

Los Angeles City Council, Journal/Council Proceedings
Tuesday, December 7, 2004
John Ferraro Council Chamber, Room 340, City Hall - 10 am

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

ROLL CALL - Members present: Cardenas, Garcetti, Greuel, Hahn, LaBonge, Ludlow, Miscikowski, Parks, Perry, Reyes, Smith, Villaraigosa, Weiss, Zine and President Padilla (15).

SALUTE TO THE FLAG

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
NOVEMBER 23, 2004

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 35

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 1-2

ITEM NO. (1) - CONTINUED TO JANUARY 5, 2005

Roll Call #2 - Motion (LaBonge - Reyes) Adopted to Continue, Unanimous Vote (15)

04-1454 - CONTINUED CONSIDERATION OF HEARING APPEALS OR OBJECTIONS to Building
CD 4 and Safety Department report and confirmation of assessment to cover the cost of fencing
the lot at 4450 West Beverly Boulevard. (Assessment: \$5,134.80)

(Continued from Council meeting of November 3, 2004)

ITEM NO. (2) - PUBLIC HEARING CLOSED - ADOPTED

Roll Call #3 - Motion (Smith - Garcetti) Adopted, Ayes (15)

01-0555 - ORDINANCE FIRST CONSIDERATION relative to adopting the modifications to the
CD 12 Management District Plan of the Northridge Property and Business Improvement District
(BID).

Recommendation for Council action, if a majority protest against the proposed modifications to the Management District Plan of the Northridge Property and BID is found not to exist, SUBJECT TO THE APPROVAL OF THE MAYOR:

PRESENT and ADOPT the accompanying ORDINANCE adopting the modifications to the Management District Plan of the BID.

Fiscal Impact Statement: The City Clerk reports that this action will not impact the General Fund. Direct costs associated with Departmental administrative expenses for the Northridge BID are being recovered from the assessments collected. There are no City-owned properties located in the BID. Assessments for the City-owned properties located in the BID are paid from the General Fund. This modification to the Northridge BID's Management District Plan, if approved, will not result in any new or increased assessments.

(Pursuant to Council adoption of Ordinance No. 176234 on October 6, 2004 and Housing, Community and Economic Development Committee Report on September 29, 2004.)

Items for Which Public Hearings Have Been Held - Items 3-21

ITEM NO. (3) - ADOPTED - FORTHWITH

Roll Call #6 - Motion (Weiss - Villaraigosa) Adopted, Ayes (15)

04-2246 - INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to the appointment of Mr. Gary Park to the Board of Information Technology Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Mr. Gary Park to the Board of Information Technology Commissioners for the term ending June 30, 2005, to fill the vacancy created by the resignation of Mr. Yair Landau, is APPROVED and CONFIRMED. Mr. Park resides in Council District 14. (Current Commission gender composition: M=2; F=2)

Ethics Commission Review: Complete

TIME LIMIT FILE - DECEMBER 12, 2004

(LAST DAY FOR COUNCIL ACTION - DECEMBER 10, 2004)

ITEM NO. (4) - ADOPTED - FORTHWITH - ORDINANCE OVER ONE WEEK TO DECEMBER 14, 2004

**Roll Call #7 - Motion (Miscikowski - Reyes) Adopted, Ordinance Over One Week, Ayes (12);
Noes: Parks, Villaraigosa and Weiss (3)**

00-1774 - CONTINUED CONSIDERATION OF PLANNING AND LAND USE MANAGEMENT
S4 COMMITTEE REPORT, ORDINANCES FIRST CONSIDERATION and RESOLUTIONS
CD 11 relative to overrule of 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 Addenda; 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.

Recommendations for Council action:

1. OVERRULE the LA-ALUC DETERMINATION (Attachment A-2) regarding the LAX Master Plan actions and ADOPT the City Council's State Aeronautics FINDINGS (Attachment A-1).
PUBLIC HEARING REQUIRED ON ABOVE RECOMMENDATION.
2. 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 (Amended Attachment B).
3. FIND that the City Council has considered the environmental effects of the project as described in the FEIR, including the ADDENDA (Amended Attachment C).
4. CERTIFY that the FINAL ENVIRONMENTAL IMPACT REPORT (BOAC State Clearing House No. 1997061047), including the ADDENDA, 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 Addenda.
5. 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, as revised, 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 (Amended Attachment E).

6. DIRECT the Department of City Planning staff to file the Notice of Determination (NOD) after City Council approves the project.
7. 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).
8. 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.
9. APPROVE the AIRPORT LAYOUT PLAN (Attached to the June 14, 2004 Board of Airport Commissioners Report, Attachment B).
10. ADOPT the FINDINGS, as revised, set out in Amended Attachment H as the Findings of City Council.
11. 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:

12. 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).
13. PRESENT and ADOPT the accompanying ORDINANCE establishing the LAX Specific Plan (Attachment G).

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.

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.

(Pursuant to Council action of and continued from Council meeting of October 20, 2004)

ITEM NO. (5) - ADOPTED - FORTHWITH - ORDINANCE OVER ONE WEEK TO DECEMBER 14, 2004

**Roll Call #8 - Motion (Miscikowski - Cardenas) Adopted, Ordinance Over One Week, Ayes (12);
Noes: Parks, Villaraigosa and Weiss (3)**

00-1774 - CONTINUED CONSIDERATION OF COMMERCE, ENERGY AND NATURAL RESOURCES
S4 COMMITTEE REPORT, ORDINANCES FIRST CONSIDERATION and RESOLUTIONS
CD 11 relative to overrule of 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.

Recommendations for Council action:

1. OVERRULE the LA-ALUC DETERMINATION (Attachment A-2) regarding the LAX Master Plan actions and ADOPT the City Council's State Aeronautics Act FINDINGS. PUBLIC HEARING REQUIRED ON ABOVE RECOMMENDATION.
2. 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 (Amended Attachment B).
3. FIND that the City Council has considered the environmental effects of the project as described in the FEIR, including the ADDENDA (Amended Attachment C).
4. CERTIFY that the FINAL ENVIRONMENTAL IMPACT REPORT (BOAC State Clearing House No. 1997061047), including the ADDENDA, 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-S1; and S2 in the custody of the City Clerk; and ADOPT the Final Environmental Impact Report (FEIR), including the Addenda.
5. ADOPT, pursuant to Section 21081.6 of the California State Resources Code, the Mitigation Monitoring and Reporting Program prepared for Alternative D (Attachment D).

6. 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 (Amended 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 RESOLUTIONS amending the General Plan including the amended LAX PLAN (Attachment F).
9. 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).
10. ADOPT the FINDINGS, as revised, set out in Attachment H as the Findings of City Council.
11. HAVING HELD 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).
12. 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.
13. 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:

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

TIME LIMIT FILE - DECEMBER 7, 2004

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

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.

(Pursuant to Council action of and continued from Council meeting of October 20, 2004)

ITEM NO. (6) - ADOPTED - FORTHWITH

Roll Call #9 - Motion (Miscikowski - Reyes) Adopted, Ayes (15)

00-1774 - CONTINUED CONSIDERATION OF PLANNING AND LAND USE MANAGEMENT AND
S3 COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEES' REPORT and
CD 11 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 City of El Segundo (E. Clement Shute, Jr. and Mark 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.

(Pursuant to Council action of and continued from Council meeting of October 20, 2004)

ITEM NO. (7) - ADOPTED - FORTHWITH

**Roll Call #10 - Motion (Miscikowski - Reyes) Adopted, Ayes (12);
Noes: Parks, Villaraigosa and Weiss (3)**

04-1785 - CONTINUED CONSIDERATION OF PLANNING AND LAND USE MANAGEMENT
CD 11 COMMITTEE REPORT and 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.

(Pursuant to Council action of and continued from Council meeting of October 20, 2004)

ITEM NO. (8) - ADOPTED - FORTHWITH

**Roll Call #11 - Motion (Miscikowski - Reyes) Adopted, Ayes (12);
Noes: Parks, Villaraigosa and Weiss (3)**

04-1785 - CONTINUED CONSIDERATION OF PLANNING AND LAND USE MANAGEMENT
S1 COMMITTEE REPORT and APPEAL filed by Jerry Fulwood, City Administrative Officer,
CD 11 Culver City on Tentative Tract No. 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.

(Pursuant to Council action of and continued from Council meeting of October 20, 2004)

ITEM NO. (9) - ADOPTED - FORTHWITH

**Roll Call #12 - Motion (Miscikowski - Reyes) Adopted, Ayes (12);
Noes: Parks, Villaraigosa and Weiss (3)**

04-1785 - CONTINUED CONSIDERATION OF PLANNING AND LAND USE MANAGEMENT
S2 COMMITTEE REPORT and APPEAL filed by Jerry Fulwood, City Administrative Officer,
CD 11 Culver City on Tentative Tract No. 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.

(Pursuant to Council action of and continued from Council meeting of October 20, 2004)

ITEM NO. (10) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT AND COMMUNICATION RECOMMENDATIONS - FORTHWITH

Roll Call #13 - Motion (Miscikowski - Reyes) Adopted, Ayes (15)

00-1774 - COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT and S5 COMMUNICATION FROM CHAIR, ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE, relative to review of the environmental justice mitigation measures proposed by the City of Inglewood, in response to the possible adoption of the Los Angeles International Airport (LAX) Master Plan Program.

Recommendations for Council action, pursuant to Motion (Perry - Miscikowski):

1. REQUEST that the Los Angeles World Airports (LAWA) review the environmental justice mitigation measures proposed by the City of Inglewood, as attached to the Council file, in response to the possible adoption of the LAX Master Plan Program, including Alternative D.
2. REQUEST that the LAWA report on the applicability and feasibility of the proposed mitigation measures to the Council's Environmental Quality and Waste Management Committee.
3. REQUEST that the LAWA report back to the Commerce, Energy and Natural Resources and the Environmental Quality and Waste Management Committees in January 2005 on further progress.

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

ITEM NO. (11) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT AND COMMUNICATION RECOMMENDATIONS - FORTHWITH

Roll Call #14 - Motion (Miscikowski - Reyes) Adopted, Ayes (14); Noes: Parks (1)

00-1774 - COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT and S4 COMMUNICATION FROM CHAIR, PLANNING AND LAND USE MANAGEMENT COMMITTEE, relative to certification of additional Addenda to the Final Environmental Impact Report and adoption of additional findings and a staff report for the Los Angeles International Airport (LAX) Master Plan Program, as well as an update relative to the Community Benefits Agreement.

Recommendations for Council action:

1. ADOPT the November 22, 2004, Los Angeles World Airports (LAWA) staff report.
2. INSTRUCT the LAWA to transmit the additional Addenda, the findings and all relevant documents directly to City Council for its action on December 7, 2004.

3. FIND that the City Council has considered the environmental effects of the project as described in the Final Environmental Impact Report (FEIR), including the additional Addenda.
4. CERTIFY that the FINAL ENVIRONMENTAL IMPACT REPORT (Board of Airport Commissioners State Clearing House No. 1997061047), including the additional Addenda, 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 additional Addenda.
5. ADOPT the CEQA FINDINGS, as revised, in compliance with Public Resources Code Section 21081 and CEQA Guidelines Sections 15091, 15092, and 15093, as the Findings of City Council.
6. ADOPT the FINDINGS, as revised, as the Findings of the City Council.

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

**Roll Call #4 - Motion (Greuel - Villaraigosa) Adopted, Ayes (15)
(Item Nos. 12-17)**

ITEM NO. (12) - ADOPTED

04-1038 - CONTINUED CONSIDERATION OF MITIGATED NEGATIVE DECLARATION and
CD 2 PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to Parcel Map
appeal for property at 10300 Wornom Avenue.

Recommendations for Council action:

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. 04-1038 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 filed on September 28, 2001 [ENV 2001-3945 MND].
2. ADOPT the FINDINGS of the North Valley Area Planning Commission as the Findings of the Council.

3. DENY the appeal filed by the Santa Monica Conservancy (Paul Edelman, Representative) from the entire decision of the North Valley Area Planning Commission THEREBY APPROVE the Parcel Map No. 2001-3944 PMLA, to subdivide 18.4 acres into four parcels at 10300 Wornom Avenue, subject to conditions, as modified to add Condition No. 25 to require that prior to the recordation of the final map, the subdivider shall record a separate covenant and agreement over each lot for a conservation easement agreement between the subdivider and the Mountains Recreation and Conservation Authority. A copy of each recorded covenant shall be placed in the Parcel Map file along with a map identifying the conservation easement boundaries.

Applicant: Terry Walker

2001-3944 PMLA

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 - DECEMBER 7, 2004

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

(Continued from Council meeting of November 19, 2004)

ITEM NO. (13) - ADOPTED

01-0199 - PUBLIC SAFETY COMMITTEE REPORT relative to cost estimates for the Los Angeles S1 Regional Crime Laboratory Facility.

Recommendation for Council action:

INSTRUCT the Los Angeles Police Department to submit a budget request at the appropriate time for Fiscal Year (FY) 2005-06 for the relocation, operation and maintenance of the Los Angeles Crime Laboratory Facility.

Fiscal Impact Statement: The City Administrative Officer reports that there is no immediate General Fund impact to the City as a result of the adoption of this report. The sublease agreement concerning the operation of the Regional Crime Lab obligates the City to contribute annually to the operating, maintenance, custodial and "extraordinary repairs" of the facility. This obligation will commence upon completion of the project, which is anticipated to be in FY 2005-06, and will continue for up to 75 years. In addition, once the facility is constructed, there will be one-time furniture, equipment, moving and communications costs which have not yet been fully estimated, but which will ultimately need to be provided in the City budget.

(Information Technology and General Services Committee waived consideration of the above matter)

ITEM NO. (14) - ADOPTED

03-2449 - PUBLIC SAFETY COMMITTEE REPORT and RESOLUTION relative to acceptance of S4 Operation Right Move grant award.

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

1. APPROVE the State of California Business, Transportation and Housing Agency, Office of Traffic Safety grant application and AUTHORIZE the Mayor to accept, on behalf of the City, the grant award for \$179,000 for the Operation Right Move Program, for the period of October 1, 2004 through September 30, 2006.
2. ADOPT the accompanying RESOLUTION to accept the grant award from the State of California Business, Transportation, and Housing Agency, Office of Traffic Safety, for the Operation Right Move Program for \$179,000 for the period of October 1, 2004 through September 30, 2006, subject to the approval of the City Attorney as to form and legality.
3. AUTHORIZE the Director, Mayor's Criminal Justice Planning Office (MCJPO), to execute and submit the Grant Award Acceptance Form and to execute other grant documents.
4. AUTHORIZE the Director, MCJPO, to implement any needed or required competitive Request for Proposal process for program media services.
5. AUTHORIZE the Director, MCJPO, to execute Professional Services Agreements with the vendors selected through the competitive process, subject to the approval of the City Attorney as to form and legality.
6. AUTHORIZE the Controller to establish a new interest-bearing fund, entitled the "Office of Traffic Safety Program," for receipt and disbursement of grant funds and to recognize a receivable in the amount of \$179,000.
7. AUTHORIZE the Controller to establish the following appropriation and revenue accounts in Fiscal Year (FY) 2004-05 within the new Fund, Department No. 46, as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
W146	MCJPO Salaries	\$ 4,122
W201	Mandatory Travel	\$ 750
W202	Paid Media	\$55,825
W170	Overtime Police Officers	\$ 2,500
W203	MCJPO Admin/ Supplies	\$ 933

8. AUTHORIZE the Controller to increase the appropriation in FY 2005-06 for the following revenue accounts within the new Fund, Department No. 46, as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
W146	MCJPO Salaries	\$ 4,479
W201	Mandatory Travel	\$ 750
W202	Paid Media	\$70,000
W170	Overtime Police Officers	\$ 2,500
W203	MCJPO Admin/ Supplies	\$ 1,032

9. AUTHORIZE the Controller to increase the appropriation in FY 2006-07 for the following revenue accounts within the new Fund, Department No. 46, as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
W146	MCJPO Salaries	\$ 899
W202	Paid Media	\$35,000
W203	MCJPO Admin/Supplies	\$ 210

10. AUTHORIZE the MCJPO to receive and expend the grant funds, in accordance with the grant conditions.
11. TRANSFER \$56,575 from Fund No. 100/38, Account No. 4430 - Uniforms, to Fund No. 100/38, Account No. 6020 - Operating Expense, which will allow the Los Angeles Fire Department (LAFD) to pay for Paid Media and Mandatory Travel expenses in FY 04-05.
12. AUTHORIZE, upon receipt of the grant reimbursement funds, the transfer of up to \$55,825 in FY 04-05, which is expected to be made in two payments, from the new Fund, Department No. 46, Account No. W201 - Mandatory Travel, and Account No. W202 - Paid Media, to Fund No. 100/38, Account No. 4430 - Uniforms, to reimburse the LAFD for programmed expenses.
13. AUTHORIZE, upon receipt of the grant reimbursement funds, the transfer of up to \$2,500 in FY 04-05, which is expected to be made in two payments, from the new Fund, Department No. 46, Account No. W170 - Overtime Police Officers, to Fund No. 100, Department No. 70, Account No. 1092 - Overtime, to reimburse the Los Angeles Police Department for overtime expenses connected with this grant program.
14. AUTHORIZE, upon receipt of the grant reimbursement funds, the transfer of up to \$4,122 in FY 04-05, which is expected to be made in two payments, from the new Fund, Department No. 46, Account No. W146 - MCJPO Salaries, to Fund No. 100, Department No. 46, Account No. 1020 - Salaries Grant Reimbursed, for the MCJPO salary expense.
15. AUTHORIZE the MCJPO to prepare Controller's instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer (CAO).

Fiscal Impact Statement: The CAO reports that the State Office of Traffic Safety has awarded the City \$179,000 for the implementation of the Operation Right Move Program, a public education campaign to increase roadway safety by encouraging the driving public to yield safely to emergency response vehicles. This award will cover all costs associated with this program. There is no additional impact to the General Fund.

ITEM NO. (15) - ADOPTED

04-0147 - PUBLIC SAFETY COMMITTEE REPORT relative to use of federal funds for Emergency Preparedness exercises.

Recommendation for Council action, as initiated by Motion (Smith - Padilla):

NOTE and FILE the Emergency Preparedness Department report relative to use of federal funding for Emergency Preparedness exercises, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (16) - ADOPTED

04-2138 - PUBLIC SAFETY COMMITTEE REPORT relative to the Los Angeles Fire Department (LAFD) contract with Dialogic Communications Corporation for a computerized notification and recall system.

Recommendations for Council action:

1. APPROVE the contract between the LAFD and Dialogic Communications Corporation for the purpose of installing and integrating into the LAFD existing infrastructure, a Notification and Recall System.
2. AUTHORIZE the Fire Chief to execute the contract with Dialogic Communications Corporation.

Fiscal Impact Statement: The City Administrative Officer reports that there is no General Fund impact associated with this contract. The full cost of the contract is funded through the Department of Homeland Security's Urban Areas Security Initiative Grant.

(Information Technology and General Services Committee waived consideration of the above matter)

ITEM NO. (17) - ADOPTED

04-1944 - TRANSPORTATION COMMITTEE REPORT relative to funding for the purchase of property for the construction of a proposed City-owned bus transit maintenance facility.

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

1. AUTHORIZE the Department of Transportation (DOT) to receive and deposit \$5.6 million in Federal Transit Administration (FTA) Section 5307 grant funds into Proposition A Fund No. 385, and APPROPRIATE and TRANSFER these funds to the DOT Bus Maintenance Facility Land Purchase Account.
2. AUTHORIZE the transfer of \$1,400,000 in funds within Proposition A Fund No. 385 from the Unallocated Account No. W900, to the DOT Bus Maintenance Facility Land Purchase Account, number to be designated by the DOT.
3. AUTHORIZE the DOT, with assistance from the Department of General Services (GSD), Bureau of Engineering, and the City Attorney's Office, to identify a property in the downtown Los Angeles area that is suitable for the proposed bus maintenance facility, and to prepare an appraisal report and conduct the required environmental review on the property.
4. DIRECT the DOT and the GSD to report back to the Council for authority to enter into negotiations for the purchase of property identified for the proposed bus maintenance facility.
5. DIRECT the DOT to report back to the Transportation Committee on the feasibility of sharing the proposed facility with the Los Angeles County Metropolitan Transportation Authority (MTA).

Fiscal Impact Statement: The DOT reports that this project would be 100 percent special funded using City Proposition A Local Return and grant funds. The DOT has secured a FTA grant through the MTA in the amount of \$5.6 million (80 percent). This grant amount will be reimbursed to the City's Proposition A Fund. The City match for this project will be \$1.4 million (20 percent). There are sufficient unallocated Proposition A funds to pay for the City's net share (20 percent) of the land purchase. There will be no impact on the General Fund.

ITEM NO. (18) - ADOPTED - FORTHWITH

**Roll Call #15 - Motion (Villaraigosa - Cardenas) to Adopt Recommendation No. 1, Ayes (12);
Noes: Parks, Villaraigosa and Weiss (3)**

Roll Call #16 - Motion (LaBonge - Ludlow) to Adopt Recommendation No. 2, Ayes (15)

04-2105 - TRANSPORTATION and COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEES' REPORT relative to the establishment of additional Green Line Stations at the proposed Ground Transportation Center site at the Los Angeles International Airport (LAX) and alternative rail connections to the LAX.

Recommendations for Council action, pursuant to Motion (LaBonge - Miscikowski):

1. REQUEST that when Los Angeles World Airports (LAWA) conducts the required yellow light traffic studies on the Ground Transportation Center in the proposed Los Angeles Airport Master Plan, that the LAWA work with the Los Angeles County Metropolitan Transportation Authority (MTA) and include the necessary analysis for the establishment of an additional Green Line Station at the proposed Ground Transportation Center site.
2. REQUEST that the LAWA, the Los Angeles Department of Transportation (LADOT), and the MTA investigate alternative rail connections to the LAX, determine how existing and future transit modes such as the Crenshaw-Prairie Transit Corridor can best interface to provide service to LAX, and determine how current and proposed alignments and rights of way will access and serve the Airport.

Fiscal Impact Statement: The LADOT reports that there is no fiscal impact on the general fund.

**Roll Call #1 - Motion (Parks - Hahn) Adopted to Continue, Unanimous Vote (15)
(Item Nos. 19-21)**

ITEM NO. (19) - CONTINUED TO JANUARY 7, 2005

04-0523 - CONTINUED CONSIDERATION OF ACCEPTANCE OF BIDS relative to the Notice of CD 15 Sale for a Pipeline Franchise in the City of Los Angeles.

Recommendations for Council action:

1. FIND that the City of Los Angeles is in need of a pipeline franchise to install, retain, operate and maintain pipelines and their adjunct communication lines associated with the transportation of oil and oil products.
2. ACCEPT and AWARD the BID for the pipeline franchise to the responsible bidder offering to pay the City the highest cash consideration, but not less than \$500 and, if ARCO Terminal Services Corporation is the highest responsible bidder, award the franchise to this company.
3. REQUEST the City Attorney to prepare the pipeline franchise ordinance for the successful bidder for presentation to the Council.
4. INSTRUCT the Department of Transportation to notify the successful bidder and ensure that all good faith deposits are returned to the unsuccessful bidders, subsequent to the award of the bid.
5. REQUIRE that the successful bidder file a faithful performance bond in duplicate with the City Clerk within five days after the award of the pipeline franchise, pursuant to Los Angeles Administrative Code Section 13.30.

(Pursuant to Council action of May 11, 2004 - Continued from Council meeting of November 5, 2004)

ITEM NO. (20) - CONTINUED TO JANUARY 7, 2005

04-0524 - CONTINUED CONSIDERATION OF ACCEPTANCE OF BIDS relative to the Notice of CDs 8,10 & 15 Sale for a Pipeline Franchise in the City of Los Angeles.

Recommendations for Council action:

1. FIND that the City of Los Angeles is in need of a pipeline franchise to install, retain, operate and maintain pipelines and their adjunct communication lines associated with the transportation of oil and oil products.
2. ACCEPT and AWARD the BID for the pipeline franchise to the responsible bidder offering to pay the City the highest cash consideration, but not less than \$500 and, if BP West Coast Products LLC is the highest responsible bidder, award the franchise to this company.
3. REQUEST the City Attorney to prepare the pipeline franchise ordinance for the successful bidder for presentation to the Council.
4. INSTRUCT the Department of Transportation to notify the successful bidder and ensure that all good faith deposits are returned to the unsuccessful bidders, subsequent to the award of the bid.
5. REQUIRE that the successful bidder file a faithful performance bond in duplicate with the City Clerk within five days after the award of the pipeline franchise, pursuant to Los Angeles Administrative Code Section 13.30.

(Pursuant to Council action of May 11, 2004 - Continued from Council meeting of November 5, 2004)

ITEM NO. (21) - CONTINUED TO JANUARY 7, 2005

04-0525 - CONTINUED CONSIDERATION OF ACCEPTANCE OF BIDS relative to the Notice of CDs 2,4, 5,6,7,8, 10 & 15 Sale for a Pipeline Franchise in the City of Los Angeles.

Recommendations for Council action:

1. FIND that the City of Los Angeles is in need of a pipeline franchise to install, retain, operate and maintain pipelines and their adjunct communication lines associated with the transportation of crude oil.
2. ACCEPT and AWARD the BID for the pipeline franchise to the responsible bidder offering to pay the City the highest cash consideration, but not less than \$500 and, if ARCO MidCon LLC is the highest responsible bidder, award the franchise to this company.
3. REQUEST the City Attorney to prepare the pipeline franchise Ordinance for the successful bidder for presentation to the Council.

4. INSTRUCT the Department of Transportation to notify the successful bidder and ensure that all good faith deposits are returned to the unsuccessful bidders, subsequent to the award of the bid.
5. REQUIRE that the successful bidder file a faithful performance bond in duplicate with the City Clerk within five days after the award of the pipeline franchise, pursuant to Los Angeles Administrative Code Section 13.30.

(Pursuant to Council action of May 11, 2004 - Continued from Council meeting of November 5, 2004)

Items for Which Public Hearings Have Not Been Held - Items 22-60

(10 Votes Required for Consideration)

Roll Call #5 - Motion (Zine - Cardenas) Adopted, Ayes (15) (Item Nos. 22-51)

ITEM NO. (22) - ADOPTED - TO THE MAYOR FORTHWITH

04-0687 - CONTINUED CONSIDERATION OF ORDINANCE FIRST CONSIDERATION relative to amending Section 21.29 of the Los Angeles Municipal Code (LAMC) to increase the small business exemption on July 1, 2005 to \$50,000 and to \$100,000 on July 1, 2006, and to provide for a tax exemption for creative artists who generate less than \$300,000 in receipts attributable to their creative activities.

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

PRESENT and ADOPT the accompanying ORDINANCE amending Section 21.29 of the LAMC to increase the small business exemption on July 1, 2005 to \$50,000 and to \$100,000 on July 1, 2006, and to provide for a tax exemption for creative artists who generate less than \$300,000 in receipts attributable to their creative activities.

(Pursuant to Council action of November 17, 2004)

(Continued from Council meeting of November 19, 2004)

ITEM NO. (23) - ADOPTED

04-0005 - RESOLUTION removing the property at 742 South Columbia Avenue a.k.a. 1333 Linwood Avenue from the Rent Escrow Account Program [REAP], (Case No. 6403), 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 November 30, 2004. Assessor I.D. No. 5143-012-014
S489
CD 1
Registration No. 0375162

(Notice of Acceptance into the REAP/Rent Reduction Program was released on March 4, 2003)

ITEM NO. (24) - ADOPTED

04-0005 - RESOLUTION removing the property at 1515-17 West 51st Street a.k.a. 5040-42 Denker
S490 Avenue from the Rent Escrow Account Program [REAP], (Case No. 7037), inasmuch as
CD 8 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 November 30, 2004. Assessor I.D. No. 5016-034-008
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on
November 25, 2003)

ITEM NO. (25) - ADOPTED

04-0005 - RESOLUTION removing the property at 416 South Lake Street from the Rent Escrow
S491 Account Program [REAP], (Case No. 7048), inasmuch as the owner has corrected the
CD 1 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 November 30, 2004. Assessor I.D. No. 5154-030-020
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on
November 10, 2003)

ITEM NO. (26) - ADOPTED

04-0005 - RESOLUTION removing the property at 930-32 East 88th Street from the Rent Escrow
S492 Account Program [REAP], (Case No. 7460), inasmuch as the owner has corrected the
CD 9 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 November 30, 2004. Assessor I.D. No. 6042-026-023
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on
June 30, 2004)

ITEM NO. (27) - ADOPTED

04-0005 - RESOLUTION removing the property at 1736 West 60th Place from the Rent Escrow
S493 Account Program [REAP], (Case No. 7569), inasmuch as the owner has corrected the
CD 8 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 November 30, 2004. Assessor I.D. No. 6002-023-002
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on
October 6, 2004)

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

04-1409 - CONTINUED CONSIDERATION OF NEGATIVE DECLARATION and COMMUNICATION
CD 10 FROM CHAIR, ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE
relative to approval of the proposed Jefferson/La Cienega Air Treatment Facility at 3410
South La Cienega Boulevard.

Recommendations for Council action:

1. FIND that the Jefferson/La Cienega Air Treatment Facility at 3410 South La Cienega Boulevard project will not have a significant effect on the environment, pursuant to the City Environmental Guidelines and in compliance with California Environmental Quality Act of 1970; that the 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. 04-1409 in the custody of the City Clerk and in the files of the Board of Public Works in the custody of the City Engineer, Environmental Group; and ADOPT the Negative Declaration (W.O. SZC11285) filed on February 3, 2004, attached to the Council file.
2. APPROVE the Jefferson/La Cienega Air Treatment Facility project as described in the Negative Declaration, attached to the Council file.
3. INSTRUCT the City Clerk to immediately notify the Bureau of Engineering, Environmental Group, of the adoption of the Negative Declaration so that the Notice of Determination can be filed with the County Clerk within five working days.

Fiscal Impact Statement: The Board of Public Works reports that funding for this project is provided from sewer construction maintenance funds.

(Continued from Council meeting of October 12, 2004)

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

04-1410 - CONTINUED CONSIDERATION OF NEGATIVE DECLARATION and COMMUNICATION
CD 10 FROM CHAIR, ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE
relative to approval of the proposed North Central Outfall Sewer Air Treatment Facility at
6000 Jefferson Boulevard.

Recommendations for Council action:

1. FIND that the North Central Outfall Sewer Air Treatment Facility at 6000 Jefferson Boulevard project will not have a significant effect on the environment, pursuant to the City Environmental Guidelines and in compliance with the California Environmental Quality Act of 1970; that the 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. 04-1410 in the custody of the City Clerk and in the files of the Board of Public Works in the custody of the City Engineer, Environmental Group; and ADOPT the Negative Declaration (W.O. SZC11286) filed on February 3, 2004, attached to the Council file.
2. APPROVE the North Central Outfall Sewer Air Treatment Facility project as described in the Negative Declaration, attached to the Council file.
3. INSTRUCT the City Clerk to immediately notify the Bureau of Engineering, Environmental Group, of the adoption of the Negative Declaration so that the Notice of Determination can be filed with the County Clerk within five working days.

Fiscal Impact Statement: The Board of Public Works reports that funding for this project is provided from sewer construction maintenance funds.

(Continued from Council meeting of October 12, 2004)

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

92-1901 - COMMUNICATION FROM CITY CLERK relative to considering a report of protests as a
CD 7 result of balloting for the proposed street improvement for the project entitled, TELFAIR
AVENUE (NEAR COBALT STREET) STREET IMPROVEMENT - A'11-E6000297.

Recommendations for Council action:

1. FIND that a majority protest exists in the proposed street improvement district and therefore the assessment cannot be levied.
2. SUSTAIN protests and abandon the above project, pursuant to the 1911 Act and the Los Angeles Administrative Code Sections 6.1-6.5 and in accordance with Proposition 218, Articles XIII C and XIII D of the California Code and Government Code Sections 50078.6, 54954.6 and 54960.1.

3. INSTRUCT the Director, Bureau of Street Lighting to prepare the abandoning ordinance.

(Public Hearing held November 12, 2004)

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

04-1500 - COMMUNICATION FROM THE CITY CLERK and RESOLUTION relative to certified results of Special Election (Proposition O) consolidated with the November 2, 2004 State General Election.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION declaring the results of the City of Los Angeles Special Election (Proposition O) which was held and consolidated with the November 2, 2004 State General Election.

Fiscal Impact Statement: The City Clerk reports that declaring the results of the Special Election is a required processing step and will have no impact on the General Fund.

ITEM NO. (32) - ADOPTED

04-2405 - CONSIDERATION OF MOTION (LABONGE - GARCETTI) relative to office space lease CD 4 agreement for the Silver Lake Neighborhood Council at 2898 Rowena Avenue.

Recommendation for Council action:

APPROVE the executed Neighborhood Council Lease Agreement between the City of Los Angeles, through the Department of Neighborhood Empowerment and Mr. David Haerle, under the terms and conditions as outlined in the Neighborhood Council Lease Agreement dated November 15, 2004.

(Education and Neighborhoods Committee waived consideration of the above matter)

ITEM NO. (33) - ADOPTED

02-2462 - MOTION (PARKS - LUDLOW) relative to declaring the St. Mark's United Methodist CD 8 Church Annual Thanksgiving Dinner on November 25, 2004 a Special Event (fees and costs absorbed by the City = \$312).

Recommendation for Council action:

DECLARE the St. Mark's United Methodist Church Annual Thanksgiving Dinner, sponsored by the St. Mark's United Methodist Church on November 25, 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. (34) - ADOPTED

04-2430 - MOTION (REYES - PARKS) relative to declaring the Marching for Peace (Marchando CD 1 Unidos Por La Paz) on December 5, 2004 a Special Event (fees and costs absorbed by the City = \$3,000).

Recommendation for Council action:

DECLARE the Marching for Peace (Marchando Unidos Por La Paz), sponsored by the Centro Evangelistico on December 5, 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

04-2443 - MOTION (REYES - PARKS) relative to declaring the CASSAL Community Day on CD 1 December 4, 2004 a Special Event (fees and costs absorbed by the City = \$2,000).

Recommendation for Council action:

DECLARE the CASSAL Community Day, sponsored by CASSAL on December 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. (36) - ADOPTED

04-2431 - MOTION (MISCIKOWSKI - LABONGE) relative to declaring the Abbott Kinney Annual CD 11 Tree Trimming on November 23-24, 2004 a Special Event (fees and costs absorbed by the City = \$800).

Recommendation for Council action:

DECLARE the Abbott Kinney Annual Tree Trimming, sponsored by the Abbott Kinney Association on November 23-24, 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. (37) - ADOPTED

04-2433 - MOTION (MISCIKOWSKI - LABONGE) relative to declaring the First Annual Celebration Party on November 20, 2004 a Special Event (fees and costs absorbed by the City = \$500).
CD 11

Recommendation for Council action:

DECLARE the First Annual Celebration Party, sponsored by the Better Body Maker on November 20, 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

03-2307 - MOTION (MISCIKOWSKI - LABONGE) relative to declaring the Chanuka Family Festival on December 12, 2004 a Special Event (fees and costs absorbed by the City = \$500).
CD 11

Recommendation for Council action:

DECLARE the Chanuka Family Festival, sponsored by the Chabad Jewish Community Center on December 12, 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. (39) - ADOPTED

04-2434 - MOTION (VILLARAIGOSA - PERRY) relative to declaring the Children's Olde Fashioned Christmas on December 3, 2004 a Special Event (fees and costs absorbed by the City = \$1,336).
CD 14

Recommendation for Council action:

DECLARE the Children's Olde Fashioned Christmas, sponsored by the Eagle Rock Chamber of Commerce on December 3, 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. (40) - ADOPTED

03-2559 - MOTION (VILLARAIGOSA - PERRY) relative to declaring the Santa Cecilia Festival on November 23, 2004 a Special Event (fees and costs absorbed by the City = \$3,000).
CD 14

Recommendation for Council action:

DECLARE the Santa Cecilia Festival, sponsored by the Mothers of East L.A. on November 23, 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. (41) - ADOPTED

03-1540 - MOTION (MISCIKOWSKI - LABONGE) relative to declaring the Santa Ho Ho on December 3, 2004 a Special Event (fees and costs absorbed by the City = \$800).
CD 11

Recommendation for Council action:

DECLARE the Santa Ho Ho, sponsored by the Pacific Palisades Chamber of Commerce on December 3, 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. (42) - ADOPTED

04-2435 - MOTION (WEISS - ZINE) relative to declaring the Cedros Lot Holiday Free Parking program on every Saturday during December, beginning December 4, 2004 a Special Event (fees and costs absorbed by the City = \$1,285).
CD 5

Recommendation for Council action:

DECLARE the Cedros Lot Holiday Free Parking program, sponsored by the Sherman Oaks BID in conjunction with the City of Los Angeles on every Saturday during December, beginning December 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. (43) - ADOPTED

03-2723 - MOTION (PERRY - PARKS) relative to declaring the Christmas in Vermont Square on December 18, 2004 a Special Event (fees and costs absorbed by the City = \$800).
CD 9

Recommendation for Council action:

DECLARE the Christmas in Vermont Square, sponsored by the New Direction Community Programs on December 18, 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. (44) - ADOPTED

04-2436 - MOTION (PERRY - PARKS) relative to declaring the Community Carnival on
CD 9 December 9-12, 2004 a Special Event (fees and costs absorbed by the City = \$1,800).

Recommendation for Council action:

DECLARE the Community Carnival, sponsored by the Iglesia Catolica Nuestra Senora de Guadalupe on December 9-12, 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. (45) - ADOPTED

02-2837 - MOTION (PERRY - PARKS) relative to declaring the Holiday Celebrations on
CD 9 November 24, 2004 and December 24, 2004 a Special Event (fees and costs absorbed by the City = \$2,288).

Recommendation for Council action:

DECLARE the Holiday Celebrations, sponsored by the Los Angeles Mission on November 24, 2004 and December 24, 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. (46) - ADOPTED

04-2437 - MOTION (PERRY - REYES) relative to declaring the Concert for the Homeless on
CD 9 December 5, 2004 a Special Event (fees and costs absorbed by the City = \$500).

Recommendation for Council action:

DECLARE the Concert for the Homeless, sponsored by the Siloam Church on December 5, 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. (47) - ADOPTED

02-2113 - MOTION (PERRY - PARKS) relative to declaring the Holiday Celebration on November
CD 9 25, 2004 a Special Event (fees and costs absorbed by the City = \$2,288).

Recommendation for Council action:

DECLARE the Holiday Celebration, sponsored by the Midnight Mission on November 25, 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. (48) - ADOPTED

04-2438 - MOTION (PERRY - REYES) relative to declaring the Tactical Operation Capabilities
CD 9 Demonstration on November 16, 2004 a Special Event (fees and costs absorbed by the City = \$500).

Recommendation for Council action:

DECLARE the Tactical Operation Capabilities Demonstration, sponsored by the Los Angeles Police Department on November 16, 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. (49) - ADOPTED

04-2439 - MOTION (LABONGE - HAHN) relative to partial funding to assist John Marshall High
CD 4 School with lighting for its first ever night football playoff game on November 24, 2004.

Recommendations for Council action:

1. APPROVE the use of \$2,500 in the General City Purposes Fund No. 100-56, Account No. 0704 (CD 4 Community Services) to be allocated to the John Marshall High School Alumni Association to provide funding for any aspect of the evening football game(s) to be held at John Marshall High School on November 24, 2004 and/or any other day, as appropriate.
2. DIRECT the City Clerk to prepare and process the necessary document(s) with the John Marshall High School Alumni Association, or any other agency or organization, as appropriate, in the above amount, for the above purpose.
3. REQUEST and AUTHORIZE the Controller to waive any procedural and administrative requirements in this matter and to process payment as expeditiously as possible.

ITEM NO. (50) - ADOPTED

04-2432 - MOTION (SMITH - ZINE) relative to donations to assist in providing a statue and other
CD 12 park amenities for a new pocket park in Porter Ranch.

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

1. ACCEPT the generous individual monetary donations, estimated to eventually total up to \$30,000, given to the City through the Porter Ranch Neighborhood Council, to assist in providing a statue, and other park amenities for a new pocket park to be called Rinaldi Park, located at the northwest corner of Reseda Boulevard and Rinaldi Street which is being developed by the Department of Recreation and Parks on City-owned property.
2. AUTHORIZE and INSTRUCT the City Clerk to deposit all such donations into the Council District 12 Real Property Trust Fund No. 694, into a new account entitled "Rinaldi Park."
3. AUTHORIZE the Porter Ranch Neighborhood Council to THANK all the donors on behalf of the City.

ITEM NO. (51) - ADOPTED

04-2338 - MOTION (VILLARAIGOSA - PERRY) relative to the 14th Annual Mariachi Festival special CD 14 event.

Recommendation for Council action:

AMEND previous Council action of November 16, 2004 relative to the 14th Annual Mariachi Festival special event to additionally WAIVE all Building and Safety permit fees associated with this event.

ITEM NO. (52) - ADOPTED - FORTHWITH

Roll Call #17 - Motion (Miscikowski - Zine) Adopted, Ayes (15)

05-1100 - MOTION (PADILLA - MISCIKOWSKI) relative to designating the numbering and ordering of two ballot measures to appear on the March 8, 2005 Primary Nominating Election.

Recommendation for Council action:

APPROVE the following number designations and order for the two ballot measures as follows:

- a. First Measure - INCLUSION OF PORT POLICE IN THE FIRE AND POLICE PENSION PLAN. CHARTER AMENDMENT 1.
- b. Second Measure - MODIFICATIONS TO THE FIRE AND POLICE PENSION PLAN. CHARTER AMENDMENT 2.

ITEM NO. (53) - ADOPTED, *AS AMENDED - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #5 - Motion (Zine - Cardenas) to Adopt as Amended, Ayes (15)

01-0199 - MOTION (MISCIKOWSKI - PARKS) relative to construction shortfall funding needed for S2 the new Los Angeles Regional Crime Laboratory Facility.

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

1. AUTHORIZE the use of Municipal Improvement Corporation of Los Angeles (MICLA) Commercial Paper financing not to exceed \$6 million to cover the current construction shortfall and for additional contingency for the Los Angeles Regional Crime Laboratory Facility, and AUTHORIZE the City Administrative Officer (CAO) to expend these funds on an as-needed basis, subject to a commitment from the County Board of Supervisors to provide the County's share of the costs.
2. AUTHORIZE the CAO to establish a new account in MICLA Commercial Paper, Fund No. 298/10, entitled "Regional Crime Lab" and appropriate funds in an amount not to exceed \$6 million.
3. AUTHORIZE the CAO to process a payment and INSTRUCT the Trustee or City Treasurer to wire transfer the required construction shortfall funding, as determined by the CAO, to the ~~*State of California~~ **Joint Powers Authority**, from MICLA Commercial Paper, Fund No. 298. ***(Miscikowski - Cardenas)**
4. AUTHORIZE the CAO to make technical corrections as necessary to implement the intent of the Motion.

**Roll Call #5 - Motion (Zine - Cardenas) Adopted, Ayes (15)
(Item Nos. 54-60)**

ITEM NO. (54) - ADOPTED

04-2454 - MOTION (ZINE - REYES) relative to asserting jurisdiction over the South Valley Area CD 3 Planning Commissions November 22, 2004 written determination granting an appeal to allow for the operation of a house of worship in a single family dwelling.

Recommendations for Council action:

1. ASSERT jurisdiction, pursuant to Charter Section 245, over the November 22, 2004 written determination of the South Valley Area Planning Commission, granting an appeal to allow for a house of worship to operate in a single family dwelling.

2. REFER the matter, upon Council asserting jurisdiction, to the Planning and Land Use Management Committee for further review.

TIME LIMIT FILE - DECEMBER 10, 2004

(LAST DAY FOR COUNCIL ACTION - DECEMBER 10, 2004)

10 VOTES REQUIRED

ITEM NO. (55) - ADOPTED

05-0002 - MOTION (MISCIKOWSKI - PARKS) relative to the possible disallowance of \$74.7 million S8 in Police Officer's Bill of Rights State Mandated Claims from 1994 through 2003.

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

1. REQUEST urgent State legislative and/or administrative relief from the adverse interpretation by the State Controller and the State General Counsel relative to the use of actual time determination for reimbursements.
2. RESOLVE that the City of Los Angeles include in its 2005-06 State Legislative Program, SPONSORSHIP or SUPPORT of legislation to amend Section 17518.5 and related sections of the California Government Code or administrative action to allow current time studies as a methodology for State mandated reimbursements for costs accrued prior to January 1, 2005 and future claims.
3. REQUEST the City's Legislative Representative to contact the League of California Cities and other governmental associations to organize a multi-city campaign to relieve cities and counties at the very least, from the retroactive application of this law so that the State cannot apply this standard to claims already submitted, but not paid for.
4. INSTRUCT the Los Angeles Police Department, City Administrative Officer, and the Chief Legislative Analyst to report back within 30 days on other options available to minimize the impact on the City budget.

ITEM NO. (56) - ADOPTED

04-1568 - MOTION (MISCIKOWSKI - LABONGE) and ORDINANCE FIRST CONSIDERATION CD 11 relative to a technical correction to Subsection D of Section 42.15 of the Los Angeles Municipal Code.

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

PRESENT and ADOPT the accompanying ORDINANCE amending Subsection D of Section 42.15 of the Los Angeles Municipal Code and POSTPONE the date of enforcement from December 13, 2004 to the date that is 30 days after the publication.

ITEM NO. (57) - ADOPTED

03-0318 - MOTION (GARCETTI - REYES) relative to regulating the issuance of building permits in S1 the Fletcher Square commercial district.

CD 13

Recommendations for Council action:

1. REQUEST the City Attorney, with the assistance of the Planning Department, to prepare and present an Interim Control Ordinance (ICO) to regulate the issuance of building permits in the Fletcher Square commercial district area for commercial and industrial properties located on San Fernando Road and Fletcher Drive, generally bounded by Delay Drive on the north, City of Glendale on the west, the Glendale Freeway on the east, and the Union Pacific Railroad tracks on the south, for a one-year period with two six-month extensions to be approved by City Council Resolution or until the Cypress Park/Glassell Park Community Design Overlay District is created, whichever comes first.
2. INCLUDE an Urgency Clause in the ICO making it effective upon publication; be applicable to building permit applications submitted on or after the City Planning Commission hearing on the matter in the above described area; and prescribe types of permits to be regulated.

ITEM NO. (58) - MAP AND BOND APPROVED - CITY ENGINEER REPORT ADOPTED

04-2470 - FINAL MAP OF TRACT NO. 52452 for property lying southerly of Burbank Boulevard CD 5 and westerly of Whitsett Avenue.

(Approve Subdivision Improvement Agreement and Contract with attached security documents)

(ADOPT City Engineer Report)

(ADOPT Bond No. C-107517)

(Quimby Fee: \$18,200)

(Less Dwelling Unit Construction Tax: \$1,600)

Applicants: Valley Village Condos, LLC
Thomas Iacobellis

ITEM NO. (59) - MAP APPROVED - CITY ENGINEER REPORT ADOPTED

04-2472 - FINAL MAP OF TRACT NO. 60982 for property lying easterly of Tujunga CD 4 Avenue and northerly of Otsego Avenue.

(ADOPT City Engineer Report)

Applicants: H & V Tejwani, et al.
Lanco Engineering

ITEM NO. (60) - MAP APPROVED - CITY ENGINEER REPORT ADOPTED

04-2471 - PARCEL MAP L.A. NO. 2001-0737 lying easterly of Manning Avenue and southerly
CD 5 of Santa Monica Boulevard.
(ADOPT City Engineer Report)
(Quimby Fee: \$11,304)
(Less Dwelling Unit Construction Tax: \$800)
Applicants: Michael A. Klein
Robert Kameoka

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

- 04-2565 - MOTION (LABONGE - HAHN) relative to declaring the Holiday Block Party on
December 12, 2004 a Special Event (fees and costs absorbed by the City = \$1,188).
- 04-2236 - MOTION (LUDLOW - PARKS) relative to declaring the Dorsey and Crenshaw High School
Game on December 3, 2004 a Special Event (fees and costs absorbed by the City =
\$3,582).
- 03-2655 - MOTION (VILLARAIGOSA - PERRY) relative to declaring the Santa in York Hills on
December 18, 2004 a Special Event (fees and costs absorbed by the City = \$800).
- 04-2562 - MOTION (PERRY - SMITH) relative to declaring the Holiday Party on December 15, 2004
a Special Event (fees and costs absorbed by the City = \$998).
- 04-2561 - MOTION (PERRY - SMITH) relative to declaring the Free Matinees for Students on
December 1 and 7, 2004 a Special Event (fees and costs absorbed by the City = \$6,606).
- 02-2471 - MOTION (PERRY - SMITH) relative to declaring the Hanukkah, Christmas, Kwanzaa
Celebration on December 7, 2004 a Special Event (fees and costs absorbed by the City
= \$3,446).
- 02-2802 - MOTION (REYES - SMITH) relative to declaring the Seventh Annual Holiday Toy
Giveaway on December 21, 2004 a Special Event (fees and costs absorbed by the City =
\$2,250).
- 01-2224 - MOTION (PERRY - PARKS) relative to a request for an exemption from the Convention
Center fee waiver policy for the Sixth Annual Black College Expo on January 29, 2005.
- 04-2559 - MOTION (PERRY - VILLARAIGOSA) relative to a request for an exemption from the
Convention Center fee waiver policy for the Grand Avenue Forum event on December 4,
2004.

- 04-0010 - MOTION (PERRY - PARKS) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the injuries to the 19-year old victim and the death of Sherman Clark on November 11, 2004.
- 04-2563 - MOTION (PADILLA - SMITH) relative to initiating street vacation proceedings for a City easement on Woodcock Avenue between Desmond Street and Cornelius Street.
- 04-1749 - MOTION (ZINE - SMITH) relative to extending the contract with Great-West Life & Annuity Insurance Company for an additional six months, on a month-to-month basis for the City's Deferred Compensation plan.
- 04-2564 - MOTION (HAHN - SMITH) relative to the Vermont Avenue Widening project between Pacific Coast Highway and Normandie Avenue.
- 04-2560 - MOTION (CARDENAS - PADILLA) relative to asserting jurisdiction over the Board of Water and Power Commissioners' December 1, 2004 action to authorize the Administration of the Special Election of an active employee member to the Board of Administration of the Water and Power Employees' Retirement Plan.
- 02-0774 - MOTION (WEISS - GARCETTI) relative to asserting jurisdiction over the Board of S10 Information Technology Commissioners' December 1, 2004 action relative to a proposed settlement agreement with Adelphia Communications Corporation regarding several December 2003 Federal Communications Commission (FCC) Form Rate Filings.
- 04-2558 - MOTION (PADILLA - CARDENAS) relative to the Carey Ranch Park project.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon her request, and without objections, Councilmember Perry was excused to leave at 11:00 a.m. from Council session of Wednesday, December 8, 2004 due to City business.

Upon his request, and without objections, President Padilla was excused to leave at 11:40 a.m. from Council session of Wednesday, December 8, 2004 due to City business.

Upon his request, and without objections, Councilmember Ludlow was excused from Council session of Friday, December 10, 2004 due to personal business.

Upon her request, and without objections, Councilmember Hahn was excused from Council session of Wednesday, December 8, 2004 and to leave at 11:15 a.m. from Council session of Wednesday, January 12, 2005 due to personal business.

Motion (Reyes - Zine) unanimously adopted to excused Councilmember Villaraigosa from Council session of Friday, December 10, 2004 due to personal business.

Upon his request, and without objections, Councilmember Smith was excused from Council session of Tuesday, January 4, 2005 due to personal business.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

04-1977 - Allan Oberman	(Greuel - Garcetti)
Brendan Huffman	(Greuel - Garcetti)
Dwayne M. Horii	(Greuel - Garcetti)
Jack Walker	(Greuel - Garcetti)
Jonathan R. Choi	(Greuel - Garcetti)
Leron Gubler	(Greuel - Garcetti)
Marc A. Shayer	(Greuel - Garcetti)
Marc Needleman	(Greuel - Garcetti)
Marvin R. Selter	(Greuel - Garcetti)
Mel Kohn	(Greuel - Garcetti)
Melissa Patack	(Greuel - Garcetti)
Michael Banner	(Greuel - Garcetti)
Morrie Goldman	(Greuel - Garcetti)
Nathaniel Youmans	(Greuel - Garcetti)
Norman Huberman	(Greuel - Garcetti)
Robert Cendejas	(Greuel - Garcetti)
Steve Caplan	(Greuel - Garcetti)
Tom Riley	(Greuel - Garcetti)
UCLA Vanpool Program	(Weiss - All Councilmembers)
Laura Streimer	(Weiss - All Councilmembers)
Sergeant I Timothy Lewis	(Zine - All Councilmembers)
West Los Angeles College	(Miscikowski - Ludlow)
Kevin Kline	(Garcetti - LaBonge)

Sherry Lansing and William Friedkin	(Garcetti - LaBonge)
Earl Lestz	(Garcetti - LaBonge)
Huston Family	(Garcetti - LaBonge)
Freddie Prinze	(Garcetti - LaBonge)
Factor Family	(Garcetti - LaBonge)

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

04-1978 - Bill Stivers	(Hahn)
Harold Johnson	(Ludlow)
Tom Reddin	(Miscikowski - All Councilmembers)
Lee Casey	(Zine)
James L. Pruett	(Zine)

Ayes, Cardenas, Garcetti, Greuel, Hahn, LaBonge, Ludlow, Miscikowski, Parks, Perry, Reyes, Smith, Villaraigosa, Weiss and Zine(14); Absent: President Padilla (1).

Whereupon the Council did adjourn.

ATTEST: Frank T. Martinez, CITY CLERK

By	
Council Clerk	PRESIDENT OF THE CITY COUNCIL