amendment to Contract No. DA-3690 with Carter and Burgess, Incorporated (Carter-Burgess) to provide consultant services.
Recommendations for Council action:

1. FIND that the proposed Second Amendment to Contract No. DA-3690 with Carter-Burgess is exempt from the requirements of the California Environmental Quality Act (CEQA) as provided by Article II, Section (2) of the Los Angeles City CEQA Guidelines, as amended by the Los Angeles City Council on July 31, 2002.

2. CONCUR with Resolution No. 22652 as adopted by the Board of Airport Commissioners (Board) on April 4, 2005, APPROVE Resolution No. 22652 and AUTHORIZE the Executive Director of the Los Angeles World Airports (LAWA) to execute the Second Amendment to Contract No. DA-3690 with Carter-Burgess to provide Phase 3 implementation and operational services for the project entitled “LAWA Utilities Survey and Documentation Geographical Information System.”

Fiscal Impact Statement: The Board reports that there is no fiscal impact to the City General Fund.

TIME LIMIT FILE - JUNE 17, 2005
(LAST DAY FOR COUNCIL ACTION - JUNE 17, 2005)

ITEM NO. (28) - ADOPTED

05-0741
CD 11 ADMINISTRATIVE EXEMPTION and COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to a Second Amendment to Concession Agreement with Eurotal, a Partnership, (Eurotal) covering a food and beverage concession at the Los Angeles International Airport (LAX).

Recommendations for Council action:

1. FIND that the proposed Second Amendment to Concession Agreement No. LAA-7471 with Eurotal is exempt from the requirements of the California Environmental Quality Act (CEQA) as provided by Article III, Class 1 (18)(c) of the Los Angeles City CEQA Guidelines, as amended by the Los Angeles City Council on July 31, 2002.

2. CONCUR with Board Order No. AO-4950 as adopted by the Board of Airport Commissioners (Board) on April 4, 2005, APPROVE Board Order No. AO-4950 and AUTHORIZE the Executive Director of the Los Angeles World Airports to execute the Second Amendment to Concession Agreement No. LAA-7471 with Eurotal covering the operation of food and beverage facilities at Terminal 5 and the Tom Bradley International Terminal at the LAX.
Fiscal Impact Statement: The City Administrative Officer reports that approval of the proposed term extension will have a minimal impact on the City General Fund. The City General Fund will receive less than $75,000 in possessory interest taxes. Revenue generated from this agreement will be a minimum of $439,516 per year during the term of the extension period.

TIME LIMIT FILE - MAY 19, 2005
(LAST DAY FOR COUNCIL ACTION - MAY 18, 2005)

ITEM NO. (29) - ADOPTED

05-0742
CD 11 ADMINISTRATIVE EXEMPTION and COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to a First Amendment to Concession Agreement with St. Claire Development Corporation (St. Claire) at the Los Angeles International Airport (LAX).

Recommendations for Council action:

1. FIND that the proposed Second Amendment to Concession Agreement No. LAA-7468 with St. Claire is exempt from the requirements of the California Environmental Quality Act (CEQA) as provided by Article III, Class 1 (18)(c) of the Los Angeles City CEQA Guidelines, as amended by the Los Angeles City Council on July 31, 2002.

2. CONCUR with Board Order No. AO-4953 as adopted by the Board of Airport Commissioners (Board) on April 4, 2005, APPROVE Board Order No. AO-4953 and AUTHORIZE the Executive Director of the Los Angeles World Airports to execute the First Amendment to Concession Agreement No. LAA-7468 with St. Claire covering the operation of a food and beverage facility at Terminal 5 at the LAX.

Fiscal Impact Statement: The City Administrative Officer reports that approval of the proposed term extension will have a minimal impact on the City General Fund. The City General Fund will receive less than $75,000 in possessory interest taxes. Revenue generated from this agreement will be a minimum of $250,658 per year during the term of the extension period.

TIME LIMIT FILE - MAY 19, 2005
(LAST DAY FOR COUNCIL ACTION - MAY 18, 2005)

ITEM NO. (30) - ADOPTED

05-0743
CD 11 ADMINISTRATIVE EXEMPTION and COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to a Third Amendment to Concession Agreement with Andy M. Camacho, Incorporated (Andy Camacho) covering a food and beverage concession at Los Angeles International Airport (LAX).
Recommendations for Council action:

1. FIND that the proposed Second Amendment to Concession Agreement No. LAA-7467 with Andy Camacho is exempt from the requirements of the California Environmental Quality Act (CEQA) as provided by Article III, Class 1 (18)(c) of the Los Angeles City CEQA Guidelines, as amended by the Los Angeles City Council on July 31, 2002.

2. CONCUR with Board Order No. AO-4949 as adopted by the Board of Airport Commissioners (Board) on April 4, 2005, APPROVE Board Order No. AO-4949 and AUTHORIZE the Executive Director of the Los Angeles World Airports to execute the Third Amendment to Concession Agreement No. LAA-7467 with Andy Camacho covering the operation of food and beverage facilities at Terminal 1 and the Tom Bradley International Terminal at the LAX.

Fiscal Impact Statement: The City Administrative Officer reports that approval of the proposed term extension will have a minimal impact on the City General Fund. The City General Fund will receive less than $75,000 in possesory interest taxes. Revenue generated from this agreement will be a minimum of $520,499 per year during the term of the extension period.

