
SALUTE TO THE FLAG

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF JULY 13, 2005

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 26

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 1-8

Roll Call #1 - Motion (Cardenas - Garcetti) Adopted, Ayes (12); Absent: Hahn (1) (Item Nos. 1-8)

ITEM NO. (1) - PUBLIC HEARING CLOSED - ADOPTED

04-2062 CD 2 CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of SUMMITROSE STREET AND COMMERCE AVENUE LIGHTING DISTRICT.

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

PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing held June 28, 2005)
ITEM NO. (2) - PUBLIC HEARING CLOSED - ADOPTED

04-2063
CD 6
CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of RUNNYMEDE STREET AND LAUREL CANYON BOULEVARD LIGHTING DISTRICT.

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

1. FIND that a majority protest exists in the Street Lighting Maintenance Assessment District and therefore the proposed assessment cannot be enacted.

2. PRESENT and ADOPT the accompanying ORDINANCE abandoning all proceedings relating to the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

3. INSTRUCT the Director, Bureau of Street Lighting, to assure that the streetlights are not installed or are removed from service if previously installed.

(Public Hearing held June 28, 2005)

ITEM NO. (3) - PUBLIC HEARING CLOSED - ADOPTED

04-2106
CD 7
CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of BURNET AVENUE AND PLUMMER STREET LIGHTING DISTRICT.

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

1. FIND that a majority protest exists in the Street Lighting Maintenance Assessment District and therefore the proposed assessment cannot be enacted.

2. PRESENT and ADOPT the accompanying ORDINANCE abandoning all proceedings relating to the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

3. INSTRUCT the Director, Bureau of Street Lighting, to assure that the streetlights are not installed or are removed from service if previously installed.

(Public Hearing held June 28, 2005)
ITEM NO. (4) - PUBLIC HEARING CLOSED - ADOPTED

04-2135
CD 6	CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of VANOWEN STREET AND FORBES AVENUE LIGHTING DISTRICT.

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

1. FIND that a majority protest exists in the Street Lighting Maintenance Assessment District and therefore the proposed assessment cannot be enacted.

2. PRESENT and ADOPT the accompanying ORDINANCE abandoning all proceedings relating to the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

3. INSTRUCT the Director, Bureau of Street Lighting, to assure that the streetlights are not installed or are removed from service if previously installed.

(Public Hearing held June 28, 2005)

ITEM NO. (5) - PUBLIC HEARING CLOSED - ADOPTED

04-2136
CD 5	CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of WHITE OAK AVENUE AND VENTURA BOULEVARD LIGHTING DISTRICT.

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

1. FIND that a majority protest exists in the Street Lighting Maintenance Assessment District and therefore the proposed assessment cannot be enacted.

2. PRESENT and ADOPT the accompanying ORDINANCE abandoning all proceedings relating to the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

3. INSTRUCT the Director, Bureau of Street Lighting, to assure that the streetlights are not installed or are removed from service if previously installed.

(Public Hearing held June 28, 2005)
ITEM NO. (6) - PUBLIC HEARING CLOSED - ADOPTED

04-2139 CD 15 CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of WESTMONT DRIVE AND GAFFEY STREET NO. 1 LIGHTING DISTRICT.

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

1. DENY the protests and confirm the assessments.

2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting district, if there was not a majority protest as a result of balloting, and if protests are denied, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing held June 28, 2005)

ITEM NO. (7) - PUBLIC HEARING CLOSED - ADOPTED

04-2140 CD 13 CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of FERNWOOD AND BRONSON AVENUES LIGHTING DISTRICT.

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

1. DENY the protests and confirm the assessments.

2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing held June 28, 2005)

ITEM NO. (8) - PUBLIC HEARING CLOSED - ADOPTED

04-2141 CD 7 CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of OSBORNE STREET AND NORRIS AVENUE LIGHTING DISTRICT.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:
1. FIND that a majority protest exists in the Street Lighting Maintenance Assessment District and therefore the proposed assessment cannot be enacted.

2. PRESENT and ADOPT the accompanying ORDINANCE abandoning all proceedings relating to the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

3. INSTRUCT the Director, Bureau of Street Lighting, to assure that the streetlights are not installed or are removed from service if previously installed.

(Public Hearing held June 28, 2005)

Items for Which Public Hearings Have Been Held - Items 9-15

ITEM NO. (9) - ADOPTED - FORTHWITH

Roll Call #5 - Motion (Smith - LaBonge) Adopted, Ayes (12); Absent: Hahn (1)

05-1399
PUBLIC WORKS COMMITTEE REPORT relative to the appointment of Ms. Cynthia M. Ruiz to the Board of Public Works.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Ms. Cynthia M. Ruiz to the Board of Public Works for the term ending June 30, 2006, to fill the vacancy created by the resignation of Ms. Ellen Stein, is APPROVED and CONFIRMED. Ms. Ruiz resides in Council District 14. (Current Board gender composition: M = 0; F = 2; Vacancies = 3)

Ethics Commission Review: Pending

TIME LIMIT FILE - AUGUST 15, 2005
(LAST DAY FOR COUNCIL ACTION - AUGUST 12, 2005)

Roll Call #3 - Motion (Reyes - LaBonge) Adopted, Ayes (12); Absent: Hahn (1)
(Item Nos. 10-11)

ITEM NO. (10) - ADOPTED

02-1543 CD 15
EXEMPTION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to temporarily prohibiting the issuance of building and use of land permits for open storage uses on industrially zoned properties within the Wilmington Community Plan Area.
Recommendations for Council action, as initiated by Motion (Hahn - Perry), SUBJECT TO THE APPROVAL OF THE MAYOR:

1. FIND that this action is exempt from California Environmental Quality Act (CEQA), pursuant to Article II, Section 2(m) of the City's Guidelines.

2. ADOPT the June 28, 2005 FINDINGS of the Director of Planning as the Findings of the Council.

3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the Director of Planning, temporarily prohibiting the issuance of building and use of land permits for open storage uses on industrial zoned properties within the Wilmington Community Plan Area, generally bounded by City boundary (with the City of Carson) on the north, Alameda Street on the east, the I-110 Harbor Freeway on the west, and the jurisdictional boundary with the Port of Los Angeles on the south (generally Harry Bridges Boulevard, except between Quay and Lagoon Avenues, where it is further south, between “A” and Water Streets) except the areas west of I-110 Freeway, and east of Alameda Street (Project Area).

Applicant: City of Los Angeles

Fiscal Impact Statement: The Planning Department reports that the City administrative cost has been waived.

URGENCY CLAUSE - 12 VOTES REQUIRED

ITEM NO. (11) - ADOPTED

05-1282

COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to Amendment No. 1 to Agreement No. 47166-2 with Honeywell DMC Services, LLC (Honeywell) to provide for management and administration of the Ultra-Low-Flush (ULF) Toilet Distribution Program.

Recommendation for Council action:

CONCUR with Resolution No. 005-278 as adopted by the Board of Water and Power Commissioners (Board) on June 7, 2005, APPROVE Amendment No. 1 to Agreement No. 47166-2 and AUTHORIZE the Board President or General Manager of the Department of Water and Power (DWP) and the Board Secretary to execute Amendment No. 1 to Agreement No. 47166-2 with Honeywell to provide the DWP with continued management and administration of the DWP’s ULF Toilet Distribution Program, extend the term of said Agreement for an additional 20 months and increase expenditures by $10 million.
Fiscal Impact Statement: The City Administrative Officer reports that the proposed Amendment No. 1 to Agreement No. 47166-2 will result in additional expenditures of $10 million over 20 months for the Water Revenue Fund. The City General Fund will not be impacted. Since the DWP is only bound by the City Debt Management Policies, and the proposed Amendment No. 5 will not impact the City General Fund, the City Financial Policies are not applicable.

TIME LIMIT FILE - AUGUST 19, 2005
(LAST DAY FOR COUNCIL ACTION - AUGUST 19, 2005)

ITEM NO. (12) - ADOPTED

Roll Call #6 - Motion (Cardenas - Rosendahl) Adopted, Ayes (12); Absent: Hahn (1)

05-1283

COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to Amendment No. 1 to Agreement No. 47167-2 with Honeywell DMC Services, LLC (Honeywell) to provide management and administration services for the Water Conservation Rebate Program.

Recommendation for Council action:

CONCUR with Resolution No. 005-270 as adopted by the Board of Water and Power Commissioners (Board) on June 7, 2005, APPROVE Amendment No. 1 to Agreement No. 47167-2 and AUTHORIZE the Board President or General Manager of the Department of Water and Power (DWP) and the Board Secretary to execute Amendment No. 1 to Agreement No. 47167-2 with Honeywell to provide the DWP with continued management and administration services for the DWP’s Water Conservation Rebate Program and extend the term of said Agreement for an additional 20 months to expire on February 28, 2007.

Fiscal Impact Statement: The City Administrative Officer reports that the proposed Amendment No. 1 to Agreement No. 47167-2 will have no impact on the Water Revenue Fund or the City General Fund. Since the DWP is only bound by the City Debt Management Policies, and the proposed Amendment No. 1 will not impact the City General Fund, the City Financial Policies are not applicable.

TIME LIMIT FILE - AUGUST 19, 2005
(LAST DAY FOR COUNCIL ACTION - AUGUST 19, 2005)
ITEM NO. (13) - CONTINUED TO JULY 20, 2005

Roll Call #2 - Motion (Greuel - Reyes) Adopted to Continue, Unanimous Vote (12);
Absent: Hahn (1)

05-0869
CD 2

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the proposed Best Buy project at 4500 Van Nuys Boulevard.

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

1. APPROVE the May 24, 2005, Director of Planning report on the structure and height measurements procedures and methods used in the City.

2. APPROVE the Los Angeles Department of Building and Safety (LADBS) determination to issue the permit(s) for the proposed Best Buy project at 4500 Van Nuys Boulevard. LADBS reported that the project is now in compliance with the height limitation of 33 feet, as specified under the Ventura/Cahuenga Specific Plan.

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

Roll Call #3 - Motion (Reyes - LaBonge) Adopted, Ayes (12); Absent: Hahn (1)

(Item Nos. 14-15)

ITEM NO. (14) - ADOPTED

02-1767-S2
CD 8

PUBLIC WORKS COMMITTEE REPORT relative to waiving the administrative costs, interest, and other charges on the assessment liens on the property at 1210-14 1/2 West 39th Street.

Recommendation for Council action, pursuant to Motion (Parks - Perry):

REQUEST the Department of Public Works and the Bureau of Engineering to waive $2,715.43 in administrative costs, interest and other charges on assessment liens and maintain the $30,000 lien for the costs for the property located at 1210-14 1/2 West 39th Street.

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

ITEM NO. (15) - ADOPTED

05-0119

PUBLIC WORKS COMMITTEE REPORT relative to a comprehensive assessment of change order information for City construction projects.
Recommendation for Council action:

NOTE and FILE the Bureau of Engineering report, submitted in response to Motion (Zine-Cardenas) which provides a comprehensive assessment of change order information for City construction projects, inasmuch as the report was submitted to clarify issues regarding construction change orders, and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

Items for Which Public Hearings Have Not Been Held - Items 16-47
(10 Votes Required for Consideration)

Roll Call #4 - Motion (Garcetti - Rosendahl) Adopted, Ayes (12); Absent: Hahn (1)
(Item Nos. 16-30)

ITEM NO. (16) - ADOPTED

05-0005-S220
CD 8 RESOLUTION removing the property at 6415-17 1/2 South 11th Avenue from the Rent Escrow Account Program [REAP], (Case No. 2769), 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 173810, and ADOPT the Findings contained in the Los Angeles Housing Department’s report of July 12, 2005.

Assessor I.D. No. 4006-010-025
Registration No. 6258503

(Notice of Acceptance into the REAP/Rent Reduction Program was released on November 5, 1999)

ITEM NO. (17) - ADOPTED

05-0005-S221
CD 1 RESOLUTION removing the property at 2520-24 1/2 Hancock Street a.k.a. 3111-15 North Aylesworth Place from the Rent Escrow Account Program [REAP], (Case No. 4458), 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 173810, and ADOPT the Findings contained in the Los Angeles Housing Department’s report of July 12, 2005.

Assessor I.D. No. 5208-007-008
Registration No. 8823635

(Notice of Acceptance into the REAP/Rent Reduction Program was released on March 21, 2002)
ITEM NO. (18) - ADOPTED

05-0005-S222  CD 9  RESOLUTION removing the property at 1427-33 3/4 East 53rd Street from the Rent Escrow Account Program [REAP], (Case No. 4500), 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 173810, and ADOPT the Findings contained in the Los Angeles Housing Department’s report of July 12, 2005.

Assessor I.D. No. 5104-008-029
Registration No. 0520478

(Notice of Acceptance into the REAP/Rent Reduction Program was released on October 18, 2001)

ITEM NO. (19) - ADOPTED

05-0005-S223  CD 9  RESOLUTION removing the property at 5548-50 Morgan Avenue from the Rent Escrow Account Program [REAP], (Case No. 5817), 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 173810, and ADOPT the Findings contained in the Los Angeles Housing Department’s report of July 12, 2005.

Assessor I.D. No. 5105-014-014
Registration No. 9001736

(Notice of Acceptance into the REAP/Rent Reduction Program was released on November 21, 2002)

ITEM NO. (20) - ADOPTED

05-0005-S224  CD 8  RESOLUTION removing the property at 1552-54 West 85th Street from the Rent Escrow Account Program [REAP], (Case No. 5835), 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 173810, and ADOPT the Findings contained in the Los Angeles Housing Department’s report of July 12, 2005.

Assessor I.D. No. 6034-029-002
Registration No. 7210719

(Notice of Acceptance into the REAP/Rent Reduction Program was released on November 21, 2002)
ITEM NO. (21) - ADOPTED

05-0005-S225  CD 8  RESOLUTION removing the property at 1482-86 West 27th Street from the Rent Escrow Account Program [REAP], (Case No. 6442), 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 173810, and ADOPT the Findings contained in the Los Angeles Housing Department’s report of July 12, 2005.

Assessor I.D. No. 5054-031-003  Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on May 3, 2003)

ITEM NO. (22) - ADOPTED

05-0005-S226  CD 9  RESOLUTION removing the property at 216-18 East 94th Street from the Rent Escrow Account Program [REAP], (Case No. 7679), 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 173810, and ADOPT the Findings contained in the Los Angeles Housing Department’s report of July 12, 2005.

Assessor I.D. No. 6052-011-005  Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on March 24, 2005)

ITEM NO. (23) - ADOPTED

05-0005-S227  CD 13 RESOLUTION removing the property at 722-24 1/2 North St. Andrews Place from the Rent Escrow Account Program [REAP], (Case No. 7872), 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 173810, and ADOPT the Findings contained in the Los Angeles Housing Department’s report of July 12, 2005.

Assessor I.D. No. 5535-016-011  Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on December 28, 2004)
ITEM NO. (24) - ADOPTED

05-0005-S228
CD 9 RESOLUTION removing the property at 1444-46 1/2 East 49th Street from the Rent Escrow Account Program [REAP], (Case No. 7975), 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 173810, and ADOPT the Findings contained in the Los Angeles Housing Department’s report of July 12, 2005.

Assessor I.D. No. 5107-030-011
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on March 15, 2005)

ITEM NO. (25) - ADOPTED

05-0005-S229
CD 4 RESOLUTION removing the property at 4307 West Avocado Street from the Rent Escrow Account Program [REAP], (Case No. 8249), 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 173810, and ADOPT the Findings contained in the Los Angeles Housing Department’s report of July 12, 2005.

Assessor I.D. No. 5591-002-017
Registration No. None

(Notice of Acceptance into the REAP/Rent Reduction Program was released on April 20, 2005)

ITEM NO. (26) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

05-0217
CD 9 COMMUNICATION FROM CHAIR AND MEMBER, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE and RESOLUTION relative to the amendment, restatement, and re-marketing of tax-exempt multi-family housing revenue bonds for the Metropolitan Apartments Project.

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

1. ADOPT the accompanying RESOLUTION authorizing Tax Equity and Fiscal Responsibility Act (TEFRA) Hearing and the amendment, restatement, and re-marketing of $28.4 million in existing variable rate multi-family housing revenue bonds and other related actions for the Metropolitan Apartments Project at 950 South Flower Street in the amended Central Business District Redevelopment Project Area, subject to the approval of the City Attorney as to form and legality.
2. APPROVE the minutes of the TEFRA Hearing conducted by the Community Redevelopment Agency (CRA) on June 17, 2005 for the Project (attached to the Council file).

3. AUTHORIZE the Chief Executive Officer, CRA, or designee, to negotiate and execute all necessary financing related documents associated with this project, as well as any other ancillary documents required to complete this transaction, subject to the approval of the City Attorney as to form and legality.

4. AUTHORIZE the use of Merrill Lynch as the re-marketing agent and Fulbright & Jaworski LLP as the bond counsel (collectively known as the Bond Finance Team) for the project, subject to the approval of both the City Attorney as to form and legality, and the Department of Public Works, Bureau of Contract Administration for compliance with CRA contracting requirements.

Fiscal Impact Statement: The City Administrative Officer reports that this action will not impact the General Fund. Funding to repay the variable rate multi-family housing revenue bonds will be provided from rental income produced by the Metropolitan Apartments Project. Inasmuch as the CRA is bound only by the City Debt Management Policies, and because the above recommended will not impact the General Fund, City financial policies are not applicable.

ITEM NO. (27) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

04-1274 CD 11 CATEGORICAL EXEMPTION and COMMUNICATION FROM CHAIR, PUBLIC WORKS COMMITTEE relative to vacating Frederick Street from Commonwealth Avenue to the alley southeasterly thereof.

Recommendations for Council action:

1. FIND that the vacation is categorically exempt from the California Environmental Quality Act of 1970, pursuant to Article VII, Class 5(3) of the City of Los Angeles Environmental Guidelines.

2. ADOPT the FINDINGS of the City Engineer dated May 19, 2005, as the Findings of the Council.

3. ADOPT the accompanying City Engineer report dated May 19, 2005 to approve the vacation.

4. INSTRUCT the City Clerk to set a public hearing date for AUGUST 17, 2005.

Fiscal Impact Statement: The City Engineer reports that the petitioner has paid $6,540 for the investigation of this request pursuant to Section 7.42 of the Los Angeles Administrative Code (LAAC). Any deficit fee to recover the cost pursuant to Section 7.44 of the LAAC will be required of the petitioner. Maintenance of the public easement by City forces will be eliminated.
ITEM NO. (28) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

05-0710 CD 14

CATEGORICAL EXEMPTION and COMMUNICATION FROM CHAIR, PUBLIC WORKS COMMITTEE relative to vacating the alley northerly of Yosemite Drive between Glacier Drive and the north/south alley easterly thereof.

Recommendations for Council action:

1. FIND that the vacation is categorically exempt from the California Environmental Quality Act of 1970, pursuant to Article VII, Class 5(3) of the City of Los Angeles Environmental Guidelines.

2. ADOPT the FINDINGS of the City Engineer dated May 25, 2005, as the Findings of the Council.

3. ADOPT the accompanying City Engineer report dated May 25, 2005 to approve the vacation.

4. INSTRUCT the City Clerk to set a public hearing date for AUGUST 17, 2005.

Fiscal Impact Statement: The City Engineer reports that the petitioner has paid $3,270 for the investigation of this request pursuant to Section 7.42 of the Los Angeles Administrative Code (LAAC). Any deficit fee to recover the cost pursuant to Section 7.44 of the LAAC will be required of the petitioner. Maintenance of the public easement by City forces will be eliminated.

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

05-0712 CD 14

CATEGORICAL EXEMPTION and COMMUNICATION FROM CHAIR, PUBLIC WORKS COMMITTEE relative to vacating Cassatt Street from McKenzie Avenue to its northwesterly terminus.

Recommendations for Council action:

1. FIND that the vacation is categorically exempt from the California Environmental Quality Act of 1970, pursuant to Article VII, Class 5(3) of the City of Los Angeles Environmental Guidelines.

2. ADOPT the FINDINGS of the City Engineer dated May 19, 2005, as the Findings of the Council.
3. ADOPT the accompanying City Engineer report dated May 19, 2005 to approve the vacation.

4. INSTRUCT the City Clerk to set a public hearing date for AUGUST 17, 2005.

Fiscal Impact Statement: The City Engineer reports that the petitioner has paid $6,540 for the investigation of this request pursuant to Section 7.42 of the Los Angeles Administrative Code (LAAC). Any deficit fee to recover the cost pursuant to Section 7.44 of the LAAC will be required of the petitioner. Maintenance of the public easement by City forces will be eliminated.

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

05-0716
CD 4

COMMUNICATION FROM CHAIR, PUBLIC WORKS COMMITTEE relative to the status of efforts to repair and re-open Laurel Canyon Boulevard between Mount Olympus and Kirkwood Drives.

Recommendation for Council action:

NOTE and FILE the joint Bureaus of Engineering and Street Services report relative to the status of efforts to repair and re-open Laurel Canyon Boulevard between Mount Olympus and Kirkwood Drives, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (31) - CONTINUED TO AUGUST 2, 2005

Roll Call #13 - Motion (Smith - LaBonge) Adopted to Continue, Unanimous Vote (12);
Absent: Hahn (1)

05-1135
CD 12

COMMUNICATION FROM CHAIR, PUBLIC WORKS COMMITTEE relative to developing an “Adopt-A-Street” pilot program in Council District 12.

Recommendation for Council action, pursuant to Motion (Smith - Parks):

DIRECT the Bureau of Street Services to report on the feasibility of developing an “Adopt-A-Street” pilot program in Council District 12. The program will allow community groups, residents, and businesses to participate in street beautification projects by donating resources to the City.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.
ITEM NO. (32) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

05-0745
CD 10
CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for 900 South Harvard Boulevard.

Recommendations for Council action:

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

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

3. ADOPT the City Engineer report dated April 13, 2005, and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 900 South Harvard Boulevard.

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

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

ITEM NO. (33) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

05-0754
CD 10
CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for 1144 South Western Avenue.

Recommendations for Council action:

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

2. FIND that this acceptance of the irrevocable offer of dedication of land is in substantial conformance with the General Plan, pursuant to Sections 556, 558, and 559 of the Los Angeles City Charter.
3. ADOPT the City Engineer report dated April 13, 2005, and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 1144 South Western Avenue.

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

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

ITEM NO. (34) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

05-0777
CD 10

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for 956 South Wilton Place.

Recommendations for Council action:

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

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

3. ADOPT the City Engineer report dated March 3, 2005, and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 956 South Wilton Place.

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

**Fiscal Impact Statement:** The City Engineer reports that the applicant has paid a Dedication Fee in the amount of $1,807.23 for processing this Irrevocable Offer of Dedication. This includes a fee to provide for the cost of processing the real estate transfer documents in the amount of $1,689 and a seven percent surcharge in the amount of $118.23 in accordance with Sections 12.37 and 61.03 of the Los Angeles Municipal Code respectively. No additional funds will be required from the General Fund for the processing of this request.
ITEM NO. (35) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

05-0779
CD 10

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION relative to dedicating land for public street purposes for 2307 South La Brea Avenue.

Recommendations for Council action:

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

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

3. ADOPT the City Engineer report dated March 3, 2005, and the accompanying RESOLUTION OF ACCEPTANCE of Irrevocable Offer of Dedication of land located along 2307 South La Brea Avenue.

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

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

ITEM NO. (36) - ADOPTED

05-1461
CD 5

MOTION (WEISS - ZINE) relative to declaring the Walk of Stars on July 31, 2005 a Special Event (fees and costs absorbed by the City = $1,188).

Recommendation for Council action:

DECLARE the Walk of Stars, sponsored by the Thalians Mental Health Center at Cedars Sinai on July 31, 2005, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance.
ITEM NO. (37) - ADOPTED

04-1431
CD 4  MOTION (LABONGE - GARCETTI) relative to declaring the Angel Awards 2005 Gala on August 20, 2005 a Special Event (fees and costs absorbed by the City = $3,500).

Recommendation for Council action:

DECLARE the Angel Awards 2005 Gala, sponsored by Project Angel Food on August 20, 2005, 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. (38) - ADOPTED

05-1460
CD 15 MOTION (HAHN - CARDENAS) relative to declaring the Dana Strand Groundbreaking on July 18, 2005 a Special Event (fees and costs absorbed by the City = $1,226).

Recommendation for Council action:

DECLARE the Dana Strand Groundbreaking, sponsored by the Los Angeles Community Design Center on July 18, 2005, 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

05-1459
CD 15 MOTION (HAHN - LABONGE) relative to declaring the Harbor Station Demolition Party on July 15, 2005 a Special Event (fees and costs absorbed by the City = $2,870).

Recommendation for Council action:

DECLARE the Harbor Station Demolition Party, sponsored by the Los Angeles Police Department, Harbor Division and Councilwoman Janice Hahn on July 15, 2005, 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. (40) - ADOPTED

05-1458 CD 15  MOTION (HAHN - LABONGE) relative to declaring the First Annual Fiesta Corazon del Puerto on July 22-24, 2005 a Special Event (fees and costs absorbed by the City = $4,731).

Recommendation for Council action:

DECLARE the First Annual Corazon del Puerto, sponsored by the Port of Los Angeles and Council District 15 on July 22-24, 2005, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance AND application requirements.

ITEM NO. (41) - ADOPTED

01-1870 CD 2  MOTION (GREUEL - HAHN) relative to declaring the Seventh Annual Ovarian Cancer Walk on September 11, 2005 a Special Event (fees and costs absorbed by the City = $5,555).

Recommendation for Council action:

DECLARE the Seventh Annual Ovarian Cancer Walk, sponsored by the Ovarian Cancer Coalition of Greater California on September 11, 2005, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance AND application requirements.

ITEM NO. (42) - ADOPTED

04-1519 CD 8  MOTION (PARKS - SMITH) relative to declaring the University of Southern California’s Pakistani Independence Day Festival on August 6, 2005 a Special Event (fees and costs absorbed by the City = $2,500).

Recommendation for Council action:

DECLARE the University of Southern California’s Pakistani Independence Day Festival, sponsored by the University of Southern California on August 6, 2005, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance.
ITEM NO. (43) - ADOPTED

02-1799 CD 8
MOTION (PARKS - SMITH) relative to declaring the Wilton-Grammercy Place Neighborhood Watch’s Annual Block Party on August 13, 2005 a Special Event (fees and costs absorbed by the City = $312).

Recommendation for Council action:

DECLARE the Wilton-Grammercy Place Neighborhood Watch’s Annual Block Party, sponsored by the Wilton-Grammercy Place Neighborhood Watch on August 13, 2005, 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. (44) - ADOPTED

02-1294 CD 8
MOTION (PARKS - SMITH) relative to declaring the Annual Block Celebration on August 13, 2005 a Special Event (fees and costs absorbed by the City = $312).

Recommendation for Council action:

DECLARE the Annual Block Celebration, sponsored by the Normandie Halldale Community Association on August 13, 2005, 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. (45) - ADOPTED

05-1462 CD 14
MOTION (GREUEL - GARCETTI) relative to declaring the Outfest Film Festival on July 7, 2005 a Special Event (event sponsor to reimburse the City for all fees and cost incurred). The event sponsor shall meet the insurance requirements of the City.

Recommendation for Council action:

DECLARE the Outfest Film Festival, sponsored by the Outfest Film Festival Committee on July 7, 2005, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion.
ITEM NO. (46) - ADOPTED

04-2280
MOTION (SMITH - PERRY) relative to a contract amendment with Serco Management Services for parking meter revenue collection.

Recommendation for Council action:

AUTHORIZE the Department of Transportation to negotiate and execute an amendment to Contract No. C-102830 with Serco Management Services for parking meter revenue collection to include a cost increase of $0.06 per meter, subject to the approval of the City Attorney as to form and legality.

ITEM NO. (47) - ADOPTED

Roll Call #7 - Motion (Perry - Parks) Adopted, Ayes (12); Absent: Hahn (1)

05-1073-S21
CD 9
MOTION (PERRY - PARKS) relative to funding to assist the Clean Up Programs of the South Los Angeles Beautification Team.

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

1. TRANSFER $24,999 in the Council District Nine portion of the Street Furniture Revenue Fund No. 43D, Department 50, to the Board of Public Works, Fund No. 100-74, Account No. 3040 (Contractual Services) to fund any aspect of the Clean Up Programs of the South Los Angeles Beautification Team through Operation Clean Sweep and the Los Angeles Conservation Corps, as detailed in the Motion.

2. AUTHORIZE Operation Clean Sweep to negotiate and execute the necessary documents in the above amount for the above purpose, subject to the approval of the City Attorney as to form and legality.

Item for Which Public Hearing Has Been Held - Item 48

ITEM NO. (48) - CONTINUED TO JULY 20, 2005

Roll Call #8 - Motion (Garcetti - Smith) Adopted to Continue, Unanimous Vote (12); Absent: Hahn (1)

05-1179
CONTINUED CONSIDERATION OF BUDGET AND FINANCE and ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEES' REPORTS and COMMUNICATION FROM THE CITY ATTORNEY TO BE SUBMITTED relative to Amendment No. 2 to contract with Browning-Ferris Industries of California, Inc. (BFI), for continued disposal services at BFI Sunshine Canyon Landfill for an additional five-year term starting July 1, 2006 and ending June 30, 2011.
A. BUDGET AND FINANCE COMMITTEE REPORT

Recommendations for Council action:

1. AUTHORIZE the Bureau of Sanitation (BOS) to exercise a five-year renewal option to Contract Agreement No. C-93688, between the City and BFI, for disposal services for city solid waste, for an additional five year term starting July 1, 2006 and ending June 30, 2011.

2. INSTRUCT the BOS, in cooperation with the City Attorney, to bring forward a policy recommendation for the Council to adopt, that the City, working within the confines of the BFI contract, desires to divert from landfills as much solid waste as possible, to be used for alternative uses, i.e., green power, recycling, and reuse.

3. REQUEST the City Attorney to report back to the Budget and Finance Committee relative to recommendations on legal options the City may pursue during the five-year BFI contract extension and while abiding by the BFI contract, that will enable the City to develop more recyclables and to achieve greater diversion of solid waste from landfills to alternative uses.

4. INSTRUCT the BOS to report back to the Budget and Finance Committee every six months relative to the status of the development of options to divert more solid waste from landfills, goals for achieving greater diversion, new Request for Proposals, etc.

B. ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE REPORT

SUBMITS WITHOUT RECOMMENDATION the recommendations of the Bureau of Sanitation (BOS):

1. AUTHORIZE the BOS to exercise a second five-year renewal option to agreement No. C-93688 between the City and Browning-Ferris Industries of California, Inc. for disposal services for city waste.

2. AUTHORIZE the BOS to execute Amendment No. 2 of said agreement to extend the contract term from July 1, 2006 and ending June 30, 2011.

C. COMMUNICATION FROM THE CITY ATTORNEY TO BE SUBMITTED

Recommendation for Council action:

CONSIDER the Communication from the City Attorney to be submitted, transmitting proposed contract amendments to several sections of the BFI contract.
Fiscal Impact Statement: The Board of Public Works reports that funds currently budgeted for Fiscal Years 2004-05 and 2005-06 under Fund No. 100/82, Account No. 6020, Operating Supplies and Expense, for disposal fees will be utilized to pay for the continuation of disposal services at BFI Sunshine Canyon Landfill. The estimated monthly expenditure for disposal services at BFI Sunshine Canyon Landfill is approximately $1.9 million for Fiscal Year 2004-05. The tip fee for refuse disposal is $24.08 per ton for refuse collection vehicles and $23.56 per ton for transfer trailers.

TIME LIMIT FILE - AUGUST 9, 2005
(LAST DAY FOR COUNCIL ACTION - JULY 22, 2005)


MOTION ADOPTED UPON FINDINGS BY COUNCIL THAT THE NEED TO TAKE ACTION AROSE SUBSEQUENT TO THE POSTING OF THE COUNCIL AGENDA FOR TUESDAY, JULY 19, 2005, PURSUANT TO GOVERNMENT CODE SECTION 54954.2(b)(2) AND COUNCIL RULE 23

ADOPTED - FORTHWITH

Roll Call #9 - Motion (Greuel - Reyes) Findings on Need to Act - Adopted, Ayes (12); Absent: Hahn (1)
Roll Call #10 - Motion (Greuel - Reyes) Adopted, Ayes (12); Absent: Hahn (1)

05-1511 CD 2  MOTION (GREUEL - REYES) relative to including the Weatherwalde Castle at 10629 North Commerce Avenue in the City’s list of cultural or historic monuments.

Recommendation for Council action:

INCLUDE, pursuant to Section 22.126 of the Los Angeles Administrative Code (LAAC), Weatherwalde Castle at 10629 North Commerce Avenue in the City’s list of cultural or historic monuments, with the understanding that such proposal requires, pursuant to Section 22.125.1 of the LAAC, that there shall be a temporary (60 day) stay of demolition, substantial alteration or removal of any location or structure at this site pending designation.
FINDINGS ADOPTED - REFERRED TO THE PERSONNEL COMMITTEE

Roll Call #11 - Motion (Reyes - Zine) Findings on Need to Act - Adopted, Ayes (12); Absent: Hahn (1)
Roll Call #12 - Motion (Reyes - Zine) Adopted to Refer, Unanimous Vote (12); Absent: Hahn (1)

05-1512
MOTION (REYES - ZINE - ROSENDAHL - PADILLA) relative to instructing the City Administrative Officer (CAO), Chief Legislative Analyst (CLA) and Fire and Personnel Departments to report relative to the staph infections among the City's firefighters.

Recommendation for Council action:

INSTRUCT the CAO, CLA, with the assistance of the Fire and Personnel Departments, to report back to the Council within 15 days on the following:

1. Has there been an unusually large number of staph infections among City firefighters?
2. Are firefighters required to share uniforms and equipment?
3. What is the City's policy and protocols regarding containment of infectious disease among City employees and firefighters in particular?
4. Has an educational program been instituted to teach proper hygiene techniques to employees who work under highly susceptible conditions for the spread of disease, such as fire stations?
5. What is the City's policy regarding the use of sick leave for recuperation from illnesses which are found to originate in the workplace for City employees and firefighters in particular?

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

05-0417
MOTION (GREUEL - LABONGE) relative to declaring the Council District Two Community Cleanup on July 23, 2005 a Special Event (fees and costs absorbed by the City = $1,570).

04-1574
MOTION (PARKS - PERRY) relative to installing street banners announcing the 2005 Los Angeles African Marketplace and Cultural Faire in Exposition Park on August 21-29, 2005 and September 4-6, 2005.

05-0010-S31
MOTION (ZINE - ROSENDAHL) relative to an offer of reward for information leading to the identification and apprehension of the person(s) responsible for the July 7, 2005 arson attack against a local labor leader whose car was set ablaze outside their home in Highland Park.
COUNCILMEMBER’S REQUEST FOR EXCUSE FROM COUNCIL MEETINGS

Motion (Cardenas - Garcetti) unanimously adopted to excuse Councilmember LaBonge to leave at 1:00 p.m. from Council session of Friday, August 12, 2005 due to personal business.

COMMENDATORY RESOLUTION ADOPTED IN HONOR OF:

05-1402 - Paul Sciarrillo (Zine - All Councilmembers)

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

05-1403 - Memorialize Department of General Services Employees Killed July 19, 1995
Tony Gain, Neal Carpenter, Marty Wakefield, Jim Walton (LaBonge)
General William C. Westmoreland (Rosendahl - All Councilmembers)


Whereupon the Council did adjourn.

ATTEST: Frank T. Martinez, CITY CLERK

By

Council Clerk                  PRESIDENT OF THE CITY COUNCIL