
Office of the City Clerk, City of Los Angeles

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Council File Number

[03-0926-S1](#)

Title

GEOFFREY PALMER

Subject

Communication from the City Attorney R04-0299 relative to discussion in Closed Session, pursuant to Government Code Section 54956.9(a), cases entitled Geoffrey Palmer, an individual; and Palmer Boston Street Properties II, a California limited partnership v. City of Los Angeles; City of Los Angeles Department of Building and Safety; Community Redevelopment Agency of the City of Los Angeles; Palmer Boston Street Properties II, a California limited partnership v. City of Los Angeles; City Council of Los Angeles; City of Los Angeles Department of Building and Safety; Board of Building and Safety Commissioners; and Palmer Boston Street Properties II, a California limited partnership v. City of Los Angeles; City of Los Angeles Department of Building and Safety - Case Nos. USDC CV-03-6402-SVW(RCx); LASC BS088281; and LASC BC297138.

Last Change Date

07/29/2004

Council District

1

Initiated by

City Attorney

Archive History

7-9-04 - For ref

7-9-04 - Ref to Planning and Land Use Management and Housing, Community and Economic Development Committees

7-9-04 - File to Council Clerk per request

7-14-04 - Meeting Held - Verbal Motion - Reyes Mover 2004 / Weiss - ADOPTED IN OPEN SESSION - HEREBY MOVE that Council ADOPT the recommendations of the City Attorney in the cases entitled Geoffrey Palmer, an individual; and Palmer Boston Street Properties II, a California limited partnership v. City of Los Angeles; City of Los Angeles Department of Building and Safety; Community Redevelopment Agency of the City of Los Angeles; Palmer Boston Street Properties II, a California limited partnership v. City of Los Angeles; City Council of Los Angeles; City of Los Angeles Department of Building and Safety; Board of Building and Safety Commissioners; and Palmer Boston Street Properties II, a California limited partnership v. City of Los Angeles; City of Los Angeles Department of Building and Safety. United States District Court Case No. CV-03-6402-SVW RCx); Los Angeles Superior Court Case No. (LASC) BS088281; and LASC Court Case No. BC297138, SUBJECT TO THE APPROVAL OF THE MAYOR:

AUTHORIZE the City Attorney to accept settlement in the above entitled cases, as proposed:

- a. Palmer will dismiss all the pending litigation with prejudice in exchange for the City adhering to its deadlines in the permit process, and removal of the application of the scorched earth ordinance to the Property.
- b. Palmer will pay \$200,000 to the City to be used in consultation with Council District One to mitigate the impacts of the project and for projects benefitting the community.
- c. Palmer will provide 100 spaces to the Los Angeles Unified School District for use by the Evans Learning Center. During the construction of Orsini IIA, Palmer will provide 60 spaces of interim off site parking within the immediate vicinity.
- d. Palmer will provide an open plaza area at the southeast corner of Figueroa Street and Cesar Chavez Avenue with a fountain. This fountain area will include a dedication designed in consultation with a local artist to commemorate the early settlers of Chinatown.
- e. Palmer will include a gateway concept in the bridge from Orsini I to Orsini IIA.

f. Palmer agrees not to remove any affordable housing units in the development of Orsini II or Orsini III. In the event affordable housing units are removed, Palmer will replace them one for one in a location acceptable to Council District One.

g. Palmer agrees to work with the Council Office, the Community Redevelopment Agency (CRA), the community and with the Chinatown Community Advisory Committee in the design of the streetscape for Orsini II and III.

h. Palmer will implement and pay for a uniform streetscape along Cesar Chavez Avenue for Orsini II and III which will include street lighting, street trees, enhanced cross walks, the addition of street furniture (such as bus benches and trash cans) and other design elements.

i. Palmer will defend and indemnify the City and the CRA for any and all actions of any kind related to the project.

7-14-04 - MEMORANDUM TO FILE - The City Council held a Closed Session on Wednesday, July 14, 2004, pursuant to authority provided in California Government Code Section 54956.9(a), to confer with its legal counsel relative to cases entitled Geoffrey Palmer, an individual; and Palmer Boston Street Properties II, a California limited partnership v. City of Los Angeles; City of Los Angeles Department of Building and Safety; Community Redevelopment Agency of the City of Los Angeles; Palmer Boston Street Properties II, a California limited partnership v. City of Los Angeles; City Council of Los Angeles; City of Los Angeles Department of Building and Safety; Board of Building and Safety Commissioners; and Palmer Boston Street Properties II, a California limited partnership v. City of Los Angeles; City of Los Angeles Department of Building and Safety. United States District Court Case No. CV-03-6402-SVW RCx); Los Angeles Superior Court Case No. (LASC) BS088281; and LASC Court Case No. BC297138; Planning and Land Use Management and Housing, Community and Economic Development Committees waived consideration of the above matter.

The purpose of this memorandum is to note for the record that following discussion of the above matter in Closed Session, the City Council adopted the Motion (Reyes - Weiss) in Open Session and instructed the City Clerk to transmit the file forthwith.

7-16-04 - File to the Mayor FORTHWITH

7-27-04 - File returned without Mayor's signature - DEEMED APPROVED

7-27-04 - File to Calendar Clerk

7-29-04 - File in files