TIME LIMIT FILE - MAY 19, 2005
(LAST DAY FOR COUNCIL ACTION - MAY 18, 2005)

ITEM NO. (31) - ADOPTED

05-0744 CD 11 COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to renewal options for Concession Agreements with Airport Management Systems, LLC (AMS) and the DFS Group, LP (DFS) for concessions at Los Angeles International Airport (LAX).

Recommendation for Council action:

NOTE and FILE the April 18, 2005 Board of Airport Commissioners report relative to Resolutions 22662 and 22663 authorizing the renewal options to Concession Agreement Nos. LAA-7428 with AMS for the operation of the gift and news concession at LAX and LAA-7879 with DFS for the operation of the duty-free concession at LAX, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (32) - ADOPTED

01-2667-S4 ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE REPORT relative to Jurisdictional Groups Two and Three Implementation Plan for the Santa Monica Bay Beaches Bacteria Total Maximum Daily Loads (TMDL).
Recommendations for Council action, SUBJECT TO THE CONCURRENCE OF THE MAYOR:

1. APPROVE the draft Implementation Plan developed jointly by the Cities of Los Angeles, Santa Monica, and El Segundo, the County of Los Angeles, and the California State Department of Transportation to meet the requirements of the Santa Monica Bay Beaches Bacteria TMDLs.

2. AUTHORIZE the Bureau of Sanitation (BOS) to submit the draft Implementation Plan to the California Regional Water Quality Control Board.

3. INSTRUCT the BOS to submit a written report to the Council on the status of the final Implementation Plan by July 1, 2005.

Fiscal Impact Statement: The Board of Public Works reports that the activities identified in the Implementation Plan for the five agencies will cost approximately $94 million. The potential cost to the City over the next 16 years (until Year 2021) is $72 million, $60 million capital costs and $12 million for non-capital costs. While funds for the capital costs will be available from the sale of Proposition “O” bonds, the funds for the non-capital costs will be from the Stormwater Pollution Abatement Charge through the yearly budgetary appropriation.

ITEM NO. (33) - ADOPTED

05-0719  CD 10 & 11  ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE REPORT relative to fund transfers for the Marquez Canyon Low Flow Diversion and the Thurman Avenue Storm Drain Trash Removal Projects.

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

1. TRANSFER $827,000 from the Stormwater Pollution Abatement Fund (SPAF) No. 511/50, Account No. T178, Bureau of Engineering to Account No. XXXX, Marquez Canyon Low Flow Diversion.

2. TRANSFER $550,000 from the SPAF No. 511/50, Account No. T182, Bureau of Sanitation to Account No. XXXX, Thurman Avenue Storm Drain Trash Removal.

Fiscal Impact Statement: The Board of Public Works reports that said projects are grant reimbursed. There is no impact to the General Fund or the SPAF.

ITEM NO. (34) - ADOPTED

04-2606  CD 7  HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the establishment of the Pacoima Business Improvement District (BID), and approving a contract with Tierra Concepts for related consultant activities.
Recommendation for Council action:

AUTHORIZE the City Clerk to prepare, execute, and administer a contract with Tierra Concepts, in an amount not to exceed $40,000, for consultant activities and expenses relative to the establishment of the proposed Pacoima BID, subject to the approval of the City Attorney as to form and legality; said contract to require Tierra Concepts to consult with the City on all City property assessments within the boundaries of the proposed BID, and to consult with and gain the City’s approval prior to the release of any draft or final version of the proposed BID’s management district plan, certified engineer’s report, petitions, ballots, and any other documentation required by the City Clerk.

Fiscal Impact Statement: The City Clerk reports a total of $40,000 has been allocated from Business Improvement District Trust Fund No. 659.

ITEM NO. (35) - ADOPTED

05-0576
HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT
relative to releasing a Request for Qualifications (RFQ) for Housing Studies and amending various professional services contracts.

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

1. APPROVE the accompanying RFQ (attached to the Council file) to prepare housing studies related to new and existing subject areas, as amended by the document dated May 4, 2005 (attached to the Council file).

2. AUTHORIZE the General Manager, Los Angeles Housing Department (LAHD), or designee, to:

   a. Release the RFQ, assess the responses, and report to the Mayor and Council for approval of contractor recommendations, funding levels, and Controller instructions.

   b. Negotiate and execute amendments to the following contracts, or execute new interim contracts to replace expired contracts, as necessary, subject to the approval of both the City Attorney as to form and legality, and the Department of Public Works, Bureau of Contract Administration, as to compliance with City contracting requirements; and, authorize funding as indicated below:

   1) Contract No. 101568 with Cotton Bridges Associates, adding five months to the term of the contract for a total term of 48 months and a new expiration date of May 31, 2005, with no additional funds, to complete services related to the Analysis of Impediments to Fair Housing study.

   2) Contract No. 101569 with Roderick T. Field, increasing funding by $11,636 for a revised contract total of $167,636, with no additional increase in the term of the contract, for services completed relative to an initial study of potential environmental impacts of the Primary Renovation Program to the Rent Stabilization Ordinance.
3) Contract No. 103459 with the Housing Rights Center, adding six months to the term of the contract for a total term of 39 months and a new expiration date of September 30, 2005; and, increasing funding by $377,500 for a revised contract total of $2,494,500.

c. Prepare Controller instructions for any necessary technical adjustments consistent with this action, subject to the approval of the City Administrative Officer (CAO); and, AUTHORIZE the Controller to implement said instructions.

3. AUTHORIZE the Controller to:

a. Expend funds not to exceed $270,000 from Fund No. 440, Rent Stabilization Trust Fund, Account No. W207, Fair Housing, upon proper demand by the General Manager, LAHD, or designee.

b. Expend funds not to exceed $107,500 from Fund No. 424 (Community Development Trust Fund), Account No. Y207, Fair Housing, upon proper demand by the General Manager, LAHD, or designee.

c. Expend funds not to exceed $11,636 from Fund No. 100, Department No. 43, Account 3040, for Roderick T. Field, upon proper demand by the General Manager, LAHD, or designee.

Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. LAHD administrative funds in the amount of $11,636 for the Roderick T. Field contract, from the Rent Stabilization Trust Fund, and special fund appropriations of $377,500 for the Housing Rights Center contract from the Rent Stabilization Trust Fund ($270,000) and the Community Development Block Grant ($107,500), are available for the respective amendments.

ITEM NO. (36) - ADOPTED

05-0727 CD 15 HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to a facade improvement grant agreement with Ms. Christine Straschofer for improvements at 801 South Pacific Avenue.

Recommendation for Council action:

AUTHORIZE the Chief Executive Officer, Community Redevelopment Agency (CRA), or designee, to execute a Conditional Grant Agreement with Ms. Christine Straschofer, in an amount not to exceed $75,000, for building façade improvements at 801 South Pacific Avenue in the San Pedro Corridors Redevelopment Project Area, and to take any necessary actions to carry out the Agreement, 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 adherence to CRA contracting standards.
Fiscal Impact Statement: The City Administrative Officer reports that this action will not impact the General Fund. Funding for the grant agreement for façade improvements at 801 South Pacific Avenue will be provided from San Pedro Corridors Redevelopment Project Area Tax Increment.

ITEM NO. (37) - ADOPTED - TO THE MAYOR FORTHWITH

05-0806
CD 8  
HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to a Disposition and Development Agreement (DDA) with ICO Vermont, LLC for development of the Los Angeles County Administration Office building project on Vermont Avenue.

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

1. AUTHORIZE the Chief Executive Officer, Community Redevelopment Agency (CRA), or designee, to:

   a. Execute a DDA with ICO Vermont, LLC for the sale of CRA-owned property and the development for a proposed Los Angeles County Administrative Building on the east side of Vermont Avenue between 83rd and 84th Streets, in the Vermont/Manchester Recovery Project Area, exclusive of DDA provisions relative to project Schematic Design Plans and the application of the County of Los Angeles Art Requirement policy; subject to:

      1) Subsequent review, clarification, and approval of the project Schematic Design Plan, including building exterior treatment, by the CRA Board of Commissioners.

      2) The application of public art to the project.

      3) The approval of the City Attorney as to form and legality.

   b. Amend the CRA’s 2004-05 Adopted Budget and Work Program, as follows:

      1) Receipt of $897,000 in developer funds relative in payment for the purchase of Agency owned parcels.

      2) Disbursement of $897,000 in sale proceeds to the City’s Community Development Department (CDD).

2. INSTRUCT the CDD to accept receipt of $897,000 in CRA funds and deposit the received funds in the Community Development Trust Fund 424 (as program income), earmarking said funds for no more than 18 months for future use at this site for either the development of the remaining six acres at the site, to buy any remaining lots needed for a development project, or to be used as gap funding that may be available, subject to the review of the Chief Legislative Analyst (CLA) to verify the eligibility of any future project’s use of said funds.
3. DIRECT the CRA to delete the proposed housing replacement plan presented with this proposed project, and REQUEST that the CRA Board of Commissioners consider a modified replacement housing plan.

Fiscal Impact Statement: The CLA reports that this action will not impact the General Fund. The proposed project is in keeping with the Vermont/Manchester Redevelopment Plan. The proposed actions will result in the receipt of $897,000 as the result of the sale of two CRA-owned parcels. Said parcels were purchased by the CRA using City Community Development Block Grant funds for economic development purposes (development of a shopping center). In keeping with HUD regulations, the funds will be returned to CDD as program income.

ITEM NO. (38) - CONTINUED TO JUNE 1, 2005

Roll Call #6 - Motion (Zine - Garcetti) Adopted to Continue, Unanimous Vote (11);
Absent: Ludlow, Parks, Villaraigosa and Weiss (4)

05-0807 CD 3 HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the purchase of property by the Community Redevelopment Agency (CRA) for the disposition and proposed development of an affordable housing project.

Recommendation for Council action:

AUTHORIZE the Chief Executive Officer, CRA, or designee, to submit an offer to purchase property located at 20425-27 West Runnymede and 20422 West Cohasset Streets for an amount equal to the lesser of $1.9 million or the fair market value, subject to the completion of an appraisal by an appraiser approved by the CRA, for the purpose of disposition and development of the property as an affordable home ownership project consisting of approximately 20 townhouse units and two single-family residences, subject to the approval of the City Attorney as to form and legality.

Fiscal Impact Statement: The City Administrative Officer reports that this action will not impact the General Fund. The recommendation above involves the use of Reseda - Canoga Park Housing Trust Funds.

ITEM NO. (39) - ADOPTED

Roll Call #7 - Motion (Reyes - Cardenas) Adopted, Ayes (11); Absent: Ludlow, Parks, Villaraigosa and Weiss (4)

05-0443 CD 9 PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to removing conditions imposed on an Adaptive Reuse project at 801 South Grand building between floors 12-22 as set forth in Vesting Tentative Tract (VTT) No. 61917.

Recommendation for Council action:
RECEIVE and FILE Motion (Perry - Reyes), relative to requesting that the Bureau of Engineering (BOE) be instructed to report with recommendations to remove conditions imposed on an Adaptive Reuse project at the 801 South Grand building between floors 12-22 as set forth in VTT 61917 (conditions S-3 [I] and S-3 [j]) which would require: 1) Construction of concrete curb, gutter, sidewalk; 2) suitable surfacing to join existing pavement; 3) removal and reconstruction of existing improvements; and, 4) unnecessary transitions, inasmuch as the mobility needs at this intersection over the next 20 years do not warrant such a street widening improvement; and that the Planning Department be instructed to report on any letter of correction which would be required to alter these conditions of approval for the project. The Planning Department in working with BOE, City Attorney, Council office and the developer have advised that a Modification to the Vesting Tentative Tract Map No. 61917 is to be filed with the Planning Department, in order to consider removing the requested conditions, and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (40) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - FORTHWITH

Roll Call #10 - Motion (Cardenas - Miscikowski) Adopted, Ayes (11); Absent: Ludlow, Parks, Villaraigosa and Weiss (4)

04-1141

CONTINUED CONSIDERATION OF COMMUNICATION FROM CHAIR and MEMBER, PUBLIC SAFETY COMMITTEE relative to the establishment of an Animal Cruelty Task Force.

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

1. APPROVE the establishment of an Animal Cruelty Task Force to include, but not limited to, the Animal Services Department (ASD) and the Los Angeles Police Department (LAPD), to expand of the City’s law enforcement role in the investigation of animal abuse and “blood-sport” animal fighting and to investigate the possibility of establishing an Animal Cruelty Unit within the City.

2. INSTRUCT the Task Force to accept assistance from any available public or private entity in these matters.

3. INSTRUCT the ASD and LAPD to report back in six months on the status of the Task Force.

Fiscal Impact Statement: The ASD reports that there is no fiscal impact at this time.

(Continued from meeting of Council on May 4, 2005)
Roll Call #7 - Motion (Reyes - Cardenas) Adopted, Ayes (11); Absent: Ludlow, Parks, Villaraigosa and Weiss (4)  
(Item Nos. 41-42)

ITEM NO. (41) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS
04-1164

TRANSPORTATION COMMITTEE REPORT relative to the “Watch the Road” Traffic Safety Education and Awareness Campaign.

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

1. AUTHORIZE the General Manager of the Department of Transportation (LADOT) to execute a Grant Funding Agreement with the California Office of Traffic Safety (OTS) to accept $72,000 in state reimbursable grant funding with no City match requirement, for the “Watch the Road” Traffic Safety Education and Awareness Campaign for the grant period starting May 1, 2005.

2. AUTHORIZE the General Manager, LADOT, to appropriate and expend up to $72,000, for a new total of up to $1,572,000, in front funds from the LADOT, Transportation Grant Fund No. 655/94, Watch the Road - OTS Account No. W258, to pay for printed material and other authorized expenditures per the grant agreement for the Watch the Road Campaign.

3. DEPOSIT reimbursement of up to $72,000 from the OTS into LADOT, Transportation Grant Fund No. 655/94, Watch the Road - OTS Account No. W258.

4. INSTRUCT the LADOT to submit invoices to OTS in a timely manner in order to receive reimbursement to the Transportation Grant Fund as quickly as possible.

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

ITEM NO. (42) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS - FORTHWITH
05-0733

NEGATIVE DECLARATION, TRANSPORTATION COMMITTEE REPORT and RESOLUTION relative to establishment of Preferential Parking District (PPD) No. 46 in the Beverly-Kingsley Area of Los Angeles.

Recommendations for Council action:

1. FIND that the proposed establishment of PPD No. 46 will not have a significant impact on the environment, pursuant to the City’s Environmental Guidelines and in compliance with the California Environmental Quality Act and that the Negative Declaration reflects the independent judgement of the lead agency, City of Los Angeles; that the documents constituting the record of proceedings in this matter are in the custody of the City Clerk
and in the files of the Department of Transportation (DOT) in the custody of the Preferential Parking Section, and ADOPT Negative Declaration (TR No. 362-04) filed on June 23, 2004.

2. ADOPT the accompanying RESOLUTION establishing PPD No. 46 pursuant to Section 80.58 of the LAMC; which includes the residential area bounded by the north side of Rosewood Avenue on the north, the east side of Mariposa Avenue on the east, the south side of 5th Street on the south, and the west side of Hobart Boulevard on the west.

3. AUTHORIZE the following parking restrictions for use in all of PPD No. 46 except as noted:
   a. "1 Hour Parking 8 AM to 6 PM, Daily; No Parking 6 PM to 8 AM Nightly: Vehicles with District No. 46 Permits Exempted" (NOTE: may not be used within one block of Cahuenga Elementary School)
   b. "2 Hour Parking 8 AM to 6 PM, Daily; No Parking 6 PM to 8 AM Nightly: Vehicles with District No. 46 Permits Exempted" (NOTE: may not be used within one block of Cahuenga Elementary School)
   c. "No Parking 6 PM to 6 AM Nightly, Vehicles with District No. 46 Permits Exempted"

4. INSTRUCT the DOT to initiate the necessary procedures for the preparation and sale of parking permits to residents within PPD No. 46, as specified in Section 80.58 of the Los Angeles Municipal Code and require that PPD No. 46 be administered pursuant to the "Rules and Procedures for Preferential Parking Districts" as adopted by the City Council.

5. DIRECT the DOT to prepare a Notice of Exemption reflecting the Council’s actions under Recommendation No. 1 above and file such notice with the City and County Clerks within five working days of the City Council’s action.

Fiscal Impact Statement: The DOT reports that there are over 100 preferential parking districts Citywide that require a staff of approximately 19 DOT employees to: 1) Process requests for new districts and modifications to existing districts; 2) install and maintain signs, and 3) enforce the preferential parking restrictions. The total cost of the Preferential Parking Program during Fiscal Year 2004-05 is estimated at $2.5 million. Approximately $1.2 million in General Fund revenue is anticipated to be received from the annual sale of over 192,000 Preferential Parking Permits, which will reimburse the City for only 48 percent of the cost of implementation, enforcement and administration of the Preferential Parking Program Citywide. A proposal to increase preferential parking permit fees to a level sufficient to fully recover the costs of operating the Preferential Parking Program will be presented separately.

If the Council approves the DOT's proposed permit fee increases, the additional cost of implementing, enforcing and administering Preferential Parking District No. 46 will be covered by the revenue from the sale of permits for the District. Furthermore, the City may gain additional General Fund revenue from the issuance of parking citations to violators of the District’s parking restrictions.
Items for Which Public Hearings Have Not Been Held - Items 43-73
(10 Votes Required for Consideration)

ITEM NO. (43) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION - FORTHWITH

Roll Call #9 - Motion (Garcetti - Hahn) Adopted, Ayes (11); Absent: Ludlow, Parks, Villaraigosa and Weiss (4)

04-1805
COMMUNICATION FROM THE MAYOR relative to the appointment of Ms. Regina Houston-Swain as the permanent Executive Director, Department on Disability.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Regina Houston-Swain as the permanent Executive Director, Department on Disability, is APPROVED and CONFIRMED.

Ethics Commission Review: Pending

TIME LIMIT FILE - MAY 29, 2005
(LAST DAY FOR COUNCIL ACTION - MAY 27, 2005)

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

ITEM NO. (44) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

Roll Call #16 - Motion (Reyes - Cardenas) Adopted, Ayes (13); Absent: Ludlow and Villaraigosa (2)
(Item Nos. 44-48)

04-2156 CD 2
COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of VAN NUYS BOULEVARD AND HATTERAS STREET LIGHTING DISTRICT.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated October 18, 2004.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of JULY 12, 2005 as the hearing date for the maintenance of Van Nuys Boulevard and Hatteras Street Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIIID of the California Constitution and Government Code Section 53753.
Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $1,494.13 will be collected annually starting with tax year 2005-06 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: July 6, 2005)

ITEM NO. (45) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

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

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

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

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of JULY 12, 2005 as the hearing date for the maintenance of Second Street and Santa Fe Avenue Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $203.70 will be collected annually starting with tax year 2005-06 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: July 6, 2005)

ITEM NO. (46) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

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

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

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

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of JULY 12, 2005 as the hearing date for the maintenance of Arminta Street and Canby Avenue Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIIID of the California Constitution and Government Code Section 53753.
Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $397.80 will be collected annually starting with tax year 2005-06 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: July 6, 2005)

ITEM NO. (47) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

04-2296
CD 11

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

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

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

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of JULY 12, 2005 as the hearing date for the maintenance of Pico Boulevard and Purdue Avenue Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $2,416.95 will be collected annually starting with tax year 2005-06 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: July 6, 2005)

ITEM NO. (48) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

04-2297
CD 7

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

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

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

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of JULY 12, 2005 as the hearing date for the maintenance of Noble Avenue and Tupper Street Lighting District, in accordance with Proposition 218, Articles XIIIC and XIIIID of the California Constitution and Government Code Section 53753.
Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, $2,163.88 will be collected annually starting with tax year 2005-06 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: July 6, 2005)

ITEM NO. (49) - ADOPTED

Roll Call #8 - Motion (LaBonge - Miscikowski) Adopted, Ayes (11); Absent: Ludlow, Parks, Villaraigosa and Weiss (4)

05-0005-S119 CD 8

RESOLUTION removing the property at 818-20 West 88th Street a.k.a. 8800 South Orchard Avenue from the Rent Escrow Account Program [REAP], (Case No. 7264), 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 May 4, 2005.

Assessor I.D. No. 6038-015-001 Registration No. 5018619

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 2, 2004)

ITEM NO. (50) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

Roll Call #14 - Motion (Zine - Smith) Adopted, Ayes (11); Absent: Ludlow, Parks, Villaraigosa and Weiss (4)

05-0002-S95

COMMUNICATION FROM THE CHIEF LEGISLATIVE ANALYST (CLA) and RESOLUTION relative to establishing City positions on pending State legislation regarding AIDS.

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

ADOPT the accompanying RESOLUTION thereby establishing the following positions in the City's 2004-05 Legislative Program:

a. Support (AB) 95 (Koretz) which would require manufacturers of drugs for life-threatening chronic conditions on the Medi-Cal or AIDS Drug Assistance Programs formulary to pay the State Department of Health Services a rebate equal to the costs of marketing that drug.

b. Support AB 228 (Koretz) which would prohibit a health care service plan and a health insurer from denying coverage for the costs of organ or tissue transplantation services on the basis that the individual is HIV positive.
c. Support AB 283 (Koretz) which would require that products containing pseudoephedrine or ephedrine be sold by a licensed pharmacy and by a licensed pharmacist, and would require purchasers of pseudoephedrine or ephedrine to show photo identification and sign a transaction log to be kept by the pharmacy for 3 years and made available to law enforcement upon request.

d. Support AB 296 (Negrete McLeod) which would require the Director of Corrections to make treatment and testing for Hepatitis C confidential and available at no cost to the inmate, and make comprehensive Hepatitis C education available to all prisoners.

e. Support AB 568 (Garcia) which would require California medical providers to provide all women patients seeking an annual gynecological exam the option to be HIV tested, if amended to delete all references relative to the reporting of HIV test results.

f. Oppose AB 1217 (Wyland) which would add requirements that comprehensive sexual health education provide instruction and materials on sex outside of marriage, and on refraining from making and accepting unwanted physical and verbal sexual advances.

g. Support AB 1597 (Laird) which would permit state HIV Prevention funding to be used by authorized syringe exchange programs for the purchase of sterile syringes.

h. Oppose Senate Bill 235 (Denham) which would make it a crime for any person to expose another person to HIV by engaging in unprotected sexual activity when the infected person knows that he or she is infected with HIV and has not disclosed his or her HIV-positive status to the other person prior to engaging in the unprotected sex, with intentional or conscious disregard for the health of the other person.

Fiscal Impact Statement: The CLA reports that there is no impact to the General Fund.

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

Roll Call #8 - Motion (LaBonge - Miscikowski) Adopted, Ayes (11); Absent: Ludlow, Parks, Villaraigosa and Weiss (4)
(Item Nos. 51-73)

ITEM NO. (51) - ADOPTED

03-1220-S2

CONSIDERATION OF RESOLUTION (CARDENAS - MISCIKOWSKI) relative to requesting that the Board of Airport Commissioners investigate any and all means, including litigation, to ensure that the offer by the City to lease the former Marine Corps Air Station El Toro and operate it as a commercial airport, is given full consideration by the United States Government.

Recommendation for Council action:
RESOLVE to request that the Board of Airport Commissioners investigate any and all means, including litigation, to ensure that the offer by the City, to lease the former Marine Corps Air Station El Toro and operate it as a commercial airport, is given full consideration by the United States government.

(Commerce, Energy and Natural Resources Committee waived consideration of the above matter)

ITEM NO. (52) - ADOPTED

05-0882
CD 3
MOTION (ZINE - GREUEL) relative to declaring the Bagno Park Dedication on May 22, 2005 a Special Event (fees and costs absorbed by the City = $1,118).

Recommendation for Council action:

DECLARE the Bagno Park Dedication, sponsored by the Jewish Home for the Aging on May 22, 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. (53) - ADOPTED

01-0399
CD 3
MOTION (ZINE - GREUEL) relative to declaring the Largest Mother's Day Event in the World on May 8, 2005 a Special Event (fees and costs absorbed by the City = $1,670).

Recommendation for Council action:

DECLARE the Largest Mother's Day Event in the World, sponsored by the Jewish Home for the Aging on May 8, 2005, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance AND application requirements.

ITEM NO. (54) - ADOPTED

05-0883
CD 12
MOTION (SMITH - ZINE) relative to declaring the St. John Baptist de la Salle's 18th Annual International Festival on May 14-15, 2005 a Special Event (fees and costs absorbed by the City = $6,147).

Recommendation for Council action:
DECLARE the St. John Baptist de la Salle’s 18th Annual International Festival, sponsored by St. John Baptist de la Salle on May 14-15, 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. (55) ADOPTED

04-0855 CD 12  MOTION (SMITH - ZINE) relative to declaring the American Cancer Society, Relay for Life on June 4-5, 2005 a Special Event (fees and costs absorbed by the City = $1,472).

Recommendation for Council action:

DECLARE the American Cancer Society, Relay for Life, sponsored by the American Cancer Society on June 4-5, 2005, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance AND application requirements.

ITEM NO. (56) - ADOPTED

04-0858 CD 13  MOTION (GARCETTI - GREUEL) relative to declaring the 95th Anniversary and 2005 Parish Fiesta on May 15, 2005 a Special Event (fees and costs absorbed by the City = $4,003).

Recommendation for Council action:

DECLARE the 95th Anniversary and 2005 Parish Fiesta sponsored by the Immaculate Heart of Mary Church on May 15, 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. This action does not include the waiver of fees and costs for activities that are held within the Church facility.

ITEM NO. (57) - ADOPTED

05-0884 CD 3  MOTION (ZINE - SMITH) relative to declaring the Barry Wolfe Grand Prix on May 29, 2005 a Special Event (fees and costs absorbed by the City = $9,036).

Recommendation for Council action:
DECLARE the Barry Wolfe Grand Prix, sponsored by the Daily News, Hilton Hotel, and Friday's Restaurant 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 and application requirements.

ITEM NO. (58) - ADOPTED

05-0885
CD 3

MOTION (ZINE - SMITH ) relative to declaring the United States Postal Service and the National Association of Letter Carriers Fourth Annual Dog Bite Prevention Awareness Event on May 15, 2005 a Special Event (fees and costs absorbed by the City = $1,731).

Recommendation for Council action:

DECLARE the United States Postal Service and the National Association of Letter Carriers Fourth Annual Dog Bite Prevention Awareness Event, sponsored by the United States Postal Service, the National Association of Letter Carriers and Council District Three on May 15, 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. (59) - ADOPTED

02-0798
CD 9

MOTION (PERRY - PARKS) relative to declaring the National Police Week Memorial Ceremony on May 19, 2005 a Special Event (fees and costs absorbed by the City = $2,060).

Recommendation for Council action:

DECLARE the National Police Week Memorial Ceremony, sponsored by the Los Angeles Police Department on May 19, 2005, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements INCLUDING insurance. The event sponsor shall meet the application requirements of the City.

