

- - - SPECIAL COUNCIL MEETING - - -

10:15 A.M. OR AS SOON THEREAFTER
AS COUNCIL RECESSES ITS REGULAR MEETING

ROLL CALL - Members present: Alarcon, Hahn, Huizar, Perry, Reyes, Rosendahl, Smith, Weiss, Wesson, Zine and President Garcetti (11); Absent: Cardenas, Greuel, LaBonge and Parks (4).

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

Items for Which Public Hearings Have Been Held - Items 34-35

ITEM NO. (34) - ADOPTED

Roll Call #1 - Motion (Reyes - Huizar) Adopted, Ayes (11); Absent: Cardenas, Greuel, LaBonge and Parks (4)

[08-0887](#)
CD 13

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone and Height District Change and Site Plan Review for the property at 6516-26 West Selma 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 in the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 08-0887 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 2007-1608-MND] filed on October 19, 2007.
2. ADOPT the FINDINGS of the City Planning Commission (CPC) as the Findings of the Council.

3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the CPC, effecting a zone and Height District Change, incident to subdivision, from the existing C4-2D to (T)(Q)C4-2D for a 3.5:1 floor area ratio and 95-foot height for the proposed demolition of a surface parking lot and construction, use, and maintenance of 50 commercial condominium units including approximately 72,576 square feet of office space with 210 parking spaces for the property at 6516-26 West Selma Avenue, subject to Conditions of Approval. (The CPC also approved the Site Plan Review for this project site.)

Applicant: BCP-Wilcox, LLC

CPC-2007-1607-ZC-HD-SPR

4. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.
5. 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.
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 CPC reports that there is no General Fund impact as administrative costs are recovered through fees.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JULY 7, 2008

(LAST DAY FOR COUNCIL ACTION - JULY 2, 2008)

ITEM NO. (35) - ADOPTED

Roll Call #2 - Motion (Rosendahl - Reyes) Adopted, Ayes (12); Absent: Cardenas, Greuel and Parks (3)

[08-0002-S44](#)

RULES AND GOVERNMENT COMMITTEE REPORT and RESOLUTION relative to the City's position on SB 1722 (Oropeza) which would create a Green Line Construction Authority.

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

ADOPT the accompanying RESOLUTION relative to including in the City's 2007-08 State Legislative Program SUPPORT for SB 1722 (Oropeza), if amended, which would create a Green Line Construction Authority, with the sole purpose of extending the Metro Green Line two-miles to Los Angeles International Airport. The City's support is contingent on the Green Line extension not delaying other projects listed on Metro's Long Range Transportation Plan. The Green Line extension should be encouraged to compete for funds not available to the Crenshaw-Prairie Corridor, Expo Line Phase II, and the Orange Line extensions in the San Fernando Valley.

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

Community Impact Statement: None submitted.

Closed Session - Item 36

ITEM NO. (36) - ADOPTED IN OPEN SESSION - SEE FOLLOWING

Roll Call #3 - Motion (Smith - Huizar) Adopted in Open Session, Ayes (12); Absent: Greuel, Hahn and Parks (3)

[08-1182](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to settlement in the case entitled Claim of N. David Moore, Fire Department, Claim No. C07-3050. (This claim was filed on January 26, 2007. The claimant alleges hostile work environment, harassment, retaliation and failure to investigate.)

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

ADOPTED

MOTION (SMITH - HUIZAR)

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

- 1. APPROVE the proposed settlement of the case entitled Claim of N. David Moore, Fire Department, Claim No. C07-3050, which includes payment to plaintiff of \$100,000, plus salary and overtime payments through to plaintiff's retirement DROP date of April 9, 2009, for a total settlement value of approximately \$260,000 by the completion of all required approvals and all related paperwork.**
- 2. AUTHORIZE the City Attorney to expend \$100,000 in settlement of the case entitled Claim of N. David Moore, Fire Department, Claim No. C07-3050, from the Liability Claims Account No. 9760, Fund No. 100/59.**
- 3. AUTHORIZE the City Attorney to draw a demand thereon in said amount payable to Genie Harrison, Attorney, and N. David Moore.**

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

Councilmember Perry moved, seconded by Councilmember Reyes, that the Special Council meeting adjourn.

Ayes, Alarcon, Hahn, Huizar, Perry, Reyes, Rosendahl, Smith, Weiss, Wesson, Zine and President Garcetti (11); Absent: Cardenas, Greuel, LaBonge and Parks (4).

Whereupon the Special Council meeting did adjourn.

ATTEST: Karen E. Kalfayan, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL