Los Angeles City Council, Journal/Council Proceedings
Wednesday, August 17, 2005
John Ferraro Council Chamber, Room 340, City Hall - 10:30 am

- - - SPECIAL COUNCIL MEETING - - -

10:30 A.M. OR AS SOON THEREAFTER
AS COUNCIL RECESSES ITS REGULAR MEETING

ALL ITEMS FORTHWITH

ROLL CALL - Members present: Cardenas, Garcetti, Greuel, Hahn, LaBonge, Parks, Perry, Rosendahl, Smith, Zine and President Padilla (11); Absent: Reyes and Weiss (2). Council Districts 10 and 14 Vacant.

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

Item for Which Public Hearing Has Been Held - Item 1

ITEM NO. (1) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS - TO THE MAYOR FORTHWITH

Roll Call #1 - Motion (Parks - Rosendahl) Adopted, Ayes (11); Absent: Reyes and Weiss (2)

02-1820-S1

PUBLIC SAFETY COMMITTEE REPORT relative to the 2004-05 Victim Assistance Program (VAP) Grant augmentation.

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

1. AUTHORIZE the City Attorney to submit the standard agreement for the first augmentation to the 2004-05 VAP grant in the amount of $20,000 to the State of California, Office of Emergency Services, Criminal Justice Programs Division, for the period of July 1, 2005 through September 30, 2005.

2. AUTHORIZE the City Attorney to submit the standard agreement for the second augmentation to the 2004-05 VAP grant in an amount up to $5,000 to the State of California, Office of Emergency Services, Criminal Justice Programs Division, for the period of July 1, 2005 through September 30, 2005.

3. APPROVE the proposed contracts between the City and the County of Los Angeles for the VAP in an amount up to $25,000 for the extended period of July 1, 2005 through September 30, 2005, subject to the review and approval of the City Attorney as to form and legality and AUTHORIZE the City Attorney to execute the contracts upon verification by the City Administrative Officer (CAO) that all City contracting requirements have been met.

4. AUTHORIZE the City Attorney or designee, to accept the grant awards.

5. APPROVE the City match previously provided during the 2004-05 Fiscal Year (FY), in the amount of $6,000 for the period of July 1, 2005 through September 30, 2005.

6. APPROVE a Reserve Fund advance of $25,000 and AUTHORIZE the Controller to TRANSFER said amount from the Reserve Fund to the Unappropriated Balance, to be reimbursed to the Reserve Fund upon receipt of grant funds from the State, and APPROPRIATE therefrom as follows:

Dept./Fund	Account	Title	Amount
12/368	W301	Operating Expenses	$12,275
12/368	W304	Equipment	$ 7,350
12/100	1020	Salaries, Grant Reimbursed	$ 5,375

7. REQUEST the City Attorney to submit invoices to the State on a monthly basis to ensure that the Reserve Fund is reimbursed in a timely manner.

8. AUTHORIZE the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the CAO, and REQUEST the Controller to implement the instructions.

Fiscal Impact Statement: The CAO reports that there is no additional cost to the General Fund for the augmentation to the 2004-05 VAP. A Reserve Fund advance of $25,000, to be reimbursed from grant funds, is required to fund the program on an interim basis. Full payment from the grant of the City's FY 2004-05 augmentation program costs is anticipated by the third quarter of 2005-06. These recommendations are in compliance with the City's Financial Policies.

(Budget and Finance Committee waived consideration of the above matter)

Items for Which Public Hearings Have Not Been Held - Items 2-3

(10 Votes Required for Consideration)

ITEM NO. (2) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - ORDINANCE OVER TO SEPTEMBER 6, 2005

Roll Call #2 - Motion (Greuel - Cardenas) Adopted, Ayes (11); Absent: Reyes and Weiss (2)

05-0306
CD 2 MITIGATED NEGATIVE DECLARATION, COMMUNICATION FROM CITY PLANNING COMMISSION, and ORDINANCE FIRST CONSIDERATION relative to a zone change for property located at 8612-16 Glenoaks 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. 05-0306 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 2003-6442 MND REC] filed on November 7, 2003.

2. ADOPT the Findings of the City Planning Commission as the Findings of the Council.

3. PRESENT and ADOPT the accompanying ORDINANCE, signed by the City Planning Commission on August 4, 2005, changing the zone from R1-1VL to (T)(Q)R4-1VL, subject to conditions of approval, for the proposed construction of a 66-unit apartment, 3 stories, maximum 45 feet in height, with 111 subterranean parking spaces, on a 43,314 square foot lot located at 8612-16 Glenoaks Boulevard. (The Commission also approved a Zone Variance and Site Plan Review for this project.)

   Applicant: Daniel A. Rosenfeld, Glenoaks Apartments, LLC CPC 2004-4147 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.

5. ADVISE the applicant of "Q" Qualified classification time limit attached.

6. NOT PRESENT and ORDER FILED the ordinance approved by City Planning Commission on November 18, 2004.

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

TIME LIMIT FILE - NOVEMBER 7, 2005

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

ITEM NO. (3) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

Roll Call #3 - Motion (Cardenas - Garcetti) Adopted, Ayes (10); Absent: Perry, Reyes and Weiss (3)

05-1639
CD 5 CATEGORICAL EXEMPTION AND COMMUNICATION FROM THE WEST LOS ANGELES AREA PLANNING COMMISSION relative to an appeal on Parcel Map No. 2004-7857 for property located at 100 South Hilgard Avenue.

Recommendations for Council action:

1. FIND that this action is categorical exempt from California Environmental Quality Act pursuant to Article VII, Section 1, Class 15 of the City's Guidelines.

2. ADOPT the FINDINGS of the Deputy Advisory Agency as the Findings of the Council.

3. DENY the appeal filed by Holmby Westwood Property Owners Association, Tom Patterson (Representative), from the entire decision of the West Los Angeles Area Planning Commission (WLAAPC), and THEREBY SUSTAIN the decision of the Deputy Advisory Agency in approving Parcel Map No. 2004-7857-PMLA, with findings and conditions, to permit the development of two-single family residences on a 29,989 net square feet site located at 100 South Hilgard Avenue.

   Applicant: Soheil Darvish AA-2004-7857-PMLA-1A

Fiscal Impact Statement: The WLAAPC reported that there is no General Fund impact as administrative costs are recovered through fees.

TIME LIMIT FILE - AUGUST 23, 2005

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

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

Closed Sessions - Items 4-5

ITEM NO. (4) - MEETING HELD - ACTION TAKEN IN CLOSED SESSION

04-0893

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(b), to confer with its legal counsel relative to the case entitled Estate of Christopher Wallace v. City of Los Angeles, et al., United States District Court Case No. CV 02-02929 GAF. (Plaintiff alleges a violation of civil rights and false arrest by the Los Angeles Police Department.)

(Budget and Finance Committee waived consideration of the above matter)

ITEM NO. (5) - MOTION ADOPTED IN OPEN SESSION- TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #4 - Motion (Parks - Rosendahl) Adopted in Open Session, Ayes (10);
Absent: Perry, Reyes and Weiss (3)

05-1517

CD 4 The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(b), to confer with its legal counsel relative to settlement in the case entitled Stein v. City of Los Angeles, Claim No. C05-3778. (This matter involves an inverse condemnation claim concerning 2669 Harlesden Court.)

(Budget and Finance Committee considered the above matter in Closed Session on August 9, 2005)

ADOPTED

MOTION (PARKS - ROSENDAHL)

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

1. AUTHORIZE the City Attorney to execute a settlement agreement and all other documents necessary to implement the first phase of the settlement.

2. AUTHORIZE and INSTRUCT that the City Attorney, without further instruction, draw the necessary demand in the amount of $264,544.44, payable to Carrie Stein and the Law Offices of Knopfler, Smith and Pazos from the City Attorney Liability Claims Account No. 9770, Fund 100, Department 59.

This matter was approved by the Budget and Finance Committee (Parks - Cardenas - Greuel -Smith - Rosendahl "yes"), at its meeting of August 9, 2005, in Closed Session as permitted by Government Code Section 54956.9(a).

Councilmember LaBonge moved, seconded by Councilmember Garcetti, that the Special Council meeting adjourn.

Ayes, Cardenas, Garcetti, Greuel, Hahn, LaBonge, Parks, Rosendahl, Smith, Zine and President Padilla (10); Absent: Perry, Reyes and Weiss (3). Council Districts 10 and 14 Vacant.

Whereupon the Special Council meeting did adjourn.

ATTEST: Frank T. Martinez, CITY CLERK

By

Council Clerk PRESIDENT OF THE CITY COUNCIL