ITEM NO. (60) - ADOPTED

05-0887
CD 9

MOTION (PERRY - REYES) relative to declaring the Arts Festival on May 28, 2005 a Special Event (fees and costs absorbed by the City = $7,439).

Recommendation for Council action:
DECLARE the Arts Festival, sponsored by the Arts Festival Planners on May 28, 2005, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance AND application requirements.

ITEM NO. (61) - ADOPTED

05-0888
CD 9
MOTION (PERRY - ZINE) relative to declaring the Tenth Annual Los Angeles Public Library Awards Dinner on May 19, 2005 a Special Event (fees and costs absorbed by the City = $2,490).

Recommendation for Council action:

DECLARE the Tenth Annual Los Angeles Public Library Awards Dinner, sponsored by the Library Department on May 19, 2005, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements INCLUDING insurance. The event sponsor shall meet the application requirements of the City.

ITEM NO. (62) - ADOPTED

05-0889
CD 9
MOTION (PERRY - ZINE) relative to declaring the Electronic Entertainment, Expo E3 on May 18-20, 2005 a Special Event (fees and costs absorbed by the City = $18,206).

Recommendation for Council action:

DECLARE the Electronic Entertainment, Expo E3, sponsored by the U.S. Army on May 18-20, 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. (63) - ADOPTED

02-0928
CD 11
MOTION (MISCIKOWSKI - CARDENAS) relative to declaring the Mount Saint Mary College Graduation on May 14, 2005 a Special Event (fees and costs absorbed by the City = $1,226).

Recommendation for Council action:

DECLARE the Mount Saint Mary College Graduation, sponsored by Mount Saint Mary College on May 14, 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. (64) - ADOPTED

04-1333 CD 11  MOTION (MISCIKOWSKI - CARDENAS) relative to declaring the Second Annual Block Party on July 30, 2005 a Special Event (fees and costs absorbed by the City = $1,226).

Recommendation for Council action:

DECLARE the Second Annual Block Party, sponsored by the residents of Grayson Avenue on July 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. (65) - ADOPTED

02-0464 CD 11  MOTION (MISCIKOWSKI - LABONGE) relative to declaring the Pacific Palisades Health Fair on May 15, 2005 a Special Event (fees and costs absorbed by the City = $1,226).

Recommendation for Council action:

DECLARE the Pacific Palisades Health Fair, sponsored by the Pacific Palisades Chamber of Commerce on May 15, 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. (66) - ADOPTED

04-1042 CD 11  MOTION (MISCIKOWSKI - LABONGE) relative to declaring the Emerson Block Party on May 29, 2005 a Special Event (fees and costs absorbed by the City = $1,226).

Recommendation for Council action:

DECLARE the Emerson Block Party, sponsored by the residents of Emerson Avenue 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 AND application requirements.

ITEM NO. (67) - ADOPTED

02-0510 CD 11  MOTION (MISCIKOWSKI - LABONGE) relative to declaring the 26th Annual Venice Art Walk on May 21-22, 2005 a Special Event (fees and costs absorbed by the City = $14,886).
Recommendation for Council action:

DECLARE the 26th Annual Venice Art Walk, sponsored by the Venice Family Clinic on May 21-22, 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. (68) - ADOPTED

02-0901 CD 10
MOTION (LUDLOW - LABONGE) relative to declaring the Berendo Baptist Mission Bazaar 2005 on May 7, 2005 a Special Event (fees and costs absorbed by the City = $2,018).

Recommendation for Council action:

DECLARE the Berendo Baptist Mission Bazaar 2005 sponsored by the Berendo Baptist Mission Church 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.

ITEM NO. (69) - ADOPTED

05-0890 CD 10
MOTION (LUDLOW - LABONGE) relative to declaring the Saint Vincent Medical Center Korean Family Health Fair on May 7, 2005 a Special Event (fees and costs absorbed by the City = $1,226).

Recommendation for Council action:

DECLARE the Saint Vincent Medical Center Korean Family Health Fair, sponsored by the Saint Vincent Medical 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.

ITEM NO. (70) - ADOPTED

05-0891 CD 15
MOTION (HAHN - LABONGE) relative to declaring the Concert in the Park on May 6, 2005 a Special Event (fees and costs absorbed by the City = $4,886).

Recommendation for Council action:
DECLARE the Concert in the Park, sponsored by the 186th Street School (LAUSD), 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. (71) - ADOPTED

05-0892 CD 15

MOTION (HAHN - LABONGE) relative to declaring the Second Annual YWCA Women’s Health Screening and Safety Awareness Day on May 10, 2005 a Special Event (fees and costs absorbed by the City = $1,226).

Recommendation for Council action:

DECLARE the Second Annual YWCA Women’s Health Screening and Safety Awareness Day, sponsored by the Harbor Area YWCA on May 10, 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. (72) - ADOPTED

04-0010-S41

MOTION (PERRY - PARKS) relative to reinstating the reward offer in the death of Ignacio Meza for an additional 60 days.

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

REAFFIRM Council's findings and REINSTATE the reward offer relative to the death of Ignacio Meza (Council action of September 15, 2004, Council FileNo. 04-0010-S41) for an additional period of 60 days from the publication of the offer of reward by the Office of the City Clerk and, further, that the sum of $50,000 shall be the aggregate maximum sum of any payment or payments of a City reward in this instance.

ITEM NO. (73) - ADOPTED

05-0886

RESOLUTION (GREUEL - LABONGE) relative to declaring May 2005 as Reflex Sympathetic Dystrophy Syndrome Awareness Month.

Recommendation for Council action:

RESOLVE to DECLARE May 2005 as “Reflex Sympathetic Dystrophy Syndrome Awareness Month” in the City of Los Angeles.
Item for Which Public Hearing Has Not Been Held - Item 74
(10 Votes Required for Consideration)

ITEM NO. (74) - PUBLIC HEARING CLOSED - MOTION ADOPTED TO GRANT APPEAL - TO THE MAYOR FORTHWITH

Roll Call #15 - Motion (Miscikowski - Parks) Adopted To Grant Appeal, Ayes (10); Absent: Hahn, Ludlow, Reyes, Villaraigosa and Weiss (5)

05-0065-S1
99-0235
CD 1

CONTINUED CONSIDERATION OF APPEAL filed by Ad Hoc Committee for Safe Children, et al., from part of the Zoning Administrator’s March 14, 2003 determination to modify conditions for the operation of the adult entertainment use known as the Blue Zebra at 2662 Lacy Street (Council file No. 99-0235). Comments from the public will be limited to matters not raised at the May 4, 2005, City Council hearing on the matter.

CONSIDERATION OF FINDINGS (Re: Modifying Conditions for the Operation of the Adult Entertainment Use Known as the Blue Zebra at 2662 Lacy Street) including attached Report and Findings of Planning and Land Use Management Committee, relative to modifying conditions for the operation of the adult entertainment use known as the Blue Zebra at 2662 Lacy Street (Council file No. 99-0235).

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

1. ADOPT the FINDINGS (Re: Modifying Conditions for the Operation of the Adult Entertainment Use Known as the Blue Zebra at 2662 Lacy Street) including attached Report and Findings of the Planning and Land Use Management Committee as the Findings of the Council.

2. GRANT the appeal filed by the Ad Hoc Committee for Safe Children and others from part of the March 14, 2003, Determination of the Zoning Administrator, and reinstate Conditions 6 and 19 as set forth in the October 19, 1998, Determination of the Zoning Administrator.

(Pursuant to Council action of May 4, 2005)

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

02-0503

MOTION (REYES - PERRY) relative to declaring the Arroyo Vista Adult Health Fair on May 13, 2005 a Special Event (fees and costs absorbed by the City = $1,000).

03-1082

MOTION (REYES - PERRY) relative to declaring the Norwood School Health and Peace Family Festival on June 11, 2005 a Special Event (fees and costs absorbed by the City = $2,000).
MOTION (PERRY - SMITH) relative to declaring the Fourth Annual Arthritis Walk on May 14, 2005 a Special Event (fees and costs absorbed by the City = $562).

MOTION (PERRY - REYES) relative to declaring the Commemoration and Memorial Services for Miguel Contreras on May 12, 2005 a Special Event (fees and costs absorbed by the City = $3,188).

MOTION (PERRY - SMITH) relative to declaring the Music Festival on September 30-October 2, 2005 a Special Event (event sponsor to reimburse the City for all fees and cost incurred).

MOTION (GREUEL - GARCETTI) relative to declaring the Oakwood School Fair on May 15, 2005 a Special Event (fees and costs absorbed by the City = $3,231).

MOTION (LABONGE - GREUEL) relative to declaring the Hope Walk-A-Thon/Hands for Hope/Hope Walk on June 4, 2005 a Special Event (fees and costs absorbed by the City = $4,846).

MOTION (LABONGE - REYES) relative to declaring the Fifth Annual LA River Ride on May 15, 2005 a Special Event (fees and costs absorbed by the City = $2,500).

MOTION (LABONGE - GREUEL) relative to declaring the Second Annual Juneteenth Neighborhood Street Festival on June 18, 2005 a Special Event (fees and costs absorbed by the City = $6,668).

MOTION (HAHN - LABONGE) relative to declaring the Saints Peter and Paul Annual Fiesta on May 13-15, 2005 a Special Event (fees and costs absorbed by the City = $9,324).

MOTION (HAHN - MISCIKOWSKI) relative to declaring the YWCA Built Installation of New Playground on May 12, 2005 a Special Event (fees and costs absorbed by the City = $1,226).

MOTION (HAHN - GARCETTI) relative to declaring the L.A. Wood on May 15, 2005 a Special Event (fees and costs absorbed by the City = $914).
MOTION (REYES - PERRY) relative to waiving the administrative fees regarding a Department of Building and Safety assessment at 440-58 South Hartford Avenue.

MOTION (LABONGE - MISCIKOWSKI) relative to amending previous Council action regarding streetscape design and management services for Council District Four.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Motion (Zine - Weiss) unanimously adopted to excuse Councilmember Ludlow from Council sessions of Tuesdays, May 17 and 24, 2005 and Friday, May 20, 2005 due to City business.

Upon his request, and without objections, Councilmember Cardenas was excused to leave at 11:45 a.m. from Council session of Friday, May 27, 2005 due to personal business.

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

05-0573 - Lane Nakano (LaBonge - Perry)
Dallas Mussell (Zine)
Joe E. Moreno (Padilla - Cardenas - Hahn)

Ayes, Cardenas, Garcetti, Greuel, Hahn, LaBonge, Miscikowski, Parks, Perry, Reyes, Smith, Weiss, Zine and President Padilla (13); Absent: Ludlow and Villaraigosa (2).

Whereupon the Council did adjourn.

ATTEST: Frank T. Martinez, CITY CLERK

By

Council Clerk PRESIDENT OF THE CITY COUNCIL