Los Angeles City Council, Journal/Council Proceedings
Friday, February 17, 2006
John Ferraro Council Chamber, Room 340, City Hall - 10 am

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

ROLL CALL - Members present: Cardenas, Hahn, Huizar, LaBonge, Padilla, Parks, Perry, Reyes, Rosendahl, Smith, Wesson, Zine and President Garcetti (13); Absent: Greuel and Weiss (2).


COMMEMDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 21

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 for Which Public Hearings Have Been Held - Items 1-15

ITEM NO. (1) - ADOPTED

Roll Call #3 - Motion (LaBonge - Huizar) Adopted, Ayes (13); Absent: Greuel and Weiss (2)

05-2133

CD 3 ORDNANCE SECOND CONSIDERATION relative to levying the assessments and ordering the maintenance of the STAGG STREET AND JUMILLA AVENUE 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 closed on February 10, 2006)

ITEM NO. (2) - MOTION ADOPTED TO APPROVE COMMITTEES' REPORTS RECOMMENDATIONS - SEE FOLLOWING

Roll Call #7 - Motion (Smith - Perry) Adopted, Ayes (12); Absent: LaBonge, Rosendahl and Weiss (3)

05-1273-S1

AD HOC ON RECOVERING ENERGY, NATURAL RESOURCES AND ECONOMIC BENEFIT FROM WASTE FOR L. A. COMMITTEE REPORT relative to resource management blueprint for the City of Los Angeles for the next 20 years.
Recommendation for Council action as substantially recommended by Motion (Smith - Perry), as amended:

ADOPT the Recovering Energy, Natural Resources and Economic Benefit from Waste for L.A. (RENEW LA) plan as a guide for solid waste and resource management for the City of Los Angeles for the next 20 years, on the condition that its legislative package of motions still proceeds through the various Council policy committees.

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

(Budget and Finance and Energy and the Environment Committees’ reports to be submitted in Council. If public hearing is not held in either Committee, an opportunity for public comments will be provided.)

ADOPTED

BUDGET AND FINANCE COMMITTEE REPORT relative to a proposed resource management blueprint for the City of Los Angeles for the next twenty years (RENEW LA Plan).

Recommendation for Council action as substantially recommended by Motion (Smith - Perry):

CONCUR with the recommendation of the Ad Hoc Committee on Recovering Energy, Natural Resources and Economic Benefit from Waste for L.A.

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

(energy and the Environment Committee report to be submitted in Council. If public hearing is not held in either Committee, an opportunity for public comments will be provided.)

ADOPTED

ENERGY AND THE ENVIRONMENT COMMITTEE REPORT relative to a proposed resource management blueprint for the City of Los Angeles for the next twenty years (RENEW LA Plan).

Recommendation for Council action as substantially recommended by Motion (Smith - Perry):

CONCUR with the recommendation of the Budget and Finance Committee and the Ad Hoc Committee on Recovering Energy, Natural Resources and Economic Benefit from Waste for L.A.

Fiscal Impact Statement: Neither the Chief Legislative Analyst nor the City Administrative Officer has completed a financial analysis of this report.
ITEM NO. (3) - CONTINUED TO FEBRUARY 24, 2006 - ADDITIONAL MOTIONS ADOPTED - SEE FOLLOWING

Roll Call #8 - Motion (Smith - Garcetti - et al.) to Adopt Additional Motion, Ayes (11); Absent: Huizar, Rosendahl, Weiss and Wesson (4)

Roll Call #9 - Motion (Smith - Perry) Adopted to Continue, Unanimous Vote (11); Absent: Huizar, Rosendahl, Weiss and Wesson (4)

05-1179-S5

BUDGET AND FINANCE COMMITTEE REPORT relative to a review of solid waste disposal options.

SUBMITS WITHOUT RECOMMENDATION the following recommendation of the Board of Public Works:

APPROVE a final policy decision on the disposal of City-collected solid waste from the following three options, as detailed in the Bureau of Sanitation report dated January 30, 2006:

a. Option No. 1 - Existing Disposal System (Baseline) - Disposal at BFI Sunshine Canyon Landfill (SCL), (all Wastesheds).


Fiscal Impact Statement: The Board of Public Works reports that expenditures for solid waste disposal are paid through the General Fund, Fund 100, Account 6020 (Operating Supplies and Expense). The Sanitation Equipment Charge is allocated for capital projects, equipment purchases, and maintenance. There is no fee charged to residents for solid waste collection and disposal.

(Ad Hoc Committee on Recovering Energy, Natural Resources, and Economic Benefit from Waste for Los Angeles waived consideration of the above matter. Energy and Environment Committee report to be submitted in Council. If a public hearing is not held in Committee, an opportunity for public comments will be provided.)

CONTINUED TO FEBRUARY 24, 2006

ENERGY AND THE ENVIRONMENT COMMITTEE REPORT relative to a review of solid waste disposal options.

SUBMITS WITHOUT RECOMMENDATION the following recommendation of the Board of Public Works:
APPROVE a final policy decision on the disposal of City-collected solid waste from the following three options, as detailed in the Bureau of Sanitation report dated January 30, 2006:

a. Option No. 1 - Existing Disposal System (Baseline) - Disposal at Browning-Ferris Industries (BFI) Sunshine Canyon Landfill (SCL), (all Wastesheds).


Fiscal Impact Statement: The Board of Public Works reports that expenditures for solid waste disposal are paid through the General Fund, Fund No. 100, Account No. 6020 (Operating Supplies and Expense). The Sanitation Equipment Charge is allocated for capital projects, equipment purchases, and maintenance. There is no fee charged to residents for solid waste collection and disposal.

(Ad Hoc Committee on Recovering Energy, Natural Resources, and Economic Benefit from Waste for Los Angeles waived consideration of the above matter.)

ADOPTED

ADDITIONAL MOTION (SMITH - GARCETTI - GREUEL - PARKS)

Recommendations for Council action:

1. AMEND the Budget and Finance Committee Report to REQUEST the Council President to form a negotiating team to negotiate with Browning-Ferris Industries on a final and best disposal rate associated with the continued 5-year use of the Sunshine Canyon Landfill, and amendments to the contract which would effectuate the following terms:

   a. Reduction of the City’s disposal at the Sunshine Canyon Landfill consistent with the City’s adopted policy (Council file No. 05-1364) which calls for annual reductions as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>Tons Per Day Disposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>2005</td>
<td>3,600 (Current)</td>
</tr>
<tr>
<td>2006</td>
<td>3,000</td>
</tr>
<tr>
<td>2007</td>
<td>2,000</td>
</tr>
<tr>
<td>2008</td>
<td>1,000</td>
</tr>
<tr>
<td>2009</td>
<td>500</td>
</tr>
</tbody>
</table>
b. All viable disposal options which would include sending waste from the South Los Angeles, North Central, Harbor and Western watersheds to landfills in El Sobrante and/or Avenal.

2. REQUEST that the negotiating team report back to the Council on February 24, 2006 with the status of its negotiations.

3. INSTRUCT the City Clerk to place this item (Council file No. 05-1179-S5) on the Council Agenda for February 24, 2006.

ADOPTED

ADDITIONAL MOTION (SMITH - PARKS)

Recommendation for Council action:

CONSIDER the recommendations of the chief Legislative Analyst (attached to this Motion) with respect to Waste Disposal Options available to the City on February 24, 2006, in addition to the Energy and Environment and Budget and Finance Committees’ reports.

ITEM NO. (4) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATION - SEE FOLLOWING

Roll Call #3 - Motion (LaBonge - Huizar) Adopted, Ayes (13); Absent: Greuel and Weiss (2)

04-0276-S1

CD 4 COMMUNICATIONS FROM THE ACTING CHIEF EXECUTIVE OFFICER, COMMUNITY REDEVELOPMENT AGENCY AND THE CITY ADMINISTRATIVE OFFICER relative to a one-year contract for an amount not to exceed $75,000 with the Universal City/North Hollywood Chamber of Commerce for the 14th Annual NoHo Theater and Arts Festival in the North Hollywood Redevelopment Project Area.

(Housing, Community and Economic Development Committee report to be submitted in Council. If a public hearing is not held in Committee, an opportunity for public comment will be provided.)

(For copies of related, staff-generated reports for this matter, please contact the Legislative Assistant for the Housing, Community and Economic Development Committee at 213-978-1080.)

ADOPTED

HOUSING, COMMUNITY, AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to Community Redevelopment Agency (CRA) contract with the Universal City/North Hollywood Chamber of Commerce for the 14th Annual NoHo Theater and Arts Festival.

Recommendation for Council action:
AUTHORIZE the Acting Chief Executive Officer, CRA, or designee, to execute a contract agreement effective upon contract execution to June 30, 2006 with the Universal City/North Hollywood Chamber of Commerce for an amount not to exceed $75,000 for the production of the 14th Annual NoHo Theatre and Arts Festival scheduled for May 13 and May 14, 2006 in the North Hollywood Redevelopment Project Area, 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 adherence to CRA contracting standards approved by the Council.

Fiscal Impact Statement: The City Administrative Officer reports that this action will not impact the General Fund. The CRA is only bound by the City debt management policies. City financial policies are not applicable to the CRA.

ITEM NO. (5) - CONTINUED TO FEBRUARY 24, 2006

Roll Call #1 - Motion (Wesson - Parks) Adopted to Continue, Unanimous Vote (13);
Absent: Greuel and Wesson (2)

06-0100 COMMUNICATIONS FROM THE MAYOR relative to the proposed budget in the amount of $184,391,308 for the 32nd Program Year 2006-07 Housing and Community Development Consolidated Plan; and, COMMUNICATION FROM THE GENERAL MANAGER, COMMUNITY DEVELOPMENT DEPARTMENT relative to the Draft 32nd Year Action Plan and Application for Federal Assistance for the period April 1, 2006 through March 31, 2007.

(Housing, Community and Economic Development Committee report to be submitted in Council. If a public hearing is not held in Committee, an opportunity for public comment will be provided.)

(For copies of related, staff-generated reports for this matter, please contact the Legislative Assistant for the Housing, Community and Economic Development Committee at 213-978-1080.)

ITEM NO. (6) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATION - SEE FOLLOWING

Roll Call #3 - Motion (LaBonge - Huizar) Adopted, Ayes (13); Absent: Greuel and Weiss (2)

06-0100-S3 MOTION (WESSON - ZINE) relative to instructing the Community Development Department to review the Korean American Federation of Los Angeles Senior Center Project for Community Development Block Grant eligibility and related actions.

(Housing, Community and Economic Development Committee report to be submitted in Council. If a public hearing is not held in Committee, an opportunity for public comment will be provided.)
(For copies of related, staff-generated reports for this matter, please contact the Legislative Assistant for the Housing, Community and Economic Development Committee at 213-978-1080.)

ADOPTED

HOUSING, COMMUNITY, AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the use of Community Development Block Grant (CDBG) funds for the Korean American Federation of Los Angeles Senior Center Project.

Recommendations for Council action, as initiated by Motion (Wesson - Zine), SUBJECT TO THE APPROVAL OF THE MAYOR:

1. INSTRUCT the Community Development Department (CDD) to review the Korean American Federation of Los Angeles Senior Center Project for CDBG eligibility.

2. AUTHORIZE the CDD, upon determination of eligibility of use of CDBG funds for this project, to:
   a. Reprogram $5,000 from W426 Korean American Coalition, $10,000 from W458 Moogoonghwa Senior Center, $19,447 from W140 Rancho Cienega/Celeste King, and $15,553 from Y140 Rancho Cienega/Celeste King for a total of $50,000 to the Korean American Federation of Los Angeles Senior Center Project.
   b. Prepare Controller's instructions and/or make any technical adjustments required that may be necessary and are consistent with this action, and to amend the Consolidated Plan to reflect this action; and, authorize the Controller to implement these instructions, subject to approval of the City Administrative Officer (CAO).

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

ITEM NO. (7) - ADOPTED, AS AMENDED - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #11 - Motion (Hahn - Garcetti) to Adopt as Amended, Ayes (11); Absent: Reyes, Rosendahl, Weiss and Wesson (4)

05-0002-S180

INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT relative to the City’s position on various legislation that would abolish local government’s authority to regulate certain telecommunications companies through local franchises if the company already has access to the public rights-of-way under federal, state, or local law.

Recommendations for Council action, pursuant to Resolution (Hahn - LaBonge), SUBJECT TO THE CONCURRENCE OF THE MAYOR:
1. RESOLVE to include in the City’s 2005-06 State and Federal Legislative Programs, 
OPPOSITION to H.R. 3146, S. 1349, S. 1504 and S. 2113 that would abolish or 
otherwise severely restrict local government’s role in protecting the public rights-of-
way and the rights of cable consumers by exercising local government’s video 
franchising authority.

2. RESOLVE that the City include in its 2005-06 State and Federal Legislative Programs 
the following positions on telecommunications legislation:

   a. OPPOSE all other measures, or specific provisions in measures, that propose to 
eliminate or severely restrict local government’s effort to protect the public interest 
through regulation of the public rights-of-way specifically related to cable 
franchising or telecommunications infrastructure.

   b. SUPPORT the continuation of local government’s cable franchising authority, by 
maintaining the requirement for all companies proposing to offer video services 
using infrastructure installed in the public rights-of-way to, first, obtain a local 
cable franchise agreement that establishes reasonable terms and conditions 
protecting the public, as well as appropriate compensation in the form of franchise 
fees and other considerations, for cable companies’ use of public property.

   c. SUPPORT the continuation of funding for public, education and government access 
(PEG) channels, and OPPOSE measures that would reduce or severely restrict that 
funding. Development of the service delivery model for PEG channels should 
continue to be the responsibility of local governments to ensure that services are 
tailored to the specific needs of the local community.

   d. SUPPORT the establishment of reasonable deadlines for local governments to 
complete cable franchise negotiations, to allow new entrants to enter the local 
marketplace quickly under reasonable terms and conditions.

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

ADOPTED

AMENDING MOTION (HAHN - GARCETTI)

Recommendation for Council action:

AMEND the Intergovernmental Relations Committee Report relative to the city’s 
position on various legislation that would abolish local government’s authority to 
regulate certain telecommunications companies through local franchises if the company 
already has access to the public rights-of-way under federal, state, or local law to 
icorporate, in its entirety, the attached Resolution opposing S. 1504, referred to as the 
“Broadband Investment and Consumer Choice Act of 2005,” inasmuch as this 
Resolution more thoroughly expands on the justification for City opposition to this 
measure.
Roll Call #3 - Motion (LaBonge - Huizar) Adopted, Ayes (13); Absent: Greuel and Weiss (2)
(Item Nos. 8-9)

ITEM NO. (8) - ADOPTED

05-0002-S194
INTEGOVERNMENTAL RELATIONS COMMITTEE REPORT relative to the City’s position on legislation to provide funding for local jurisdictions to provide education and outreach programs that raise awareness of Census 2010 to ensure a complete count.

Recommendation for Council action, pursuant to Resolution (Perry - Reyes), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

RESOLVE to include in the City’s 2005-06 State Legislative Program, SPONSORSHIP or SUPPORT for legislation to provide funding for local jurisdictions to provide education and outreach programs that raise awareness of Census 2010 to ensure a complete count.

Fiscal Impact Statement: The Chief Legislative Analyst reports there is no fiscal impact.

ITEM NO. (9) - ADOPTED

05-0002-S195
INTEGOVERNMENTAL RELATIONS COMMITTEE REPORT relative to the City’s position on H.R. 1461 (Baker), the Federal Housing Finance Reform Act of 2005.

Recommendation for Council action, pursuant to Resolution (Perry - Garcetti), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

RESOLVE to include in the City’s 2005-06 Federal Legislative Program, SUPPORT for H.R. 1461 (Baker), the Federal Housing Finance Reform Act of 2005 and any similar Federal legislation that would create Affordable Housing Funds, and OPPOSITION to provisions of such legislation placing limitations on distributing of affordable housing funds relative to election-related activities, including voter registration, on the part of fund recipients.

Fiscal Impact Statement: The Chief Legislative Analyst reports there is no impact to the General Fund resulting from this action.

ITEM NO. (10) - ADOPTED

Roll Call #12 - Motion (Smith - Parks) Adopted, Ayes (11); Absent: Reyes, Rosendahl, Weiss and Wesson (4)

06-0002-S5
INTEGOVERNMENTAL RELATIONS COMMITTEE REPORT relative to the City’s position on SB 1178 (Speier) which would require all high-risk sexual predators to be continuously monitored by Global Positioning Systems devices upon parole or probation.
Recommendation for Council action, pursuant to Resolution (Smith - Weiss), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

RESOLVE to include in the City’s 2005-06 State Legislative Program, SUPPORT for SB 1178 (Speier) which would require all high-risk sexual predators to be continuously monitored by Global Positioning Systems devices upon parole or probation.

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

ITEM NO. (11) - REFERRED BACK TO THE INTERGOVERNMENTAL RELATIONS COMMITTEE

Roll Call #2 - Motion (Smith - Padilla) Adopted to Refer, Unanimous Vote (13); Absent: Greuel and Weiss (2)

06-0002-S17
INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT relative to the City’s position on SB 1205 (Escutia), the California Children’s Breathing Rights Act.

Recommendation for Council action, pursuant to Resolution (Perry - Rosendahl), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

RESOLVE to include in the City’s 2005-06 State Legislative Program, SUPPORT for SB 1205 (Escutia), the California Children’s Breathing Rights Act, which would increase civil penalties on violators of clean-air laws, further increase the penalties on “serious and chronic” violators of clean-air laws, and create a Children’s Breathing Rights Fund that would distribute fines to those places in which serious and chronic polluters operate.

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

ITEM NO. (12) - ADOPTED

Roll Call #13 - Motion (Smith - Parks) Adopted, Ayes (11); Absent: Reyes, Rosendahl, Weiss and Wesson (4)

06-0002-S24
INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT relative to the City’s position on AB 1791 (Bermudez) which would prohibit convicted sex offenders from residing within one-quarter mile of schools where 9th through 12th graders attend and to include licensed day care centers.

Recommendation for Council action, pursuant to Resolution (Smith - Parks), SUBJECT TO THE CONCURRENCE OF THE MAYOR:
RESOLVE to include in the City’s 2005-06 State Legislative Program, SUPPORT for AB 1791 (Bermudez) which would prohibit convicted sex offenders from residing within one-quarter mile of schools where 9th through 12th graders attend and SEEK AMENDMENT to include licensed day care centers.

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

Roll Call #3 - Motion (LaBonge - Huizar) Adopted, Ayes (13); Absent: Greuel and Weiss (2) (Item Nos. 13-14)

ITEM NO. (13) - ADOPTED

02-2371
PERSONNEL COMMITTEE REPORT relative to provisions for disturbance calls in the Memorandum of Understanding (MOU) for the Professional Medical Unit.

Recommendation for Council action:

RECEIVE and FILE the City Administrative Officer’s report, dated September 14, 2005, relative to provisions for disturbance calls in the MOU for the Professional Medical Unit, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (14) - ADOPTED

05-1340-S1
PERSONNEL COMMITTEE REPORT relative to a request to unfreeze the Finance Specialist III position in the Office of the Treasurer.

Recommendation for Council action:

RECEIVE and FILE the City Administrative Officer’s and Treasurer’s reports relative to a request to unfreeze the Finance Specialist III position in the Office of the Treasurer, inasmuch as the Treasurer has agreed not to pursue the use of the Financial Specialist position and will request that this position be reallocated to the new Treasury Analyst once this new class is created and a salary established, and therefore, no Council action is necessary.

Fiscal Impact Statement: Not applicable.
CONTINUED CONSIDERATION OF BUDGET AND FINANCE and ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEES' REPORTS and COMMUNICATION FROM THE CITY ATTORNEY 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
Recommendations for Council action:

1. AUTHORIZE the Bureau of Sanitation to issue a notification to BFI, Inc. of the City’s intent to exercise a five-year renewal option to agreement C-93688 between the City and BFI, for disposal services of city waste, for the period starting July 1, 2006, and ending June 30, 2011.

2. AUTHORIZE the Board of Public Works to execute Amendment No. 2 to Contract Agreement C-93688, as amended by Council action.

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.

(Continued from Council meeting of February 10, 2006)

Items for Which Public Hearings Have Not Been Held - Items 16-28
(10 Votes Required for Consideration)

Roll Call #4 - Motion (Rosendahl - Hahn) Adopted, Ayes (13); Absent: Greuel and Weiss (2) (Item Nos. 16-17)

ITEM NO. (16) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

05-2610 CD 13 COMMUNICATION FROM THE CITY ENGINEER relative to inclusion of the name of Alejandro Fernandez on the Hollywood Walk of Fame.

Recommendation for Council action:

APPROVE the installation of the name of Alejandro Fernandez on the Hollywood Walk of Fame at 6160 Hollywood Boulevard.

Fiscal Impact Statement: The City Engineer reports that there is no General Fund impact.

ITEM NO. (17) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

05-2697 CD 13 COMMUNICATION FROM THE CITY ENGINEER relative to inclusion of the name of Wayne Rogers on the Hollywood Walk of Fame.
Recommendation for Council action:

APPROVE the installation of the name of Wayne Rogers on the Hollywood Walk of Fame at 7018 Hollywood Boulevard.

Fiscal Impact Statement: The City Engineer reports that there is no General Fund impact.

Roll Call #14 - Motion (Padilla - Perry) Adopted, Ayes (11); Absent: Reyes, Rosendahl, Weiss and Wesson (4)
(Item Nos. 18-19)

ITEM NO. (18) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION 06-0026 CD 13
COMMUNICATION FROM THE CITY ENGINEER relative to inclusion of the name of Queen Latifah on the Hollywood Walk of Fame.

Recommendation for Council action:

APPROVE the installation of the name of Queen Latifah on the Hollywood Walk of Fame at 6915 Hollywood Boulevard.

Fiscal Impact Statement: The City Engineer reports that there is no General Fund impact.

ITEM NO. (19) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION 06-0025 CD 13
COMMUNICATION FROM THE CITY ENGINEER relative to inclusion of the name of Nathan Lane on the Hollywood Walk of Fame.

Recommendation for Council action:

APPROVE the installation of the name of Nathan Lane on the Hollywood Walk of Fame at 6801 Hollywood Boulevard.

Fiscal Impact Statement: The City Engineer reports that there is no General Fund impact.

Roll Call #4 - Motion (Rosendahl - Hahn) Adopted, Ayes (13); Absent: Greuel and Weiss (2)
(Item Nos. 20-27)

ITEM NO. (20) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION 06-0024 CD 13
COMMUNICATION FROM THE CITY ENGINEER relative to inclusion of the name of Matthew Broderick on the Hollywood Walk of Fame.
Recommendation for Council action:

APPROVE the installation of the name of Matthew Broderick on the Hollywood Walk of Fame at 6801 Hollywood Boulevard.

Fiscal Impact Statement: The City Engineer reports that there is no General Fund impact.

ITEM NO. (21) - ADOPTED

05-2086 CD 14
MOTION (HUIZAR - PADILLA) relative to declaring the Create Fixate Art Show on February 11, 2006 a Special Event (fees and costs absorbed by the City = $845).

Recommendation for Council action:

DECLARE the Create Fixate Art Show, sponsored by Create Fixate on February 11, 2006, 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. (22) - ADOPTED

06-0322 CD 8
MOTION (PARKS - LABONGE) relative to declaring the Louisiana to Los Angeles Organizing Committee’s 18th Annual Festival and Parade on February 11-12, 2006 a Special Event (fees and costs absorbed by the City = $3,000).

Recommendation for Council action:

DECLARE the Louisiana to Los Angeles Organizing Committee’s 18th Annual Festival and Parade sponsored by the Louisiana to Los Angeles Organizing Committee Inc., on February 11-12, 2006, 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. (23) - ADOPTED

06-0323 CD 11
MOTION (ROSENDahl - SMITH) relative to declaring The Bow Wow Ween on October 30, 2005 a Special Event (fees and costs absorbed by the City = $774).

Recommendation for Council action:

DECLARE The Bow Wow Ween, sponsored by the Department of Recreation and Parks on October 30, 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. The event sponsor shall meet the application requirements of the City.
ITEM NO. (24) - ADOPTED

02-0039
CD 11
MOTION (ROSEDAHL - SMITH) relative to declaring the 2006 Nissan Open on February 13-19, 2006 a Special Event (fees and costs absorbed by the City = $64,632).

Recommendation for Council action:

DECLARE the 2006 Nissan Open, sponsored by the LAJCC Foundation on February 13-19, 2006, 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. (25) - ADOPTED

06-0325
CD 1
MOTION (REYES - ROSEDAHL) relative to declaring the Yale Terrace Groundbreaking on February 7, 2006 a Special Event (fees and costs absorbed by the City = $500).

Recommendation for Council action:

DECLARE the Yale Terrace Groundbreaking, sponsored by Advanced Development and Investment Inc. on February 7, 2006, 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. (26) - ADOPTED

06-0326
CD 11
MOTION (ROSEDAHL - REYES) relative to declaring The Annual Concert on February 11, 2006 a Special Event (fees and costs absorbed by the City = $2,457).

Recommendation for Council action:

DECLARE The Annual Concert, sponsored by the La Senora Research Institute on February 11, 2006, 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. (27) - ADOPTED

05-0136
MOTION (PERRY - REYES) relative to a request for an exemption from the Convention Center fee waiver policy for the Urban Marketplace 2006 on March 15, 2006.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:
1. FIND that the Urban Marketplace 2006 event, sponsored by the Urban Land Institute of Los Angeles Inner City and the Urban Policy Committee, serves a public purpose in that it will provide approximately 800 people with real estate opportunities and information about inner city neighborhoods.

2. AUTHORIZE the General Manager, Convention Center, to make an exception to the Council’s Convention Center waiver policy by waiving a maximum of $6,622 in room rental fees for this event.

ITEM NO. (28) - MOTION ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #15 - Motion (Hahn - Perry) Adopted, Ayes (10); Absent: Padilla, Reyes, Rosendahl, Weiss and Wesson (5)

06-0002-S25
RESOLUTION (HAHN - WESSON) relative to the City’s position in connection with the inclusion of adequate funding for port security and environmental mitigation needs in a State bond measure to be placed before the voters in the coming year.

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

RESOLVE to include in the City’s 2005-06 State Legislative Program, SUPPORT for the inclusion of adequate funding to meet Port of Los Angeles security needs and environmental mitigation needs within the final proposal for a State infrastructure bond to be placed before the voters in the coming year.

ITEM NO. 13 RECONSIDERED FROM WEDNESDAY, FEBRUARY 15, 2006

ITEM NO. (13) - ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #5 - Motion (Huizar - LaBonge) to Reconsider, Ayes (13); Absent: Greuel and Weiss (2)
Roll Call #6 - Motion (Huizar - LaBonge) Adopted, Ayes (13); Absent: Greuel and Weiss (2)

00-2308-S3
CD 14
HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION relative to the reconstruction of Broadway sidewalks along Broadway and Third Street in support of the Grand Central Square Project, and the use of Bunker Hill Urban Renewal Redevelopment Project funds.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:
1. AUTHORIZE the Acting Chief Executive Officer, Community Redevelopment Agency (CRA), or designee, to amend the CRA Fiscal Year 2005-06 Budget to transfer an amount not to exceed $100,000 from California Plaza Shade Project (BH3140) to Broadway Sidewalks Reconstruction Work Objective (CT 4100) to provide a total of $400,000 in Bunker Hill General and Special Revenue funds for the Broadway Sidewalks Grand Central Square Project.

2. ADOPT the accompanying Finding of Benefit RESOLUTION that makes certain findings necessary for the CRA to fund the improvement of City-owned property, pursuant to Section 33445 of the California Redevelopment Law.

3. AUTHORIZE the Controller to transfer and assign a total amount not to exceed $375,001 ($400,000 less $24,999 for Section 106 historic construction monitoring consultant) from the CRA CT 4100 Work Objective to the following accounts:

   a. Fund 305 Subvention and Grants, Department 50, Account Number to be determined, in the amount of $121,558.61 for construction costs.

   b. Fund 682, Department 50, Revenue Source 4610, Account No. Y222 in the amount of $253,442.39 for salary expenses.

4. INSTRUCT the Department of Public Works to bill the CRA and, upon submission of invoices and documentation of completed work and costs, receive Community Development Block Grant (CDBG) funds provided in the 31st Program Year 2005-06 Housing and Community Development Consolidated Plan in an amount not to exceed $100,000 to deposit into Public Works Fund 305 Subvention and Grants, Department 50, Account Number to be determined.

5. AUTHORIZE the Department of Public Works to bill and receive the following:

   a. Department of Transportation (LADOT) Proposition C matching funds in an amount not to exceed $500,000 ($115,000 from the 1999 Los Angeles County Metropolitan Transportation Authority (MTA) Call for Projects and $385,000 from the 1995 MTA Call for Projects) as provided for in the Cooperation Agreement between the Agency and LADOT dated November 9, 2004 to deposit into Public Works Fund 305 Subvention and Grants, Department 50, Account Number to be determined.

   b. California Transportation Enhancement funds in an amount not to exceed $461,000 awarded in the 1999 MTA Call for Projects to deposit into Public Works Fund 305 Subvention and Grants, Department 50, Account Number to be determined.

   c. MTA funds in the amount of $150,000 as provided for in the Letter Agreement dated August 15, 2000 to deposit into Public Works Fund 305 Subvention and Grants, Department 50, Account Number to be determined.

6. TRANSFER the remaining balance of CRA funds, a total of $161,130 from the Broadway Bus Sidewalks Pilot Reconstruction Project in Public Works accounts, Fund 305 Subvention and Grants, Department 50, Account No. S203 and Fund 682 in the amount of $85,830 and Fund 682, Department 50, Revenue Source 4610, Account No. S270 in the amount of $75,300 to a new Public Works construction costs account, Fund 305 Subvention and Grants, Department 50, Account Number to be determined.
7. INSTRUCT the General Manager, Bureau of Engineering, or designee, to report to:
   a. The Council no later than March 1, 2006 relative to the status of this project.
   b. The Mayor and Council every 90 days thereafter until project completion relative to the following:
      1) The total amount of all funds expended to date.
      2) The total amount of funds expended and the funding sources used for construction and salary expenses to date.
      3) A revised budget schedule that allows for adequate cash flow.

8. AUTHORIZE the Department of Public Works to prepare Controller instructions and/or make any technical adjustments that may be required and are consistent with this action, subject to the approval of the City Administrative Officer (CAO); and, AUTHORIZE the Controller to implement these instructions.

   Fiscal Impact Statement: The CAO reports that this action will not impact the General Fund. The CRA is only bound by City debt management policies. City financial policies are not applicable to the CRA. The above recommendations involve the use of budgeted CDBG in the 31st Program Year Housing and Community Development Consolidated Plan.

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

02-0641
MOTION (ROSENDAHL - SMITH) relative to declaring the 19th Annual Brentwood Spring Art Festival & West Side Health Fair on April 23, 2006 a Special Event (fees and costs absorbed by the City = $3,443).

06-0357
MOTION (ROSENDAHL - SMITH) relative to declaring The Annual Fiesta on April 23, 2006 a Special Event (fees and costs absorbed by the City = $900).

06-0367
MOTION (SMITH - ZINE) relative to declaring the Purim in the Circus on March 13, 2006 a Special Event (fees and costs absorbed by the City = $1,575).

06-0366
MOTION (PARKS - HUIZAR) relative to declaring the Los Angeles Urban League Community Showcase on February 25, 2006 a Special Event (fees and costs absorbed by the City = $1,000).
03-0154  MOTION (PERRY - PARKS) relative to declaring the Black History Month Celebration with Assemblyman Mark Ridley-Thomas on February 25, 2006 a Special Event (fees and costs absorbed by the City = $1,000).

06-0364  MOTION (HUIZAR - GARCETTI) relative to installing street banners announcing the existence of the Lincoln Heights Neighborhood Council.

06-0365  MOTION (PARKS - HUIZAR) relative to a transfer of funds needed to pay for various services provided by the Department of General Services on March 1, 2006 for a reception hosted by Council District Eight for the Kiwanis Club of Crenshaw.

05-2165  MOTION (PERRY - PARKS) and RESOLUTION relative to amending previous Council actions relative to the Amended and Restated Owner Participation Agreement (OPA) for the Metropolis Project.

06-0358  MOTION (PERRY - GARCETTI) relative to a contract with Pactech Data & Research for consultant services related to the Federal census and related issues.

06-0363  MOTION (GARCETTI - REYES) relative to the Council asserting jurisdiction over the February 14, 2006 decision of the Central Area Planning Commission regarding the property at 5420 Harold Way.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon his request, and without objections, Councilmember Parks was excused from Council session of Wednesday, March 1, 2006 due to City business.

Upon his request, and without objections, Councilmember Padilla was excused to leave at 11:30 a.m. from Council session of Wednesday, March 8, 2006 due to personal business.

Upon his request, and without objections, Councilmember Cardenas was excused from Council sessions of Fridays May 19 and July 28, 2006 and Motion (Perry - Zine) was unanimously adopted to excuse Councilmember Cardenas to leave at 12:30 p.m. from Council session of Wednesday, March 22, 2006 due to City business.
COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

06-0050 - East West Players (Perry - Parks)

Noel K. Cunningham (Hahn - All Councilmembers)
Bruce E. Seaton (Hahn - All Councilmembers)
Rita and Ted Williams (Rosendahl - All Councilmembers)

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

06-0049 - Father Fernando A. Arizti, S. J. (Parks - Perry)

Mary Ellen Barnes (Parks)

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

Whereupon the Council did adjourn.

ATTEST: Frank T. Martinez, CITY CLERK

By

Council Clerk PRESIDENT OF THE CITY COUNCIL