

Los Angeles City Council, **Journal/Council Proceedings**  
Tuesday, **December 14, 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  
DECEMBER 8, 2004

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 30

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PUBLIC TESTIMONY ON NON-AGENDA ITEMS AT THE CALL OF THE CHAIR -  
An opportunity for public testimony was provided.

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

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## **Items for Which Public Hearings Have Been Held - Items 1-22**

**ITEM NO. (1) - ADOPTED - FORTHWITH**

**Roll Call #5 - Motion (Miscikowski - Zine) Adopted, Ayes (15)**

04-2418 - PUBLIC SAFETY COMMITTEE REPORT relative to reappointment of Commander Mark Leap to the Emergency Preparedness Commission.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Commander Mark Leap to the Emergency Preparedness Commission for the County and Cities of Los Angeles for the new term ending November 16, 2008, is APPROVED AND CONFIRMED. (Current Commission gender composition; M=6, F=3; City appointees: M=3, F=0).

Ethics Commission Review: Not applicable.

TIME LIMIT FILE - JANUARY 2, 2005

(LAST DAY FOR COUNCIL ACTION - DECEMBER 17, 2004)

**Roll Call #3 - Motion (Miscikowski - Garcetti) Adopted, Ayes (15)  
(Item Nos. 2-4)**

**ITEM NO. (2) - ADOPTED - TO THE MAYOR FORTHWITH**

03-1161 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and CD 9 ORDINANCE OF INTENTION FIRST CONSIDERATION relative to the reconfirmation of the Little Tokyo Merchant-Based Business Improvement District (BID) and executing a contract with the Little Tokyo Business Association for administration of the BID.

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

1. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION confirming the Little Tokyo BID Annual Report and levying an annual assessment for the Little Tokyo BID's second operating year, January 1, 2005 to December 31, 2005.
2. DIRECT the City Clerk to schedule, prepare, publish, and mail the public hearing notice, as required by the provisions of Section 36500 et seq. of the California Streets and Highways Code.
3. REQUEST that the City Attorney, with the assistance of the City Clerk, prepare an enabling ordinance levying the special assessment for the Little Tokyo BID's second operating period beginning January 1, 2005 to December 31, 2005.
4. AUTHORIZE the City Clerk to prepare, execute, and administer a contract with the Little Tokyo Business Association to administer the Little Tokyo BID, subject to the approval of the City Attorney as to form and legality, and if the ordinance reconfirming the BID is adopted.
5. REQUEST that the Controller provide, if necessary and available, an advance against the Little Tokyo BID 2005 assessment revenue in the amount of \$38,552 representing 25 percent of the anticipated BID revenue receipts, to the Little Tokyo Business Association, if the ordinance reconfirming the BID is adopted.

Fiscal Impact Statement: The City Clerk reports that this action will not impact the General Fund inasmuch as this is a merchant-based BID and no City-owned properties are located within the BID area. City Clerk administrative expenses will be charged to the Little Tokyo BID and will be recovered from assessments collected. The amount of recoverable costs for the BID's second operating year will be five percent of the BID's estimated assessment revenue.

**ITEM NO. (3) - ADOPTED - TO THE MAYOR FORTHWITH**

04-2480 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and CDs 1, 4 & 10 ORDINANCE OF INTENTION FIRST CONSIDERATION relative to the reconfirmation of the Wilshire Center Merchant-Based Business Improvement District (BID) and executing a contract with the Wilshire Center Business Improvement Corporation for administration of the BID.

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

1. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION to levy an annual assessment for the Wilshire Center Merchant-Based BID's tenth fiscal year.
2. DIRECT the City Clerk to schedule, prepare, publish, and mail the public hearing notice, as required by the provisions of Section 36500 et seq. of the California Streets and Highways Code.
3. REQUEST that the City Attorney, with the assistance of the City Clerk, prepare an enabling ordinance levying the special assessment for the fiscal period of January 1, 2005 through December 31, 2005.
4. AUTHORIZE the City Clerk to prepare, execute, and administer a contract with the Wilshire Center Business Improvement Corporation, the nonprofit service provider for administration of the BID, if the Ordinance is adopted, subject to the approval of the City Attorney as to form and legality.
5. REQUEST that the Controller provide, if necessary and available, an advance against the Wilshire Center BID 2005 assessment revenue in the amount not to exceed \$229,154.01, representing 25 percent of the anticipated revenue receipts, to the Wilshire Center Business Improvement Corporation, if the Ordinance is adopted.

Fiscal Impact Statement: The City Clerk reports that this action will not impact the General Fund inasmuch as there are no assessments for City-owned properties within the BID. City Clerk administrative expenses will be charged to the BID and will be recovered from assessments collected. The amount of recoverable costs for the BID's tenth fiscal year will be \$27,498.48 or three percent (two percent plus an additional one percent for processing of billing for a total of three percent) of the BID's annual assessments revenue.

#### ITEM NO. (4) - ADOPTED

04-1939 - PUBLIC WORKS COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION  
CD 7 relative to a private driveway name establishment lying on Dronfield Avenue and Carl Street.

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

PRESENT and ADOPT the accompanying ORDINANCE effectuating the name establishment of Sonoma Drive as the name of the private driveway lying on Dronfield Avenue and Carl Street.

Fiscal Impact Statement: The City Engineer reports that a fee of \$535 was collected pursuant to Section 18.09 of the Los Angeles Municipal Code for the processing of this request.

**ITEM NO. (5) - CONTINUED TO JANUARY 7, 2005**

**Roll Call #1 - Motion (Parks - Perry) Adopted to Continue, Unanimous Vote (15)**

04-0052 - CONTINUED CONSIDERATION OF TRANSPORTATION COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to granting a pipeline franchise to Pacific Terminals LLC (Pacific) to operate existing pipelines within the City.

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

PRESENT and ADOPT the accompanying ORDINANCE granting to Pacific a non-public utility pipeline franchise to install, retain, operate and maintain pipelines and their adjunct communication lines within the City of Los Angeles.

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

(Continued from Council meeting of November 12, 2004)

**Roll Call #3 - Motion (Miscikowski - Garcetti) Adopted, Ayes (15)  
(Item Nos. 6-7)**

**ITEM NO. (6) - ADOPTED**

04-2312 - ORDINANCE SECOND CONSIDERATION relative to adding Article 8, Section 4.1108 to Chapter 11 of Division 4 of the Los Angeles Administrative Code (LAAC).

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

ADOPT the accompanying ORDINANCE adding Article 8, Section 4.1108 to Chapter 11 of Division 4 of the LAAC to provide for retiree health plan reciprocity between the City and the County of Los Angeles.

Fiscal Impact Statement: The City's actuary reports that the cost increase for the health subsidy will be de minimis.

(Pursuant to provisions of Charter Section 1168, final adoption of this ordinance cannot occur until at least 30 days after its first presentation to the Council, with approval of at least two-thirds of the membership of the Council)

(Pursuant to Council actions of November 9 and 12, 2004)

10 VOTES REQUIRED

**ITEM NO. (7) - SUBSTITUTE MOTION ADOPTED - SEE FOLLOWING**

02-0710 - CONTINUED CONSIDERATION OF ORDINANCE SECOND CONSIDERATION ordering  
CD 11 certain work to be done on the proposed improvement for the project entitled, "LINNIE  
CANAL COURT (DELL AVENUE TO EASTERN CANAL) IMPROVEMENT DISTRICT" -  
A'13-E1904270 (a.k.a. A'13-E6000881).

(Public Hearing closed on October 8, 2004 - Communication from the City Clerk adopted  
on October 22, 2004 - Continued from Council meeting of October 29, 2004)

(Continued from Council meeting of November 12, 2004)

**ADOPTED**

**SUBSTITUTE MOTION (MISCIKOWSKI - LUDLOW)**

**Recommendations for Council action:**

- 1. INSTRUCT the City Clerk and City Treasurer to re-advertise for new bids and INSTRUCT the City Treasurer to report to the re-bid results to the Council.**
- 2. CONTINUE consideration of the assessment project for 60 days to allow advertisement, receipt, analysis and tabulation of bids on the bond.**

**ITEM NO. (8) - ADOPTED - TO THE MAYOR FORTHWITH**

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

00-1774 - ORDINANCES SECOND CONSIDERATION amending the Los Angeles Municipal Code  
S4 to provide for the Los Angeles International Airport (LAX) Zone and the Zone Change  
CD 11 (attached to the June 18, 2004 City Planning Commission Determination Letter as Exhibits  
E and F), and establishing the LAX Specific Plan (Attachment G).

Community Impact Statements: 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.

The Neighborhood Council of Westchester/Playa del Rey (NCWPDR) rejects LAX Master Plan Alternatives A, B, C and D due to their excessive costs and negative impacts on the community. The NCWPDR Board further notes that Alternatives A, B and C overtly increase capacity. While it has rejected the LAX Master Plan alternatives presented so far, it does support a safe and secure LAX and would be willing to work with the Los Angeles World Airports, the airlines and other communities in developing a LAX Master Plan which is directly tied to a truly regional solution with implementation budgets and schedules.

(Planning and Land Use Management Committee and Commerce, Energy and Natural Resources Committee reports adopted on December 7, 2004)

**ITEM NO. (9) - ADOPTED**

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

04-0694 - BUDGET AND FINANCE COMMITTEE REPORT relative to the Mixed-Use, Transit-Oriented, School Centered Neighborhood CalTrans Environmental Justice Grant.

Recommendation for Council action, pursuant to Motion (Cardenas - Miscikowski), SUBJECT TO THE APPROVAL OF THE MAYOR:

APPROPRIATE \$269,050 from the Reserve Fund to the Unappropriated Balance Fund No. 100-58, and APPROPRIATE therefrom to the City Planning Grants Trust Fund No. 46Y, Account No. 3040, as an advance for the Mixed-Use, Transit-Oriented, School Centered Neighborhood CalTrans Environmental Justice Grant.

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

**ITEM NO. (10) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS - FORTHWITH - SEE FOLLOWING**

**Roll Call #7 - Motion (Cardenas - Miscikowski) Adopted, Ayes (14); Noes: Parks (1)**

00-1774 - FROM THE BOARD OF AIRPORT COMMISSIONERS relative to the Cooperation S6 Agreement and Community Benefits Agreement with the Los Angeles International CD 11 Airport Coalition for Economic, Environmental and Educational Justice.

TIME LIMIT FILE - FEBRUARY 6, 2005

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

(Commerce, Energy and Natural Resources Committee report to be submitted in Council. If a public hearing is not held in Committee, an opportunity for public comment will be provided.)

(For background reports and materials related to this matter, please contact the Legislative Assistant for the Commerce, Energy and Natural Resources Committee at 213-978-1078.)

**ADOPTED**

**COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT** relative to the Cooperation Agreement with the Los Angeles International Airport (LAX) Coalition for Economic, Environmental and Educational Justice for the provision of community benefits relative to the LAX Master Plan Program.

**Recommendations for Council action:**

- 1. FIND** that the Cooperation Agreement with the LAX Coalition for Economic, Environmental and Educational Justice for the provision of community benefits relative to the implementation of the LAX Master Plan Program requires no further analysis as provided for by Article II, Section 2(i) of the Los Angeles City California Environmental Quality Act Guidelines in that the impacts of this project area properly evaluated in the final Environmental Impact Report for the LAX Master Plan Program.
- 2. APPROVE** Resolution No. 22554 as adopted by the Board of Airport Commissioners (Board) authorizing the Cooperation Agreement between the City of Los Angeles and the LAX Coalition for Economic, Environmental and Educational Justice; and **CONCUR** in the Board action on December 6, 2004, authorizing the Executive Director of the Los Angeles World Airports to execute said agreement.

**Fiscal Impact Statement:** The Board reports that there is no fiscal impact to the City's General Fund as a result of this action.

**ITEM NO. (11)- MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS - FORTHWITH - SEE FOLLOWING**

**Roll Call #8 - Motion (Miscikowski - Cardenas) Adopted, Ayes (15)**

00-1774 - COMMUNICATION FROM THE BOARD OF AIRPORT COMMISSIONERS relative to the S7 Settlement Agreement between the City of Los Angeles and the Lennox School District CD 11 relative to the Los Angeles International Airport Master Plan Program.

TIME LIMIT FILE - FEBRUARY 6, 2005

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

(Commerce, Energy and Natural Resources Committee report to be submitted in Council. If a public hearing is not held in Committee, an opportunity for public comment will be provided.)

(For background reports and materials related to this matter, please contact the Legislative Assistant for the Commerce, Energy and Natural Resources Committee at 213-978-1078.)

**ADOPTED**

**COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT** relative to the Settlement Agreement with the Lennox School District (District) relative to the Los Angeles International Airport (LAX) Master Plan Program.

**Recommendations for Council action:**

1. **FIND** that the Settlement Agreement with the District relative the LAX Master Plan Program requires no further analysis as provided for by Article II, Section 2(i) of the Los Angeles City California Environmental Quality Act Guidelines in that the impacts of this project area properly evaluated in the final Environmental Impact Report for the LAX Master Plan Program.
2. **APPROVE** the Resolution No. 22556 adopted by the Board of Airport Commissioners (Board) on December 6, 2004 authorizing the Settlement Agreement between the City of Los Angeles and the Lennox School District; and **CONCUR** in the Board's action authorizing the Executive Director of the Los Angeles World Airports to execute said agreement.

**Fiscal Impact Statement:** The Board reports that there is no fiscal impact to the City's General Fund as a result of this action.

**ITEM NO. (12) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS - FORTHWITH - SEE FOLLOWING**

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

00-1774 - COMMUNICATION FROM THE BOARD OF AIRPORT COMMISSIONERS relative to the  
S8 Settlement Agreement between the City of Los Angeles and the Inglewood School  
CD 11 District relative to the Los Angeles International Airport Master Plan Program.

TIME LIMIT FILE - FEBRUARY 6, 2005

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

(Commerce, Energy and Natural Resources Committee report to be submitted in Council. If a public hearing is not held in Committee, an opportunity for public comment will be provided.)

(For background reports and materials related to this matter, please contact the Legislative Assistant for the Commerce, Energy and Natural Resources Committee at 213-978-1078.)



**ADOPTED**

**COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT** relative to the Settlement Agreement with the Inglewood Unified School District (District) relative to the Los Angeles International Airport (LAX) Master Plan Program.

**Recommendations for Council action:**

- 1. FIND** that the Settlement Agreement with the District relative the LAX Master Plan Program requires no further analysis as provided for by Article II, Section 2.(i) of the Los Angeles City California Environmental Quality Act Guidelines, as amended by City Council on July 31, 2002, in that the impacts of this project are properly evaluated in the final Environmental Impact Report for the LAX Master Plan Program.
- 2. APPROVE** Resolution No. 22555 as adopted by the Board of Airport Commissioners (Board) on December 6, 2004 authorizing the Settlement Agreement between the City of Los Angeles and the Inglewood Unified School District; and **CONCUR** in the Board's action authorizing the Executive Director of the Los Angeles World Airports to execute said agreement.

**Fiscal Impact Statement:** The Board reports that there is no fiscal impact to the City's General Fund as a result of this action

**ITEM NO. (13) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS - FORTHWITH - SEE FOLLOWING**

**Roll Call #11 - Motion (Cardenas - Miscikowski) Adopted, Ayes (14); Absent: Zine (1)**

04-1899 - COMMUNICATION FROM THE BOARD OF AIRPORT COMMISSIONERS relative to  
CD 11 Contract No. DA-3826 with Akin, Gump, Strauss, Hauer, and Feld and James A. Geocaris for Special Counsel Services.

TIME LIMIT FILE - FEBRUARY 6, 2005

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

(Commerce, Energy and Natural Resources Committee report to be submitted in Council. If a public hearing is not held in Committee, an opportunity for public comment will be provided.)

(For background reports and materials related to this matter, please contact the Legislative Assistant for the Commerce, Energy and Natural Resources Committee at 213-978-1078.)

**ADOPTED**

**ADMINISTRATIVE EXEMPTION and COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT** relative to Third Amendment to Contract with Akin, Gump, Strauss, Hauer, and Feld (AGSHF) and James A. Geocaris (Geocaris) for special counsel services.

**Recommendations for Council action:**

- 1. FIND that the Third Amendment to Contract No. DA-3826 with AGSHF and Geocaris for special counsel services related to land use and environmental matters for projects affecting the City airports with special emphasis on the Los Angeles International Airport (LAX) Master Plan is exempt from the requirements of the California Environmental Quality Act (CEQA) as provided by Article II, Section 2.f of the Los Angeles City CEQA Guidelines, as amended by City Council on July 31, 2002.**
- 2. APPROVE Resolution No. 22552 adopted by the Board of Airport Commissioners (Board) on December 6, 2004 authorizing the Third Amendment to Contract No. DA-3826 between the City of Los Angeles and AGSHF and Geocaris; and CONCUR in the Board's action authorizing the Executive Director of the Los Angeles World Airports (LAWA) to execute said amendment.**

**Fiscal Impact Statement:** The City Administrative Officer reports that approval of the proposed Third Amendment to Contract No. DA-3826 between the Department of Airports and AGSHF and Geocaris will have no impact on the City General Fund. The proposed Third Amendment will authorize expenditures not to exceed \$4.2 million for this contract. Funds for this contract are available in the Fiscal Year 2004-05 Department of Airports Operating Budget.

**Roll Call #3 - Motion (Miscikowski - Garcetti) Adopted, Ayes (15)  
(Item Nos. 14-18)**

**ITEM NO. (14) - ADOPTED**

**04-2267 - ADMINISTRATIVE EXEMPTION and COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT** relative to a ten-year agreement with the Transportation Security Clearinghouse for background clearance processes at the Los Angeles International Airport (LAX).

**Recommendations for Council action:**

- 1. FIND that the ten-year agreement with the Transportation Security Clearinghouse for background clearance processes including electronic fingerprinting at the LAX is exempt from the requirements of the California Environmental Quality Act (CEQA) as provided by Article II, Section 2.f of the Los Angeles City CEQA Guidelines, as amended by City Council on July 31, 2002.**

2. APPROVE the RESOLUTION authorizing a ten-year agreement between the City of Los Angeles and the Transportation Security Clearinghouse; and CONCUR in the Board of Airport Commissioners' (Board) action on October 21, 2004, authorizing the Executive Director of the Los Angeles World Airports (LAWA) to execute said agreement.

Fiscal Impact Statement: The City Administrative Officer reports that the funding for this agreement is currently available in the 2004-05 LAWA Operating Budget, Landing Fees Account, and will have no impact on the General Fund. Funding for future years will be requested through the standard budget process.

TIME LIMIT FILE - JANUARY 1, 2005

(LAST DAY FOR COUNCIL ACTION - DECEMBER 17, 2004)

#### ITEM NO. (15) - ADOPTED

04-2395 - ADMINISTRATIVE EXEMPTION and COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to an Operating Use and Terminal Lease Agreement with Horizon Air Industries, Inc. (HAI) at the Ontario International Airport (ONT).

Recommendations for Council action:

1. FIND that the Operating Use and Terminal Lease Agreement with HAI for passenger service at the ONT is exempt from the requirements of the California Environmental Quality Act (CEQA) by Article III, Class 1 (18) (C) of the Los Angeles City CEQA Guidelines, as amended by Council on July 31, 2002.
2. APPROVE the Operating Use and Terminal Lease Agreement between the City of Los Angeles and HAI; and CONCUR in the Board of Airport Commissioners' (Board) action on November 1, 2004, Board Order No. AO-4930, authorizing the Executive Director of the Los Angeles World Airports (LAWA) to execute said agreement.

Fiscal Impact Statement: The City Administrative Officer reports that approval of the proposed operating use and terminal lease agreement with Horizon Air Industries, Inc. will have no impact on the General Fund. Revenue to the LAWA in the form of rent payments and landing fees will total approximately \$226,144 annually. Total revenue to the LAWA over the remaining term of the agreement is projected at approximately \$4.5 million, exclusive of periodic rate and fee increases that are provided for in the agreement.

TIME LIMIT FILE - DECEMBER 18, 2004

(LAST DAY FOR COUNCIL ACTION - DECEMBER 17, 2004)

**ITEM NO. (16) - ADOPTED**

00-1209 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT  
CD 1 relative to the 2005 Fiscal Year Planning Report for the Lincoln Heights Industrial Zone Landscaping, Security, Programming, and Maintenance Property Business Improvement District (BID).

Recommendations for Council action:

1. FIND that the 2005 Fiscal Year Planning Report for the Lincoln Heights Industrial Zone Landscaping, Security, Programming, and Maintenance Property BID (attached to the Council file) complies with the requirements of Section 6.617 of Chapter 9 of Division 6 of the Los Angeles Administrative Code (LAAC).
2. ADOPT the accompanying 2005 Fiscal Year Planning Report for the Lincoln Heights Industrial Zone Landscaping, Security, Programming, and Maintenance Property BID, pursuant to Section 6.617 of Chapter 9 of Division 6 of the LAAC.

Fiscal Impact Statement: The City Clerk reports that this action will not impact the General Fund

**ITEM NO. (17) - ADOPTED**

02-2699 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT  
CD 2 relative to the 2004 Fiscal Year Planning Report for the Studio City Business Improvement District (BID).

Recommendations for Council action:

1. FIND that the 2004 Fiscal Year Annual Report for the Studio City BID (attached to the Council file) complies with the requirements of State Law.
2. ADOPT the accompanying Studio City BID Annual Report for the 2004 Fiscal Year, pursuant to State Law.

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

**ITEM NO. (18) - ADOPTED**

02-0774 - INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT  
S19 relative to Charter Communications' proposed class action settlement.

Recommendation for Council action:

RECEIVE and FILE the Information Technology Agency report, dated August 4, 2004, relative to a class action settlement proposed by Charter Communications, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

**ITEM NO. (19) - ADOPTED - TO THE MAYOR FORTHWITH**

**Roll Call #12 - Motion (Reyes - Cardenas) Adopted, Ayes (15)**

03-0588 - PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the operation of a hotel at 1404 West Seventh Street (Holland Hotel).  
CD 1

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

1. ADOPT the FINDINGS of the Zoning Administrator as the Findings of the Council.
2. RESOLVE TO DENY APPEAL filed by Hasmukh and Gita Patel, owner/operator, (Frank Weiser, Representative), from the entire decision of the Zoning Administrator, THEREBY REVOKE the operation of a hotel use at 1404 West Seventh Street (Holland Hotel), and SUSTAIN the decision of the Zoning Administrator (acting as the Director of Planning), in finding that the business continues to operate as a public nuisance and requiring the discontinuance of the use as a hotel.

Applicant: City of Los Angeles (Office of Zoning Administration) DIR 2002-3709 (RV)

3. INSTRUCT the Department of Building and Safety to revoke the certificate of occupancy for the hotel use at 1404 West Seventh Street (Holland Hotel).

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 17, 2004

(LAST DAY FOR COUNCIL ACTION - DECEMBER 17, 2004)

**ITEM NO. (20) - ADOPTED - TO THE MAYOR FORTHWITH**

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

03-0589 - CATEGORICAL EXEMPTION and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to imposing conditions on the operation of the hotel (Stuart Hotel) at 718 South Union Avenue.  
CD 1

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

1. FIND that this action is categorically exempt from California Environmental Quality Act, pursuant to Article III, Section 3, Class 21(2) of the City's Environmental Guidelines.
2. ADOPT the FINDINGS of the Zoning Administrator as the Findings of the Council.
3. RESOLVE TO DENY APPEAL filed by Balubhai Patel and Sardaben Patel, owner/operator, Frank A. Weiser, Representative, from the entire determination of the Zoning Administrator, THEREBY CONTINUE the imposition of previously imposed conditions on the operation of the hotel (Stuart Hotel) at 718 South Union Avenue.

Applicant: City of Los Angeles (Office of Zoning Administration) DIR 2002-3323 RV

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 17, 2004

(LAST DAY FOR COUNCIL ACTION - DECEMBER 17, 2004)

**ITEM NO. (21) - ADOPTED**

**Roll Call #14 - Motion (Weiss - Villaraigosa) Adopted, Ayes (15)**

04-1226 - TRANSPORTATION COMMITTEE REPORT relative to the redesignation and downgrade of Overland Avenue, between Santa Monica and Pico Boulevards, from a secondary highway to a collector street.  
CD 5

Recommendations for Council action, pursuant to Motion (Weiss - Villaraigosa):

1. DIRECT the Planning Department to prepare and present the necessary documents and plan amendments to the "Streets and Highways Designation Map" of the Transportation Element of the General Plan and to the West Los Angeles/Westwood Community Plan to redesignate and downgrade from a secondary highway to a collector street, Overland Avenue between Pico Boulevard and Santa Monica Boulevard.
2. DIRECT the Department of Transportation (DOT) to immediately evaluate other traffic calming measures which would need to be implemented to improve public safety in this area, in anticipation of the approval of the above plan amendment.
3. DIRECT the Planning Department to expedite the process for the redesignation of Overland Avenue to ensure that future street improvements and traffic controls are conducive to and consistent with the low density residential character of the street.

Fiscal Impact Statement: The DOT reports that there is no fiscal impact to the General Fund as a result of this action.

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

**ITEM NO. (22) - ADOPTED**

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

04-1250 - PERSONNEL and BUDGET AND FINANCE COMMITTEES' REPORT relative to filling one S19 position each of Senior Auditor, Management Analyst II, Systems Analyst I, and Auditor I in the City Ethics Commission (CEC).

Recommendations for Council action:

1. AUTHORIZE the CEC to fill the following positions, under the 2004-05 Managed Employment Process, as long as the CEC does not exceed the number of position authorities provided in the 2004-05 CEC Department Personnel Ordinance:

<u>No.</u>	<u>Code</u>	<u>Title</u>
1	1518	Senior Auditor
1	9184-2	Management Analyst II
1	1596-1	Systems Analyst I
1	1517-1	Auditor I

2. INSTRUCT the City Administrative Officer (CAO) to monitor and report to the Council on the status of expenditures from the Salary Account as well as other CEC budget accounts and recommend any necessary funding adjustments either in the mid-year or year-end budget adjustment and financial status report.

Fiscal Impact Statement: The CAO reports that cost to fill these positions for an entire fiscal year is \$293,625.

**Items for Which Public Hearings Have Not Been Held - Items 23-49**

(10 Votes Required for Consideration)

**ITEM NO. (23) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS**

**Roll Call #16 - Motion (Reyes - Cardenas) Adopted, Ayes (15)**

04-1546 - CATEGORICAL EXEMPTION, COMMUNICATION FROM CHAIR, PLANNING AND LAND USE MANAGEMENT COMMITTEE and ORDINANCE FIRST CONSIDERATION relative to amending the Los Angeles Municipal Code (LAMC) Sections 12.03, 12.09, 12.12.1, 12.21 and 12.22 to establish standards for small lot subdivisions.

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

1. FIND that this action is categorically exempt from the California Environmental Quality Act (CEQA), pursuant to Article III, Section 2, Subsection (m) of the City's CEQA Guidelines.
2. ADOPT the December 3, 2004, FINDINGS of the Director as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE amending Sections 12.03, 12.09, 12.12.1, 12.21 and 12.22 of the LAMC to permit detached for-sale lot subdivisions in commercial and multifamily residential zones.

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.

**Roll Call #4 - Motion (Smith - Hahn) Adopted, Ayes (15)  
(Item Nos. 24-30)**

**ITEM NO. (24) - ADOPTED**

00-0005 - RESOLUTION removing the property at 1305 Waterloo Street from the Rent Escrow  
S71 Account Program [REAP], (Case No. 2927), inasmuch as the owner has corrected the  
CD 13 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 December 7, 2004. Assessor I.D. No. 5424-023-010

(Council action of May 17, 2000 placed property into REAP)

**ITEM NO. (25) - ADOPTED**

04-0005 - RESOLUTION removing the property at 4602 South Crenshaw Boulevard from the Rent  
S503 Escrow Account Program [REAP], (Case No. 4804), inasmuch as the owner has corrected  
CD 8 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 December 7, 2004. Assessor I.D. No. 5013-021-023

(Notice of Acceptance into the REAP/Rent Reduction Program was released on  
December 26, 2001)



**ITEM NO. (26) - ADOPTED**

04-0005 - RESOLUTION removing the property at 1022 Coronado Terrace from the Rent Escrow  
S504 Account Program [REAP], (Case No. 5490), inasmuch as the owner has corrected the  
CD 13 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 December 7, 2004. Assessor I.D. No. 5402-019-005

(Notice of Acceptance into the REAP/Rent Reduction Program was released on  
June 5, 2002)

**ITEM NO. (27) - ADOPTED**

04-0005 - RESOLUTION removing the property at 1169-71 West 28th Street from the Rent Escrow  
S505 Account Program [REAP], (Case No. 6885), 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 December 7, 2004. Assessor I.D. No. 5055-027-024

(Notice of Acceptance into the REAP/Rent Reduction Program was released on  
November 6, 2003)

**ITEM NO. (28) - ADOPTED**

04-0005 - RESOLUTION removing the property at 1515-19 1/2 West 47th Street from the Rent  
S506 Escrow Account Program [REAP], (Case No. 6998), inasmuch as the owner has corrected  
CD 8 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 December 7, 2004. Assessor I.D. No. 5016-012-015

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

**ITEM NO. (29) - ADOPTED**

04-0005 - RESOLUTION removing the property at 266 West 13th Street from the Rent Escrow  
S507 Account Program [REAP], (Case No. 7485), inasmuch as the owner has corrected the  
CD 15 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 December 7, 2004. Assessor I.D. No. 7456-010-004

(Notice of Acceptance into the REAP/Rent Reduction Program was released on  
September 21, 2004)

**ITEM NO. (30) - ADOPTED**

04-0005 - RESOLUTION removing the property at 11907 Aneta Street from the Rent Escrow  
S508 Account Program [REAP], (Case No. 7667), inasmuch as the owner has corrected the  
CD 11 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 December 7, 2004. Assessor I.D. No. 4220-038-038

(Notice of Acceptance into the REAP/Rent Reduction Program was released on  
September 2, 2004)

**ITEM NO. (31) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS,  
AS AMENDED - SEE FOLLOWING**

**Roll Call #15 - Motion (Hahn - Garcetti) to Adopt as Amended, Ayes (15)**

04-2256 - MITIGATED NEGATIVE DECLARATION and COMMUNICATION FROM THE BOARD  
CD 15 OF PUBLIC WORKS relative to the Harbor Police Station and Jail Replacement Project.

Recommendations for Council action:

1. FIND that the Harbor Police Station and Jail Replacement 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. 04-2256 in the custody of the City Clerk and in the files of the Bureau of Engineering in the custody of the Environmental Management Group; and ADOPT the Mitigated Negative Declaration [BE-507-04] filed on August 1, 2004.
2. ADOPT the accompanying Mitigated Negative Declaration and Mitigation Monitoring Plan (Transmittal No. 1 and 2 of the City Engineer report dated August 6, 2004) relative to the Harbor Police Station and Jail Replacement Project.
3. APPROVE the Harbor Police Station and Jail Replacement Project as submitted in the City Engineer report dated August 6, 2004.

Fiscal Impact Statement: The Board of Public Works reports that funding for this project will be from the Proposition Q Public Safety General Obligation Bonds approved by voters on March 5, 2002. There is no fiscal impact on the General Fund and no appropriation is needed.

(Public Works Committee waived consideration of the above matter)

**ADOPTED**

**AMENDING MOTION (HAHN - GARCETTI)**

**Recommendations for Council action:**

- 1. CONSIDER the proposed negative declaration together with the commends received during the public review process.**
- 2. FIND on the basis of the whole record that there is no substantial evidence that the Harbor Police Station and Jail Replacement Project will 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 judgement of the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 04-2256 in the custody of the City Clerk and in the files of the Bureau of Engineering in the custody of the Environmental Management Group.**
- 3. ADOPT the accompanying Mitigated Negative Declaration and Mitigation Monitoring Plan (Transmittal No. 1 and 2 of the City Engineer report dated August 6, 2004) relative to the Harbor Police Station and Jail Replacement Project.**
- 4. APPROVE the Harbor Police Station and Jail Replacement Project as submitted in the City Engineer report dated August 6, 2004.**

**Roll Call #4 - Motion (Smith - Hahn) Adopted, Ayes (15)  
(Item Nos. 32-43)**

**ITEM NO. (32) - ADOPTED**

**04-2101 - CONSIDERATION OF MOTION (REYES - LABONGE) relative to deferment of Bureau of Engineering (BOE) requirements to widen Wilshire Boulevard and Witmer Street in connection with the mixed-use development project at 1234 Wilshire Boulevard.**

**Recommendation for Council action, pursuant to Motion (Reyes - LaBonge):**

**INSTRUCT the BOE to defer the requirements for a five-foot roadway widening on Wilshire Boulevard and a 17-foot widening on Witmer Street and limit the street improvements to repair and replacement of any broken or off-grade street improvements and construction of additional sidewalk over the areas to be dedicated or issuance of a revocable permit for any landscaping.**

**(Public Works Committee waived consideration of the above matter)**

**ITEM NO. (33) - ADOPTED**

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).  
CD 4

Recommendation for Council action:

DECLARE the Holiday Block Party, sponsored by the Greater Griffith Park Neighborhood Council 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, INCLUDING insurance.

**ITEM NO. (34) - ADOPTED**

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).  
CD 10

Recommendation for Council action:

DECLARE the Dorsey and Crenshaw High School Game, sponsored by the Los Angeles Unified School District 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. (35) - ADOPTED**

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).  
CD 14

Recommendation for Council action:

DECLARE the Santa in York Hills, sponsored by the York Hills Neighborhood Association 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. (36) - ADOPTED**

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).  
CD 9

Recommendation for Council action:

DECLARE the Holiday Party, sponsored by the Museum of Contemporary Art on December 15, 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**

04-2561 - MOTION (PERRY - SMITH) relative to declaring the Free Matinees for Students on  
CD 9 December 1 and 7, 2004 a Special Event (fees and costs absorbed by the City = \$6,606).

Recommendation for Council action:

DECLARE the Free Matinees for Students, sponsored by the Los Angeles Opera on December 1 and 7, 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**

02-2471 - MOTION (PERRY - SMITH) relative to declaring the Hanukkah, Christmas, Kwanzaa  
CD 9 Celebration on December 7, 2004 a Special Event (fees and costs absorbed by the City = \$3,446).

Recommendation for Council action:

DECLARE the Hanukkah, Christmas, Kwanzaa Celebration, sponsored by the Fred Jordan Mission on December 7, 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**

02-2802 - MOTION (REYES - SMITH) relative to declaring the Seventh Annual Holiday Toy  
CD 1 Giveaway on December 21, 2004 a Special Event (fees and costs absorbed by the City = \$2,250).

Recommendation for Council action:

DECLARE the Seventh Annual Holiday Toy Giveaway, sponsored by Senator Gil Cedillo and Central City Neighborhood Partners on December 21, 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. (40) - ADOPTED**

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.

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

1. FIND that the Sixth Annual Black College Expo, sponsored by the Black College Expo, serves a public purpose in that it will provide information to approximately 5,000 high school students regarding college and the enrollment process.
2. AUTHORIZE the General Manager, Convention Center, to make an exception to the Council's Convention Center waiver policy by waiving a maximum of \$27,250 in room rental fees for this event.
3. INSTRUCT all concerned departments that should unforeseen circumstances change the actual date of the Special Event, the aforementioned departmental instructions continue to apply.

**ITEM NO. (41) - ADOPTED**

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.

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

1. FIND that the Grand Avenue Forum event, sponsored by the Downtown Los Angeles Neighborhood Council, serves a public purpose in that approximately 200 community members will attend this event to discuss plans for Grand Avenue.
2. AUTHORIZE the General Manager, Convention Center, to make an exception to the Council's Convention Center waiver policy by waiving a maximum of \$741.48 in room rental fees for this event.
3. INSTRUCT all concerned departments that should unforeseen circumstances change the actual date of the Special Event, the aforementioned departmental instructions continue to apply.

**ITEM NO. (42) - ADOPTED**

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.  
S55

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 injuries to the 19-year old victim and death of Sherman Clark.
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. (43) - ADOPTED**

04-2563 - MOTION (PADILLA - SMITH) relative to initiating street vacation proceedings for a City easement on Woodcock Avenue between Desmond Street and Cornelius Street.  
CD 7

Recommendations for Council action:

1. INITIATE street vacation proceedings, pursuant to California Streets and Highways Code, Division 9, Part 3, Public Streets, Highways and Service Easements Vacation Law for a City easement on Woodcock Avenue between Desmond Street and Cornelius Street.
2. DIRECT the Bureau of Engineering to investigate the feasibility of this vacation request.
3. DIRECT the Bureau of Engineering to present its report regarding the feasibility of vacating the requested areas to the Public Works Committee.

**ITEM NO. (44) - ADOPTED**

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

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.

Recommendations for Council action:

1. AUTHORIZE the Board of Deferred Compensation to extend the contract with Great-West Life & Annuity Insurance Company which expires on December 31, 2004 for an additional six months on a month-to-month basis.
2. REQUEST the Personnel Department and the City Attorney to report back to Council within six months to discuss the status of litigation and the October 5, 2004 recommendations of the Council regarding the deferred compensation plan administration.

**Roll Call #4 - Motion (Smith - Hahn) Adopted, Ayes (15)  
(Item Nos. 45-46)**

**ITEM NO. (45) - ADOPTED**

04-2564 - MOTION (HAHN - SMITH) relative to the Vermont Avenue Widening project between CD 15 Pacific Coast Highway and Normandie Avenue.

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

1. AUTHORIZE the Bureau of Engineering to receive and spend \$2.1 million from Kaiser Permanente Harbor City Medical Center for the Vermont Avenue Widening project.
2. INSTRUCT the Department of Public Works, Office of Accounting, to deposit the funds in to Fund No. 834, Public Works Trust Fund, Revenue Source 4873, Special Project Deposits, and APPROPRIATE within said Fund to an account to be established for the project as determined by the Office of Accounting and the City Controller.

**ITEM NO. (46) - ADOPTED**

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.

Recommendations for Council action:

1. ASSERT jurisdiction, pursuant to Charter Section 245, over the December 1, 2004 action of the Board of Water and Power Commissioners' to approve a Resolution authorizing the Administration of the Special Election of an active employee member to the Board of Administration of the Water and Power Employees' Retirement Plan.
2. APPROVE the action, upon asserting jurisdiction.

TIME LIMIT FILE - DECEMBER 15, 2004

(LAST DAY FOR COUNCIL ACTION - DECEMBER 15, 2004)

10 VOTES REQUIRED

**ITEM NO. (47) - ADOPTED**

**Roll Call #18 - Motion (Weiss - Garcetti) Adopted, Ayes (15)**

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.



Recommendations for Council action:

1. ASSERT jurisdiction, pursuant to Charter Section 245, over the December 1, 2004 action of the Board of Information Technology Commissioners action relative to a proposed settlement agreement with Adelpia Communications Corporation regarding several December 2003 FCC Form Rate Filings.
2. APPROVE the action, upon asserting jurisdiction.

TIME LIMIT FILE - DECEMBER 15, 2004

(LAST DAY FOR COUNCIL ACTION - DECEMBER 15, 2004)

10 VOTES REQUIRED

**ITEM NO. (48) - ADOPTED**

**Roll Call #19 - Motion (Reyes - Zine) Adopted, Ayes (15)**

04-2558 - MOTION (PADILLA - CARDENAS) relative to the Carey Ranch Park project.  
CD 7

Recommendations for Council action:

1. INSTRUCT the Department of Recreation and Parks (DRP) to perform environmental review work as necessary, and to prepare and present a report to the Board of Recreation and Park Commissioners, specifying the appropriate actions to appropriate the required funding for the Carey Ranch Park project from Quimby/Park Funds and to construct the project.
2. INSTRUCT DRP staff to expedite the project.

**ITEM NO. (49) - MAP AND BOND APPROVED - CITY ENGINEER REPORT ADOPTED**

**Roll Call #4 - Motion (Smith - Hahn) Adopted, Ayes (15)**

04-2551 - FINAL MAP OF TRACT NO. 61044 for property lying westerly of Bentley Avenue and  
CD 5 southerly of Rose Avenue.

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

(ADOPT City Engineer Report)

(ADOPT Bond No. C-107521)

(Quimby Fee: \$64,998)

Applicants: Jay Morin

Thomas Iacobellis

## **Closed Session - Item 50**

**ITEM NO. (50) - MEETING NOT HELD - CONTINUED TO JANUARY 12, 2005**

**Roll Call #2 - Motion (Weiss - Parks) Adopted to Continue, Unanimous Vote (15)**

04-2104 - The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to errors that were made in the inspection of the Anthony Office Building.

(Information Technology and General Services Committee considered the above matter on November 23, 2004)

## **Items for Which Public Hearings Have Been Held - Items 51-53**

**ITEM NO. (51) - ADOPTED - FORTHWITH**

**Roll Call #6 - Motion (Cardenas - Smith) Adopted, Ayes (15)**

04-2421 - PUBLIC WORKS COMMITTEE REPORT relative to the appointment of Ms. Yolanda Fuentes to the Board of Public Works.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Yolanda Fuentes to the Board of Public Works for the term ending June 30, 2009, to fill the vacancy created by the removal of Ms. Cynthia Ruiz, is APPROVED and CONFIRMED. Ms. Fuentes resides in Council District Six. (Current Board gender composition: M=1; F=3; Vacancy=1)

Ethics Commission Review: Pending

TIME LIMIT FILE - JANUARY 3, 2005

(LAST DAY FOR COUNCIL ACTION - DECEMBER 17, 2004)

**ITEM NO. (52) - ADOPTED**

**Roll Call #20 - Motion (LaBonge - Hahn) Adopted, Ayes (14); Absent: Villaraigosa (1)**

04-2043 - CONTINUED CONSIDERATION OF ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to the dedicated deployment of Park Rangers at the City's larger regional parks.

Recommendation for Council action, as initiated by Motion (LaBonge - Hahn - Greuel):

INSTRUCT the Department of Recreation and Parks, in consultation with the City Administrative Officer (CAO) and the Department of General Services, to report back to the Arts, Parks, Health and Aging and the Audits and Governmental Efficiency Committees with a deployment and staffing plan that will result in the deployment of 30 Park Rangers (consisting of one Chief Ranger, three Regional Park Rangers, and 26 dedicated Park Rangers) at the City's larger regional parks including Griffith Park, Elysian Park, Runyon Canyon, Sepulveda Basin, Hansen Dam, Ernest Debs Park, Angels Gate/Cabrillo Beach, Venice Beach, Bee Canyon/O'Melveny, Harbor Regional Park.

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

Community Impact Statement: The Greater Griffith Park Neighborhood Council supports the development and implementation of a Park Ranger deployment system whereby each of the City's largest regional parks will have dedicated coverage, as appropriate, in the recreational, environmental, and security areas.

(Continued from Council meeting of December 10, 2004)

**ITEM NO. (53) - SUBSTITUTE MOTION ADOPTED, IN LIEU OF COMMITTEE REPORT AND AMENDING MOTION - NO ACTION TAKEN ON ADDITIONAL AMENDING MOTION - SEE FOLLOWING**

**Roll Call #21 - Motion (Reyes - Smith) Adopted, Ayes (13); Absent: Villaraigosa and Zine (2)**

04-1136 - CONTINUED CONSIDERATION OF NEGATIVE DECLARATION, PUBLIC WORKS  
CDs 1 COMMITTEE REPORT and AMENDING MOTION relative to the Soto Street Bridge over  
& 14 Mission Road and Huntington Drive.

**RECEIVED AND FILED**

**A. PUBLIC WORKS COMMITTEE REPORT**

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 Negative Declaration reflects the independent judgement 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. 04-1136 in the custody of the City Clerk and in the files of the Bureau of Engineering in the custody of the Environmental Management Group; and ADOPT the Negative Declaration filed on April 16, 2004.
2. APPROVE the Soto Street Bridge over Mission Road and Huntington Drive project as submitted in the City Engineer report dated June 9, 2004 and contained in the Council file.

Fiscal Impact Statement: The City Engineer reports that there is no fiscal impact to the General Fund since this project is financed by Special Funds. Funding for the project will be provided from following sources in the amounts indicated: Proposition G, Seismic Bond \$778,000; Proposition C \$716,000; Highway Bridge Replacement and Rehabilitation Program \$2,300,000; Metropolitan Transportation Authority, 2001 Call for Projects \$3,582,000; Total \$7,376,000.

## RECEIVED AND FILED

### B. AMENDING MOTION (REYES - VILLARAIGOSA)

INSTRUCT the Bureau of Engineering and Bureau of Street Services staff to work with both Council District One and Council District 14 to provide a landscaped median and address maintenance in lieu of the proposed asphalt median for the area generally bounded between Turquoise Street and the intersection of Huntington Drive North with Mission Road.

(Lost quorum - Left on desk from Council meeting of December 10, 2004)

## ADOPTED

### SUBSTITUTE MOTION (VILLARAIGOSA - REYES)

Recommendations for Council action:

1. **CONSIDER** the proposed negative declaration together with the comments received during the public review process.
2. **FIND** on the basis of the whole record that there is no substantial evidence that the project will 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 Negative Declaration reflects the independent judgement of the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 04-1136 in the custody of the City Clerk and in the files of the Bureau of Engineering in the custody of the Environmental Management Group.
3. **ADOPT** the Negative Declaration filed on April 16, 2004.
4. **APPROVE** the Soto Street Bridge over Mission Road and Huntington Drive project as submitted in the City Engineer report dated June 9, 2004 and contained in the Council file.

## NO ACTION TAKEN

### AMENDING MOTION (VILLARAIGOSA - REYES)

Recommendation for Council action:

**AMEND Recommendation No. 1 to state:**

- 1. FIND on the basis of the whole record that there is no substantial evidence that the project will 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 Negative Declaration reflects the independent judgement of the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 04-1136 in the custody of the City Clerk and in the files of the Bureau of Engineering in the custody of the Environmental Management Group and ADOPT the Negative Declaration filed on April 16, 2004.**

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

- 04-2541 - MOTION (LUDLOW - SMITH) relative to declaring the Grammy Jam on December 11, 2004 a Special Event (fees and costs absorbed by the City = \$3,134).
- 04-2539 - MOTION (PERRY - PARKS) relative to declaring the Holiday Toy Drive on December 18, 2004 a Special Event (fees and costs absorbed by the City = \$4,927).
- 02-2840 - MOTION (PERRY - PARKS) relative to declaring the GIANT Village New Year's Eve Open Air Block Party on December 31, 2004 a Special Event (event sponsor to reimburse the City for all fees and cost incurred INCLUDING any extraordinary costs needed to mitigate a threat to the public health and safety incurred by the City.)
- 04-2537 - MOTION (LABONGE - GREUEL) relative to declaring The Coming Together of North Hollywood on December 18, 2004 a Special Event (fees and costs absorbed by the City = \$1,894).
- 03-1315 - MOTION (PERRY - PARKS) relative to a request for an exemption from the Convention Center fee waiver policy for The Accessible City Expo on October 13, 2005.
- 04-2538 - MOTION (PERRY - PARKS) relative to a request for an exemption from the Convention Center fee waiver policy for the Greater Los Angeles Vendor Fair on April 27, 2005.
- 04-2540 - MOTION (MISCIKOWSKI - PARKS) relative to partial funding to support community programs and groups in Council District Eleven.

**COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS**

Upon her request, and without objections, Councilmember Hahn was excused from Council session of Wednesday, December 15, 2004 due to personal business.

Upon his request, and without objections, Councilmember Smith was excused from Council session of Tuesday and Wednesday, January 4 and 5, 2005 due to personal business and from Council sessions of Tuesday and Wednesday, January 11 and 12, 2005 due to City business.

Upon his request, and without objections, Councilmember Ludlow was excused from Council session of Wednesday, December 15, 2004 due to City business.

Upon his request, and without objections, Councilmember Villaraigosa was excused to leave at 11:00 a.m. from Council session of Friday, December 17, 2004 due to personal business.

**COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:**

- 04-1977 - Ronald R. Gastelum (Zine - All Councilmembers)
- Phillip J. Pace (Zine - All Councilmembers)
- John W. Davidson (Garcetti - All Councilmembers)
- Luis Sinco (Hahn - All Councilmembers)

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

- 04-1978 - Charlene Martinez (Cardenas - All Councilmembers)
- Helen Moseley (Hahn)
- Esther Smicklas (Ludlow - LaBonge - Miscikowski - Weiss)
- Cecil Rhodes (Ludlow)
- Vera Mae Oden Norman (Ma Dear) (Parks)
- Jimmie Ruth (Sneed) McClinton (Parks)
- JPL accident: Jane Galloway (Weiss for Zine)
- JPL accident: Kerri Agey (Weiss for Zine)
- JPL accident: Dorothy Forks (Weiss for Zine)
- Hope and Rick Craig (Weiss for Zine)
- Jack Boison (J.B.) Nethercutt (Padilla - All Councilmembers)

Ayes, Cardenas, Garcetti, Greuel, Hahn, LaBonge, Ludlow, Miscikowski, Parks, Perry, Reyes, Smith, Weiss and President Padilla (13); Absent: Villaraigosa and Zine (2).

**Whereupon the Council did adjourn.**

ATTEST: Frank T. Martinez, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL