

Los Angeles City Council, Journal/Council Proceedings
Friday, January 20, 2006
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, Greuel, Hahn, LaBonge, Padilla, Perry, Rosendahl, Smith, Weiss, Wesson, Zine and President Garcetti (12); Absent: Huizar, Parks and Reyes (3).

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
JANUARY 17, 2006

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 11

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 1-5

Roll Call #2 - Motion (Padilla - LaBonge) Adopted to Continue, Unanimous Vote (12);
Absent: Huizar, Parks and Reyes (3)
(Item Nos. 1-5)

ITEM NO. (1) - PUBLIC HEARING HELD - CONTINUE HEARING TO AND ORDINANCE TO BE
PRESENTED ON FEBRUARY 10, 2006

05-0469

CD 7 HEARING PROTESTS against the proposed improvement and maintenance of the
NORDHOFF STREET AND COLUMBUS AVENUE LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Nordhoff
Street and Columbus Avenue Lighting District, in accordance with Sections 6.95-6.127
of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on November 15, 2005 - Continue hearing and present
Ordinance on FEBRUARY 10, 2006 to consider report of protests to be submitted as a
result of balloting, pursuant to Proposition 218)

ITEM NO. (2) - PUBLIC HEARING HELD - CONTINUE HEARING TO AND ORDINANCE TO BE PRESENTED ON FEBRUARY 10, 2006

05-2133

CD 3 HEARING PROTESTS against the proposed improvement and maintenance of the STAGG STREET AND JUMILLA AVENUE LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Stagg Street and Jumilla Avenue Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on November 15, 2005 - Continue hearing and present Ordinance on FEBRUARY 10, 2006 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (3) - PUBLIC HEARING HELD - CONTINUE HEARING TO AND ORDINANCE TO BE PRESENTED ON FEBRUARY 10, 2006

05-2135

CD 11 HEARING PROTESTS against the proposed improvement and maintenance of the IOWA AND FEDERAL AVENUES LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Iowa and Federal Avenues Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on November 15, 2005 - Continue hearing and present Ordinance on FEBRUARY 10, 2006 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (4) - PUBLIC HEARING HELD - CONTINUE HEARING TO AND ORDINANCE TO BE PRESENTED ON FEBRUARY 10, 2006

05-2219

CD 7 HEARING PROTESTS against the proposed improvement and maintenance of the SAN FERNANDO ROAD AND POLK STREET LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of San Fernando Road and Polk Street Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on November 15, 2005 - Continue hearing and present Ordinance on FEBRUARY 10, 2006 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (5) - PUBLIC HEARING HELD - CONTINUE HEARING TO AND ORDINANCE TO BE PRESENTED ON FEBRUARY 10, 2006

05-2299

CD 12 HEARING PROTESTS against the proposed improvement and maintenance of the SESNON BOULEVARD AND LONGACRE AVENUE LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Sesnon Boulevard and Longacre Avenue Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on November 15, 2005 - Continue hearing and present Ordinance on FEBRUARY 10, 2006 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

Item for Which Public Hearing Has Been Held - Item 6

ITEM NO. (6) - ADOPTED

Roll Call #3 - Motion (Perry - Smith) Adopted, Ayes (12); Absent: Huizar, Parks and Reyes (3)

05-2789

CD 9 TRANSPORTATION COMMITTEE REPORT relative to maintenance and general clean-up in the right-of-way along the Slauson Rail Corridor.

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

1. DIRECT the Department of Transportation (LADOT) in cooperation with the Bureau of Street Services (BOSS) and the Council Offices for the affected areas to coordinate with the Los Angeles County Metropolitan Transportation Authority (MTA) and the Burlington Northern Santa Fe Railway Company (BNSF) in the review of current maintenance agreement and arrangements for the Harbor Subdivision Rights-of-Way (ROW) along Slauson Avenue in order to develop more effective ROW clean-up plan efforts and develop options for preventing illegal dumping along said ROW.

2. DIRECT the LADOT in cooperation with the BOSS, the Council Offices for the affected areas, MTA and BNSF to report back to Council in respect to options for preventing illegal dumping along the Harbor Subdivision ROW along Slauson Avenue.

Fiscal Impact Statement: The LADOT reports that there is no fiscal impact to the City. Any increase in the cost of clean-up would have to be borne by the MTA and the BNSF.

Items for Which Public Hearings Have Not Been Held - Items 7-16 (10 Votes Required for Consideration)

Roll Call #4 - Motion (Rosendahl - Perry) Adopted, Ayes (12); Absent: Huizar, Parks and Reyes (3)
(Item Nos. 7-16)

ITEM NO. (7) - ADOPTED

03-0534

CD 11 MOTION (ROSENDAHL - SMITH) relative to declaring the Brentwood Farmers' Market on Sundays from January 2, 2006 to January 2, 2007 a Special Event (fees and costs absorbed by the City = \$94,952).

Recommendation for Council action:

DECLARE the Brentwood Farmers' Market, sponsored by the Brentwood Community on Sundays from January 2, 2006 to January 2, 2007, 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. (8) - ADOPTED

04-0141

CD 11 MOTION (ROSENDAHL - SMITH) relative to declaring the Westchester Farmers' Market/Vitalization Corporation on Wednesdays from January 1, 2006 to December 31, 2006 a Special Event (fees and costs absorbed by the City = \$64,688).

Recommendation for Council action:

DECLARE the Westchester Farmers' Market/Vitalization Corporation, sponsored by the Westchester Vitalization Corporation on Wednesdays from January 1, 2006 to December 31, 2006, 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. (9) - ADOPTED

06-0115

CD 8 MOTION (PARKS - ROSENDAHL) relative to declaring the Youth Preparation and Community Pride Celebration on January 21, 2006 a Special Event (fees and costs absorbed by the City = \$1,000).

Recommendation for Council action:

DECLARE the Youth Preparation and Community Pride Celebration, sponsored by the Urban Legends and NIKE on January 21, 2006, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance.

ITEM NO. (10) - ADOPTED

05-0703

CD 11 MOTION (ROSENDAHL - SMITH) relative to declaring the West LA Farmers' Market on Sundays from January 8, 2006 to January 8, 2007 a Special Event (fees and costs absorbed by the City = \$135,512).

Recommendation for Council action:

DECLARE the West LA Farmers' Market, sponsored by the West LA Farmers' Market on Sundays from January 8, 2006 to January 8, 2007, 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. (11) - ADOPTED

06-0114

CD 11 MOTION (ROSENDAHL - SMITH) relative to declaring the Pacific Palisades Farmers' Market on Sundays from January 5, 2006 to January 8, 2007 a Special Event (fees and costs absorbed by the City = \$68,200).

Recommendation for Council action:

DECLARE the Pacific Palisades Farmers' Market, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance.

ITEM NO. (12) - ADOPTED

03-0053

CD 8 MOTION (PARKS - SMITH) relative to declaring the Fifth Annual MLK Vision Bike Race on January 16, 2006 a Special Event (fees and costs absorbed by the City = \$2,000).

Recommendation for Council action:

DECLARE the Fifth Annual MLK Vision Bike Race, sponsored by the Inner City Cycling Connection on January 16, 2006, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance.

ITEM NO. (13) - ADOPTED

06-0104

CD 11 MOTION (ROSENDAHL - GARCETTI) relative to declaring the MLK Rally on January 16, 2006 a Special Event (fees and costs absorbed by the City = \$4,955).

Recommendation for Council action:

DECLARE the MLK Rally, sponsored by the Lincoln Place Tenants Association on January 16, 2006, 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. (14) - ADOPTED

06-0105

CD 9 MOTION (PERRY - SMITH) relative to declaring the Fashion Week on January 13-16, 2006 a Special Event (fees and costs absorbed by the City = \$781).

Recommendation for Council action:

DECLARE the Fashion Week, sponsored by the Fashion Community in Downtown Los Angeles on January 13-16, 2006, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, INCLUDING insurance.

ITEM NO. (15) - ADOPTED

06-0106

CD 10 MOTION (WESSON - ROSENDAHL) relative to declaring the New Image Missions Ministry Children's Carnival on January 16, 2006 a Special Event (fees and costs absorbed by the City = \$3,942).

Recommendation for Council action:

DECLARE the New Image Missions Ministry Children's Carnival, sponsored by the Hope Worldwide on January 16, 2006, 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. (16) - ADOPTED

06-0107

CD 10 MOTION (WESSON - ROSENDAHL) relative to declaring the 5K Run and Community Walk on January 14, 2006 a Special Event (fees and costs absorbed by the City = \$3,906).

Recommendation for Council action:

DECLARE the 5K Run and Community Walk, sponsored by the Beyond Elite Dreams on January 14, 2006, 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.

Items for Which Public Hearings Have Been Held - Items 17-18

ITEM NO. (17) - CONTINUED TO JANUARY 25, 2006

Roll Call #1 - Motion (Greuel - Weiss) Adopted to Continue, Ayes (12); Absent: Huizar, Parks and Reyes (3)

05-2117-S1

CD 2 CONTINUED CONSIDERATION OF MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change for property at 11451 Dellmont Drive.

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. 05-2117-S1 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 2004-4799 MND] filed on August 27, 2004.

2. ADOPT the November 30, 2005, FINDINGS of the Interim Director of Planning as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE, disapproved by the Interim Director of Planning, effecting the zone change from A2-1 to (T)(Q)RE-11-1, incident to subdivision, for the proposed subdivision to a maximum of five single-family homes at 11451 Dellmont Drive, subject to Conditions of Approval. The Committee approved the zone change to (T)(Q)RE-15-1, incident to Tentative Tract No. 61651, with a maximum of three (3) single family lots.

Applicant: Mr. and Mrs. Bong S. Park
Shahab Ghods, Plus Architects, Representative APCNV 2004-4886 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.
7. 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.
8. NOT PRESENT and ORDER FILED the ordinance approved by the North Valley Area Planning Commission on September 15, 2005.

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

TIME LIMIT FILE - JANUARY 26, 2006

(LAST DAY FOR COUNCIL ACTION - JANUARY 25, 2006)

(Continued from Council meeting of January 18, 2006)

ITEM NO. (18) - CONTINUED TO JANUARY 24, 2006

Roll Call #5 - Motion (Zine - Padilla) Adopted to Continue, Unanimous Vote (12);
Absent: Huizar, Parks and Reyes (3)

04-1943

CONTINUED CONSIDERATION OF AN APPEAL of the Mayor's removal of Mr. Guerdon H. Stuckey as General Manager, Department of Animal Services, on December 15, 2005, pursuant to Charter Section 508(e).

TIME LIMIT FILE - FEBRUARY 1, 2006

(LAST DAY FOR COUNCIL ACTION - FEBRUARY 1, 2006)

10 VOTES REQUIRED TO REINSTATE, PURSUANT TO CHARTER SECTION 508(e)

[Public hearing closed on January 13, 2006 - Continued pursuant to Charter Section 508(e)]

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

06-0133

MOTION (SMITH for REYES - ZINE) relative to declaring the Tenant's Rights Subcommittee on January 28, 2006 a Special Event (fees and costs absorbed by the City = \$1,750).

06-0134

MOTION (SMITH for REYES - ZINE) relative to declaring the El Salvador Annual Telethon 2006 on January 21, 2006 a Special Event (fees and costs absorbed by the City = \$2,500).

06-0144

MOTION (WESSON - CARDENAS) relative to declaring the Valentine's Day Annual Street Fair on February 11-12, 2006 a Special Event (fees and costs absorbed by the City = \$7,138).

05-1063

MOTION (PERRY - ZINE) relative to declaring the Arts District/Little Tokyo Farmers' Market on Saturdays from February 4, 2006 through April 29, 2006 a Special Event (fees and costs absorbed by the City = \$26,518).

05-1848

MOTION (PADILLA - GREUEL) relative to declaring the Council District Seven Community Clean Up on February 25, 2006 a Special Event (fees and costs absorbed by the City = \$3,800).

04-2538

MOTION (PERRY - ZINE) relative to a request for an exemption from the Convention Center fee waiver policy for the "Greater LA Vendor Fair" on April 12, 2006.

06-0010

MOTION (PERRY for PARKS - HAHN) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Mr. Pablo Vidal Montes on January 15, 2006.

06-0135

MOTION (SMITH - WEISS) relative to initiating street vacation proceedings for Tortuoso Way from Stone Canyon Road to its terminus.

06-0137

MOTION (SMITH - HAHN) relative to initiating street vacation proceedings to vacate Gatun Street from Cabrillo Avenue to approximately 360 feet easterly thereof.

06-0136

MOTION (SMITH - WEISS) relative to initiating street vacation proceedings to vacate the subsurface of the alley southerly of Lindbrook Drive from approximately 200 feet easterly of Glendon Avenue to 130 feet easterly thereof.

06-0165

MOTION (GARCETTI - GREUEL) relative to scheduling the regular meetings of the Council's standing committees, effective January 30, 2006.

06-0138

MOTION (GREUEL - HAHN) relative to accepting a grant award of \$100,000 from the California Wellness Foundation for the LA Connects initiative.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon his request, and without objections, Councilmember Rosendahl was excused from Council sessions of Friday, Tuesday and Wednesday, February 17, 21 and 22, 2006 due to personal business.

Upon his request, and without objections, Councilmember Weiss was excused from Council session of Tuesday, March 7, 2006 due to City business and was excused from Council sessions of Fridays, March 17 and 24, 2006 and Tuesday and Wednesday March 21 and 22, 2006 due to personal business.

Upon his request, and without objections, Councilmember Padilla was excused from Council session of Tuesday, June 6, 2006 due to personal business.

Upon her request, and without objections, Councilmember Perry was excused on Fridays, February 3, March 3, April 7, May 5, June 2, July 7, August 4, October 6, November 3 and December 1, 2006 due to City business.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

06-0050 - Jurutha Brown

(Zine - All Councilmembers)

Sergeant II Donne Charles Provencio

(Zine - All Councilmembers)

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

06-0049 - Mary A. "Sissy" Devine

(Padilla)

Lou White

(Wesson - Perry - Parks - Padilla - All Councilmembers)

Annette Brinnon

(Zine)

Roma Sue McEntire

(LaBonge - Weiss)

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

Whereupon the Council did adjourn.

ATTEST: Frank T. Martinez, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL