

ALL ITEMS FORTHWITH

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

ROLL CALL - Members present: Cardenas, Garcetti, Greuel, Miscikowski, Perry, Reyes, Smith, Villaraigosa, Weiss, Zine and President Padilla (11); Absent: Hahn, LaBonge, Ludlow and Parks, (4).

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
DECEMBER 10, 2004

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - NONE

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

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

Items Noticed for Public Hearing - Items 1-10

**ITEM NO. (1) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE
PRESENTED ON JANUARY 7, 2005**

**Roll Call #1 - Motion (Reyes - Weiss) Adopted to Continue, Unanimous Vote (12);
Absent: Hahn, LaBonge and Ludlow (3)**

04-1552 - HEARING PROTESTS against the proposed improvement and maintenance of the
CD 7 NORRIS AVENUE AND LARKSPUR STREET LIGHTING DISTRICT.

Recommendation for Council action:

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

(Ordinance of Intention adopted on October 13, 2004 - Continue hearing and present
Ordinance on JANUARY 7, 2005 to consider report of protests to be submitted as a result
of balloting, pursuant to Proposition 218)

ITEM NO. (2) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED ON JANUARY 7, 2005

**Roll Call #11 - Motion (Reyes - Weiss) Adopted to Continue, Unanimous Vote (12);
Absent: Hahn, LaBonge and Ludlow (3)**

04-1553 - HEARING PROTESTS against the proposed improvement and maintenance of the
CD 1 FIGUEROA STREET AND PIEDMONT AVENUE LIGHTING DISTRICT.

Recommendation for Council action:

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

(Ordinance of Intention adopted on October 13, 2004 - Continue hearing and present Ordinance on JANUARY 7, 2005 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**Roll Call #1 - Motion (Reyes - Weiss) Adopted to Continue, Unanimous Vote (12);
Absent: Hahn, LaBonge and Ludlow (3)
(Item Nos. 3-5)**

ITEM NO. (3) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED ON JANUARY 7, 2005

04-1554 - HEARING PROTESTS against the proposed improvement and maintenance of the
CD 3 AVENIDA HACIENDA AND VENTURA BOULEVARD LIGHTING DISTRICT.

Recommendation for Council action:

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

(Ordinance of Intention adopted on October 13, 2004 - Continue hearing and present Ordinance on JANUARY 7, 2004 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (4) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED ON JANUARY 7, 2005

04-1603 - HEARING PROTESTS against the proposed improvement and maintenance of the
CD 5 FULTON AVENUE AND VENTURA BOULEVARD LIGHTING DISTRICT.

Recommendation for Council action:

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

(Ordinance of Intention adopted on October 13, 2004 - Continue hearing and present Ordinance on JANUARY 7, 2005 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (5) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED ON JANUARY 7, 2005

04-1604 - HEARING PROTESTS against the proposed improvement and maintenance of the CD 7 GLEDHILL STREET AND VAN NUYS BOULEVARD LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Gledhill Street and Van Nuys Boulevard Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on October 13, 2004 - Continue hearing and present Ordinance on JANUARY 7, 2005 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (6) - CONTINUED TO FEBRUARY 23, 2005

**Roll Call #2 - Motion (Greuel - Reyes) Adopted to Continue, Unanimous Vote (12);
Absent: Hahn, LaBonge and Ludlow (3)**

04-0132 - CONTINUED CONSIDERATION OF APPEAL filed by Jay Pirincci, applicant/appellant, CD 2 from the entire decision of the South Valley Area Planning Commission in disapproving the Specific Plan Exception of the Mulholland Scenic Parkway Specific Plan in compliance findings for projects within 100 feet of a stream and involving within 200 feet of parklands and to permit a single family dwelling at each site at 8701 Mulholland Drive (7,073 square foot single-family dwelling on an 8,824 square foot lot); and 8715 Mulholland Drive (6,571 square foot single-family dwelling on an 8,824 square foot lot). Each site was requested to be constructed having a height of 55 feet in lieu of the maximum 40 feet in height permitted for downslopes.

APCSV 2002-4203 SPE ZAD ZAA SPP

Applicant/Appellant: Jay Pirincci

TIME LIMIT FILE - DECEMBER 15, 2004

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

(Continued from Council meeting of October 20, 2004)

ITEM NO. (7) - CONTINUED TO JANUARY 11, 2005

**Roll Call #3 - Motion (Garcetti - Reyes) Adopted to Continue, Unanimous Vote (12);
Absent: Hahn, LaBonge and Ludlow (3)**

04-2071 - CONDITIONAL USE APPEAL by Jim McQuiston, representative for East Hollywood
CD 13 Community Association, from the entire determination of the City Planning Commission in approving a Conditional Use Permit in the M1-1 Zone; a Specific Plan Exception; and a Project Permit Compliance with the Vermont/Western Transit Oriented District Specific Plan, all subject to conditions of approval, for the proposed construction of a high school (grades 9-12) with a maximum of 508 students, including a two-story (approximately 40 feet in height), 27,500 square foot building (16 classrooms), and 24,800 square feet of outdoor work spaces, an outdoor quadrangle, and roof-top playing courts located above an approximately 46-space parking lot at 3500-54 West Temple Street.

Applicant: Philip Lance, Pueblo Nuevos

CPC 2004-2400-CU SPE SPP

TIME LIMIT FILE - JANUARY 11, 2005

(LAST DAY FOR COUNCIL ACTION - JANUARY 11, 2005)

**Roll Call #4 - Motion (Villaraigosa - Reyes) Adopted to Grant Application, Ayes (11);
Absent: Hahn, Labonge, Ludlow and Parks (4)
(Item Nos. 8-10)**

ITEM NO. (8) - PUBLIC HEARING CLOSED - MOTION ADOPTED TO GRANT APPLICATION

04-2384 - HEARING COMMENTS relative to application for determination of "Public Convenience
CD 14 or Necessity" for alcohol sales for on-site consumption at 830 South Broadway Street (Broadway Bar).

Recommendations for Council action:

1. DETERMINE that the issuance of a liquor license at 830 South Broadway Street (Broadway Bar) will serve the "Public Convenience or Necessity" and will not tend to create a law enforcement problem.
2. GRANT the Application for Determination of "Public Convenience or Necessity" for the sale of alcoholic beverages for on-site consumption at 830 South Broadway Street.
3. INSTRUCT the City Clerk to transmit this determination to the State Department of Alcoholic Beverage Control as the required findings under Business and Professions Code Section 23958.4.

Applicant: Spirited Ventures 3, Inc./Cedd Moses

TIME LIMIT FILE - JANUARY 3, 2005

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

ITEM NO. (9) - PUBLIC HEARING CLOSED - MOTION ADOPTED TO GRANT APPLICATION

04-2379 - HEARING COMMENTS relative to application for determination of "Public Convenience
CD 4 or Necessity" for alcohol sales for on-site consumption at 1927 Hillhurst Avenue (Village
Gourmet, Inc.).

Recommendations for Council action:

1. DETERMINE that the issuance of a liquor license at 1927 Hillhurst Avenue (Village Gourmet, Inc.) will serve the "Public Convenience or Necessity" and will not tend to create a law enforcement problem.
2. GRANT the Application for Determination of "Public Convenience or Necessity" for the sale of alcoholic beverages for on-site consumption at 1927 Hillhurst Avenue.
3. INSTRUCT the City Clerk to transmit this determination to the State Department of Alcoholic Beverage Control as the required findings under Business and Professions Code Section 23958.4.

Applicant: Wendy and Dan Kerr

TIME LIMIT FILE - JANUARY 3, 2005

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

ITEM NO. (10) - PUBLIC HEARING CLOSED - MOTION ADOPTED TO GRANT APPLICATION

04-2379 - HEARING COMMENTS relative to application for determination of "Public Convenience
S1 or Necessity" for alcohol sales for on-site consumption at 1927 1/2 Hillhurst Avenue
CD 4 (Village Gourmet, Inc.).

Recommendations for Council action:

1. DETERMINE that the issuance of a liquor license at 1927 1/2 Hillhurst Avenue (Village Gourmet, Inc.) will serve the "Public Convenience or Necessity" and will not tend to create a law enforcement problem.
2. GRANT the Application for Determination of "Public Convenience or Necessity" for the sale of alcoholic beverages for on-site consumption at 1927 1/2 Hillhurst Avenue.
3. INSTRUCT the City Clerk to transmit this determination to the State Department of Alcoholic Beverage Control as the required findings under Business and Professions Code Section 23958.4.

Applicant: Village Gourmet, Inc./Wendy and Dan Kerr

TIME LIMIT FILE - JANUARY 3, 2005

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

Items for Which Public Hearings Have Been Held - Items 11-42

ITEM NO. (11) - ADOPTED

Roll Call #8 - Motion (Villaraigosa - Miscikowski) Adopted, Ayes (12); Absent: Hahn, LaBonge and Ludlow (3)

04-2290 - ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to the appointment of Ms. Kaye Beckham to the Commission for Children, Youth and Their Families.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Kaye Beckham to the Commission for Children, Youth and Their Families for the term ending June 30, 2005, to fill the vacancy created by the resignation of Ms. Adele Yellin, is APPROVED and CONFIRMED. Ms. Beckham resides in Council District 14. (Current Commission gender composition: M=5; F=9)

Ethics Commission Review: Complete

TIME LIMIT FILE - DECEMBER 18, 2004

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

ITEM NO. (12) - ADOPTED

Roll Call #9 - Motion (Miscikowski - Garcetti) Adopted, Ayes (12); Absent: Hahn, LaBonge and Ludlow (3)

02-0261 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the reappointment of Mr. John Schafer to the Community Redevelopment Agency Board of Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Mr. John Schafer to the Community Redevelopment Agency Board of Commissioners for the new term ending November 4, 2008, is APPROVED and CONFIRMED. Mr. Schafer resides in Council District 15. (Current Commission gender composition: M=4; F=3)

Ethics Commission Review: Complete

**Roll Call #10 - Motion (Reyes - Perry) Adopted, Ayes (12); Absent: Hahn, LaBonge and Ludlow (3)
(Item Nos. 13-16)**

ITEM NO. (13) - ADOPTED

04-2291 - PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the appointment of Ms. Cecilia Nunez to the South Los Angeles Area Planning Commission.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Cecilia Nunez to the South Los Angeles Area Planning Commission for the term ending June 30, 2008, to fill the vacancy created by Arturo Ybarra, who resigned effective September 21, 2004, is APPROVED and CONFIRMED. Ms. Nunez resides in Council District Nine. (Current Commission gender composition: M=2; F=2; Vacancy=1)

Ethics Commission Review: Complete

TIME LIMIT FILE - DECEMBER 20, 2004

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

ITEM NO. (14) - ADOPTED

04-2292 - PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the appointment of Ms. Nancy Whang to the Central Area Planning Commission.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Nancy Whang to the Central Area Planning Commission for the term ending June 30, 2007, to fill the vacancy created by the removal of Ms. Mary Lou Dudas, is APPROVED and CONFIRMED. Ms. Whang resides in Council District Four. (Current Commission gender composition: M=2; F=2; Vacancy=1)

Ethics Commission Review: Complete

TIME LIMIT FILE - DECEMBER 20, 2004

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

ITEM NO. (15) - ADOPTED

04-2351 - PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the appointment of Ms. Susan Cline to the City Planning Commission.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Susan Cline to the City Planning Commission for the term ending June 30, 2008, to fill the vacancy created by Mr. Mitchell B. Menzer who resigned effective October 7, 2004, is APPROVED and CONFIRMED. Ms. Cline resides in Council District Four. (Current Commission gender composition: M=5; F=3; Vacancy=1)

Ethics Commission Review: Complete

TIME LIMIT FILE - DECEMBER 27, 2004

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

ITEM NO. (16) - ADOPTED

04-2469 - PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the appointment of Ms. Patricia Patano to the South Valley Area Planning Commission.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Patricia Patano to the South Valley Area Planning Commission for the term ending June 30, 2008, to fill the vacancy created by the removal of Mr. Nathan Brogin, is APPROVED and CONFIRMED. Ms. Patano is a resident of Council District Three. (Current Commission gender composition: M=4; F=0; Vacancy=1)

Ethics Commission Review: Pending

TIME LIMIT FILE - JANUARY 17, 2005

(LAST DAY FOR COUNCIL ACTION - JANUARY 14, 2005)

**Roll Call #6 - Motion (Miscikowski - Weiss) Adopted, Ayes (12); Absent: Hahn, LaBonge and Ludlow (3)
(Item Nos. 17-20)**

ITEM NO. (17) - ADOPTED - TO THE MAYOR FORTHWITH

04-1367 - COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to the granting of a Department of Water and Power (DWP) easement to the County of Sanitation District No. 8 of the Los Angeles County.

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

1. CONCUR with the Board of Water and Power Commissioners action on July 6, 2004, Resolution No. 005-005, authorizing the granting of a non-exclusive easement and right of way for sewer purposes to the County of Sanitation District No. 8 of the County of Los Angeles.

2. PRESENT and ADOPT the accompanying ORDINANCE authorizing the execution of an easement deed with the County Sanitation District No. 8 of Los Angeles County for the sum of \$5,175.

Fiscal Impact Statement: The City Administrative Officer reports that approval will provide revenue totaling \$5,175 to the DWP Power Revenue fund.

ITEM NO. (18) - ADOPTED - TO THE MAYOR FORTHWITH

04-2120 - COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to the Los Angeles Department of Water and Power's transfer of ownership of the Laws, Independence, and Lone Pine Town Water Systems to Inyo County.

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

1. CONCUR with the Board of Water and Power Commissioners action on October 12, 2004, Resolution No. 005-089, authorizing the transfer of the Laws, Independence, and Lone Pine Town Water Systems to Inyo County.
2. PRESENT and ADOPT the accompanying ORDINANCE authorizing the transfer of the Laws, Independence, and Lone Pine Water Systems to Inyo County.

Fiscal Impact Statement: The City Administrative Officer reports that transferring the ownership of the Laws, Independence, and Lone Pine Town Water Systems to Inyo County will have no impact on the General Fund.

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

04-2212 - COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to the Los Angeles Department of Water and Power's (DWP) grant of a nonexclusive easement and right of way to the Los Angeles County Flood Control District for flood control purposes.

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

1. CONCUR with the Board of Water and Power Commissioners action on October 19, 2004, Resolution No. 005-097, authorizing the grant of a nonexclusive easement and right of way to the County of Los Angeles Flood Control District for the construction and maintenance of a covered storm drain and appurtenant structures, located at DWP's Bouquet Junction - Sunset Junction Transmission Line Right of Way No. 57, in the vicinity of Ruether Avenue south of Soledad Canyon Road, Santa Clarita.
2. PRESENT and ADOPT the accompanying ORDINANCE authorizing the grant of the aforementioned easement.

Fiscal Impact Statement: The City Administrative Officer reports that granting the easement will result in revenue of \$500 for the DWP Power Revenue fund. There is no impact on the General Fund.

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

05-0002 - ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT and RESOLUTION relative to establishing City positions on the proposed 2005-06 Legislative Agenda for the Commission for Children, Youth and Their Families.

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

ADOPT the accompanying RESOLUTION thereby establishing the following positions in the City's 2005-06 Legislative Program, to:

- a. SUPPORT the reintroduction of Assembly Bill (AB) 56 (Steinberg) or similar legislation which would require the development of quality preschool programs to serve the most in need of preschool.
- b. OPPOSE any legislation that lowers the income eligibility for subsidized childcare services, or requires low-income families to pay more than 10 percent of their annual income in order to receive a subsidy.
- c. SUPPORT legislation which would provide funding for the construction, renovation, and maintenance of childcare facilities.
- d. SUPPORT legislation which would require local jurisdictions to include childcare in planning and development efforts.
- e. URGE the Governor and Legislature to fund the expansion of the Healthy Families and Medi-Cal Programs to parents of eligible children.
- f. SUPPORT the reintroduction of Senate Bill (SB) 921 (Kuehl) or similar legislation which would establish a universal healthcare insurance system in the State of California.
- g. SUPPORT the reintroduction of AB 2200 (Hancock) or similar legislation which would require all public schools to serve breakfasts through the School Breakfast Program.
- h. SUPPORT the reintroduction of AB 2686 (Jackson) or similar legislation which would require schools to post the nutritional content of meals, require schools to limit the amount of fat and saturated fat in the entrees, and encourage schools to present the information in a manner that permits parents and students to access the nutritional information while they assess the daily school lunch menu.

Fiscal Impact Statement: The Chief Legislative Analyst reports that there is no impact on the General Fund.

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

ITEM NO. (21) - COMMITTEE REPORT AND ADDITIONAL MOTION ADOPTED - ORDINANCE TO BE PRESENTED ON DECEMBER 17, 2004 - SEE FOLLOWING

Roll Call #12 - Motion (Parks - Miscikowski) Adopted, Ayes (12); Absent: Hahn, LaBonge and Ludlow (3)

04-2115 - BUDGET AND FINANCE COMMITTEE REPORT relative to proposed revisions to election procedures for the Board of Fire and Police Pensions elected retired Board members.

Recommendations for Council action:

1. APPROVE revisions to the election procedures for the two elected retired members of the Board of Fire and Police Pensions as identified in the City Clerk's report, dated November 1, 2004, attached to the Council file.
2. REQUEST the City Attorney to prepare and present a draft ordinance amending the Los Angeles Administrative Code, Division 23, Chapter 5, Article 5.5, to incorporate the proposed revisions to the election procedures for the Board of Fire and Police Pensions retired Board members.

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

ADOPTED

ADDITIONAL MOTION (PARKS - MISCIKOWSKI)

Recommendation for Council action:

CONTINUE consideration of the Ordinance prepared by the City Attorney to FRIDAY, DECEMBER 17, 2004.

**Roll Call #6 - Motion (Miscikowski - Weiss) Adopted, Ayes (12); Absent: Hahn, LaBonge and Ludlow (3)
(Item Nos. 22-28)**

ITEM NO. (22) - ADOPTED

04-2422 - COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to a proposed Foreign Trade Zone (FTZ) Operating Agreement No. 2340 between the Port of Los Angeles (Port) and Customs Air Warehouse, Incorporated (Customs Air Warehouse).

Recommendation for Council action:

CONCUR with the Board of Harbor Commissioners' action on September 1, 2004, approving the proposed Foreign-Trade Zone Operating Agreement No. 2340 between the Port and Customs Air Warehouse for a five-year Agreement with three five-year renewal options, for a total up to 20 years for a warehouse and distribution center at Los Angeles Foreign Trade Zone Site No. 2-A, at 1111 Watson Center Road, Unit C, Carson, California.

Fiscal Impact Statement: The City Administrative Officer reports that the proposed Agreement No. 2340 with Customs Air Warehouse as Foreign Trade Zone Operator, will have no impact on the City General Fund. Approval of the proposed Agreement includes an annual administrative fee of \$5,000 and a one-time activation fee of \$5,000, for a total compensation of \$30,000 for five years and up to \$105,000 over the life of the 20-year Agreement that will be paid to the Harbor Revenue Fund.

TIME LIMIT FILE - JANUARY 21, 2005

(LAST DAY FOR COUNCIL ACTION - JANUARY 21, 2005)

ITEM NO. (23) - ADOPTED

04-2403 - COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to a proposed Foreign Trade Zone (FTZ) Developer Agreement No. 2339 between the Port of Los Angeles (Port) and International Trade and Transportation Center, LLC (ITTC).

Recommendation for Council action:

CONCUR with the Board of Harbor Commissioners' action on September 1, 2004, approving the proposed Foreign-Trade Zone Developer Agreement No. 2339 between the Port and ITTC for a five-year Agreement with three five-year renewal options, for a total up to 20 years to operate FTZ Expansion Site No. 3 in the City of Shafter, Kern County, California.

Fiscal Impact Statement: The City Administrative Officer reports that the proposed Agreement No. 2339 with ITTC as Foreign Trade Zone Developer, will have no impact on the City General Fund. ITTC paid the one-time application fee of \$2,500 that was deposited into the Harbor Revenue Fund.

TIME LIMIT FILE - JANUARY 21, 2005

(LAST DAY FOR COUNCIL ACTION - JANUARY 21, 2005)

ITEM NO. (24) - ADOPTED

04-0118 - COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to a proposed First Amendment to Foreign-Trade Zone (FTZ) Operating Agreement No. 1978 between the Port of Los Angeles (Port) and Henry Bath, Incorporated (Henry Bath).

Recommendation for Council action:

CONCUR with the Board of Harbor Commissioners' action on September 1, 2004, approving the proposed First Amendment to Foreign-Trade Zone Operating Agreement No. 1978 between the Port and Henry Bath for closure of the warehouse at FTZ Site No. 4 at 18724 Broadwick Street in the City of Rancho Dominguez and the operation to be consolidated into FTZ Site No. 15 at 1020 McFarland Avenue in Wilmington.

Fiscal Impact Statement: The City Administrative Officer reports that approval of the first amendment to Agreement No. 1978 with Henry Bath to consolidate its two Foreign Trade Zone sites will have no impact on the City General Fund or the Harbor Revenue Fund.

TIME LIMIT FILE - JANUARY 21, 2005

(LAST DAY FOR COUNCIL ACTION - JANUARY 21, 2005)

ITEM NO. (25) - ADOPTED - TO THE MAYOR FORTHWITH

03-1562 - CATEGORICAL EXEMPTION, HOUSING, COMMUNITY AND ECONOMIC
S1 DEVELOPMENT COMMITTEE REPORT and RESOLUTION relative to issuing up to
CD 6 \$800,000 of supplemental tax-exempt multifamily housing revenue bonds for the Saticoy Gardens Apartments project.

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

1. FIND that:

- a. In accordance with the California Environmental Quality Act (CEQA), a Mitigated Negative Declaration (ENV NO. 01-2428 MND) for a zoning change for this project was prepared and approved by the Planning Department in March 2002; and, the project, demolition, and new construction of low-income housing, are categorically exempt, under Article III, Class 3 (17) of the City CEQA Guidelines.
- b. The LAHD carried out an additional environmental review for this Project under the National Environmental Policy Act and determined that it complied with all U.S. Department of Housing and Urban Development regulations for which an Environmental Clearance was issued on October 24, 2003.

2. ADOPT the accompanying RESOLUTION authorizing the issuance of up to \$800,000 in supplemental tax-exempt multifamily housing revenue bonds ("Bonds") for the Saticoy Gardens Apartments Project, a 30-unit residential project at 14649 Saticoy Street.

3. APPROVE the related bond documents (attached to the Council file), subject to the approval of the City Attorney as to form and legality.

4. AUTHORIZE the General Manager, Los Angeles Housing Department (LAHD), or designee, to negotiate and execute the relevant bond documents, subject to the approval of the City Attorney as to form and legality.

Fiscal Impact Statement: The LAHD reports that this action will not impact the General Fund. The City loan will be funded using \$539,000 from the General Fund component of the Affordable Housing Trust Fund, \$500,000 from the Community Development Block Grant Fund component of the Trust Fund, \$264,000 from Jobs-Housing Balance Program funds, and \$200,000 in sustainable improvements from the Department of Water and Power.

ITEM NO. (26) - ADOPTED - TO THE MAYOR FORTHWITH

03-1562 - CATEGORICAL EXEMPTION, HOUSING, COMMUNITY AND ECONOMIC
S3 DEVELOPMENT COMMITTEE REPORT and RESOLUTION relative to issuing up to
CD 13 \$5,000,000 of tax-exempt multi-family housing revenue bonds for the Afton Place
Apartments.

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

1. FIND that Afton Place Apartments is categorically exempt, under Article 19, Section 15331 of the State of California Environmental Quality Act (CEQA); and, the project will comply with the requirements of the National Environmental Policy Act as implemented by the U.S. Department of Housing and Urban Development.
2. ADOPT the accompanying RESOLUTION authorizing the issuance of up to \$5,000,000 in tax-exempt multifamily housing revenue bonds ("Bonds") for the Afton Place Apartments Project, a 71-unit residential project for seniors at 6230 and 6231 Afton Place.
3. APPROVE the related bond documents, subject to the approval of the City Attorney as to form and legality.
4. AUTHORIZE the General Manager, LAHD, or designee, to negotiate and execute the relevant bond documents, subject to the approval of the City Attorney as to form and legality.

Fiscal Impact Statement: The LAHD reports that this action will not impact the General Fund. The City loan in the amount of \$1,732,830 will be funded using \$600,000 from a Community Redevelopment Agency Fund component, \$690,661 from a Community Development Block Grant Fund component, and \$442,169 from the Home Fund component of the Affordable Housing Trust Fund.

ITEM NO. (27) - ADOPTED

02-0695 - INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to the feasibility of locating a Los Angeles Police Department (LAPD) substation in the City's Historic Core.

Recommendation for Council action:

RECEIVE and FILE the LAPD reports dated May 23, 2003 and August 15, 2003, relative to the feasibility of locating an LAPD substation in the City's Historic Core, inasmuch as the reports are submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

(Public Safety Committee waived consideration of the above matter)

ITEM NO. (28) - ADOPTED

02-0774 - INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT
S9 relative to Adelphia Communications' introduction of CableCARD.

Recommendation for Council action:

RECEIVE and FILE the Information Technology Agency report, dated August 3, 2004, relative to Adelphia Communications' introduction of CableCARD, by Time Warner Cable, in Franchise Area A, effective July 1, 2004, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

**Roll Call #13 - Motion (Miscikowski - Perry) Adopted, Ayes (12); Absent: Hahn, LaBonge
and Ludlow (3)
(Item Nos. 29-30)**

ITEM NO. (29) - ADOPTED

04-2011 - MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT
CD 11 COMMITTEE REPORT relative to appeal on Vesting Tentative Tract Map (VTT No. 60113)
for property at 11663, 11669, 11675 and 11677 West Wilshire Boulevard and 1168 South
Barrington 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 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. 04-2011 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV 2003-9306 MND] filed on March 15, 2004.
2. ADOPT FINDINGS of the Deputy Advisory Agency as the FINDINGS of the Council.

3. GRANT APPEAL filed by Majestic Properties and Barrington Imperial (Robert Glushon, representative), from the entire decision of the City Planning Commission in granting the appeal in part for a maximum 78 unit residential condominium and a maximum 15-unit commercial condominium for Vesting Tentative Tract No. 60113, with a residential density based on the [Q]C4-2-CDO zone allowing approximately 50 units and a density bonus approval per CPC-2004-0249-CU-ZAA-SPR-CDO, for 28 units for a total of 78 residential units (five affordable accessible units will be provided as a part of the density bonus), for property located at 11663, 11669, 11675, and 11677 West Wilshire Boulevard and 1168 South Barrington Avenue, subject to added Condition to required that the:

“Developer shall enclose the northerly and westerly facades of the parking garage as shown on a revised Exhibit to be submitted to the Director of Planning after consultation with Council District 11.”

Applicant: California Landmark Properties, LLC

VTT 60113-2A

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 West Los Angeles Neighborhood Council Board of Directors (WLANCBOD) reported that the project is not desirable to the public convenience or welfare and will be materially detrimental to adjacent properties and residents. An Environmental Impact Report was never ordered and this proposal was never allowed to be reviewed by the West Los Angeles Area Planning Commission for consideration by local stakeholders. The intersection of Wilshire and Barrington is already rated at the “F” level in traffic studies and the adjacent side streets experience gridlock on a daily basis. The design’s ingress and egress through a single narrow alley is a substantial safety hazard for emergency vehicles. WLANCBOD urges a more appropriate review.

TIME LIMIT FILE - DECEMBER 15, 2004

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

ITEM NO. (30) - ADOPTED

04-2011 - MITIGATED NEGATIVE DECLARATION and PLANNING AND LAND USE
S1 MANAGEMENT COMMITTEE REPORT relative to Conditional Use, Zoning
CD 11 Administrator’s Adjustment, Community Design Overlay Plan and Site Plan Review appeal for property at 11663, 11669, 11675 and 11677 West Wilshire Boulevard and 1168 South Barrington Avenue.

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

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the lead agency, City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 04-2011-S1 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV 2003-9306 MND] filed on March 15, 2004.
2. ADOPT the FINDINGS of the City Planning Commission as the Findings of the Council.
3. RESOLVE TO GRANT APPEALS filed by Robert L. Glushon, (Robert L. Glushon, Esq., Representative), and California Landmark Group-Barrington LLC, Ken Kahan (Mark Brown, Brown/Meshul, Inc., Representative), from the determination of the City Planning Commission in whole and in part, THEREBY APPROVE the following: a Conditional Use, for a 56 percent density bonus, with the requested affordable housing incentives to allow 78 dwelling units; a Zoning Administrator's Adjustment, to permit reduced yard setbacks for a zero-foot side yard setback along the easterly and westerly property lines for the residential portion of the subject property; a Community Design Overlay Plan Approval, subject to conditions of approval; and, a Site Plan Review for property at 11663, 11669, 11675, and 11677 West Wilshire Boulevard and 1168 South Barrington Avenue, subject to modified conditions of approval as attached to this Committee report.

CPC 2004-0249 CU-ZAA-SPR-CDO

Applicant: California Landmark Properties, LLC, Lou Jacobs

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 West Los Angeles Neighborhood Council Board of Directors (WLANCBOD) reported that the project is not desirable to the public convenience or welfare and will be materially detrimental to adjacent properties and residents. An Environmental Impact Report was never ordered and this proposal was never allowed to be reviewed by the West Los Angeles Area Planning Commission for consideration by local stakeholders. The intersection of Wilshire and Barrington is already rated at the "F" level in traffic studies and the adjacent side streets experience gridlock on a daily basis. The design's ingress and egress through a single narrow alley is a substantial safety hazard for emergency vehicles. WLANCBOD urge a more appropriate review.

TIME LIMIT FILE - DECEMBER 28, 2004

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

ITEM NO. (31) - ADOPTED

Roll Call #6 - Motion (Miscikowski - Weiss) Adopted, Ayes (12); Absent: Hahn, LaBonge and Ludlow (3)

04-2230 - MITIGATED NEGATIVE DECLARATION and PLANNING AND LAND USE
CD 2 MANAGEMENT COMMITTEE REPORT relative to appeal on Tentative Tract Map
No. 53884 for property at 10309 Wheatland 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. 04-2230 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV 2003-2242 MND] filed on May 16, 2003.
2. ADOPT the FINDINGS of the Advisory Agency as the Findings of the Council.
3. DENY the appeal filed by Appeal filed by Paul Edelman (on behalf of Santa Monica Mountains Conservancy), from the entire decision of the North Valley Area Planning Commission (NVAPC), THEREBY APPROVE Tentative Tract Map No. 53884 for a proposed 14-lot subdivision on 68 acres in the A1-1-K zone at 10309 Wheatland Avenue, subject to the Conditions of Approval as modified by the NVAPC, and as modified by this Committee to deleted Condition No. 20d, and add Condition No. 26 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: Andrew Nowaczek

TT No. 53384

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 15, 2004

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

ITEM NO. (32) - ADOPTED - *AS AMENDED - SEE FOLLOWING

**Roll Call #14 - Motion (Reyes - Miscikowski) to Adopt as Amended, Ayes (12);
Absent: Hahn, LaBonge and Ludlow (3)**

04-2275 - MITIGATED NEGATIVE DECLARATION and PLANNING AND LAND USE
CD 1 MANAGEMENT COMMITTEE REPORT relative to appeal on Specific Plan Exception and
Project Permit Compliance for property at 1304 West Second Street.

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. 04-2275 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV 2003-9928 MND] filed on March 4, 2004.
2. ADOPT the findings of the Central Area Planning Commission as the Findings of the Council.
3. DENY APPEAL filed by Amy McKenzie from the entire decision of the Central Area Planning Commission ~~*in approving~~ and **THEREBY APPROVE** a Specific Plan Exception to permit a 276 unit multiple family residential project without commercial floor area, which is otherwise required within the Specific Plan's RC5(CW) Land Use Category, subject to conditions of approval; to permit a five-foot front yard along Second Street, a two-foot side yard along Toluca Avenue and a five-foot side yard along Lucas Avenue; to allow a reduction in the dedication requirement on Lucas Avenue seven feet, subject to the redesignation of Lucas Avenue to a Modified Secondary Highway as part of the Central City West Specific Plan Amendments; to allow a reduction in the dedication requirement on Second Street to zero-feet; and Specific Plan Project Permit Compliance for the project, subject to conditions of approval, for property at 1304 West Second Street. ***(Reyes - Miscikowski)**

Applicant: John Huskey, Lucas Avenue Investments

CPC 2003-9929

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 - JANUARY 28, 2005

(LAST DAY FOR COUNCIL ACTION - JANUARY 28, 2005)

ADOPTED

AMENDING MOTION (REYES - MISCIKOWSKI)

Recommendation for Council action:

ADD the following recommendation under the Conditions of Approval (Case No. APCC-2003-0020-SPE-SPP, pages 1-3):

A. Entitlement/Specific Plan Project Compliance Conditions

11. Dedication(s) and Improvement(s).

B. Street Dedication and Improvements. If determined necessary, dedicate and improve all adjacent streets to the satisfaction of the City Engineer.

Street dedication along Lucas Avenue fronting the subject property shall be reduced to 7-feet provided that the pending street redesignation to Modified Secondary Highway is adopted by the City Council. The applicant shall improve the southeast corner of Second Street and Lucas Avenue, restripe Lucas Avenue between Second and Emerald Streets prior to obtaining a Certificate of Occupancy, and guarantee the cost of installing the appropriate traffic and parking control signs along Lucas Avenue adjacent to the subject property, as approved by the Los Angeles Department of Transportation (LADOT).

**Roll Call #6 - Motion (Miscikowski - Weiss) Adopted, Ayes (12); Absent: Hahn, LaBonge and Ludlow (3)
(Item Nos. 33-36)**

ITEM NO. (33) - ADOPTED

01-2159 - PUBLIC SAFETY COMMITTEE REPORT and RESOLUTION relative to the Juvenile S1 Justice Delinquency Prevention and Intervention Program 2004-05 grant award.

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

1. APPROVE the Standard Agreement and accept the grant award for the Juvenile Justice Delinquency Prevention and Intervention Program (JJDPIP) for a term of one year, beginning April 1, 2005 and ending March 30, 2006, subject to the approval of the City Attorney as to form and legality.
2. ADOPT the accompanying RESOLUTION relative to a grant award from the California Board of Corrections (CBOC) for the JJDPIP in the amount of \$432,000 for the period April 1, 2005 through March 31, 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), or designee, to execute and submit the Standard Agreement application package, attached to the file, to the CBOC on behalf of the City, subject to the approval of the City Attorney as to form and legality.

4. AUTHORIZE the Director, MCJPO, to release a Request for Proposals (RFP) to solicit community-based organizations to provide juvenile delinquency, prevention and intervention programs for areas of the City with high levels of juvenile crime.
5. AUTHORIZE the Director, MCJPO, to evaluate and recommend community-based organizations based on the RFP document.
6. INSTRUCT the Director, MCJPO, to report to the Mayor and Council for authorization to negotiate and execute contracts with the community-based organizations recommended and proposed funding amounts.
7. APPROPRIATE \$432,000 into the following accounts within Fund No. 42H, Department No. 46:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
W146	Salaries - Grant Funded	\$ 33,069
W203	Action Grants - Sub Recipients	\$ 398,931

8. AUTHORIZE the Controller to establish a receivable in the amount of \$33,069 and establish the following appropriation and revenue accounts within Fund No. 42H, Department No. 46:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
W146	Salaries - Grant Funded	\$ 33,069
W203	Action Grants - Sub Recipients	\$ 398,931

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

Fiscal Impact Statement: The CAO reports that there is no impact on the General Fund as a result of these actions. Funds in the amount of \$432,000 are provided from Federal JJDPIP grant funds through the California Board of Corrections.

ITEM NO. (34) - ADOPTED

03-1636 - PUBLIC SAFETY COMMITTEE REPORT relative to detective deployment, unsolved violent crimes and backlogs of Los Angeles Police Department (LAPD) support functions which impact solving crimes.

Recommendations for Council action, as initiated by Motion (Reyes - Miscikowski, et al):

1. NOTE and FILE the LAPD report dated August 31, 2004, relative to detective deployment, unsolved violent crimes and backlogs in support functions which impact solving these crimes, etc., inasmuch as the report is submitted for information and no Council action is necessary.

2. INSTRUCT the Chief Legislative Analyst (CLA) to work with the LAPD, the Mayor's Criminal Justice Planning Office and any other appropriate agency or department, and report back in 60 days, to find funding to revisit both the Detective Workload Study and the current deployment formula.

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

ITEM NO. (35) - ADOPTED

04-1786 - PUBLIC SAFETY COMMITTEE REPORT relative to strategies of the Los Angeles Police Department (LAPD) to reduce homicide and violent crime in the City.

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

1. NOTE and FILE the LAPD's October 27, 2004 report relative to strategies employed by the LAPD to reduce homicide and violent crime in the City, inasmuch as the report is submitted in response to the Motion, is for information only and no Council action is necessary.
2. INSTRUCT the LAPD to provide written "bullet point" lists of programs, resources and services, for Council offices to distribute to the public, regarding long-term strategies to reduce crime in the City.

Fiscal Impact Statement: None submitted by the LAPD. Neither the Chief Legislative Analyst nor the City Administrative Officer has not completed a financial analysis of this report.

ITEM NO. (36) - ADOPTED

04-2385 - PUBLIC SAFETY COMMITTEE REPORT relative to a donation of Heart Monitor/Defibrillators and Paramedic Training Materials.

Recommendation for Council action:

ACCEPT and APPROVE the donation of 70 Medtronic Physio-Control Life Pak 12 cardiac monitor/defibrillators and educational materials for paramedic training from the Annenberg Foundation, valued at \$1,010,735 and THANK the donor for this generous donation.

Fiscal Impact Statement: None submitted by the Los Angeles Board of Fire Commissioners. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

ITEM NO. (37) - CONTINUED TO JANUARY 5, 2005

**Roll Call #5 - Motion (Villaraigosa - Smith) Adopted to Continue, Unanimous Vote (11);
Absent: Hahn, Labonge, Ludlow and Parks (4)**

04-1530 - TRANSPORTATION COMMITTEE REPORT relative to drafting an ordinance to provide authority for establishing No Parking/Tow Away zones on hillside streets within the Mountain Fire Zone on red flag days.

Recommendations for Council action, as initiated by Motion (Weiss - LaBonge):

1. REQUEST the City Attorney to draft an ordinance, with the assistance from the Los Angeles Fire Department (LAFD) and the Department of Transportation (DOT), that provides the LAFD and the DOT with the authority for establishing No Parking/Tow Away zones on hillside streets within the Mountain Fire Zone on red flag days.
2. DIRECT the LAFD and the DOT to present to Council alternatives for community involvement and notification.
3. DIRECT the LAFD and the DOT to involve and obtain input from affected Neighborhood Councils.

Fiscal Impact Statement: The DOT reports that the number of additional parking restriction signs required to provide adequate clear roadway widths at critical bottleneck locations is unknown at this time. Once the location and required number of additional signs have been identified, the DOT will be requesting a special appropriation to its budget as part of the Mid-Year Adjustment to cover this additional expense. Alternatively, the LAFD or the City may be able to apply for and secure Local Hazard Mitigation grant funds or some other type of grant funds to avoid or lessen the impact on the General Fund.

**Roll Call #6 - Motion (Miscikowski - Weiss) Adopted, Ayes (12); Absent: Hahn, LaBonge
and Ludlow (3)
(Item Nos. 38-39)**

ITEM NO. (38) - ADOPTED

04-1250 - PERSONNEL and BUDGET AND FINANCE COMMITTEES' REPORT relative to filling S28 positions in the Office of the Treasurer.

Recommendations for Council action:

1. APPROVE, pursuant to the Managed Employment Process, the one-time filling of all 39 positions listed in the Office of the Treasurer's Departmental Personnel Ordinance.
2. APPROVE, pursuant to the Managed Employment Process, the filling of one substitute authority position of Management Assistant, Code 1539, Range 1972, within budgeted funds for the period July 1, 2004 through June 30, 2005. The Office of the Treasurer will hold one Accounting Clerk II position vacant for the same period.

3. DIRECT the Officer of the Treasurer to report monthly in the Financial Status Report with a status of Treasury operations, including, but not limited to the following: number of vacant positions; status of reclassification of accounting classes; status of salary and all other expenditure accounts; work backlogs in banking and cash reconciliation; and, status of temporary accountant services.

Fiscal Impact Statement: The City Administrative Officer (CAO) reports that there may be insufficient funds available in the Office of the Treasurer's Salaries General Account to fully fund all the positions. It is difficult to estimate the shortfall because it depends on when and how many positions will be filled. The Office of the Treasurer traditionally has surplus funds in other expenditure accounts. The CAO will closely monitor all the Office of the Treasurer's accounts and if necessary, adjustments can be made in the mid-year or year-end report.

ITEM NO. (39) - ADOPTED

04-1250 - PERSONNEL and BUDGET AND FINANCE COMMITTEES' REPORT relative to filling S32 three positions for the City Clerk.

Recommendations for Council action:

1. APPROVE, pursuant to the Managed Employment Process, the one-time filling of one position of Principal Clerk, Code 1201, in the Council and Public Services Division, City Clerk.
2. APPROVE, pursuant to the Managed Employment Process, the one-time filling of one position of Clerk Typist, Code 1358, in the Creative Services Division, City Clerk, subject to the City Clerk holding a Calligrapher position vacant.
3. APPROVE, pursuant to the Managed Employment Process, the one-time filling of one position of Management Analyst II, Code 9184-2, in the Administrative Services Division, City Clerk.

Fiscal Impact Statement: The City Administrative Officer reports that there are sufficient funds in the City Clerk Salaries General Account to cover the cost of these positions.

ITEM NO. (40) - REPORT AND ADDITIONAL MOTION ADOPTED - SEE FOLLOWING

Roll Call #16 - Motion (Greuel - Zine) to Adopt as Amended, Ayes (10); Absent: Hahn, LaBonge, Ludlow, Perry and Villaraigosa (5)

04-1250 - PERSONNEL and BUDGET AND FINANCE COMMITTEES' REPORT relative to filling S33 As-Needed positions of Administrative Hearing Examiner for the Department of Transportation's (DOT) Parking Adjudication activities.

Recommendation for Council action:

APPROVE, pursuant to the Managed Employment Process, the one-time filling of ten As-Needed positions of Administrative Hearing Examiner, Code 9135, in the Parking Adjudication Division, DOT, and provide backfill authority for the positions.

Fiscal Impact Statement: The City Administrative Officer (CAO) reports that the annual cost to fill the positions varies; however, the cost to hire as-needed Administrative Hearing Examiners in Fiscal Year (FY) 2003-04 was \$187,000. Assuming similar usage in FY 2004-05, the cost to fill the positions through the end of the fiscal year is approximately \$109,000. Approximately 45,000 tickets were adjudicated in FY 2003-04, and similar levels are projected for FY 2004-05. Unless hearings are conducted within the time frames specified in the attachment to the CAO's report, attached to the Council file, the City may forfeit up to \$1.1 million in fines resulting from upheld citations. The DOT has a deficit of \$500,000 in its as-needed account; however, the need for the positions overrides concerns about the account deficit.

ADOPTED

ADDITIONAL MOTION (GREUEL - ZINE)

Recommendation for Council action:

INSTRUCT the Department of Transportation to report to the Council on **FRIDAY, DECEMBER 17, 2004** in connection with filling As-Needed positions of Administration Hearing Examiner for its parking adjudication activities, including but not limited to plans for filling the positions, and ways to prevent future vacancy problems.

**Roll Call #6 - Motion (Miscikowski - Weiss) Adopted, Ayes (12); Absent: Hahn, LaBonge and Ludlow (3)
(Item Nos. 41-42)**

ITEM NO. (41) - ADOPTED

04-1250 - PERSONNEL and BUDGET AND FINANCE COMMITTEES' REPORT relative to filling S34 one position of Chief Real Estate Officer II and one position of Senior Title Examiner in the Bureau of Engineering.

Recommendation for Council action:

APPROVE, pursuant to the Managed Employment Process, the one-time filling of one position of Chief Real Estate Officer II, Code 1949-2, and one position of Senior Title Examiner, Code 1947, in the Bureau of Engineering; and AUTHORIZE backfill authority if these positions are filled by promotion from within the Bureau of Engineering.

Fiscal Impact Statement: The City Administrative Officer reports that the annual cost to fill the two positions is \$222,313; \$191,385 in direct costs and \$30,928 in related costs. The positions would be funded by the General Fund (58 percent) and Special Funds (42 percent).

ITEM NO. (42) - ADOPTED

04-1250 - PERSONNEL and BUDGET AND FINANCE COMMITTEES' REPORT relative to filling S35 three positions for the Commission for Children, Youth and Their Families (CCYF).

Recommendation for Council action:

APPROVE, pursuant to the Managed Employment Process, the one-time filling of one position of Senior Clerk Typist, Code 1368; one position of Project Assistant (Half Time), Code 1542; and one position of Community Program Assistant I, Code 2501-1, in the CCYF.

Fiscal Impact Statement: The City Administrative Officer reports that the CCYF has sufficient funds in its salary accounts to cover the full year cost of these positions. The CCYF has indicated that no additional funds will be requested. Salary accounts will be monitored throughout the fiscal year.

Items for Which Public Hearings Have Not Been Held - Items 43-71

(10 Votes Required for Consideration)

Roll Call #7 - Motion (Zine - Smith) Adopted, Ayes (12); Absent: Hahn, LaBonge and Ludlow (3) (Item Nos. 43-68)

ITEM NO. (43) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

05-1100 - COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to calling and ordering the Primary Nominating Election and the General Election, if necessary, for the City of Los Angeles citywide elective offices and the members of the City Council and the members of the Board of Education and consolidated election for the Board of Community College Trustees.

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

PRESENT and ADOPT the accompanying ORDINANCE providing for and ordering the holding of a Primary Nominating Election and a General Municipal Election on Tuesday, March 8, 2005, and Tuesday, May 17, 2005, respectively, in the City of Los Angeles, the Los Angeles Unified School District and the Los Angeles Community College District.

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

ITEM NO. (44) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

04-2305 - CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and CD 4 ORDINANCE FIRST CONSIDERATION relative to the requested quitclaim of storm drain easement lying on Cahuenga Boulevard north of Otsego Street - Right of Way No. 36000-1522.

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

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(4) of the City's Environmental Guidelines.
2. FIND that this project is in substantial conformance with the General Plan pursuant to Section 556 of the Los Angeles City Charter.
3. ADOPT the City Engineer report dated November 5, 2004, to approve the petitioner's request for the quitclaim of storm drain easement lying on Cahuenga Boulevard north of Otsego Street - R/W No. 36000-1522, subject to the following condition:

That the petitioner submit a current Title Report over the involved property if it is under new ownership.

4. PRESENT and ADOPT the accompanying ORDINANCE authorizing this quitclaim of storm drain easement lying on Cahuenga Boulevard north of Otsego Street.
5. INSTRUCT the Real Estate Division, Bureau of Engineering, to record and deliver the necessary quitclaim deed or deeds to the person/s legally entitled thereto.

Fiscal Impact Statement: The City Engineer reports that a fee of \$4,208 was paid for processing this request pursuant to Section 7.40 of the Los Angeles Administrative Code.

ITEM NO. (45) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

04-2417 - CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and
CD 12 ORDINANCE FIRST CONSIDERATION relative to the requested quitclaim of public street easement lying on Topanga Canyon Boulevard between Lassen Street and Plummer Street - Right of Way No. 36000-1516.

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

1. FIND that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(4) of the City's Environmental Guidelines.
2. FIND that this project is in substantial conformance with the General Plan pursuant to Section 556 of the Los Angeles City Charter.
3. ADOPT the City Engineer report dated November 19, 2004, to approve the petitioner's request for the quitclaim of public street easement lying on Topanga Canyon Boulevard between Lassen Street and Plummer Street. R/W No. 36000-1516.
4. PRESENT and ADOPT the accompanying ORDINANCE authorizing this quitclaim of public street easement lying on Topanga Canyon Boulevard between Lassen Street and Plummer Street.
5. INSTRUCT the Real Estate Division, Bureau of Engineering, to record and deliver the necessary quitclaim deed or deeds to the person/s legally entitled thereto.

Fiscal Impact Statement: The City Engineer reports that a fee of \$4280 was paid for processing this request pursuant to Section 7.40 of the Los Angeles Administrative Code.

ITEM NO. (46) - ADOPTED

04-0005 - RESOLUTION removing the property at 209-11 West 59th Place from the Rent Escrow Account Program [REAP], (Case No. 4078), 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 December 8, 2004.

Assessor I.D. No. 5131-009-038

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

ITEM NO. (47) - ADOPTED

04-0005 - RESOLUTION removing the property at 6615 North Darby Avenue from the Rent Escrow Account Program [REAP], (Case No. 5664/4462), 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 December 8, 2004.

Assessor I.D. No. 2125-015-019

(Notice of Acceptance into the REAP/Rent Reduction Program was released on October 10, 2001)

ITEM NO. (48) - ADOPTED

04-0005 - RESOLUTION removing the property at 2458 Folsom Street aka 469-71 North Fickett Street from the Rent Escrow Account Program [REAP], (Case No. 4521, 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 December 8, 2004.

Assessor I.D. No. 5177-028-001

(Notice of Acceptance into the REAP/Rent Reduction Program was released on December 6, 2001)

ITEM NO. (49) - ADOPTED

04-0005 - RESOLUTION removing the property at 4521-23 Esmeralda Street from the Rent
S512 Escrow Account Program [REAP], (Case No. 5280), inasmuch as the owner has corrected
CD 14 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 8, 2004.

Assessor I.D. No. 5305-041-005

(Notice of Acceptance into the REAP/Rent Reduction Program was released on
April 9, 2002)

ITEM NO. (50) - ADOPTED

04-0005 - RESOLUTION removing the property at 6615 North Darby Avenue from the Rent Escrow
S513 Account Program [REAP], (Case No. 4462/5664), inasmuch as the owner has corrected
CD 3 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 8, 2004.

Assessor I.D. No. 2125-015-019

(Notice of Acceptance into the REAP/Rent Reduction Program was released on
September 9, 2002)

ITEM NO. (51) - ADOPTED

04-0005 - RESOLUTION removing the property at 1155 East 21st Street from the Rent Escrow
S514 Account Program [REAP], (Case No. 6215), 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 December 8, 2004.

Assessor I.D. No. 6005-013-016

(Notice of Acceptance into the REAP/Rent Reduction Program was released on
February 5, 2003)

ITEM NO. (52) - ADOPTED

04-0005 - RESOLUTION removing the property at 540-42 West 113th Street from the Rent Escrow
S515 Account Program [REAP], (Case No. 7057), 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 8, 2004.

Assessor I.D. No. 6075-026-005

(Notice of Acceptance into the REAP/Rent Reduction Program was released on
December 18, 2003)

ITEM NO. (53) - ADOPTED

04-0005 - RESOLUTION removing the property at 631 Parkman Avenue from the Rent Escrow
S516 Account Program [REAP], (Case No. 7315), 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 8, 2004.

Assessor I.D. No. 5401-021-019

(Notice of Acceptance into the REAP/Rent Reduction Program was released on
April 1, 2004)

ITEM NO. (54) - ADOPTED

04-0005 - RESOLUTION removing the property at 16121 South Hoover Street from the Rent Escrow
S517 Account Program [REAP], (Case No. 7508), 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 8, 2004.

Assessor I.D. No. 6120-020-011

(Notice of Acceptance into the REAP/Rent Reduction Program was released on
September 14, 2004)

ITEM NO. (55) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

02-0319 - COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION TO VACATE at
CD 14 Fifth Street between Mission Road and Anderson Street - VAC-E1400794.

Recommendations for Council action:

1. REAFFIRM the FINDINGS of July 24, 2002, that this vacation is in substantial conformance with the General Plan pursuant to Section 556 of the Los Angeles City Charter (subject to the conditions contained therein).
2. ADOPT the accompanying RESOLUTION TO VACATE No. 04-1400794 at Fifth Street between Mission Road and Anderson Street.
3. APPROVE the City Engineer report dated November 2, 2004 for the vacation.
4. INSTRUCT the Department of Public Works, Bureau of Engineering, Land Development Group, to record the Resolution with the Los Angeles County Recorder.

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

ENVIRONMENTAL WORK COMPLETED FOR THIS PROJECT

ITEM NO. (56) - ADOPTED

03-0010 - CONSIDERATION OF MOTION (LABONGE - GARCETTI) relative to offer of reward for information leading to the identification, apprehension and conviction of person(s) responsible for the series of sexual related crimes in the Silver Lake and Atwater areas between 1995 and 2002.

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 person(s) responsible for the series of sexual related crimes in the Silver Lake and Atwater areas between 1995 and 2002.
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.

(Public Safety Committee waived consideration of the above matter)

ITEM NO. (57) - ADOPTED

04-2584 - MOTION (LABONGE - LUDLOW) relative to declaring the 18th Annual 2K Run For Fun Festival on December 11, 2004 a Special Event (fees and costs absorbed by the City = \$3,363).

Recommendation for Council action:

DECLARE the 18th Annual 2K Run For Fun Festival, sponsored by the Amateur Athletic Foundation on December 11, 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 fees and costs that may be associated with the use of facilities under the jurisdiction of the Board of Recreation and Park Commissioners. The event sponsor shall meet the application requirements of the City.

ITEM NO. (58) - ADOPTED

04-2583 - MOTION (PERRY - SMITH) relative to declaring the 69th Street Holiday Block Party on CD 9 December 18, 2004 a Special Event (fees and costs absorbed by the City = \$1,226).

Recommendation for Council action:

DECLARE the 69th Street Holiday Block Party, sponsored by the 69th Street Block Club 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. (59) - ADOPTED

04-2582 - MOTION (PERRY - SMITH) relative to declaring the Holiday Block Club Party on CD 9 December 23, 2004 a Special Event (fees and costs absorbed by the City = \$1,226).

Recommendation for Council action:

DECLARE the Holiday Block Club Party, sponsored by the 43rd Street Block Party on December 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. (60) - ADOPTED

04-2581 - MOTION (PADILLA - CARDENAS) relative to declaring the Virgen de Guadalupe CD 7 Procession on December 11, 2004 a Special Event (fees and costs absorbed by the City = \$2,920).

Recommendation for Council action:

DECLARE the Virgen de Guadalupe Procession, sponsored by the Our Lady of Peace Catholic Church on December 11, 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. (61) - ADOPTED

04-2579 - MOTION (LUDLOW - PADILLA) relative to declaring the Holiday Celebration on
CD 10 December 18, 2004 a Special Event (fees and costs absorbed by the City = \$3,411).

Recommendation for Council action:

DECLARE the Holiday Celebration, sponsored by the Council District 10 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, INCLUDING insurance. The event sponsor and organizer shall meet the application requirements of the City.

ITEM NO. (62) - ADOPTED

04-2578 - MOTION (LUDLOW - PADILLA) relative to declaring the Mid-City Neighborhood Holiday
CD 10 Fair on December 11-12, 2004 a Special Event (fees and costs absorbed by the City = \$4,886).

Recommendation for Council action:

DECLARE the Mid-City Neighborhood Holiday Fair, sponsored by the Mid-City Neighborhood Council on December 11-12, 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. The event sponsor shall meet the application requirements of the City.

ITEM NO. (63) - ADOPTED

04-2577 - MOTION (LUDLOW - GARCETTI) relative to declaring the Little Ethiopia Cultural Festival
CD 10 on December 11, 2004 a Special Event (fees and costs absorbed by the City = \$5,575).

Recommendation for Council action:

DECLARE the Little Ethiopia Cultural Festival, sponsored by the Ethiopian Community on December 11, 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. (64) - ADOPTED

04-2576 - MOTION (LUDLOW - GARCETTI) relative to declaring the Eighth Street Christmas
CD 10 Festival and Toy Drive on December 11-12, 2004 a Special Event (fees and costs absorbed by the City = \$10,407).

Recommendation for Council action:

DECLARE the Eighth Street Christmas Festival and Toy Drive, sponsored by the Edgar N. Palacios Children Foundation and the Children Network International on December 11-12, 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. (65) - ADOPTED

04-2572 - MOTION (VILLARAIGOSA - GREUEL) relative to declaring the Variety Boys and Girls CD 14 Annual Christmas Event on December 18, 2004 a Special Event (fees and costs absorbed by the City = \$3,310).

Recommendation for Council action:

DECLARE the Variety Boys and Girls Annual Christmas Event, sponsored by the Variety Boys and Girls Club 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. (66) - ADOPTED

04-2580 - MOTION (MISCIKOWSKI - PARKS) relative to relocation of the Westchester Veteran's CD 11 Monument.

Recommendation for Council action:

REQUEST and AUTHORIZE the Department of Public Works, Bureau of Engineering, the Department of Building and Safety and any other involved City department and agency to WAIVE any City fees, currently estimated at \$568, associated with the relocation of the Westchester Veteran's Monument out of its current location, at the corner of Manchester and Lincoln on the City-owned Westchester Municipal Building, to the other side of the building, at 7166 Manchester.

ITEM NO. (67) - ADOPTED

04-2575 - MOTION (GREUEL - WEISS) relative to the installation of decorative street print at four CD 5 crosswalks located at the intersection of Ventura Boulevard, west of Vesper Avenue and Cedros Avenue.

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

1. AUTHORIZE the Director of the Bureau of Street Services (BSS) to construct the decorative Duratherm street print work at the four crosswalks located at the intersection of Ventura Boulevard, west of Vesper Avenue to Cedros Avenue.

2. AUTHORIZE the BSS to accept The Village at Sherman Oaks, Inc.'s donation in the amount of \$60,211 for the four Duratherm street print crosswalks.
3. AUTHORIZE the Controller to deposit the check from The Village at Sherman Oaks, Inc., to the City of Los Angeles, in the amount of \$60,211, to the Subventions and Grants, Fund No. 305, Department 50, Revenue Source Account No. 3734, "Ventura Boulevard west of Vesper Avenue to Cedros Avenue Duratherm Street Print Project" and TRANSFER and APPROPRIATE therefrom to the General Fund, Fund No. 100, Department 86, Bureau of Street Services to the accounts specified below, for costs in connection with the project:

Department of Public Works, Street Services Fund No. 100-86

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1090	Salaries-Overtime	\$28,587
3030	Construction Materials Expense	9,474
3040	Contractual Services	11,075
6020	Operating Supplies and Expense	<u>11,075</u>
	Total	\$60,211

ITEM NO. (68) - ADOPTED

04-2574 - MOTION (PERRY - PARKS) relative to the construction and program development of a CD 9 new community gymnasium for the Little Tokyo Service Center.

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

INSTRUCT the Department of General Services to open an escrow account and accept funds in the amount of \$300,000 from the Little Tokyo Service Center for the incremental design costs for the construction of the City Personnel Parking Structure located at Second and Los Angeles Streets to be the structural foundation for a future Community gymnasium.

ITEM NO. (69) - ADOPTED

Roll Call #15 - Motion (Padilla - Smith) Adopted, Ayes (12); Absent: Hahn, LaBonge and Ludlow (3)

04-2573 - MOTION (PADILLA - SMITH - ET AL.) relative to naming the new 19th Area Police CD 7 Station in the North Valley.

Recommendations for Council action:

1. NAME the North Valley Area Police Station the "Mission Area Station" and RECOGNIZE that all documents and official records referring to the North Valley Station refer similarly to the Mission Area Station.
2. AUTHORIZE the City Attorney, Police Department and other departments as needed, to take all necessary actions to effectuate this name change.

**Roll Call #7 - Motion (Zine - Smith) Adopted, Ayes (12); Absent: Hahn, LaBonge and Ludlow (3)
(Item Nos. 70-71)**

ITEM NO. (70) - MAP AND BOND APPROVED - CITY ENGINEER REPORT ADOPTED

04-2592 - FINAL MAP OF TRACT NO. 60325 for property lying westerly of Arnaz Drive and
CD 5 southerly of Third Street.
(Approve Subdivision Improvement Agreement and Contract with
attached security documents)
(ADOPT City Engineer Report)
(ADOPT Bond No. C-107522)
(Quimby Fee: \$45,216)
(Less Dwelling Unit Construction Tax: \$3,200)
Applicants: Dariush Khakshouri
Engles Shen & Associates

ITEM NO. (71) - MAP AND BOND APPROVED - CITY ENGINEER REPORT ADOPTED

04-2503 - FINAL MAP OF TRACT NO. 49246 for property lying westerly of Independence Avenue
CD 3 and northerly of Vanowen Street.
(Approve Subdivision Improvement Agreement and Contract with
attached security documents)
(ADOPT City Engineer Report)
(ADOPT Bond No. C-107694)
Applicants: Victor Minassian
Robert K. Kameoka

Closed Sessions - Items 72-74

ITEM NO. (72) - MEETING HELD - ACTION TAKEN IN CLOSED SESSION

02-2283 - The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(b)(1), to confer with its legal counsel relative to the threatened litigation involving Leimert Park Business Improvement District.

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

ITEM NO. (73) - REFERRED TO PLANNING AND LAND USE MANAGEMENT COMMITTEE

**Roll Call #17 - Motion (Reyes - Cardenas) Adopted to Refer, Unanimous Vote (10);
Absent: Hahn, LaBonge, Ludlow, Perry and Villaraigosa (5)**

04-2266 - The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to the case entitled Beverly Wilshire Homes Association, Inc., v. City of Los Angeles; Los Angeles Department of Transportation, Los Angeles Superior Court Case No. BS 076661.

(Budget and Finance Committee will consider the above matter in Closed Session on December 14, 2004)

ITEM NO. (74) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

**Roll Call #18 - Motion (Parks - Miscikowski) Adopted in Open Session, Ayes (10);
Absent: Hahn, LaBonge, Ludlow, Perry and Villaraigosa (5)**

01-1989 - The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to settlement in the cases entitled Terry Tipton-Whittingham, et al., v. City of Los Angeles, United States District Court (USDC) Case No. CV 94-3240 TJH; Carl Tomlinson v. City of Los Angeles, USDC Case No. CV 99-03757 TJH; Janet Zumstein v. City of Los Angeles, USDC Case No. CV 99-03759 TJH; Kathy Marchetti v. City of Los Angeles, et al., USDC Case No. CV 04-02142 TJH. (Plaintiffs allege they were subjected to sexual discrimination, harassment and unlawful retaliation during the course of their employment with the Los Angeles Police Department.)

(Budget and Finance Committee will consider the above matter in Closed Session on December 14, 2004)

ADOPTED

MOTION (PARKS - MISCIKOWSKI)

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

- 1. AUTHORIZE the City Attorney to expend \$4,935,000 in settlement of the cases entitled Terry Tipton-Whittingham, et al., v. City of Los Angeles, United States District Court (USDC) Case No. CV 94-3240 TJH; Carl Tomlinson v. City of Los Angeles, USDC Case No. CV 99-03757 TJH; Janet Zumstein v. City of Los Angeles, USDC Case No. CV 99-03759 TJH; Kathy Marchetti v. City of Los Angeles, et al., USDC Case No. CV 04-02142 TJH, from the Liability Claims Account No. 9770, Department 59, Fund 100.**
- 2. AUTHORIZE the City Attorney to draw demands thereon in the amounts and payable as detailed in the City Attorney report R04-0491, dated December 7, 2004.**

This matter was approved by the Budget and Finance Committee (Parks - Miscikowski - Cardenas - Garcetti - Smith "yes") at its meeting of December 14, 2004, in Closed Session as permitted by Government Code Section 54956.9(a).

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

- 02-2758 - MOTION (VILLARAIGOSA - SMITH) relative to declaring the WE CARE ELA on December 18, 2004 a Special Event (fees and costs absorbed by the City = \$1,750).
- 03-2587 - MOTION (VILLARAIGOSA - SMITH) relative to declaring the Hollenbeck Police Business Council Toy Giveaway on December 18, 2004 a Special Event (fees and costs absorbed by the City = \$3,746).
- 03-0010 - MOTION (GARCETTI - GREUEL) relative to reinstating the reward offer in the death of S72 Rosalba Acosta for an additional 60 days.
- 04-0010 - MOTION (PARKS - SMITH) relative to an offer of reward for information leading to the S56 identification, apprehension, and conviction of the person(s) responsible for the October 20, 2003 felony hit-and-run traffic collision and subsequent death of Derrick Norwood on February 26, 2004.
- 04-2608 - MOTION (MISCIKOWSKI - REYES) relative to creating a Community Design Overlay District for Lincoln Boulevard, between the City of Santa Monica boundary and Washington Boulevard within the Venice Community Plan area.
- 02-2889 - MOTION (WEISS - GREUEL) relative to use of settlement monies in the case of WW Westwood v. City of Los Angeles for renovation of the Fairburn Avenue Elementary School library.

Ayes, Cardenas, Garcetti, Greuel, Miscikowski, Parks, Reyes, Smith, Weiss, Zine and President Padilla (10); Absent: Hahn, LaBonge, Ludlow, Perry and Villaraigosa (5).

Whereupon the Council did adjourn.

ATTEST: Frank T. Martinez, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL