Los Angeles City Council, Journal/Council Proceedings  
Friday, November 4, 2005  
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)


APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
NOVEMBER 1, 2005

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 9

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 Hearings - Items 1-7

Roll Call #1 - Motion (Smith - Rosenthal) Adopted to Close Public Hearing, Ayes (10); Absent: Hahn, Perry and Reyes (3)  
(Item Nos. 1-7)

ITEM NO. (1) - PUBLIC HEARING CLOSED - PROTESTS DENIED - ASSESSMENTS CONFIRMED - ORDINANCE OVER TO NOVEMBER 15, 2005

05-0738  
CD 1  
CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of EAST KENSINGTON ROAD AND DOUGLAS STREET 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 October 14, 2005)
ITEM NO. (2) - PUBLIC HEARING CLOSED - ORDINANCE OVER TO NOVEMBER 15, 2005

05-1138
CD 6  CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of VANOWEN STREET AND DE CELIS PLACE 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 October 14, 2005)

ITEM NO. (3) - PUBLIC HEARING CLOSED - PROTESTS DENIED - ASSESSMENTS CONFIRMED - ORDINANCE OVER TO NOVEMBER 15, 2005

05-0739
CD 11  CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of THORNBURN STREET AND LA CIENEGA BOULEVARD 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 October 14, 2005)

ITEM NO. (4) - PUBLIC HEARING CLOSED - ORDINANCE OVER TO NOVEMBER 15, 2005

04-2135-S1
CD 6  CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of VANOWEN STREET AND FORBES AVENUE NO. 1 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 October 14, 2005)

ITEM NO. (5) - PUBLIC HEARING CLOSED - ORDINANCE OVER TO NOVEMBER 15, 2005

05-0902 CD 3 CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of LULL STREET AND GEYSER 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 October 14, 2005)

ITEM NO. (6) - PUBLIC HEARING CLOSED - PROTESTS DENIED - ASSESSMENTS CONFIRMED - ORDINANCE OVER TO NOVEMBER 15, 2005

05-1143 CD 2 CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of RANCHITO AVENUE AND ERWIN STREET 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 October 14, 2005)

ITEM NO. (7) - PUBLIC HEARING CLOSED - PROTESTS DENIED - ASSESSMENTS CONFIRMED - ORDINANCE OVER TO NOVEMBER 15, 2005

05-1145
CD 6
CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of HAYVENHURST AVENUE AND SATICOY STREET 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 October 14, 2005)

Items for Which Public Hearings Have Been Held - Items 8-12

Roll Call #2 - Motion (Cardenas - Greuel) Adopted, Ayes (10); Absent: Hahn, Perry and Reyes (3)

(Item Nos. 8-12)

ITEM NO. (8) - ADOPTED - ORDINANCE OVER TO NOVEMBER 15, 2005

02-2703
COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to allowing the Department of Water and Power to enter into transactions for the purchase and sale of wholesale electric energy, capacity, and transmission services effective February 1, 2005.

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

1. PRESENT and ADOPT the accompanying ORDINANCE to repeal Los Angeles City Ordinance No. 175098 and to adopt new provisions to approve the Western Systems Power Pool Agreement, DWP No. BP 04-010, the default transmission service tariff and to provide the Board of Water and Power Commissioners authority to act on amendments to that agreement without further approval by the City Council.
2. CONCUR in the Board of Water and Power Commissioners’ action on October 4, 2005 and APPROVE Resolution No. 006-051 allowing the department to enter into transactions for the purchase and sale of wholesale electric energy, capacity, and transmission services effective February 1, 2005.

Fiscal Impact Statement: The City Administrative Officer states that this agreement will have no impact on the City’s General Fund.

TIME LIMIT FILE - DECEMBER 18, 2005
(LAST DAY FOR COUNCIL ACTION - DECEMBER 16, 2005)

ITEM NO. (9) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATION - FORTHWITH - SEE FOLLOWING

05-0600-S35
MOTION (SMITH - PARKS) relative to a request to transfer $1,100,000 from the Unappropriated Balance (Fiscal Year 2005-06) to the Bureau of Sanitation to pay for consulting services provided by URS Corporation in Phase II of the Solid Waste Alternative Disposal Technologies study.

(Budget and Finance Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)

(For background reports and materials related to this matter, contact the Legislative Assistant for the Budget and Finance Committee at 213-978-1075.)

ADOPTED

BUDGET AND FINANCE COMMITTEE REPORT relative to consulting services provided by URS Corporation in Phase II of the Solid Waste Alternative Disposal Technologies study.

Recommendation for Council action, pursuant to Motion (Smith - Parks), SUBJECT TO THE APPROVAL OF THE MAYOR:

TRANSFER $1,100,000 from the Unappropriated Balance (Fiscal Year 2005-06) to the Bureau of Sanitation Fund 100, Department 82, Account 3040, to pay for consulting services provided by URS Corporation in Phase II of the Solid Waste Alternative Disposal Technologies study.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.
ITEM NO. (10) - ADOPTED

05-2195
CD 11

CATEGORICAL EXEMPTION and COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to a five year lease between the City of Los Angeles and Alaska Airlines Inc. for space, warehouse, canopy, land, paving and vehicle parking stalls at the Los Angeles International Airport (LAX).

Recommendations for Council action:

1. FIND that the recommended action is 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. CONCUR in the Board of Airport Commissioners’ action on September 14, 2005, Board Order AO-4973, and APPROVE a five year lease with Alaska Airlines Inc. for space, warehouse, canopy, land, paving and vehicle parking stalls at the LAX.

Fiscal Impact Statement: The Board of Airport Commissioners state that the City General Fund will receive approximately $622 in possessor interest taxes annually or $3,110 over the five year term of the lease.

TIME LIMIT FILE - NOVEMBER 17, 2005
(LAST DAY FOR COUNCIL ACTION - NOVEMBER 16, 2005)

ITEM NO. (11) - ADOPTED

02-2220

PUBLIC SAFETY COMMITTEE REPORT relative to updating the designation of the City Administrative Officer (CAO) authority as the City’s authorized agent for disaster grants.

Recommendations for Council action:


2. AUTHORIZE the CAO to take any, and all, additional actions, and execute and deliver any, and all, additional certificates, agreements, and other documents as may be required of the City in connection with obtaining the federal and state disaster assistance for which the City is eligible.
Fiscal Impact Statement: The CAO reports that there is no General Fund fiscal impact related to updating the designation of the CAO as the City’s authorized agent, with respect to applications for state and federal financial assistance for disasters. Costs will be reimbursed or advanced by the Federal Emergency Management Agency or the State Office of Emergency Services.

ITEM NO. (12) - ADOPTED

05-0006-S15
CD 9 PUBLIC SAFETY COMMITTEE REPORT relative to a graffiti reward payment for an incident that occurred at 22nd Street/Hooper Avenue and 22nd Street/Naomi Avenue on August 7, 2005.

Recommendation for Council action:

APPROVE the $1,000 graffiti reward payment for an incident occurring at 22nd Street/Hooper Avenue and 22nd Street/Naomi Avenue on August 7, 2005 and AUTHORIZE the City Clerk to pay this claim from the Vandalism and Graffiti Trust Fund No. 870.

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

Item for Which Public Hearings Has Not Been Held - Item 13
(10 Votes Required for Consideration)

ITEM NO. (13) - ADOPTED - FORTHWITH

Roll Call #3 - Motion (Smith - Cardenas) Adopted, Ayes (10); Absent: Hahn, Perry and Reyes (3)

05-2211
CD 12 CONSIDERATION OF MOTION (SMITH - CARDENAS) relative to water and sewer lines for the Wells Fargo Building at Mason and Devonshire.

Recommendations for Council action:

1. DIRECT the Department of Water and Power (DWP), in coordination with the Bureau of Street Services (BOSS), and any other appropriate City department, to take the necessary steps to connect the water and sewer lines for the Wells Fargo Building at Mason and Devonshire, on an emergency basis, and without resurfacing Mason twice, since Mason was just recently resurfaced.

2. DIRECT the DWP, BOSS, and any other appropriate City department to expedite this process, in view that time is of the essence regarding this matter.

(Commerce, Energy and Natural Resources and Public Works Committees waived consideration of the above matter.)
MOTIONS PRESENTED PURSUANT TO RULE NO. 16 - TO BE PLACED ON THE NEXT AVAILABLE AGENDA

04-2029
MOTION (CARDENAS - PADILLA) relative to declaring the Saint Genevieve High School’s Homecoming Celebration and Parade on November 5, 2005 a Special Event (fees and costs absorbed by the City = $1,800).

04-0174
MOTION (PADILLA - LABONGE) relative to declaring the Students Run L.A. on February 26, 2006 a Special Event (fees and costs absorbed by the City = $11,508).

05-2395
MOTION (GREUEL - LABONGE) relative to declaring the Latino Culture Festival on November 12-13, 2005 a Special Event (fees and costs absorbed by the City = $5,905).

05-2394
MOTION (PARKS for PERRY - ZINE) relative to declaring the Grand Opening of the Yankee on November 18, 2005 a Special Event (fees and costs absorbed by the City = $1,226).

05-2393
MOTION (PADILLA for REYES - CARDENAS) relative to declaring the Community Education Project on November 7, 2005 a Special Event (fees and costs absorbed by the City = $2,500).

05-2223-S1
MOTION (PADILLA for REYES - CARDENAS) relative to declaring the Ayuda de Emergencia a Guatemala on November 5-6, 2005 a Special Event (fees and costs absorbed by the City = $5,000).

02-2785
MOTION (PARKS for PERRY - ZINE) relative to a request for an exemption from the Convention Center fee waiver policy for the Graduation Ceremony on June 10, 2005.

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

05-2392
RESOLUTION (PADILLA for REYES- CARDENAS) relative to support for the emergency relief efforts and in the reconstruction process of the greater San Salvador and surrounding areas after hurricane Stan.

05-2391
RESOLUTION (PADILLA - GARCETT) relative to declaring Tuesday, November 15, 2005 as “Adopt-A-Minefield” Day.
COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Motion (Smith - Cardenas) unanimously adopted to excuse Councilmember Weiss to arrive at 11:00 a.m. to Council session of Tuesday, November 8, 2005 due to personal business.

Upon his request, and without objections, Councilmember Parks was excused from Council session of Tuesday, November 15, 2005 due to City business.

Motion (Parks - Weiss) unanimously adopted to excuse Councilmember Cardenas to arrive at 10:30 a.m. to Council session of Wednesday, November 9, 2005 due to City business.

COMMENDATORY RESOLUTION ADOPTED IN HONOR OF:

05-2112  Dr. Theodore T. Alexander Jr.  (Parks for Perry - Cardenas)

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

05-2113 - Dennis Underwood  (LaBonge - All Councilmembers)

Ayes, Cardenas, Garcetti, Greuel, LaBonge, Parks, Rosendahl, Smith, Weiss, Zine and President Padilla (10); Absent: Hahn, Perry and Reyes (3). Council Districts 10 and 14 Vacant.

Whereupon the Council did adjourn.

ATTEST: Frank T. Martinez, CITY CLERK

By

Council Clerk  PRESIDENT OF THE CITY COUNCIL