ROLL CALL - Members present: Cardenas, Garcetti, Greuel, Hahn, LaBonge, Ludlow, Miscikowski, Parks, Perry, Villaraigosa, Zine and President Padilla (12); Absent: Reyes, Smith and Weiss (3).

SALUTE TO THE FLAG

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF OCTOBER 13, 2004

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

Roll Call #5 - Motion (Miscikowski - Cardenas) Adopted to Continue, Unanimous Vote (13); Absent: Reyes and Smith (2) (Item Nos. 1-7)

ITEM NO. (1) - PUBLIC HEARING CLOSED - CONTINUED TO OCTOBER 20, 2004 TOGETHER WITH AMENDING MOTIONS - SEE FOLLOWING

00-1774 - PLANNING AND LAND USE MANAGEMENT COMMITTEE MAJORITY AND MINORITY S4 REPORTS relative to resolution proposing to overrule the Los Angeles County Airport CD 11 Land Use Commission determination for the Los Angeles International Airport (LAX) Master Plan Program; certification of Final Environmental Impact Report and Addendum; Statement Of Overriding Considerations; Mitigation Monitoring And Reporting Program; Final LAX Master Plan; Airport Layout Plan; ordinance amending the LAMC; ordinance establishing a Specific Plan; zone change ordinance; resolutions to amend the general plan, including adoption of the LAX Plan; related findings, determination letters and staff reports.
A. PLANNING AND LAND USE MANAGEMENT COMMITTEE MAJORITY REPORT
(Reyes - Cardenas)

Recommendation for Council action (Reyes - Cardenas: yes; Weiss: no):

1. ADOPT the accompanying RESOLUTION proposing to overrule the Los Angeles County Airport Land Use Commission (LA-ALUC) based on the proposed State Aeronautics Act specific findings to overrule the LA-ALUC determination regarding the LAX Master Plan actions (Attachment A-1).

Recommendations for Council Action, AFTER THE REQUIRED PERIOD AND SUBJECT TO THE REQUIRED PUBLIC HEARINGS (Reyes - Cardenas: yes; Weiss: no):

2. OVERRULE the LA-ALUC DETERMINATION (Attachment A-2) regarding the LAX Master Plan actions and ADOPT the LA-ALUC overrule FINDINGS.


4. FIND that the City Council has considered the environmental effects of the project as described in the FEIR, including the ADDENDUM (Attachment C).

5. CERTIFY that the FINAL ENVIRONMENTAL IMPACT REPORT (BOAC State Clearing House No. 1997061047), including the ADDENDUM, has been completed in compliance with the California Environmental Quality Act (CEQA), and the State and City CEQA Guidelines; that this determination reflects the independent judgment of the lead agency, the City of Los Angeles; and that the documents constituting the record of proceedings in this matter are located in Council file Nos. 00-1774-S4; 04-1785; 04-1785-S1; and S2 in the custody of the City Clerk; and ADOPT the Final Environmental Impact Report (FEIR), including the Addendum.

6. ADOPT, pursuant to Section 21081.6 of the California State Resources Code, the Mitigation Monitoring and Reporting Program prepared for Alternative D (Attachment D). ADOPT the CEQA FINDINGS and Statement of Overriding Considerations in compliance with Public Resources Code Section 21081 and CEQA Guidelines sections 15091, 15092, and 15093 as the Findings of the City Council (Attachment E).

7. DIRECT the Department of City Planning staff to file the Notice of Determination (NOD) after City Council approves the project.

8. ADOPT the FINAL LAX MASTER PLAN as the strategic framework for long-term airport development (Attached to the June 18, 2004 City Planning Commission Determination Letter as Exhibit G).
9. CONCEPTUALLY APPROVE the Draft Relocation Plan (Attached to the June 14, 2004 Board of Airport Commissioners Board Report, Attachment B) with INSTRUCTIONS to Board of Airport Commissioners to file, once approved, the LAX Master Plan Program Relocation Program with the Council.

10. APPROVE the AIRPORT LAYOUT PLAN (Attached to the June 14, 2004 Board of Airport Commissioners Report, Attachment B).

11. ADOPT the FINDINGS set out in Attachment H as the Findings of City Council.

12. ADOPT the RESOLUTIONS amending the GENERAL PLAN including the amended LAX PLAN (Attachment F).

Recommendations for Council action (Reyes - Cardenas: yes; Weiss: no), SUBJECT TO THE APPROVAL OF THE MAYOR:

13. PRESENT and ADOPT the accompanying ORDINANCES amending the Los Angeles Municipal Code to provide for the LAX Zone and the ZONE CHANGE (Attached to the June 18, 2004 City Planning Commission Determination Letter as Exhibits E and F).

14. PRESENT and ADOPT the accompanying ORDINANCE establishing the LAX Specific Plan (Attachment G).

Applicant: City of Los Angeles (Los Angeles World Airports)

B. PLANNING AND LAND USE MANAGEMENT COMMITTEE MINORITY REPORT (Weiss)

Recommendations for Council action (Weiss: yes; Reyes - Cardenas: no):

1. DISAPPROVE the Final LAX Master Plan Program as the strategic framework for long-term airport development (As attached to the June 18, 2004 City Planning Commission Determination Letter).

2. DISAPPROVE the ordinance establishing the LAX Specific Plan (Attachment G).

3. APPROVE the advancement of the “Green Light” projects (Phase I) and the elimination of all “Yellow Light Projects” (Phase II), as outlined in Section 7(H)(1) of the proposed LAX Specific Plan, and instruct Department of Transportation (DOT), Bureau of Engineering (BOE) and Los Angeles World Airports (LAWA), with the assistance of the City Attorney, to begin immediately the legal documentation and processes necessary for approval of a modified LAX modernization plan that incorporates these changes and report back every 30 days with a review of their progress.
4. INSTRUCT the DOT, BOE, and LAWA, with the assistance of the City Attorney, to conduct the necessary reviews and analysis to determine whether there are impacts from the “Green Light” projects that are exacerbated by the elimination of the “Yellow Light” projects and determine what, if any, environmental clearances are required and report back in 30 days with their findings.

5. INSTRUCT the LAWA, with assistance from the City Attorney, to report prior to October 19, 2004 with:
   a. An estimated cost for completion of the documentation and process for elimination of all “Yellow Light projects.”
   b. An estimated cost and timeline for completion of the required security, traffic, aviation, environmental and security studies required for the “Yellow Light Projects,” pursuant to Section 7(H)(1) of the proposed LAX Specific Plan.

Fiscal Impact Statement: None submitted by the Planning Department. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: The Mar Vista Community Council, representing 55,000 stakeholders a few miles north of LAX, unanimously opposes “Reconfiguration Plan Alternative D,” because it will not achieve the enhanced security, traffic, or environmental benefits that such an expensive undertaking should produce. The Ground Transportation Center at Manchester Square is an obvious potential terrorist target to paralyze LAX operations. No regional air traffic plan is included to redirect flights to Ontario and/or other regional airports. Future rail access (Metro Green Line) to serve the needs of employees and commuters north of LAX has been obstructed.

TIME LIMIT FILE - DECEMBER 7, 2004
(LAST DAY FOR COUNCIL ACTION - DECEMBER 7, 2004)

CONTINUED

AMENDING MOTION (GARCETTI - MISCIKOWSKI - PADILLA)

Recommendation for Council action:

INSTRUCT the LAWA to approve the LEED building standard of ‘Certified’ or greater for all building construction in the LAX Master Plan, and to identify which buildings could be developed using the LEED “Silver” standard.

CONTINUED

AMENDING MOTION (PARKS - VILLARAIGOSA - WEISS)

Recommendations for Council action, SUBJECT TO THE CONCURRENCE OF THE MAYOR:
1. INSTRUCT the LAWA to report to Council on a comprehensive LAWA master plan for use of all airports under their control which addresses such issues as passenger and cargo growth and how the anticipated growth can be distributed throughout its entire system of airports (as opposed to a master plan for LAX only).

2. RESOLVE that the City include in the City’s 2005 and 2006 Federal and State Legislative Programs a position of SPONSORSHIP and SUPPORT for legislation to create a Regional Airport Authority in Southern California to address the issue of airport capacity growth for the five County Southern California Association of Governments area.

ITEM NO. (2) - PUBLIC HEARING CLOSED - CONTINUED TO OCTOBER 20, 2004

00-1774 - COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to resolution proposing to overrule the Los Angeles County Airport Land Use Commission determination for the Los Angeles International Airport (LAX) Master Plan Program; certification of Final Environmental Impact Report and Addendum; Statement Of Overriding Considerations; Mitigation Monitoring And Reporting Program; Final LAX Master Plan; Airport Layout Plan; ordinance amending the LAMC ordinance establishing a Specific Plan; and zone change ordinance; resolutions to amend the General Plan, including adoption of the LAX Plan; acquisition of properties; draft relocation plan; and determination letters, staff reports and related findings.

Recommendation for Council action:

1. ADOPT the RESOLUTION proposing to overrule the Los Angeles County Airport Land Use Commission (LA-ALUC) based on the proposed State Aeronautics Act specific findings to overrule the LA-ALUC determination regarding the LAX Master Plan actions (Attachment A-1).

Recommendations for Council action, AFTER THE REQUIRED PERIOD AND SUBJECT TO THE REQUIRED PUBLIC HEARING:

2. OVERRULE the LA-ALUC DETERMINATION (Attachment A-2) regarding the LAX Master Plan actions and ADOPT the LA-ALUC overrule FINDINGS.

3. ADOPT the September 21, 2004 joint Department of City Planning and Los Angeles World Airports SUPPLEMENTAL REPORT, the June 18, 2004 City Planning Commission DETERMINATION LETTER, the June 7, 2004, Department of City Planning staff report, and the June 14, 2004 Board of Airport Commissioners Resolution No. 22500, and the May 24, 2004 and June 14, 2004 Los Angeles World Airports STAFF REPORTS (Attachment B).

4. FIND that the City Council has considered the environmental effects of the project as described in the FEIR, including the ADDENDUM (Attachment C).
5. CERTIFY that the FINAL ENVIRONMENTAL IMPACT REPORT (BOAC State Clearing House No. 1997061047), including the ADDENDUM, has been completed in compliance with the California Environmental Quality Act (CEQA), and the State and City CEQA Guidelines; that this determination reflects the independent judgment of the lead agency, the City of Los Angeles; and that the documents constituting the record of proceedings in this matter are located in Council file Nos. 00-1774-S4; 04-1785; 04-1785-S1; and S2 in the custody of the City Clerk; and ADOPT the Final Environmental Impact Report (FEIR), including the Addendum.

6. ADOPT, pursuant to Section 21081.6 of the California State Resources Code, the Mitigation Monitoring and Reporting Program prepared for Alternative D (Attachment D).

7. ADOPT CEQA FINDINGS and Statement of Overriding Considerations in compliance with Public Resources Code Section 21081 and CEQA Guidelines Sections 15091, 15092, and 15093 as the Findings of the City Council.

8. DIRECT the Department of City Planning staff to file the Notice of Determination (NOD) after City Council approves the project.

9. ADOPT the RESOLUTIONS amending the General Plan including the amended LAX PLAN (Attachment F).

10. ADOPT the FINAL LAX MASTER PLAN as the strategic framework for long-term airport development (attached to the June 14, 2004 Board of Airport Commissioners Report, Attachment B).

11. ADOPT the FINDINGS set out in Attachment H as the Findings of City Council.

12. HOLD a public hearing to comply with the Public Utilities Code Section 21661.6 with Council approval of the LAX Master Plan Program property acquisition activities and APPROVE acquisition of properties listed in City Plan Case No. 2004-5793-PWA (Attachment I).

13. CONCEPTUALLY APPROVE the Draft Relocation Plan (Attached to the June 14, 2004 Board of Airport Commissioners Report, Attachment B) with INSTRUCTIONS to Board of Airport Commissioners to file, once approved, the LAX Master Plan Program Relocation Program with the Council.

14. APPROVE the AIRPORT LAYOUT PLAN (Attached to the June 14, 2004 Board of Airport Commissioners Report, Attachment B).

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

15. PRESENT and ADOPT the accompanying ORDINANCES amending the Los Angeles Municipal Code to provide for the LAX Zone and the ZONE CHANGE (Attached to the June 18, 2004 City Planning Commission Determination Letter as Exhibits E and F).

16. PRESENT and ADOPT the accompanying ORDINANCE establishing the LAX Specific Plan (Attachment G).
Fiscal Impact Statement: None submitted by the Planning Department. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: The Mar Vista Community Council, representing 55,000 stakeholders a few miles north of LAX, unanimously opposes "Reconfiguration Plan Alternative D," because it will not achieve the enhanced security, traffic, or environmental benefits that such an expensive undertaking should produce. The Ground Transportation Center at Manchester Square is an obvious potential terrorist target to paralyze LAX operations. No regional air traffic plan is included to redirect flights to Ontario and/or other regional airports. Future rail access (Metro Green Line) to serve the needs of employees and commuters north of LAX has been obstructed.

TIME LIMIT FILE - DECEMBER 7, 2004

(LAST DAY FOR COUNCIL ACTION - DECEMBER 7, 2004)

ITEM NO. (3) - PUBLIC HEARING CLOSED - CONTINUED TO OCTOBER 20, 2004

00-1774 - PLANNING AND LAND USE MANAGEMENT AND COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEES' REPORT relative to an appeal filed by the City of El Segundo on the Final Environmental Impact Report (EIR) for the LAX Master Plan improvements.

Recommendation for Council action:

DENY APPEAL filed by the City of El Segundo (E. Clement Shute, Jr. and Mark D. Hensley City Attorney of El Segundo, representatives), relative to the June 14, 2004 action taken by the Board of Airport Commissioners certifying the Final EIR for the LAX Master Plan improvements. (See action under Council File No. 00-1774-S4)

Fiscal Impact Statement: None submitted by the Planning Department. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

ITEM NO. (4) - PUBLIC HEARING CLOSED - CONTINUED TO OCTOBER 20, 2004

04-1785 - PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an appeal filed by Jerry Fulwood, City Administrative Officer, Culver City on Tentative Tract No. 54407.

Recommendations for Council action:

1. ADOPT the FINDINGS of the DEPUTY ADVISORY AGENCY (Attachment K), as the Findings of the Council.
2. DENY APPEAL filed by Jerry Fulwood, City Administrative Officer, Culver City (Representative Mark Wardlaw), from the entire determination of the City Planning Commission in sustaining the decision of the Deputy Advisory Agency in APPROVING TRACT MAP NO. 54407 composed of 12 lots on approximately 151 net acres, to facilitate the implementation and development of airport-related uses proposed under the LAX Master Plan, Alternative D, for an area generally known as Manchester Square and generally bounded by: Arbor Vitae Street to the north, 104th Street to the south, La Cienega Boulevard to the east, and Aviation Boulevard to the west. This tentative tract map will merge existing streets and alleys, relocate and/or grant public utility easements, and merge and re-subdivide existing lots.

Applicant: City of Los Angeles (Los Angeles World Airports)

Fiscal Impact Statement: None submitted by the Planning Department. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

ITEM NO. (5) - PUBLIC HEARING CLOSED - CONTINUED TO OCTOBER 20, 2004

04-1785 - PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an appeal filed by Jerry Fulwood, City Administrative Officer, Culver City on Tentative Tract No. CD 11 54408.

Recommendations for Council action:

1. ADOPT the FINDINGS of the DEPUTY ADVISORY AGENCY (Attachment K), as the Findings of the Council.

2. DENY APPEAL filed by Jerry Fulwood, City Administrative Officer, Culver City (Representative Mark Wardlaw), from the entire determination of the City Planning Commission in sustaining the decision of the Deputy Advisory Agency in APPROVING TRACT MAP NO. 54408 composed of one lot on approximately 29 net acres, to facilitate the implementation and development of airport-related uses proposed under the LAX Master Plan, Alternative D, for an area generally known as Continental City, east of Aviation Boulevard between 111th Street to the north and Imperial Highway to the south. This tentative tract map will merge existing streets, relocate and/or grant public utility easements, and merge existing lots.

Applicant: City of Los Angeles (Los Angeles World Airports)

Fiscal Impact Statement: None submitted by the Planning Department. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

ITEM NO. (6) - PUBLIC HEARING CLOSED - CONTINUED TO OCTOBER 20, 2004

04-1785 - PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an appeal filed by Jerry Fulwood, City Administrative Officer, Culver City on Tentative Tract No. CD 11 54409.
Recommendations for Council action:

1. ADOPT the FINDINGS of the DEPUTY ADVISORY AGENCY (Attachment K), as the Findings of the Council.

2. DENY APPEAL filed by Jerry Fulwood, City Administrative Officer, Culver City (Representative Mark Wardlaw), from the entire determination of the City Planning Commission in sustaining the decision of the Deputy Advisory Agency in APPROVING TRACT MAP NO. 54409 composed of four lots on approximately 208 net acres, to facilitate the implementation and development of airport-related uses proposed under the LAX Master Plan, Alternative D, for an area generally known as “Lot C” and generally bounded by: Will Rogers Street and Yorktown Avenue to the north, 98th Street to the south, Airport Boulevard to the east, and Sepulveda Boulevard to the west. This tentative tract map will merge existing streets and alleys, relocate and/or grant public utility easements, and merge and re-subdivide existing lots.

Applicant: City of Los Angeles (Los Angeles World Airports)

Fiscal Impact Statement: None submitted by the Planning Department. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

ITEM NO. (7) - PUBLIC HEARING CLOSED - CONTINUED TO OCTOBER 20, 2004

00-1774 - PLANNING AND LAND USE MANAGEMENT AND COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEES’ REPORT relative to communication from the Board of Supervisors, County of Los Angeles, dated June 9, 2004, requesting postponement of approvals on the LAX Master Plan and related matters, and requesting postponement of further submittal of materials to the LA-ALUC to complete its application for a consistency determination until completion, public dissemination, and full consideration of the RAND analysis.

Recommendation for Council action:

NOTE and FILE the communication from the Board of Supervisors, County of Los Angeles, requesting postponement of approvals by the Mayor, City Council, City Planning Commission and the Board of Airport Commissioners on consideration of the LAX Master Plan and related matters until completion, public dissemination and full consideration of the RAND analysis; and requesting that the City postpone any further submittal of materials to the County Airport Land Use Commission (LA-ALUC) to complete its application for a consistency determination until that time.

Fiscal Impact Statement: Not applicable.
Items for Which Public Hearings Have Been Held - Items 8-17

Roll Call #1 - Motion (Zine - LaBonge) Adopted, Ayes (12); Absent: Reyes, Smith and Weiss (3) (Item Nos. 8-11)

ITEM NO. (8) - ADOPTED

04-1591 - INFORMATION TECHNOLOGY AND GENERAL SERVICES and BUDGET AND FINANCE CD 5 COMMITTEES’ REPORT and ORDINANCE FIRST CONSIDERATION relative to the proposed sale of surplus property at 10009 Reevesbury Drive.

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

1. DETERMINE that the City-owned property at 10009 Reevesbury Drive, APN 4383-024-900, R/W 39000-905, is no longer required for City uses and that the public interest is served by the direct sale of the property.

2. PRESENT and ADOPT the accompanying ORDINANCE providing for the sale of said property without calling for bids to Vivek Shetty and Christina Floegel for $30,000.

3. INSTRUCT the Department of General Services (GSD) to complete the transactions as outlined in the accompanying proposed Ordinance, process the necessary documentation to effectuate the sale and deposit the proceeds, over and above expenses, into the appropriate accounts, as directed by the Los Angeles Administrative Code.

Fiscal Impact Statement: The City Administrative Officer reports that there will be a one-time increase of $30,000, less expenses, to the General Fund. The GSD will deposit the funds into the following accounts: GSD Trust Account, Fund No. 843, Revenue Source 4886 (prior to payment of expenses); General Fund No. 100, Department 40, Revenue Source 4540 (50 percent of balance); and, Council District Five Real Property Trust Fund No. 687 (50 percent of balance).

ITEM NO. (9) - ADOPTED

03-1250 - BUDGET AND FINANCE COMMITTEE REPORT relative to a hiring freeze exemption request for the Office of the City Administrative Officer (CAO).

Recommendation for Council action:

RECEIVE and FILE the CAO reports, dated October 27, 2003 and July 2, 2004, relative to hiring freeze exemption request for three Management Analyst II positions in the Office of the CAO, inasmuch as the Council action of September 23, 2003, addressed this matter and no further Council action is necessary.

Fiscal Impact Statement: Not applicable.
ITEM NO. (10) - ADOPTED

03-1250 - BUDGET AND FINANCE COMMITTEE REPORT relative to a hiring freeze exemption request for the Department of General Services (GSD).

Recommendation for Council action:

RECEIVE and FILE the City Administrative Officer reports, dated October 27, 2003 and July 2, 2004, relative to hiring freeze exemption request for one position of Plumbing and Heating Technical Advisor in the GSD, inasmuch as the Council action of September 30, 2003, addressed this matter and no further Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (11) - ADOPTED

03-1250 - BUDGET AND FINANCE COMMITTEE REPORT relative to a hiring freeze exemption request for the Department of Recreation and Parks.

Recommendation for Council action:

RECEIVE and FILE the City Administrative Officer reports, dated October 27, 2003 and July 2, 2004, relative to hiring freeze exemption request for the Department of Recreation and Parks for one position of Maritime Museum Director, inasmuch as the Council action of October 7, 2003, addressed this matter and no further Council action is necessary.

Fiscal Impact Statement: Not applicable.

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

Roll Call #2 - Motion (Garcetti - Padilla) Adopted, Ayes (12); Absent: Reyes, Smith and Weiss (3)


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

1. APPROVE and AUTHORIZE the use of Block Grant Investment Fund (BGIF) in an amount not to exceed $600,000 for Gold Graphics, to be guaranteed by Pacoima/Panorama City AB 1290 Funds, pending completion of the Citizens’ Unit for Participation process, and subject to City Administrative Officer (CAO) verification of a $700,000 grant award to the Valley Economic Development Corporation from the United States Department of Health and Human Services for Gold Graphics.
2. AUTHORIZE the General Manager, Community Development Department (CDD), or designee, to negotiate and execute an agreement with Gold Graphics in an amount not to exceed $600,000, subject to the approval of the City Attorney as to form and legality.

3. AUTHORIZE the CDD to prepare Controller instructions and/or make any technical adjustments that may be required consistent with this action, subject to the review of the CAO; and, AUTHORIZE the Controller to implement these instructions.

4. AUTHORIZE the Controller to expend funds in an amount not to exceed $600,000 from account W245 Block Grant Investment Fund within the Community Development Trust Fund No. 424 upon proper demand of the General Manager, CDD.

5. FIND that the Gold Graphics project meets job retention as a National Objective of the Housing and Community Development Act, and is necessary and appropriate to accomplish the City's economic development objectives.

6. DIRECT the CAO and CDD to report to Council relative to the eligibility of using a Section 108 loan to replace the BGIF loan on this project.

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

(Continued from Council meeting of October 13, 2004)

Roll Call #1 - Motion (Zine - LaBonge) Adopted, Ayes (12); Absent: Reyes, Smith and Weiss (3) (Item Nos. 13-17)

ITEM NO. (13) - ADOPTED

02-0774 - INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT S20 relative to Comcast Cable Communications offering "ABC NEWS NOW" free to its digital subscribers.

Recommendation for Council action:

RECEIVE and FILE the Information Technology Agency report, dated August 4, 2004, relative to a notification that Comcast Cable Communications will be offering "ABC NEWS NOW" free to its digital subscribers effective September 1, 2004, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (14) - ADOPTED

02-0774 - INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT S23 relative to Charter Communications’ request to change its annual filing date for Federal Communications Commission (FCC) Forms 1240 and 1205.
Recommendation for Council action:

RECEIVE and FILE the Information Technology Agency report, dated August 27, 2004, relative to a notification that Charter Communications has submitted a request to change its annual filing date for FCC Forms 1240 and 1205, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (15) - ADOPTED

04-0002 - PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the City’s position on Proposition 68, the Gaming Revenue Act of 2004, appearing on the November 2, 2004 ballot.

Recommendation for Council action, as initiated by Resolution (Padilla - Cardenas - Garcetti), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

RESOLVE that the City include in its 2003-04 Legislative Program, OPPOSITION to Proposition 68, the Gaming Revenue Act of 2004, appearing on the November 2, 2004 ballot, which would authorize racetrack and card club owners to expand their operations statewide.

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

ITEM NO. (16) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT AND COMMUNICATION RECOMMENDATION

04-1250 - PERSONNEL COMMITTEE REPORT and COMMUNICATION FROM CHAIR AND VICE-CHAIR, BUDGET AND FINANCE COMMITTEE relative to a hiring freeze exemption for one position of Deputy City Engineer I in the Bureau of Engineering.

Recommendation for Council action:

EXEMPT one time from the hiring freeze one position of Deputy City Engineer I, Code 9490-1, in the Bureau of Engineering; and AUTHORIZE the backfilling of a vacancy in the Bureau of Engineering if a vacancy results from filling this position.

Fiscal Impact Statement: The City Administrative Officer reports that the annual cost to fill the position is $151,152; $130,124 in direct costs and $21,028 in related costs. These costs would be funded by Special Funds (55 percent) and the General Fund (45 percent).
ITEM NO. (17) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT AND COMMUNICATION RECOMMENDATION

04-1250 - PERSONNEL COMMITTEE REPORT and COMMUNICATION FROM CHAIR AND VICE-CHAIR, BUDGET AND FINANCE COMMITTEE relative to hiring freeze exemptions for one position of Senior Civil Engineer and two positions of Principal Civil Engineer in the Bureau of Engineering.

Recommendation for Council action:

EXEMPT one time from the hiring freeze one position of Senior Civil Engineer, Code 9485, and two positions of Principal Civil Engineer, Code 9489, in the Bureau of Engineering; and AUTHORIZE the backfilling of vacancies in the Bureau of Engineering if vacancies result from filling these positions. The Senior Civil Engineer position is in the Harbor District Office. One Principal Civil Engineer position is in the Central District Office and the other is in the Valley District Office.

Fiscal Impact Statement: The City Administrative Officer reports that the annual cost to fill the positions is $423,917; $364,942 in direct costs and $58,975 in related costs. These costs would be funded by the General Fund (45 percent) and Special Funds and fees (55 percent).

Items for Which Public Hearings Have Not Been Held - Items 18-41
(10 Votes Required for Consideration)

Roll Call #3 - Motion (Parks - Villaraigosa) Adopted, Ayes (12); Absent: Reyes, Smith and Weiss (3)
(Item Nos. 18-28)

ITEM NO. (18) - ADOPTED

04-0005 - RESOLUTION removing the property at 21051-55 Valerio Street from the Rent Escrow Account Program [REAP], (Case No. 4549), 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 October 12, 2004. Assessor I.D. No. 2112-012-003

(Notice of Acceptance into the REAP/Rent Reduction Program was released on December 10, 2001)
ITEM NO. (19) - ADOPTED

04-0005 - RESOLUTION removing the property at 12478 Gilmore Avenue from the Rent Escrow
Account Program [REAP], (Case No. 4755), 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 October 12, 2004. Assessor I.D. No. 4223-029-027

(Notice of Acceptance into the REAP/Rent Reduction Program was released on August 1, 2002)

ITEM NO. (20) - ADOPTED

04-0005 - RESOLUTION removing the property at 1560 South Ogden Drive from the Rent Escrow
Account Program [REAP], (Case No. 4813), 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 October 12, 2004. Assessor I.D. No. 5069-002-018

(Notice of Acceptance into the REAP/Rent Reduction Program was released on April 25, 2002)

ITEM NO. (21) - ADOPTED

04-0005 - RESOLUTION removing the property at 4705 Willowbrook Avenue from the Rent Escrow
Account Program [REAP], (Case No. 5541), 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 October 12, 2004. Assessor I.D. No. 5538-020-010

(Notice of Acceptance into the REAP/Rent Reduction Program was released on August 22, 2002)

ITEM NO. (22) - ADOPTED

04-0005 - RESOLUTION removing the property at 1645 43rd Street from the Rent Escrow Account
Program [REAP], (Case No. 5975), 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 October 12, 2004. Assessor I.D. No. 5116-017-023

(Notice of Acceptance into the REAP/Rent Reduction Program was released on November 19, 2002)
ITEM NO. (23) - ADOPTED

04-0005 - RESOLUTION removing the property at 1409 East “M” Street from the Rent Escrow Account Program [REAP], (Case No. 6400), 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 October 12, 2004. Assessor I.D. No. 7425-019-030

(Notice of Acceptance into the REAP/Rent Reduction Program was released on April 22, 2003)

ITEM NO. (24) - ADOPTED

04-0005 - RESOLUTION removing the property at 1529 East Cruces Street from the Rent Escrow Account Program [REAP], (Case No. 6902), 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 October 12, 2004. Assessor I.D. No. 7426-022-021

(Notice of Acceptance into the REAP/Rent Reduction Program was released on September 30, 2003)

ITEM NO. (25) - ADOPTED

04-0005 - RESOLUTION removing the property at 739 Flint Avenue from the Rent Escrow Account Program [REAP], (Case No. 7373), 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 October 12, 2004. Assessor I.D. No. 7424-021-011

(Notice of Acceptance into the REAP/Rent Reduction Program was released on June 15, 2004)

ITEM NO. (26) - ADOPTED

04-0005 - RESOLUTION removing the property at 5024 West 20th Street from the Rent Escrow Account Program [REAP], (Case No. 7430), 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 October 12, 2004. Assessor I.D. No. 5062-005-012

(Notice of Acceptance into the REAP/Rent Reduction Program was released on July 22, 2004)
ITEM NO. (27) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

01-1920 - COMMUNICATION FROM CHAIR, and VICE CHAIR, BUDGET AND FINANCE COMMITTEE relative to the annual financial report on the Disaster Assistance Trust Fund No. 872 for the fiscal year ended June 30, 2004.

Recommendation for Council action:

NOTE and FILE the City Administrative Officer's annual financial report on the Disaster Assistance Trust Fund No. 872 for the fiscal year ended June 30, 2004, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (28) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

03-0600 - COMMUNICATION FROM CHAIR, and VICE CHAIR, BUDGET AND FINANCE COMMITTEE relative to the status of the City Attorney’s Liability Accounts for the month ending August 31, 2004.

Recommendation for Council action:

RECEIVE and FILE the City Attorney’s report relative to the status of Liability Accounts for the month ending August 31, 2004, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (29) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

Roll Call #6 - Motion (Padilla - Miscikowski) Adopted, Ayes (12); Absent: Ludlow, Reyes and Smith (3)

03-1694 - COMMUNICATION FROM CHAIR, and VICE CHAIR, BUDGET AND FINANCE COMMITTEE relative to a request to deposit funds into the Black Market Cigarette Prosecution Trust Fund.

Recommendations for Council action, pursuant to Motion (Padilla - Parks), SUBJECT TO THE APPROVAL OF THE MAYOR:

1. TRANSFER $32,000 from the Reserve Fund to the Black Market Cigarette Prosecution Trust Fund, Fund 47V in a newly created account, to account for funds collected by the City Attorney in Fiscal Year 2003-04 for black market cigarette prosecution activities.

2. AUTHORIZE the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer (CAO), and AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: Neither the CAO nor the Chief Legislative Analyst has completed a financial analysis of this report.
Roll Call #3 - Motion (Parks - Villaraigosa) Adopted, Ayes (12); Absent: Reyes, Smith and Weiss (3) (Item Nos. 30-41)

ITEM NO. (30) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

03-2134 - CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and CD 10 RESOLUTION relative to acceptance of future street and alley as public street and alley lying on Jefferson Boulevard between Seventh Avenue and Eighth Avenue.

Recommendations for Council action:

1. FIND that this acceptance is categorically exempt from the California Environmental Quality Act of 1970, pursuant to Article VII, Class 5(4) of the City's Environmental Guidelines.

2. FIND that this acceptance of the future street and alley as public street and alley is in substantial conformance with the General Plan, pursuant to Section 556 of the Los Angeles City Charter.

3. ADOPT the City Engineer report dated September 26, 2003, and the accompanying RESOLUTION OF ACCEPTANCE for the future street and alley as public street and alley lying on Jefferson Boulevard between Seventh Avenue and Eighth Avenue.

4. INSTRUCT the Real Estate Division, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

Fiscal Impact Statement: The City Engineer reports that a fee of $897.73 was collected for processing this request pursuant to Sections 7.3 and 7.41.1 of the Los Angeles Administrative Code.

ITEM NO. (31) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

03-2138 - CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and CD 10 RESOLUTION relative to acceptance of future street as public street lying on Western Avenue between Olympic Boulevard and Connecticut Street.

Recommendations for Council action:

1. FIND that this acceptance is categorically exempt from the California Environmental Quality Act of 1970, pursuant to Article VII, Class 5(4) of the City's Environmental Guidelines.

2. FIND that this acceptance of the future street as public street is in substantial conformance with the General Plan, pursuant to Section 556 of the Los Angeles City Charter.

3. ADOPT the City Engineer report dated September 29, 2003, and the accompanying RESOLUTION OF ACCEPTANCE for the future street as public street lying on Western Avenue between Olympic Boulevard and Connecticut Street.
4. INSTRUCT the Real Estate Division, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

_Fiscal Impact Statement_: The City Engineer reports that a fee of $897.73 was collected for processing this request pursuant to Sections 7.3 and 7.41.1 of the Los Angeles Administrative Code.

ITEM NO. (32) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

04-1178 - CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for 3501 South Military Avenue.

Recommendations for Council action:

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970, pursuant to Article VII, Class 5(5) of the City's Environmental Guidelines.

2. FIND that this acceptance of the irrevocable offers to dedicate is in substantial conformance with the General Plan, pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.

3. ADOPT the City Engineer report dated June 10, 2004, and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land at 3501 South Military Avenue.

4. AUTHORIZE the Real Estate Section, Bureau of Engineering, to record the Resolution with the Los Angeles County Recorder.

_Fiscal Impact Statement_: The City Engineer reports that the applicant has paid a Dedication Fee in the amount of $1,807.23 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of $1,689 and a seven percent surcharge in the amount of $118.23 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.

ITEM NO. (33) - ADOPTED

04-1994 - CONSIDERATION OF MOTION (MISCIKOWSKI - WEISS) relative to an advance for funding for the Urban Search and Rescue Grant equipment and supplies.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:
1. TRANSFER $313,000 from Department No. 38, Fund No. 100, Account No. 1098 to Department No. 38, Fund No. 335, Account No. 003R, for an advance for the purchase of equipment and supplies for the Urban Search and Rescue Grant program.

2. TRANSFER $313,000, upon the receipt of the reimbursement funds from the Federal Emergency Management Agency, from Department No. 38, Fund No. 335, Account No. 003R to Department No. 38, Fund No. 100, Account No. 1098.

(Public Safety Committee waived consideration of the above matter)

ITEM NO. (34) - ADOPTED

00-1880 - MOTION (PADILLA - REYES) relative to declaring the San Fernando Valley Overcomers Church Community Festival on October 30, 2004 a Special Event (fees and costs absorbed by the City = $1,000).

Recommendation for Council action:

DECLARE the San Fernando Valley Overcomers Church Community Festival, sponsored by the San Fernando Valley Overcomers Church on October 30, 2004, 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. (35) - ADOPTED

04-2093 - MOTION (LUDLOW - VILLARAIGOSA) relative to declaring the Nate Holden Performing Arts Center Event - Press Conference, Luncheon, Senior and Youth Days, and Evening Reception on October 18, 2004 and October 25-28, 2004 Special Events (fees and costs absorbed by the City = $3,706).

Recommendation for Council action:

DECLARE the Nate Holden Performing Arts Center Event - Press Conference, Luncheon, Senior and Youth Days, and Evening Reception, sponsored by Council District Ten and the Cultural Affairs Department on October 18, 2004 and October 25-28, 2004, "Special Events" 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 sponsoring City department shall meet the application requirements of the City.

ITEM NO. (36) - ADOPTED

04-2092 - MOTION (PERRY - REYES) relative to declaring the Los Angeles Police Department (LAPD) Recruitment Film Gala Premier on November 4, 2004 a Special Event (fees and costs absorbed by the City = $1,500).
Recommendation for Council action:

DECLARE the LAPD Recruitment Film Gala Premier, sponsored by the LAPD on November 4, 2004, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance.

ITEM NO. (37) - ADOPTED

04-2091 - MOTION (LUDLOW - VILLARAIGOSA) relative to declaring the Senior Fall Fest on October 13, 2004 a Special Event (fees and costs absorbed by the City = $1,891).

Recommendation for Council action:

DECLARE the Senior Fall Fest, sponsored by the AHMA Foundation on October 13, 2004, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance AND application requirements.

ITEM NO. (38) - ADOPTED

04-0010 - MOTION (REYES - PERRY) relative to an offer of reward for information leading to the identification, apprehension and conviction of the person(s) responsible for the April 3, 2004 death of Maxwell Hazlett.

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

1. PROVIDE an offer of reward in the amount of $50,000 for information leading to the identification, apprehension and conviction of the person(s) responsible for the death of Maxwell Hazlett.

2. FIND that the subject reward complies with the provisions of Chapter 12, Article 1, Division 19, of the Los Angeles Administrative Code.

3. DIRECT the City Clerk to publish the required notices and/or advertisements to effectuate this reward.

ITEM NO. (39) - ADOPTED

04-2099 - MOTION (PADILLA - MISCIKOWSKI) relative to lease agreement for the Sylmar Neighborhood Council at 13515 1/2 Hubbard Street, Sylmar.

Recommendation for Council action:
APPROVE the executed Neighborhood Council Lease Agreement between the City of Los Angeles, through the Department of Neighborhood Empowerment, on behalf of the Sylmar Neighborhood Council and Frank Mushmel dba FM Enterprises, at 13515 1/2 Hubbard Street, Sylmar, under the terms and conditions as outlined in the Neighborhood Council Lease Agreement dated October 1, 2004.

ITEM NO. (40) - MAP APPROVED - CITY ENGINEER REPORT ADOPTED

04-1098 - FINAL MAP OF TRACT NO. 60848 lying southerly of Halsted Street and westerly of CD 12 White Avenue.
(Approve Subdivision Improvement Agreement and Contract with attached security documents)
(ADOPT City Engineer Report)
(ADOPT Bond No. C-107177)
(Quimby Fee: $34,125)
Applicants: Halsted Street II, LLC
Robert Kameoka

ITEM NO. (41) - MAP APPROVED - CITY ENGINEER REPORT ADOPTED

04-1099 - FINAL MAP OF TRACT NO. 60393 lying at 17729 Halsted Street east of Zelzah Avenue.
(Approve Subdivision Improvement Agreement and Contract with attached security documents)
(ADOPT City Engineer Report)
(ADOPT Bond No. C-107178)
(Quimby Fee: $34,125)
Applicants: Halsted Street I, LLC
Robert Kameoka

Item for Which Public Hearing Has Been Held - Item 42

ITEM NO. (42) - ADOPTED

Roll Call #4 - Motion (Miscikowski - Cardenas) Adopted, Ayes (12); Absent: Reyes, Smith and Weiss (3)

04-1679 - CATEGORICAL EXEMPTION and PLANNING AND LAND USE MANAGEMENT CD 5 COMMITTEE REPORT relative to appeals filed on Zoning Administrator's determination to require the discontinuance of the automobile lubrication and coffee shop uses at 201 and 207 South La Brea Avenue.

Recommendations for Council action:

1. FIND that this action is categorically exempt from the California Environmental Quality Act, pursuant to Article VII, Section 1, Class 21, Category 2 of the City Environmental Guidelines.
2. ADOPT the FINDINGS of the Planning and Land Use Management Committee as the Findings of the Council.

3. RESOLVE TO GRANT APPEAL filed by Celestino Elice (Darlene Kuba, representative), from the determination of the Zoning Administrator in requiring the discontinuance of the coffee shop use, THEREBY APPROVING the continued use and operation of the business at 201 South La Brea (known as Celestino’s Café Verona), subject to the conditions of approval.

4. RESOLVE TO GRANT APPEAL IN PART filed by EZ Lube Inc. (Moss and Associates, representative), from the determination of the Zoning Administrator in requiring the discontinuance of the automobile lubrication shop use, THEREBY APPROVING the continued use and operation of the business at 207 South La Brea (known as EZ Lube), subject to conditions of approval, as further modified to add the following conditions:

   a. EZ Lube shall have each employee of the premises sign a policy statement acknowledging that customer inspections, assessments, and work must be conducted inside service bays and that the sidewalk must be kept clear of parked vehicles at all times.

   b. EZ Lube shall place bright orange cones between its service bays and the sidewalk along La Brea to assure that vehicles exiting the service bays will not be parked on the driveway.

   c. EZ Lube shall post a sign in its parking lot area instructing arriving customers to please turn off their engines.

   d. EZ Lube shall complete construction of a six-foot wall along its southern property line to the satisfaction of the Associate Zoning Administrator.

   e. EZ Lube shall complete the planting of the alley side of the wall on the eastern side of its property with vines to deter graffiti.

   f. EZ Lube shall install video monitoring cameras for exterior areas that will record operations so that continuing compliance with limitations of work to service bays and maintenance of clear public sidewalks can be reviewed by the City in the event of future complaints. Copies of the monitoring tapes shall be submitted on a monthly basis to the Planning Department unless otherwise directed by Associate Zoning Administrator.

   g. EZ Lube shall file a Plan Approval review in five to six months to verify continuing compliance with these additional conditions. The Plan Approval shall be set for public hearing.
h. EZ Lube shall reimburse the City Planning Department the application fee for a Plan Approval, which was to have been filed by April 17, 2004, and which the City Planning Department commenced at its own initiative.

Applicant: City of Los Angeles
(Office of Zoning Administration)
DIR 2004-3035 RV
ZA 2001-2877 (CUB)
ZA97-0356 (CUZ) (PA1) & BZA 5461

Fiscal Impact Statement: None submitted by the Planning Department. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

TIME LIMIT FILE - OCTOBER 29, 2004
(LAST DAY FOR COUNCIL ACTION - OCTOBER 29, 2004)

Item for Which Public Hearing Has Not Been Held - Item 43
(10 Votes Required for Consideration)

ITEM NO. (43) - ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #7 - Motion (LaBonge - Parks) Adopted, Ayes (12); Absent: Ludlow, Reyes and Smith (3)

04-0275 - MOTION (LABONGE - PARKS) relative to funding for the Taylor Yard Park Grading CDs 1&5 Project, the Encino Women’s Center Acquisition Project and other State Park Bond funded projects from the Public Works Trust Fund.

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

1. AUTHORIZE loans for the following projects, in the following amounts from the Public Works Trust Fund, Fund No.834, Department 50: for the Taylor Yard Park Grading Project in an amount not to exceed $1,500,000; and for the Encino Women’s Center Acquisition Project in an amount not to exceed $943,470. These loans will be repaid by California Department of Parks and Recreation grant funds allocated to these projects, upon project completion or close of escrow. These funds are anticipated to be repaid by June 30, 2005 and December 30, 2004, respectively.

2. AUTHORIZE the Controller to TRANSFER $1,500,000 from the Public Works Trust Fund No. 834, to Fund No. 305, Subvention and Grants Fund, Department 50, Account W215, entitled "Taylor Yard Park Project."

3. DIRECT all applicable City departments involved with these projects to provide the Bureau of Engineering Financial Management Information System (FMIS) access to view and download FMIS cost data reports related to these projects from those participating Departments.
4. INSTRUCT the Department of Recreation and Parks (i.e., the grantee), relative to Taylor Yard, to REIMBURSE the Public Works Trust Fund No. 834, in the amount of $1,500,000, from the Recreation and Parks Grant Fund 205, Department 88, upon receipt of reimbursements from the California Department of Parks and Recreation Site Remediation, Restoration and Grading Grant (State Agreement No. C2004026).

5. AUTHORIZE the Controller to TRANSFER $943,470, from the Public Works Trust Fund No. 834, to the Community Development Department (CDD) (Department No. 22) for the Encino Women's Center acquisition as follows:

<table>
<thead>
<tr>
<th>Fund/Account</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>45W (Prop 12 Per Capita), Account 2360, Due to Other Funds</td>
<td>$ 198,000</td>
</tr>
<tr>
<td>47T (Prop 40 Per Capita), Account 2360, Due to Other Funds</td>
<td>$ 372,089</td>
</tr>
<tr>
<td>47W (prop 40 Roberti-Z'Berg-Harris), Account 2360, Due to Other Funds</td>
<td>$ 373,381</td>
</tr>
</tbody>
</table>

6. AUTHORIZE the Controller to INCREASE appropriations within the CDD (Department No. 22), by $943,470 as follows for the Encino Women's Center acquisition:

<table>
<thead>
<tr>
<th>Fund/Account</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>45W (Prop 12 Per Capita), Account W444</td>
<td>$ 198,000</td>
</tr>
<tr>
<td>47T (Prop 40 Per Capita), Account W844</td>
<td>$ 372,089</td>
</tr>
<tr>
<td>47W (Prop 40 Roberti-Z'Berg-Harris), Account W944</td>
<td>$ 373,381</td>
</tr>
</tbody>
</table>

7. AUTHORIZE the Controller, relative to the Encino Women's Center Acquisition Project, to expend funds upon receipt of proper demand of the General Manager, CDD.

8. INSTRUCT the General Manager, CDD, or designee, relative to the Encino Women's Center Acquisition Project with the assistance of the Department of Recreation and Parks, to reimburse the Public Works Trust Fund No. 834, in the amount of $943,470, upon receipt of the respective Proposition 12 and Proposition 40 grant funds.

9. AUTHORIZE the Controller to immediately TRANSFER $556,530 from the Public Works Trust Fund No. 834, to Fund No. 305, Subvention and Grants Fund, Department 50, "State Park Bond Projects," account number to be assigned by the Board of Public Works-Office of Accounting, for cash flow requirements for State Park Bond funded projects.

10. AUTHORIZE the Controller to TRANSFER funds from the new "State Park Bond Projects" account to State Park Bond funded projects, upon receipt of written identification of projects from the City Engineer, subject to the approval of the City Administrative Officer (CAO); and further, AUTHORIZE the Controller, with the assistance of the Board of Public Works-Office of Accounting, to create accounts for these projects.

11. INSTRUCT the CDD with the assistance of the City Engineer, to repay the Public Works Trust Fund No. 834, from Proposition 12 and Proposition 40 Funds, as appropriate, for loans totaling $556,530, upon completion of the projects in the Proposition 12 and Proposition 40 programs and receipt of grant fund reimbursements.
12. REQUEST the Controller to work with the Chief Legislative Analyst and the Public Works-Office of Accounting on developing a process to utilize up to $3,000,000 from the Public Works Trust Fund on a revolving basis to cash flow projects from State Park Bond programs; and further, AUTHORIZE the Controller to administratively implement such process created.

13. AUTHORIZE the CDD, or any pertinent department Involved in the above transaction, to prepare Controller instructions and/or make any technical adjustments that may be required and are consistent with the above actions, subject to the approval of the CAO, and AUTHORIZE the Controller to implement these instructions.

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

04-2147 - MOTION (CARDENAS - PADILLA) relative to declaring the Council District Six Community Clean Up on November 20, 2004 a Special Event (fees and costs absorbed by the City = $1,570).

04-2148 - MOTION (VILLARAIGOSA - PERRY) relative to declaring the 2004 Harvest Festival on October 31, 2004 a Special Event (fees and costs absorbed by the City = $2,661).

01-1757 - MOTION (ZINE - PERRY) relative to declaring the Dia de Los Muertos Festival on November 7, 2004 a Special Event (fees and costs absorbed by the City = $5,499).

02-2252 - MOTION (WEISS - VILLARAIGOSA) relative to declaring the University of California Los Angeles (UCLA) Homecoming Parade and Rally on October 29, 2004 a Special Event (fees and costs absorbed by the City = $7,718).

04-2149 - MOTION (GARCETTI - WEISS) relative to declaring the Rampart Community Day on October 23, 2004 a Special Event (fees and costs absorbed by the City = $1,226).

03-2193 - MOTION (CARDENAS - PADILLA) relative to the Second Annual Persian Festival Special Event on October 24, 2004.

04-2146 - MOTION (CARDENAS - PADILLA - ET AL.) relative to asserting jurisdiction over the October 13, 2004 Board of Harbor Commissioners action to approve a marketing contract with the former Executive Director of the Port of Los Angeles.

04-2146 - MOTION (VILLARAIGOSA - WEISS - ZINE - ET AL.) relative to asserting jurisdiction over the October 13, 2004 action of the Board of Harbor Commissioners to execute a personal services agreement between the City and the former Director of the Port of Los Angeles.

00-1073 - MOTION (PADILLA - CARDENAS) relative to sidewalk projects within Council District Seven.
COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Motion (Perry - Zine) unanimously adopted to excuse Councilmember Weiss to arrive at 11:30 a.m. to Council session of Friday, October 29, 2004 and was excused, without objections, from Council sessions of Tuesday and Wednesday, November 16 and 17, 2004 due to personal business.

Upon her request, and without objections, Councilmember Perry was excused from Council session of Tuesday, October 26, 2004 and Motion (Greuel - Hahn) was unanimously adopted to excuse Councilmember Perry from Council session of Friday, October 29, 2004 due to City business.

Upon his request, and without objections, Councilmember Ludlow was excused to arrive at 11:00 a.m. to Council session of Wednesday, October 20, 2004 due to City business.

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

04-1978 - Mildred Singleton (LaBonge)
Mary Lou Crockett (Miscikowski)
Jasper McNeil (Perry)
Joseph Martin Jeffries (Zine)
Eugene “Gene” Dow, Jr. (Zine)

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

Whereupon the Council did adjourn.

ATTEST: Frank T. Martinez, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL