

Los Angeles City Council, Journal/Council Proceedings
Tuesday, May 23, 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: Greuel, Hahn, LaBonge, Padilla, Reyes, Rosendahl, Smith, Weiss, Wesson and Zine (10); Absent: Cardenas, Huizar, Parks, Perry and President Garcetti (5).

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
MAY 17, 2006

COMMENDATORY 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 1-19

Roll Call #2 - Motion (Zine - Wesson) Adopted, Ayes (10); Absent: Cardenas, Huizar, Parks, Perry
and President Garcetti (5)
(Item Nos. 1-4)

ITEM NO. (1) - ADOPTED

06-0887

CD 3 CONTINUED CONSIDERATION OF HOUSING, COMMUNITY AND ECONOMIC
DEVELOPMENT COMMITTEE REPORT relative to executing a lease agreement with
Home Depot and a sublease agreement with the Instituto de Educacion Popular del Sur
de California (IDEPSCA) to operate a day laborer center.

Recommendation for Council action, as initiated by Motion (Zine - Wesson):

AUTHORIZE the Department of General Services to negotiate and execute the lease
agreement between Home Depot and the City of Los Angeles, and a sublease agreement
between the City and IDEPSCA on the terms set forth in the Motion and in the summary
of the report.

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

(Continued from Council meeting of May 10, 2006)

ITEM NO. (2) - ADOPTED

06-0646

CD 15

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to a Ground Lease Agreement at the Terminal Island Treatment Plant and Sewer Outfall.

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

1. AUTHORIZE the Department of General Services (GSD) to negotiate and execute a new 50-year ground lease with the Port of Los Angeles for use by the Bureau of Sanitation (BOS) under the terms and conditions substantially as outlined in its report dated March 20, 2006 attached to the Council file.
2. AUTHORIZE the Controller to APPROPRIATE \$760,000 from the available cash balance of the Sewer Construction and Maintenance Fund 760/50, to Sewer Construction and Maintenance Fund 760/50, Account Y240, General Services.

Fiscal Impact Statement: The GSD reports that the new agreement includes back rent of \$423,672 from the January 2005 to December 2005 period and a January 2006 to December 2006 payment of \$1,118,299. The BOS will pay directly to the Port from Fund 760, Department 50, Accounts Y240, W240, V240 and T240. The Director, BOS, has approved the total costs and requests an appropriation from the available Sewer Construction and Maintenance Fund 760/50, Account Y240 to cover the additional costs.

ITEM NO. (3) - ADOPTED

06-0773

CD 9

INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT relative to a new Lease Agreement with Giuliano's Delicatessen and Bakery for L.A. Mall Space 11 on the first floor of City Hall East.

Recommendation for Council action:

AUTHORIZE the Department of General Services (GSD) to negotiate and execute a five-year retail lease agreement, with one 5-year option to renew, with Giuliano's Delicatessen and Bakery to operate its food service sales in Space 11 of the L.A. Mall, on the first floor of City Hall East.

Fiscal Impact Statement: The GSD reports that the annual guaranteed receipts from this lease are \$11,112.

ITEM NO. (4) - ADOPTED

06-0002-S44

INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT relative to the City's position on S. 1955 (Enzi), the Health Insurance Marketplace Modernization and Affordability Act of 2006.

Recommendation for Council action, as initiated by Resolution (Padilla - Rodendahl), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

RESOLVE to include in the City's 2005-06 Federal Legislative Program, OPPOSITION to S. 1955 (Enzi), the Health Insurance Marketplace Modernization and Affordability Act of 2006, which would allow health insurance providers to issue insurance policies without specific benefits that several States mandate.

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

ITEM NO. (5) - ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #6 - Motion (Hahn - Rosendahl) Adopted, Ayes (13); Absent: Huizar and Parks (2)

06-0002-S47

INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT relative to the City's position on H.R. 4954, the Security and Accountability For Every Port Act and S. 2459, the GreenLane Maritime Cargo Security Act.

Recommendation for Council action, as initiated by Resolution (Hahn - Garcetti), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

RESOLVE to include in the City's 2005-06 Federal Legislative Program, SUPPORT for H.R. 4954, the Security and Accountability For Every Port Act and S. 2459, the GreenLane Maritime Cargo Security Act, or any similar legislation which would enhance the security of the maritime transportation system, with particular emphasis on cargo security.

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

ITEM NO. (6) - ADOPTED

Roll Call #2 - Motion (Zine - Wesson) Adopted, Ayes (10); Absent: Cardenas, Huizar, Parks, Perry and President Garcetti (5)

06-0002-S56

INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT relative to the City's position on AB 2691 (Nunez) which will strengthen the supports available to CalWORKS families working to avoid or exit homelessness.

Recommendation for Council action, as initiated by Resolution (Perry - Cardenas),
SUBJECT TO THE CONCURRENCE OF THE MAYOR:

RESOLVE to include in the City's 2005-06 State Legislative Program, SUPPORT for AB 2691 (Nunez) which will strengthen the supports available to CalWORKs families working to avoid or exit homelessness

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

ITEM NO. (7) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #7 - Motion (Smith - Padilla) to Adopt as Amended, Ayes (13); Absent: Huizar and Parks (2)

06-0002-S63

INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT relative to the City's position on AB 3005, AB 3006, AB 3007 (Emmerson), which would provide more regulatory authority regarding the location of alcoholism and drug abuse recovery and treatment facilities to the City, and increase public awareness of the location of those facilities.

Recommendation for Council action, as initiated by Resolution (Smith - Cardenas),
SUBJECT TO THE CONCURRENCE OF THE MAYOR:

RESOLVE to include in the City's 2005-06 State Legislative Program, SUPPORT for AB 3005, AB 3006, AB 3007 (Emmerson), which would provide more regulatory authority to the City regarding the location of alcoholism and drug abuse recovery and treatment facilities, and increase public awareness of the location of those facilities.

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 - SMITH)

Recommendation for Council action:

SEEK AMENDMENT to REQUIRE that the home jurisdiction be informed of an application for this type of facility to allow an opportunity for input.

ADOPTED

AMENDING MOTION (HAHN - REYES)

Recommendation for Council action:

SEEK AMENDMENT to change the time for the City to respond from 45 days to 60 or 90 days.

ADOPTED

AMENDING MOTION (REYES - LABONGE)

Recommendation for Council action:

DIRECT the Planning Department to map these facilities located throughout the City and to provide this information to the Council.

Roll Call #2 - Motion (Zine - Wesson) Adopted, Ayes (10); Absent: Cardenas, Huizar, Parks, Perry and President Garcetti (5)
(Item Nos. 8-9)

ITEM NO. (8) - ADOPTED

06-0002-S72

INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT relative to the City's position on AB 2641 (Coto) which would protect Native American grave sites by including within the definition of a cemetery, a Native American burial ground.

Recommendation for Council action, as initiated by Resolution (Padilla - Cardenas), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

RESOLVE to include in the City's 2005-06 State Legislative Program, SUPPORT for AB 2641 (Coto) which would require landowners who discover Native American burial grounds on their property to consult with the most likely descendants of those interred there.

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

ITEM NO. (9) - ADOPTED

05-0002-S181

INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT relative to the City's position on H.R. 3686 (Gerlach), promoting the integration of local land use and transportation planning.

Recommendation for Council action, as initiated by Resolution (Greuel - Reyes), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

RESOLVE to include in the City's 2005-06 Federal Legislative Program, SUPPORT for H.R. 3686 (Gerlach), as long as local control is not diminished, and Metropolitan Planning Organizations (MPOs) do not dictate local land use policy, and the legislation continues to allow local cities to plan the placement of transportation resources, and therefore, Section 7 of the bill which calls for MPOs involvement in the coordination of long-range transportation plans will not negatively impact local land use policy decision making, and other similar legislation, which would amend Titles 23 and 49, United States Code, to promote the integration of local land use planning and transportation planning.

Fiscal Impact Statement: The Chief Legislative Analyst reports that passage of H.R. 3686 will not impose an added fiscal cost to the City, inasmuch as the intent of the legislation is administrative in nature and imposes requirements on MPOs to conduct the coordination of local land use planning and transportation planning.

ITEM NO. (10) - CONTINUED TO MAY 30, 2006

Roll Call #1 - Motion (Reyes - Perry) Adopted to Continue, Unanimous Vote (10);
Absent: Cardenas, Huizar, Parks, Perry and President Garcetti (5)

06-0062

CD 14

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to a California Environmental Quality Act (CEQA) appeal on Mitigated Negative Declaration (MND) No. ENV 2004-5092-MND in connection with properties at 3604, 3606, 3610, 3614, 3618, 3620, 3624 and 3628 East Parrish Avenue.

Recommendations for Council action:

1. FIND that MND No. ENV 2004-5092-MND reflects the independent judgment of the City Council, and that on the basis of the whole record before it, there is no substantial evidence that the project will, as mitigated, have a significant effect on the environment, and that the record of proceedings in this matter is located in Council file No. 06-0062 in the City Clerk's Office and in the files in the custody of the City Planning Department.
2. ADOPT MND No. ENV 2004-5092-MND, and ADD the following measures for reporting on or monitoring the changes made a condition of approval to mitigate or avoid significant environmental effects:

"Monitoring of compliance with required street improvements shall be within the purview of the Department of Public Works through ongoing inspections and a clearance letter indicating all work has been completed to the satisfaction of the applicable Bureaus of that Department."

"Monitoring of compliance with required on-site improvements shall be within the purview of the Department of Building and Safety through ongoing inspections and issuance of a certificate of occupancy for each lot. No certificate of occupancy may be issued unless and until the Department of Public Works letter[s] identified above have been received."

3. DENY the appeal filed by Anne Schermerhorn, Hillside Environment and Safety Coalition, from the entire decision of the East Los Angeles Area Planning Commission in adopting Mitigated Negative Declaration No. ENV 2004-5092-MND and related cases, in connection with the construction, use and maintenance of eight single-family dwellings on eight lots at 3604, 3606, 3610, 3614, 3618, 3620, 3624 and 3628 East Parrish Avenue. (Related Cases ZA 2004-5171 ZAD ZAA SPP through ZA 2004-5180 ZAD ZAA SPP)

Applicant: Regional Housing Development, Inc.

Fiscal Impact Statement: None submitted by the Office of Zoning Administration. Neither the City Administrative Officer, nor the Chief Legislative Analyst has submitted a financial analysis of this Committee report.

Roll Call #2 - Motion (Zine - Wesson) Adopted, Ayes (10); Absent: Cardenas, Huizar, Parks, Perry and President Garcetti (5)
(Item Nos. 11-12)

ITEM NO. (11) - ADOPTED

05-0967

PUBLIC SAFETY COMMITTEE REPORT relative to the proposed annual cost of special services fees increases for the Los Angeles Fire Department (LAFD).

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

1. CONCUR with the action taken by the Board of Fire Commissioners (Board) to approve the proposed annual fee increases for special services provided by the LAFD, as identified in the Board report dated March 22, 2006 (attached to the Council file).
2. REQUEST the City Attorney to prepare and present an Ordinance which ensures that the proposed annual fee increases for LAFD special services becomes effective on July 1, 2006.

Fiscal Impact Statement: The City Administrative Officer (CAO) reports that there will be no additional impact to the General Fund. The LAFD has indicated that an additional \$321,448 in revenue will be generated in fiscal year 2006-07 with the approval of the annual cost of special services fee increase for the LAFD. The CAO further reports that this action is consistent with the City's Financial Policies in that the revenues generated will be used to support the existing LAFD program providing the special services.

ITEM NO. (12) - ADOPTED

02-2384

CD 11

ADMINISTRATIVE EXEMPTION and TRADE, COMMERCE AND TOURISM COMMITTEE REPORT relative to the Second Amendment to a Concession Agreement with Buth-Na-Bodhaige, Inc., dba The Body Shop (The Body Shop), covering an extension of the term to May 31, 2007 for a specialty retail store in Terminal 7 at the Los Angeles International Airport (LAX).

Recommendations for Council action:

1. FIND that the Second Amendment to a Concession Agreement with The Body Shop covering an extension of the term to May 31, 2007 for a specialty retail store in Terminal 7 at LAX is administratively exempt from the requirements of the California Environmental Quality Act (CEQA), as provided by Article III, Class 1 (18)(c) of the Los Angeles City CEQA Guidelines.

2. APPROVE the Second Amendment to the Concession Agreement with The Body Shop extending the term of the agreement one year to May 31, 2007; and CONCUR with the Board of Airport Commissioners' action on May 1, 2006, Board Order AO-5014, authorizing the Executive Director of the Los Angeles World Airports (LAWA) to execute said Amendment.

Fiscal Impact Statement: The City Administrative Officer reports that approval of the proposed term extension will not impact the General Fund. Since the LAWA is only bound by the City Debt Management Policies, the City Financial Policies are not applicable. Revenue generated during the one-year term of the Concession Agreement with The Body Shop will total a minimum of \$110,000.

TIME LIMIT FILE - JUNE 4, 2006

(LAST DAY FOR COUNCIL ACTION - JUNE 2, 2006)

ITEM NO. (13) - ADOPTED

Roll Call #9 - Motion (Hahn - Rosendahl) Adopted, Ayes (12); Absent: Huizar, Padilla and Parks (3)

05-0600-S73

TRADE, COMMERCE AND TOURISM COMMITTEE REPORT relative to LA Inc. the Los Angeles Convention and Visitors Bureau contract renewal.

Recommendations for Council action:

1. APPROVE the replacement contract with LA Inc. the Los Angeles Convention and Visitors Bureau for a three-year term beginning July 1, 2006, with the final version of Appendix F, as submitted in Committee on May 10, 2006 and attached to the Council file, and AUTHORIZE the Mayor to execute said contract.
2. REQUEST that the Los Angeles Convention Center provide the Council with a quarterly report at the same time that LA Inc. submits its quarterly report, to serve as a second measure to evaluate the progress made to meet the goals identified in the contract with LA Inc., attached to the Council file.

Fiscal Impact Statement: The Chief Legislative Analyst reports that an annual allocation is made to a special purpose fund expressly for the purpose of funding this contract. There is no fiscal impact to the General Fund as this allocation is approved by the Council and the Mayor in the budget and no changes are recommended to that allocation.

ITEM NO. (14) - ADOPTED

Roll Call #2 - Motion (Zine - Wesson) Adopted, Ayes (10); Absent: Cardenas, Huizar, Parks, Perry and President Garcetti (5)

05-0612

CD 11

ADMINISTRATIVE EXEMPTION and TRADE, COMMERCE AND TOURISM COMMITTEE REPORT relative to the Tenth Amendment to a concession agreement with Airport Management Services, LLC, covering an extension of the term to May 31, 2007 for gift and news concessions in the Tom Bradley International Terminal at the Los Angeles International Airport (LAX).

Recommendations for Council action:

1. FIND that the Tenth Amendment to a concession agreement with Airport Management Services, LLC, covering an extension of the term to May 31, 2007 for gift and news concessions in Terminals 1 through 8 and to September 30, 2008 for gift and news concessions in the Tom Bradley International Terminal, with a 30-day termination provision, at the LAX is administratively exempt from the requirements of the California Environmental Quality Act (CEQA), as provided by Article III, Class 1 (18)(c) of the Los Angeles City CEQA Guidelines.
2. APPROVE the Tenth Amendment to a concession agreement with Airport Management Services, LLC, extending the term of the agreement one year to May 31, 2007; and CONCUR with the Board of Airport Commissioners' action on May 1, 2006, Board Order AO-5016, authorizing the Executive Director of the Los Angeles World Airports (LAWA) to execute said Amendment.

Fiscal Impact Statement: The City Administrative Officer reports that approval of the proposed term extensions will not impact the General Fund. Since the LAWA is only bound by the City Debt Management Policies, the City Financial Policies are not applicable. Revenue generated during the term extensions will total a minimum of \$1,250,833 per month. The total revenue for the two terms of the Agreement cannot be estimated because the number of AMS locations, actual duration and the percentage of gross receipts shall change during the term of the Agreement.

TIME LIMIT FILE - JUNE 4, 2006

(LAST DAY FOR COUNCIL ACTION - JUNE 2, 2006)

ITEM NO. (15) - ADOPTED

Roll Call #8 - Motion (Hahn - Rosendahl) Adopted, Ayes (13); Absent: Huizar and Parks (2)

06-1044

CDs 6

& 11

ADMINISTRATIVE EXEMPTION and TRADE, COMMERCE AND TOURISM COMMITTEE REPORT relative to First Amendments to operating agreements with Five Star Parking and Parking Company of America for the operation and management of the parking facilities at the Los Angeles International Airport (LAX), Van Nuys Airport and Ontario International Airport.

Recommendations for Council action:

1. FIND that the First Amendments to operating agreements with Five Star Parking and Parking Company of America for the operation and management of the parking facilities at the LAX, Van Nuys Airport and Ontario International Airport is administratively exempt from the requirements of the California Environmental Quality Act (CEQA), as provided by Article II, Section 2 (f) of the Los Angeles City CEQA Guidelines.
2. APPROVE the First Amendments to operating agreements with Five Star Parking and Parking Company of America; and CONCUR with the Board of Airport Commissioners' action on May 1, 2006, Resolution No. 22982, authorizing the Executive Director of the Los Angeles World Airports (LAWA) to execute said Amendments.

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

TIME LIMIT FILE - JULY 4, 2006

(LAST DAY FOR COUNCIL ACTION - JUNE 30, 2006)

Roll Call #2 - Motion (Zine - Wesson) Adopted, Ayes (10); Absent: Cardenas, Huizar, Parks, Perry and President Garcetti (5)
(Item Nos. 16-18)

ITEM NO. (16) - ADOPTED

06-1045
CD 11

ADMINISTRATIVE EXEMPTION and TRADE, COMMERCE AND TOURISM COMMITTEE REPORT relative to the First Amendment to a Concession Agreement with Caterina's covering an extension of the term to May 31, 2007 for a specialty retail shop at the Los Angeles International Airport (LAX).

Recommendations for Council action:

1. FIND that the First Amendment to the Concession Agreement with Caterina's covering an extension of the term to May 31, 2007 for a specialty retail shop at the LAX is administratively exempt from the requirements of the California Environmental Quality Act (CEQA), as provided by Article III, Class 1 (18)(c) of the Los Angeles City CEQA Guidelines.
2. APPROVE the First Amendment to the Concession Agreement with Caterina's extending the term of the agreement one year to May 31, 2007; and CONCUR with the Board of Airport Commissioners' action on May 1, 2006, Board Order AO-5013, authorizing the Executive Director of the Los Angeles World Airports (LAWA) to execute said Amendment.

Fiscal Impact Statement: The City Administrative Officer reports that approval of the proposed term extension will not impact the General Fund. Since the LAWA is only bound by the City Debt Management Policies, the City Financial Policies are not applicable. Revenue generated during the one-year term of the Concession Agreement with Caterina's will total a minimum of \$131,568.

TIME LIMIT FILE - JUNE 4, 2006

(LAST DAY FOR COUNCIL ACTION - JUNE 2, 2006)

ITEM NO. (17) - ADOPTED

06-0938

TRANSPORTATION COMMITTEE REPORT relative to the investigation of nine Commuter Express bus fires.

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

1. RECEIVE and FILE the May 2, 2006 Department of Transportation (LADOT) report relative to nine Commuter Express bus fires that have occurred in the past three years and most recently on April 24, 2006, inasmuch as the report is submitted for information only and no Council action is necessary.
2. DIRECT the LADOT to report back to the Transportation Committee in 60 to 90 days with an update of the LADOT's action plan to improve the transit vehicle maintenance function and to reduce the risk of future vehicle fires.
3. DIRECT the LADOT to report back to the Transportation Committee in 60 to 90 days in regard to the acquisition of replacement transit vehicles for the Commuter Express Program.

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

ITEM NO. (18) - ADOPTED

04-1351

INFORMATION TECHNOLOGY AND GENERAL SERVICES, PERSONNEL and BUDGET AND FINANCE COMMITTEES' REPORT relative to allocating a position for the Payroll System Replacement (PaySR) Project.

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

RESOLVE that Employment Authority in the Office of the Controller for one Senior Systems Analyst II, Class Code 1597-2, subject to allocation of the position by the Civil Service Commission and also subject to paygrade determination by the City Administrative Officer (CAO), Employee Relations Division for the balance of fiscal year 2005-06, is APPROVED.

Fiscal Impact Statement: The CAO reports that adoption of this recommendation will cost \$47,283 for the remainder of the current fiscal year and \$94,566 annually thereafter. The recommendation complies with the City Financial Policies in that the position supports an essential ongoing program which will be financed with budgeted revenue in 2005-06 and should be supported by ongoing revenue in 2006-07.

ITEM NO. (19) - MOTION ADOPTED TO APPROVE COMMITTEES' REPORTS
RECOMMENDATIONS, *AS AMENDED - SEE FOLLOWING

Roll Call #10 - Motion (Smith - Perry) to Adopt as Amended, Ayes (12); Absent: Huizar, Padilla
and Parks (3)

06-0607

AD HOC ON RECOVERING ENERGY, NATURAL RESOURCES AND ECONOMIC
BENEFIT FOR LOS ANGELES and ENERGY AND ENVIRONMENT COMMITTEES'
REPORTS relative to actions taken to facilitate the appropriate disposal, diversion and
recycling of universal waste consistent with State regulations.

ADOPTED, *AS AMENDED

A. AD HOC COMMITTEE ON RECOVERING ENERGY, NATURAL RESOURCES AND
ECONOMIC BENEFIT FOR LOS ANGELES

Recommendations for Council action, as initiated by Motion (Smith - Perry), SUBJECT
TO THE CONCURRENCE OF THE MAYOR:

1. RESOLVE to include in the City's State Legislative Program SPONSORSHIP
and/or SUPPORT for state legislation to facilitate universal waste (U-Waste)
collection, disposal and recycling.
2. DIRECT the Bureau of Sanitation (BOS) to submit a budget request for the funding
for universal waste collection and the construction and operation of collection
centers for U-Waste.
3. DIRECT the BOS to pursue all forms of media outreach in respect to the City's U-
Waste Program.
4. DIRECT the BOS to *periodically report back to Council *quarterly on the status of
the City's U-Waste program. *(Smith - Perry)

ADOPTED

B. ENERGY AND ENVIRONMENT COMMITTEE REPORT

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

1. NOTE and FILE the Bureau of Sanitation (BOS) report on the status of collection of universal waste (U-waste) in the City, inasmuch as the report is submitted for information only and no Council action is necessary at this time.
2. CONCUR with the recommendations of the Ad Hoc Committee on Recovering Energy, Natural Resources and Economic Benefit from Waste for Los Angeles (RENEW LA) relative to the status of collection of U-waste in the City.
3. INSTRUCT the BOS to report back in 60 days on the status of its U-waste program.

Fiscal Impact Statement: The BOS reports that there is no fiscal impact and that the Council requests the BOS to report on the status of U-Waste collection in the City as a result of the State of California Department of Toxic Substances Control allowing the disposal exemption for U-waste to expire on February 8, 2006.

Items for Which Public Hearings Have Not Been Held - Items 20-34 (10 Votes Required for Consideration)

Roll Call #5 - Motion (Rosendahl - Reyes) Adopted, Ayes (11); Absent: Cardenas, Huizar, Parks and Perry (4)
(Item Nos. 20-22)

ITEM NO. (20) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS
- ORDINANCE OVER TO MAY 30, 2006

05-0191
CD 3

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCES OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the installation and maintenance of the AMIGO AVENUE AND TARZANA DRIVE LIGHTING DISTRICT - A'13-L0570044.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated May 1, 2006.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of JULY 25, 2006 as the hearing date for the installation of the Amigo Avenue and Tarzana Drive Lighting District, in accordance with Municipal Improvement Act of 1913, Proposition 218, Articles XIIIC and XIID of the California Constitution and Government Code Section 53753.
3. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of JULY 25, 2006 as the hearing date for the maintenance of the Amigo Avenue and Tarzana Drive Lighting District, in accordance with Municipal Improvement Act of 1913, Proposition 218, Articles XIIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$2,972.02 will be collected annually starting with tax year 2006-07 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system. \$176,612 will be collected for street lighting installation assessment.

(Board of Public Works Hearing Date: July 19, 2006)

ITEM NO. (21) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

05-0600-S58

COMMUNICATION FROM CHAIR, ARTS, PARKS, HEALTH AND AGING COMMITTEE relative to Department of Recreation and Parks (DRP) communication on the timeline and deployment of 84 positions for landscaping and revenue from carnivals, fundraisers, and sports fees.

Recommendation for Council action:

RECEIVE and FILE the DRP communication on the timeline and deployment of 84 positions for landscaping and revenue from carnivals, fundraisers, and sports fees, inasmuch as the communication was submitted in response to motions requesting information during the Fiscal Year 2005-06 budget deliberations and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

ITEM NO. (22) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

06-0949

COMMUNICATION FROM THE MAYOR relative to a request to exempt two Internal Auditor III and two Internal Auditor IV positions for the Controller's Office.

Recommendation for Council action:

APPROVE the exemption of two Internal Auditor III positions, which were previously exempted and vacated on November 20, 2004 and February 7, 2005 respectively; and two Internal Auditor IV positions, which were also previously exempted and vacated on August 8, 2005 and November 27, 2005 respectively for the Controller's Office, from the Civil Service Provisions of the City Charter, pursuant to City Charter Section 1001 (b) (1).

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

ITEM SCHEDULED PURSUANT TO CITY CHARTER SECTION 1001 (b) (1), WHICH STATES: "WITHIN TEN COUNCIL MEETING DAYS FROM RECEIPT OF THE RECOMMENDATION, THE COUNCIL MAY BY TWO-THIRDS VOTE DISAPPROVE THE MAYOR'S RECOMMENDATION FOR THE EXEMPTION. IF THE COUNCIL DOES NOT ACT ON THE RECOMMENDATION WITHIN THE SPECIFIED TIME PERIOD, THE RECOMMENDATION SHALL BE DEEMED APPROVED."

TIME LIMIT FILE - MAY 23, 2006

(LAST DAY FOR COUNCIL ACTION - MAY 23, 2006)

Roll Call #3 - Motion (Reyes - Weiss) Adopted to Continue, Unanimous Vote (11);
Absent: Cardenas, Huizar, Parks and Perry (4)
(Item Nos. 23-24)

ITEM NO. (23) - CONTINUED TO JUNE 23, 2006

03-1961-S1

CD 1 COMMUNICATION FROM THE CITY CLERK and RESOLUTION relative to certified results of the Community Redevelopment Agency (CRA) Pico Union 1 Redevelopment Project Area Committee (PAC) election.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION approving the certified results of votes cast at the CRA Pico Union 1 Redevelopment PAC election on May 8, 2006, for 19 vacancies in the categories of Business Owner (Manufacturing/Industrial), Business Owner (Non-Manufacturing/Non-Industrial), Existing Community Organization, Residential Owner Occupant, and Residential Tenant.

TIME LIMIT FILE - JUNE 7, 2006

(LAST DAY FOR COUNCIL ACTION - JUNE 7, 2006)

ITEM NO. (24) - CONTINUED TO JUNE 23, 2006

03-1961

CD 1 COMMUNICATION FROM THE CITY CLERK and RESOLUTION relative to certified results of the Community Redevelopment Agency (CRA) Pico Union 2 Redevelopment Project Area Committee (PAC) election.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION approving the certified results of votes cast at the CRA Pico Union 2 Redevelopment PAC election on May 8, 2006, for 19 vacancies in the categories of Business Owner (Manufacturing/Industrial), Business Owner (Non-Manufacturing/Non-Industrial), Existing Community Organization, Residential Owner Occupant, and Residential Tenant.

TIME LIMIT FILE - JUNE 7, 2006

(LAST DAY FOR COUNCIL ACTION - JUNE 7, 2006)

ITEM NO. (25) - CONTINUED TO MAY 30, 2006

Roll Call #4 - Motion (Zine - Reyes) Adopted to Continue, Unanimous Vote (11);
Absent: Cardenas, Huizar, Parks and Perry (4)

06-0161

CD 3

COMMUNICATIONS FROM THE CITY ATTORNEY relative to the status of enforcement activities at the Frisky Kitty located at 18454 Oxnard Street.

Recommendation for Council action:

RECEIVE and FILE the City Attorney reports dated April 28, 2006 relative to the status of enforcement activities at the Frisky Kitty located at 18454 Oxnard Street, inasmuch as the reports are for information purposes only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

(Public Safety and Planning and Land Use Management Committees waived consideration of the above matter)

Roll Call #5 - Motion (Rosendahl - Reyes) Adopted, Ayes (11); Absent: Cardenas, Huizar, Parks and Perry (4)
(Item Nos. 26-34)

ITEM NO. (26) - ADOPTED

03-1011

CD 13

MOTION (GARCETTI - GREUEL) relative to declaring the 11th Annual Cuban American Music Festival on May 21, 2006 a Special Event (fees and costs absorbed by the City = \$59,000).

Recommendation for Council action:

DECLARE the 11th Annual Cuban American Music Festival, sponsored by the Cuba Culture Foundation and DuVal Productions on May 21, 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, INCLUDING insurance.

ITEM NO. (27) - ADOPTED

06-1141

CD 8 MOTION (PARKS - REYES) relative to declaring the 24th Annual "Walk for Education" Walk-a-thon on May 20, 2006 a Special Event (fees and costs absorbed by the City = \$4,000).

Recommendation for Council action:

DECLARE the 24th Annual "Walk for Education" Walk-a-thon, sponsored by the United Negro College Fund on May 20, 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. (28) - ADOPTED

04-2125

CD 8 MOTION (PARKS - REYES) relative to declaring the Irishfest on November 25, 2006 a Special Event (fees and costs absorbed by the City = \$5,000).

Recommendation for Council action:

DECLARE the Irishfest, sponsored by the Notre Dame Club of Los Angeles on November 25, 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. (29) - ADOPTED

03-0466

CD 1 MOTION (REYES - ROSENDAHL) relative to declaring the Sacred Heart Church Fiesta on May 21, 2006 a Special Event (fees and costs absorbed by the City = \$1,500).

Recommendation for Council action:

DECLARE the Sacred Heart Church Fiesta, sponsored by Sacred Heart Church on May 21, 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. (30) - ADOPTED

05-0960

CD 4 MOTION (LABONGE - HUIZAR) relative to declaring the Third Annual Juneteenth Neighborhood Street Festival on June 17, 2006 a Special Event (fees and costs absorbed by the City = \$6,668).

Recommendation for Council action:

DECLARE the Third Annual Juneteenth Neighborhood Street Festival, sponsored by the First Baptist Church of North Hollywood on June 17, 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. (31) - ADOPTED

04-1062

CD 4 MOTION (LABONGE - HUIZAR) relative to declaring the 2006 Beastly Ball on June 17, 2006 a Special Event (fees and costs absorbed by the City = \$500).

Recommendation for Council action:

DECLARE the 2006 Beastly Ball, sponsored by the Los Angeles Zoo on June 17, 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. (32) - ADOPTED

06-1148

CD 4 MOTION (LABONGE - HUIZAR) relative to declaring the Hope Walk-A-Thon/Hands For Hope/Hope Walk on June 10, 2006 a Special Event (fees and costs absorbed by the City = \$4,846).

Recommendation for Council action:

DECLARE the Hope Walk-A-Thon/Hands For Hope/Hope Walk, sponsored by the Hands for Hope on June 10, 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. (33) - ADOPTED

06-1142

CD 12 MOTION (SMITH - CARDENAS) relative to repairing that portion of Hayvenhurst Avenue damaged by a water blow-out.

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

- 1. AUTHORIZE the Director of the Bureau of Street Services (BOSS) to perform the work.
- 2. AUTHORIZE the Controller to DEPOSIT a check in the amount of \$51,256 received from the Metropolitan Water District of Southern California (MWD) into the Subventions and Grants Fund 305, Department 50, Revenue Source 4511 into a project account entitled "MWD Water Blowout" and TRANSFER and APPROPRIATE therefrom to the Department of Public Works, BOSS, Department 86, Fund 100, into the following accounts:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1090	Salaries, Overtime	\$17,671
3030	Construction Expense	17,704
3040	Contractual Services	9,335
6020	Operating Supplies	<u>6,546</u>
Total		\$51,256

- 3. AUTHORIZE the Controller, Director of the BOSS or Chief Legislative Analyst and their designees to make technical corrections or clarifications to the above fund transfer instructions in order to implement the intent of this motion.

ITEM NO. (34) - ADOPTED

06-1147

CD 2 MOTION (GREUEL - ROSENDAHL) relative to designing a street lighting project that will add pedestrian street lighting poles along Commerce Avenue in Council District Two.

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

- 1. AUTHORIZE the Department of Public Works, Bureau of Street Lighting to design the street lighting project that will add pedestrian street lighting poles along Commerce Avenue in Council District Two.
- 2. AUTHORIZE the Controller to:
 - a. Transfer appropriations within the Community Development Trust Fund 425, Department 22 as follows:

	<u>Account</u>	<u>Title</u>	<u>Amount</u>
From:	T733	Commerce Avenue	\$25,500
To:	Y184	Public Works Street Lighting	\$25,500

- b. Appropriate \$25,500 from Fund 424, Department 22, Account T733 to Fund 100, Department 84 into the following accounts:

<u>Account</u>	<u>Title</u>	<u>Amount</u>	
1010	Salaries	\$19,500	
1090	Overtime	<u>6,000</u>	
			Total
			\$25,500

Reimburse Fund 100, Department 84 on an as-needed basis upon the receipt of proper documentation from the Bureau of Street Lighting

3. AUTHORIZE the Director of the Bureau of Street Lighting or the Chief Legislative Analyst, or their designees, to make the technical corrections or clarifications for the about fund transfer, in order to implement the intent of this Motion.

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

04-1387

MOTION (REYES for HUIZAR - PADILLA) relative to declaring the Highland Neighborhood Watch Annual Safety Awareness Festival on June 10, 2006 a Special Event (fees and costs absorbed by the City = \$1,300).

06-1196

MOTION (PADILLA for HUIZAR - LABONGE) relative to declaring the 2006 Latino Health Expo on June 25, 2006 a Special Event (fees and costs absorbed by the City = \$2,778).

03-1044

MOTION (REYES - ROSENDAHL) relative to declaring the Memorial Day of Remembrance on May 27, 2006 a Special Event (fees and costs absorbed by the City = \$1,000).

06-1195

MOTION (WEISS - REYES) relative to declaring the 16th Annual Sherman Oaks Street Fair on October 21-22, 2006 a Special Event (fees and costs absorbed by the City = \$6,802).

05-1057

MOTION (REYES - ROSENDAHL) relative to declaring the Fourth Anniversary Celebration on May 28, 2006 a Special Event (fees and costs absorbed by the City = \$750).

05-0952

MOTION (ROSENDAHL - CARDENAS) relative to declaring the 79th Street Block Party on May 29, 2006 a Special Event (fees and costs absorbed by the City = \$2,309).

06-1194

MOTION (GARCETTI - REYES) relative to declaring the 29th Annual Lotus Festival on July 8-9, 2006 a Special Event (fees and costs absorbed by the City = \$59,057).

05-1071

MOTION (PERRY - GARCETTI) relative to declaring the Feria del Libro - A Family Book Fair on June 3, 2006 a Special Event (fees and costs absorbed by the City = \$53,894).

06-1193

MOTION (PERRY - GARCETTI) relative to declaring the Kayla's Fundraiser on June 10, 2006 a Special Event (fees and costs absorbed by the City = \$2,656).

03-0010-S62

MOTION (GREUEL - HAHN) relative to reinstating the reward offer in the deaths of Michael Tardino and Christopher Monson for an additional 60 days.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon his request, and without objections, Councilmember Weiss was excused to leave at 11:15 a.m. from Council session of Tuesday, May 30, 2006 due to City business.

Motion (Smith - Reyes) unanimously adopted to excuse Councilmember Cardenas to arrive at 11:00 a.m. to Council session of Friday, June 2, 2006 due to City business.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

06-0777 - Jim Hill

(Garcetti - Parks - LaBonge)

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

06-0776 - Nancy Scotto	(Hahn)
Edward Mendoza	(Hahn)
Senator Lloyd Bentsen	(Rosendahl - All Councilmembers)
Donald C. Wingate	(Zine - All Councilmembers)
Richard Green	(Zine)

Ayes, Cardenas, Greuel, Hahn, LaBonge, Perry, Reyes, Rosendahl, Smith, Weiss, Wesson, Zine and President Garcetti (12); Absent: Huizar, Padilla and Parks (3).

Whereupon the Council did adjourn.

ATTEST: Frank T. Martinez, CITY CLERK

By	
Council Clerk	PRESIDENT OF THE CITY COUNCIL