

Los Angeles City Council, Journal/Council Proceeding

Friday, September 23, 2022

JOHN FERRARO COUNCIL CHAMBER ROOM 340, CITY HALL 200 NORTH SPRING STREET, LOS ANGELES, CA 90012 - 10:00 AM

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

Roll Call

Members Present: Blumenfield, Bonin, Buscaino, de León, Hutt, Koretz, Lee, O'Farrell, Price Jr., Raman (10); Absent: Cedillo, Harris-Dawson, Krekorian, Martinez, Rodriguez (5)

Approval of the Minutes

Commendatory Resolutions, Introductions and Presentations - SEE ATTACHED

Multiple Agenda Item Comment

Public Testimony of Non-agenda Items Within Jurisdiction of Council Items for which Public Hearings Have Been Held

(1) **14-0236**

COMMUNICATION FROM THE MAYOR relative to the reappointment of Ms. Rhonda Hilyer to the Employee Relations Board for the term ending September 23, 2027.

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

(Click on www.lacouncilfile.com for background documents.)

[Scheduled pursuant to Council Rule 46(b)]

Community Impact Statement: None submitted.

TIME LIMIT FILE - SEPTEMBER 26, 2022

(LAST DAY FOR COUNCIL ACTION - SEPTEMBER 23, 2022)

Adopted Item - SEE ATTACHED

Ayes: Blumenfield, Bonin, Buscaino, Cedillo, de León, Harris-Dawson, Hutt, Koretz, Lee, O'Farrell, Price Jr., Raman (12); Nays: (0); Absent: Krekorian, Martinez, Rodriguez (3)

(2) **22-1022**

BUDGET AND FINANCE COMMITTEE REPORT relative to a request for authority to release a Request for Proposals for audit services and select auditors to conduct the Annual and Single Audits of the City for Fiscal Years 2022-23 through 2024-25.

Recommendations for Council action:

1. RELEASE the Request for Proposals (RFP), attached to the Joint Report from the Controller, City Administrative Officer (CAO), and Board of Public Works (Board), attached to the Council file, and to make any technical corrections and updates to the RFP for an Annual and Single Audit of the City's finances for Fiscal Years (FY) 2022-23 through 2024-25 with two one-year renewal options.
2. EVALUATE the proposals that will be received.
3. Subsequently report to the Council with recommended actions related to the selection of an external auditor, and proposed contract, subject to the review of the City Attorney as to form and legality.

Fiscal Impact Statement: The Controller, CAO, and Board report that there is no fiscal impact from approving the recommendations in this report. However, an appropriation of funds will be required in the FY 2023-24 budget to complete the annual audit of FY 2022-23. This amount may be similar to the funds included in the FY 2022-23 Adopted Budget for the FY 2021-22 annual audit (\$1,113,689), subject to change based on the

results of the RFP.

Community Impact Statement: None submitted

TIME LIMIT FILE - OCTOBER 31, 2022

(LAST DAY FOR COUNCIL ACTION - OCTOBER 28, 2022)

Adopted Item

Ayes: Blumenfield, Bonin, Buscaino, Cedillo, de León, Harris-Dawson, Hutt, Koretz, Lee, O'Farrell, Price Jr., Raman (12); Nays: (0); Absent: Krekorian, Martinez, Rodriguez (3)

(3) **21-0874-S2**

BUDGET AND FINANCE COMMITTEE REPORT relative to the COVID-19 Emergency Response Account – General City Purposes Fund Status Reports covering June 2022.

Recommendation for Council action:

NOTE and FILE the City Administrative Officer reports dated June 24, 2022 and July 25, 2022, attached to the Council file, relative to the COVID-19 Emergency Response Account – General City Purposes Fund Status Report for the weeks covering June 1, 2022 through June 30, 2022.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted

Adopted Item

Ayes: Blumenfield, Bonin, Buscaino, Cedillo, de León, Harris-Dawson, Hutt, Koretz, Lee, O'Farrell, Price Jr., Raman (12); Nays: (0); Absent: Krekorian, Martinez, Rodriguez (3)

(4) **21-0874-S3**

BUDGET AND FINANCE COMMITTEE REPORT relative to the COVID-19 Emergency Response Account – General City Purposes Fund Status

Reports covering July and August 2022.

Recommendation for Council action:

NOTE and FILE the City Administrative Officer reports dated July 25, 2022, August 4, 2022, August 18, 2022, and September 7, 2022, attached to the Council file, relative to the COVID-19 Emergency Response Account – General City Purposes Fund Status Report for the weeks covering July 1, 2022 through August 31, 2022.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted

Adopted Item

Ayes: Blumenfield, Bonin, Buscaino, Cedillo, de León, Harris-Dawson, Hutt, Koretz, Lee, O'Farrell, Price Jr., Raman (12); Nays: (0); Absent: Krekorian, Martinez, Rodriguez (3)

(5) **22-0770**

BUDGET AND FINANCE COMMITTEE REPORT relative to the feasibility of implementing a one-year parking occupancy tax holiday for state universities within the City.

Recommendation for Council action:

NOTE and FILE the Office of Finance report dated August 31, 2022 and Motion (Lee – Blumenfield).

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted

Adopted Item

Ayes: Blumenfield, Bonin, Buscaino, Cedillo, de León, Harris-Dawson, Hutt, Koretz, Lee, O'Farrell, Price Jr., Raman (12); Nays: (0); Absent: Krekorian, Martinez, Rodriguez (3)

(6) **21-0288**

BUDGET AND FINANCE COMMITTEE REPORT relative to the Investment Report for October 2021.

Recommendation for Council action:

NOTE and FILE the Investment Report submitted by the Office of Finance dated December 1, 2021, attached to the Council file.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted

Adopted Item

Ayes: Blumenfield, Bonin, Buscaino, Cedillo, de León, Harris-Dawson, Hutt, Koretz, Lee, O'Farrell, Price Jr., Raman (12); Nays: (0); Absent: Krekorian, Martinez, Rodriguez (3)

(7) **22-0906
CD 12**

BUDGET AND FINANCE COMMITTEE REPORT relative to the identification and transfer of funds for the new capital improvement project known as the Balboa Boulevard Bulkhead Project.

Recommendations for Council action, as initiated by Motion (Lee – Blumenfield):

1. INSTRUCT The Bureau of Engineering to initiate a new capital improvement project to be known as the Balboa Boulevard (12000 N) Bulkhead Project.
2. DIRECT the City Administrative Officer (CAO) to identify and report back on a funding source for the project.

Fiscal Impact Statement: The CAO nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted

Adopted Item

Ayes: Blumenfield, Bonin, Buscaino, Cedillo, de León, Harris-Dawson, Hutt, Koretz, Lee, O'Farrell, Price Jr., Raman (12); Nays: (0); Absent: Krekorian, Martinez, Rodriguez (3)

(8) **22-0256**

BUDGET AND FINANCE COMMITTEE REPORT relative to the Investment Reports for April to June of 2022.

Recommendation for Council action:

NOTE and FILE the Investment Reports submitted by the Office of Finance dated July 1, 2022 and July 27, 2022, attached to the Council file.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted

Adopted Item

Ayes: Blumenfield, Bonin, Buscaino, Cedillo, de León, Harris-Dawson, Hutt, Koretz, Lee, O'Farrell, Price Jr., Raman (12); Nays: (0); Absent: Krekorian, Martinez, Rodriguez (3)

(9) **21-1494**

BUDGET AND FINANCE COMMITTEE REPORT relative to the 2022 Annual Statement of Investment Policy.

Recommendation for Council action:

NOTE and FILE the Office of Finance report dated December 17, 2021, attached to the Council file.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted

Adopted Item

Ayes: Blumenfield, Bonin, Buscaino, Cedillo, de León, Harris-Dawson, Hutt, Koretz, Lee, O'Farrell, Price Jr., Raman (12); Nays: (0); Absent: Krekorian, Martinez, Rodriguez (3)

(10) **22-1002**

BUDGET AND FINANCE COMMITTEE REPORT relative to a transfer of funds within LA Sanitation and Environment (LASAN) funding accounts to meet overtime payroll needs.

Recommendation for Council action, pursuant to Motion (Krekorian – O'Farrell), SUBJECT TO THE APPROVAL OF THE MAYOR:

AUTHORIZE the Controller to transfer funds within Fund No. 100/82 and Fund No. 508/50, Bureau of Sanitation, as follows:

- a. Transfer \$4,000,000 from Fund No. 100/82, Account No. 001010 (SCMO), Salaries General, to Fund No. 100/82, Account No. 001090 (SCMO), Overtime General.
- b. Transfer \$4,130,780 from Fund No. 100/82, Account No. 001010 (SWRRF), Salaries General, \$369,220 from Fund No. 100/82, Account No. 00430 (SWRRF), Uniforms, and \$2,500,000 from Fund No. 508/50, Account No. 50WX82 (SWRRF), Expense and Equipment (total of \$7,000,000), to Fund No. 100/82, Account No. 001090 (SWRRF), Overtime general.

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

Community Impact Statement: None submitted

Adopted Item

Ayes: Blumenfield, Bonin, Buscaino, Cedillo, de León, Harris-Dawson, Hutt, Koretz, Lee, O'Farrell, Price Jr., Raman (12); Nays: (0); Absent: Krekorian, Martinez, Rodriguez (3)

(11) **11-1020-S3**

BUDGET AND FINANCE COMMITTEE REPORT relative to amending Subsection (b) of Section 5.517 of the Los Angeles Administrative Code in

regards to the terms “budget advocacy” and “Budget Advocates.”

Recommendations for Council action, as initiated by Motion (Lee – Krekorian):

1. REQUEST the City Attorney, in consultation with the Department of Neighborhood Empowerment (DONE) and the Office of the City Clerk, to prepare and present an Ordinance amending Subsection (b) of Section 5.517 of the Los Angeles Administrative Code to replace the existing term of “Budget Advocates” with “budget advocacy.”
2. DIRECT the DONE to promulgate procedures, rules and regulations, as well as issue any directives necessary for the administration of the Neighborhood Council Fund appropriated for Budget Advocacy and the Congress of Neighborhoods in conformity with Section 909 of the Los Angeles City Charter, which allows certified neighborhood councils to be active and engaged in the Mayor's and City Council's annual City budget process.
3. REQUEST that the Mayor's Office include in its FY 23-24 Budget funding to support the Neighborhood Council Budget Advocacy.

Fiscal Impact Statement: The City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: Yes

For:

Palms Neighborhood Council

Against:

Westside Neighborhood Council
Hollywood United Neighborhood Council
Greater Wilshire Neighborhood Council
Reseda Neighborhood Council
Sunland-Tujunga Neighborhood Council
Mid-City Neighborhood Council
NoHo Neighborhood Council
Encino Neighborhood Council

Sherman Oaks Neighborhood Council
Woodland Hills-Warner Center Neighborhood Council

Against Unless Amended:

Lake Balboa Neighborhood Council
South Robertson Neighborhood Council
Tarzana Neighborhood Council

Adopted Item

Ayes: Blumenfield, Bonin, Buscaino, Cedillo, de León, Harris-Dawson, Hutt, Koretz, Lee, O'Farrell, Price Jr., Raman (12); Nays: (0); Absent: Krekorian, Martinez, Rodriguez (3)

(12) **12-0049-S25**
CD 6

HOUSING COMMITTEE REPORT relative to extending and amending the terms of a loan agreement with the Strathern Park, Limited Partnership, to allow for the refinancing of the existing senior loan and to accommodate property rehabilitation for the development of affordable housing, for the properties located at 11040 West Lorne Street and 11111 West Strathern Street in Sun Valley.

Recommendations for Council action:

1. REQUEST the City Attorney to prepare all necessary documents, including but not limited to a renewal and modification of a loan agreement (and/or amendments and restatements of any necessary documents) to preserve and support an affordable housing project on the properties located at 11040 West Lorne Street and 11111 West Strathern Street in Sun Valley, CA 91352 (Assessor Parcel Numbers 2314-006-035 and 2314-006-048).
2. AUTHORIZE the General Manager, Los Angeles Housing Department (LAHD), or designee, to negotiate and execute all documents required for the affordable housing project at 11040 West Lorne Street and 11111 West Strathern Street in Sun Valley, CA 91352 (APN(s) 2314-006-035 & 2314-006-048), per the terms of the loan agreement or as set forth herein.

Fiscal Impact Statement: The LAHD reports that there is no fiscal impact to the General Fund.

Community Impact Statement: None submitted

Adopted Item

Ayes: Blumenfield, Bonin, Buscaino, Cedillo, de León, Harris-Dawson, Hutt, Koretz, Lee, O'Farrell, Price Jr., Raman (12); Nays: (0); Absent: Krekorian, Martinez, Rodriguez (3)

- (13) **12-0968-S6**
CDs 1, 8, and 9 HOUSING COMMITTEE REPORT relative to a First Amendment to Contract No. C135171 between the Los Angeles Housing Department (LAHD) and New Economics for Women (NEW) to provide homeownership services within the University of Southern California (USC) Nexus Study Area for the USC Affordable Housing Program.

Recommendation for Council action:

AUTHORIZE the General Manager, LAHD, or designee, to execute a First Amendment to Contract No. C-135171 with NEW to extend the contract term by one year through November 30, 2023; and, incorporate an updated Professional Fee Schedule, new City department name and management contacts for the LAHD, and the latest version of the Standard Provisions for City contracts, in substantial conformance with the draft Amendment attached to the LAHD report, dated August 8, 2022, attached to the Council file, subject to review and approval by the City Attorney as to form and compliance with the City's contracting requirements.

Fiscal Impact Statement: The City Administrative Officer (CAO) reports that there is no impact to the General Fund. The funding for the original Contract with NEW was provided by the Affordable Housing Trust Fund. The proposed services will be provided during the First Amendment term, and will be funded with the available balance currently set aside for this Contract.

Financial Policies Statement: The CAO reports that the recommended action complies with the City's Financial Policies.

Community Impact Statement: None submitted

TIME LIMIT FILE - OCTOBER 10, 2022

(LAST DAY FOR COUNCIL ACTION - OCTOBER 7, 2022)

Adopted Item

Ayes: Blumenfield, Bonin, Buscaino, Cedillo, de León, Harris-Dawson, Hutt, Koretz, Lee, O'Farrell, Price Jr., Raman (12); Nays: (0); Absent: Krekorian, Martinez, Rodriguez (3)

(14) **15-0087-S8**

HOUSING COMMITTEE REPORT relative to the acceptance of transportation-related grant awards from the Strategic Growth Council's 2021 Round 6 Affordable Housing and Sustainable Communities (AHSC) Grant Program.

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

1. AUTHORIZE the General Manager, Los Angeles Housing Department (LAHD), or designee, to execute Standard Agreements with the California Department of Housing and Community Development (State) for the seven projects awarded in Round 6 of the AHSC Grant Program, as detailed in the City Administrative Officer (CAO) report dated September 9, 2022, attached to the Council file, subject to the review and approval of the City Attorney as to form and legality; and, accept the AHSC, Round 6 grant awards totaling \$54,782,000.
2. AUTHORIZE the Controller to:
 - a. Recognize receivables from the State in the amount of \$54,782,000 to be recorded in the AHSC Grant Fund No. 60V.
 - b. Establish new accounts and appropriate funds within the AHSC Grant Fund No. 60V/43 as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
TBD	87th and Western TOD	\$ 9,621,800
TBD	Grandview TOD	4,630,800
TBD	Jordan Downs Area 2B ICP	4,632,600
TBD	Locke Village TOD	9,530,000
TBD	Menlo Ave Apartments ICP	7,260,000
TBD	Umeya Apartments TOD	9,488,600
TBD	Vista Terrace ICP	<u>9,618,200</u>
Total:		\$54,782,000

c. Transfer funds for eligible expenses incurred for work completed, or to be completed, for AHSC Rounds 3 through 6, from Fund 60V in amounts not to exceed the AHSC allocations for each round/project, to the following City departments, as follows:

i. Department of Public Works (PW) Bureau of Engineering (BOE) – Fund No. 100/78, Revenue Source Code (RSC) No. 5301, Reimbursement From Other Funds.

ii. PW Bureau of Street Lighting (BSL) – Street Lighting Maintenance Assessment Fund No. 347/50, RSC No. 5301, Reimbursement From Other Funds.

iii. PW Bureau of Street Services (BSS) – Fund and account information to be determined.

iv. Los Angeles Department of Transportation (LADOT) – Fund No. 100/94, RSC No. 5301, Reimbursement From Other Funds.

3. INSTRUCT the LAHD to identify the funding required to offset the AHSC unfunded costs identified in said CAO report, and revisit the City’s application strategy for AHSC, prior to initiating the application process for AHSC, Round 7.

4. AUTHORIZE the General Managers, LAHD, BOE, BSL, BSS, and LADOT, or designees, to prepare Controller instructions and any technical corrections as necessary to the transactions included in said CAO report, including the funds and accounts for AHSC reimbursements, to implement the intent of those transactions, subject to the approval of the CAO.

Fiscal Impact Statement: The CAO reports that there is a potential future impact on the General Fund if the LAHD is unable to identify the funding needed to offset the unfunded AHSC costs in the amount of \$14.67 million identified in said CAO report. The City must also front-fund the staffing and resources needed to implement the grant-funded AHSC Sustainable Transit Infrastructure (STI) and Transportation-Related Amenities (TRA) improvements for awarded projects. Eligible costs will be reimbursed by AHSC Program funds. Staff costs for implementing the STI and TRA improvements that are found to be ineligible for AHSC Program fund reimbursement may ultimately have a General Fund impact.

Financial Policies Statement: The CAO reports that the recommended actions comply with the City's Financial Policies.

Community Impact Statement: None submitted

Adopted Item

Ayes: Blumenfield, Bonin, Buscaino, Cedillo, de León, Harris-Dawson, Hutt, Koretz, Lee, O'Farrell, Price Jr., Raman (12); Nays: (0); Absent: Krekorian, Martinez, Rodriguez (3)

(15) **22-0600-S90**

ENERGY, CLIMATE CHANGE, ENVIRONMENTAL JUSTICE, AND RIVER COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to adding Chapter 193 to Division 5 of the Los Angeles Administrative Code to establish a special fund to be known as the 'Climate Equity Fund'.

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

PRESENT and ADOPT the accompanying ORDINANCE, ~~dated July 1, 2022~~, adding Chapter 193 to Division 5 of the Los Angeles Administrative Code to establish a special fund to be known as the "Climate Equity Fund".

***JOURNAL CORRECTION**

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

Community Impact Statement: None submitted

(Budget and Finance Committee waived consideration of the above matter)

Adopted Item

Ayes: Blumenfield, Bonin, Buscaino, Cedillo, de León, Harris-Dawson, Hutt, Koretz, Lee, O'Farrell, Price Jr., Raman (12); Nays: (0); Absent: Krekorian, Martinez, Rodriguez (3)

(16) **22-0797**

ENERGY, CLIMATE CHANGE, ENVIRONMENTAL JUSTICE, AND RIVER COMMITTEE REPORT relative to addressing illegal dumping on multi-jurisdictional locations within the City, and the challenges that delay swift responses in addressing sanitation efforts.

Recommendations for Council action, pursuant to Motion (Krekorian - O'Farrell):

1. DIRECT the Bureau of Sanitation (BOS) to report on a strategy to coordinate efforts with Los Angeles County and California Department of Transportation (CalTrans) when cleaning public spaces and when addressing illegal dumping on multi-jurisdictional locations in the City. The report should include information related to challenges that delay swift responses in addressing sanitation efforts, any strategies the BOS may have for overcoming those challenges, and recommendations for any system improvements that the City can immediately implement.

2. INSTRUCT the BOS, with the assistance of the City Administrative Officer (CAO) and the Chief Legislative Analyst (CLA), to report on the feasibility of entering into a Memorandum of Understanding with Los Angeles County and CalTrans, for the purpose of faster, more efficient and more thorough responses to CARE, CARE Plus, and illegal dumping locations on multi-jurisdictional properties within the City, including funding options available to the City from those partners to ensure full cost recovery for services completed outside of City jurisdiction.

3. AUTHORIZE the BOS to make any technical corrections or clarifications to the above instructions in order to effectuate the intent of the Motion.

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

Community Impact Statement: Yes

For: Atwater Village Neighborhood Council

Adopted Item

Ayes: Blumenfield, Bonin, Buscaino, Cedillo, de León, Harris-Dawson, Hutt, Koretz, Lee, O'Farrell, Price Jr., Raman (12); Nays: (0); Absent: Krekorian, Martinez, Rodriguez (3)

(17) **22-0925**

ENERGY, CLIMATE CHANGE, ENVIRONMENTAL JUSTICE, AND RIVER COMMITTEE REPORT relative to a request for authority to execute Amendment No. 1 to the Memorandum of Agreement with the California Association of Sanitation Agencies for Phase 2A and Phase 2B of a wastewater flow and load study.

Recommendation for Council action:

AUTHORIZE the President, Board of Public Works, or two Members, and the Director, Bureau of Sanitation, to execute the proposed Amendment No. 1 to the Memorandum of Agreement with the California Association of Sanitation Agencies to extend the term by 25 months to June 20, 2023 retroactive to May 21, 2021 and increase the total compensation by

\$306,827, from \$1.4 million to \$1,706,827, subject to approval by City Attorney and compliance with the City's contracting requirements.

Fiscal Impact Statement: The City Administrative Officer (CAO) reports that there is no General Fund impact. Funding will be provided by the Sewer Construction and Maintenance Fund.

Financial Policies Statement: The CAO further reports that the recommendation in the report complies with the City's Financial Policies, to the extent that special fund expenditures are limited to the mandates of the funding source.

Community Impact Statement: None submitted

Adopted Item

Ayes: Blumenfield, Bonin, Buscaino, Cedillo, de León, Harris-Dawson, Hutt, Koretz, Lee, O'Farrell, Price Jr., Raman (12); Nays: (0); Absent: Krekorian, Martinez, Rodriguez (3)

(18) **22-0685**
CD 7

ENERGY, CLIMATE CHANGE, ENVIRONMENTAL JUSTICE, AND RIVER COMMITTEE REPORT ***and RESOLUTION** relative to the agreement for the California Climate Investments Fire Prevention Grants Program in the amount of \$659,000 for the Lopez Canyon Hazardous Fuel Reduction Project.

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

1. INSTRUCT the Bureau of Sanitation (BOS) to provide training to employees and/or contractors performing the specified Project at Lopez Canyon in order for these activities to be in compliance with the City's Protected Tree Ordinance thereby mitigating impacts to protected tree and vegetation species.
2. AUTHORIZE the Director, BOS, or designee, to negotiate, accept, execute, and submit all documents, including, but not limited to, agreements, amendments, and payment requests for the Lopez Canyon Hazardous Fuel Reduction Project from the California State Department of Forestry and Fire Protection California Climate

Investments Fire Prevention Grants Program, subject to the approval of the City Attorney as to form.

***RESOLUTION**

- ADOPT the accompanying ~~Resolution~~ authorizing the City to enter into a funding agreement with the State Department of Forestry and Fire Protection, and authorizing and designating the Director and General Manager, BOS as the representative for the Lopez Canyon Hazardous Fuels Reduction Project.

***JOURNAL CORRECTIONS**

Fiscal Impact Statement: The City Administrative Officer (CAO) reports that there is no direct impact to the General Fund. Funding for the project is provided by the Solid Waste Resources Revenue Fund and the proposed grant. The Solid Waste Resources Revenue Fund is not a full cost recovery fund as such the services provided by this fund are subsidized by the General Fund.

Financial Policies Statement: The CAO further reports that the recommendations in this report comply with the City's Financial Policies in one-time grant funding will be utilized for one-time program expenditures.

Community Impact Statement: None submitted

Adopted Item

Ayes: Blumenfield, Bonin, Buscaino, Cedillo, de León, Harris-Dawson, Hutt, Koretz, Lee, O'Farrell, Price Jr., Raman (12); Nays: (0); Absent: Krekorian, Martinez, Rodriguez (3)

Items for which Public Hearings Have Not Been Held - (10 Votes Required for Consideration)

(19) **10-0322-S1
CD 15**

ADMINISTRATIVE EXEMPTION and COMMUNICATION FROM THE BOARD OF HARBOR COMMISSIONERS (Board) relative to approving Board Resolution No. 21-9939 which authorizes the proposed Multi-Party Agreement with Appellants of the TraPac Environmental Impact Report and Harbor Community Benefit Foundation to transfer remaining funds and any interest to the Port Community Mitigation Trust Fund.

Recommendations for Council action:

1. ADOPT the determination by the Board that the proposed action is administratively exempt from the requirements of the California Environmental Quality Act (CEQA) under Article II, Section 2(f) of the Los Angeles City CEQA Guidelines.
2. APPROVE the Port of Los Angeles Resolution No. 21-9939 authorizing proposed Multi-Party Agreement No. 21-9844 between the City of Los Angeles Harbor Department, the Appellants of the TraPac Environmental Impact Report and Harbor Community Benefit Foundation to transfer at least \$270,000 and any interest generated to the Harbor Community Benefit Foundation for administration.

Fiscal Impact Statement: The Board reports that there is no impact to the General Fund.

Community Impact Statement: None submitted

TIME LIMIT FILE - NOVEMBER 7, 2022

(LAST DAY FOR COUNCIL ACTION - NOVEMBER 4, 2022)

(Trade, Travel, and Tourism Committee waived consideration of the matter)

Adopted Item

Ayes: Blumenfield, Bonin, Buscaino, Cedillo, de León, Harris-Dawson, Hutt, Koretz, Lee, O'Farrell, Price Jr., Raman (12); Nays: (0); Absent: Krekorian, Martinez, Rodriguez (3)

(20) **16-0144-S1
CD 15**

ADMINISTRATIVE EXEMPTION and COMMUNICATION FROM THE BOARD OF HARBOR COMMISSIONERS (Board) relative to approving the proposed Memorandum of Agreement No. 21-9842 with Harbor Community Benefit Foundation (HCBF) and China Shipping Petitioners naming HCBF as administrator of the Air Quality Mitigation Fund.

Recommendations for Council action:

1. ADOPT the determination by the Board that the proposed action is administratively exempt from the requirements of the California Environmental Quality Act (CEQA) under Article II Section 2(f) of the Los Angeles City CEQA Guidelines.
2. APPROVE the Port of Los Angeles Resolution No. 21-9929 authorizing the proposed Memorandum of Agreement No. 21-9842 between the City of Los Angeles Harbor Department, China Shipping Petitioners and HCBF.

Fiscal Impact Statement: The Board reports that there is no impact to the General Fund.

Community Impact Statement: None submitted

TIME LIMIT FILE - NOVEMBER 7, 2022

(LAST DAY FOR COUNCIL ACTION - NOVEMBER 4, 2022)

(Trade, Travel, and Tourism Committee waived consideration of the matter)

Adopted Item

Ayes: Blumenfield, Bonin, Buscaino, Cedillo, de León, Harris-Dawson, Hutt, Koretz, Lee, O'Farrell, Price Jr., Raman (12); Nays: (0); Absent: Krekorian, Martinez, Rodriguez (3)

(21) **15-1546-S1**

CATEGORICAL EXEMPTION and COMMUNICATION FROM THE BOARD OF AIRPORT COMMISSIONERS (Board) relative to approving the Second Amendment to Lease LAA-8897 with The Private Suite LAX, LLC to extend the term and implement a payment plan for rent in arrears, with interest, covering a remote passenger terminal located at 6871 West Imperial Highway within Los Angeles International Airport (LAX).

Recommendations for Council action:

1. ADOPT the determination by the Board that the action is exempt from the California Environmental Quality Act (CEQA) pursuant to Article III, Class 1 (18)(c) of the Los Angeles City CEQA Guidelines.
2. APPROVE the Second Amendment to Lease LAA-8897 with The Private Suite LAX, LLC to extend the term by five years and implement a payment plan for rent in arrears, with interest, covering a remote passenger terminal located at 6871 West Imperial Highway within LAX.
3. CONCUR with the Board's action on July 7, 2022, by Resolution No. 27524, authorizing the Chief Executive Officer, Los Angeles World Airports, to execute the Second Amendment to Lease LAA-8897 with The Private Suite LAX, LLC.

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

Community Impact Statement: None submitted

TIME LIMIT FILE - OCTOBER 3, 2022

(LAST DAY FOR COUNCIL ACTION - SEPTEMBER 30, 2022)

(Trade, Travel, and Tourism Committee waived consideration of the matter)

Adopted Item

Ayes: Blumenfield, Bonin, Buscaino, Cedillo, de León, Harris-Dawson, Hutt, Koretz, Lee, O'Farrell, Price Jr., Raman (12); Nays: (0); Absent: Krekorian, Martinez, Rodriguez (3)

(22) **22-0995**

CATEGORICAL EXEMPTION and COMMUNICATION FROM THE

BOARD OF AIRPORT COMMISSIONERS (Board) relative to approving the Lease with Kenton Koszdin dba Kenton Koszdin Law Offices located at 16461 Sherman Way, Van Nuys, CA 91406.

Recommendations for Council action:

1. ADOPT the determination by the Board that the action is exempt from the California Environmental Quality Act (CEQA) pursuant to Article III, Classes 1(18)(c) and 1(1) of the Los Angeles City CEQA Guidelines.
2. APPROVE the 63-month Lease with Kenton Koszdin dba Kenton Koszdin Law Offices, covering office space in the Los Angeles World Airports-owned Aviation Plaza, located at 16461 Sherman Way, Van Nuys.
3. CONCUR with the Board's action on July 21, 2022, by Resolution No. 27542, authorizing the Chief Executive Officer of Los Angeles World Airports to execute said Lease with Kenton Koszdin dba Kenton Koszdin Law Offices.

Fiscal Impact Statement: The Board reports that there is no impact to the General Fund.

Community Impact Statement: None submitted

TIME LIMIT FILE - SEPTEMBER 28, 2022

(LAST DAY FOR COUNCIL ACTION - SEPTEMBER 28, 2022)

(Trade, Travel, and Tourism Committee waived consideration of the matter)

Adopted Item

Ayes: Blumenfield, Bonin, Buscaino, Cedillo, de León, Harris-Dawson, Hutt, Koretz, Lee, O'Farrell, Price Jr., Raman (12); Nays: (0); Absent: Krekorian, Martinez, Rodriguez (3)

(23) **14-0117-S2**
CD 10

COMMUNICATION FROM THE CITY ENGINEER relative to initiating vacation proceedings for Exposition Boulevard Southerly Roadway and Bronson Avenue Vacation District (VAC-E1401414).

Recommendations for Council action:

1. ADOPT the City Engineer report dated September 1, 2022, attached to the Council file, to initiate the vacation proceedings to vacate Exposition Boulevard Southerly Roadway and Bronson Avenue Vacation District, as shown on Exhibit A of said City Engineer report, pursuant to California Streets and Highways Code, Division 9, Part 3, Public Streets, Highways and Service Easements Vacation Law.
2. DIRECT the Bureau of Engineering to investigate and report regarding the feasibility of this vacation request.

Fiscal Impact Statement: The City Engineer reports that a fee of \$47,080 was paid by the petitioner for the investigation of this request pursuant to Section 7.42 of the Los Angeles Administrative Code (LAAC). Any deficit fee to recover the cost pursuant to LAAC Section 7.44 will be required of the petitioner.

Community Impact Statement: None submitted

Adopted Item

Ayes: Blumenfield, Bonin, Buscaino, Cedillo, de León, Harris-Dawson, Hutt, Koretz, Lee, O'Farrell, Price Jr., Raman (12); Nays: (0); Absent: Krekorian, Martinez, Rodriguez (3)

(24) **20-0289**
10

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION TO VACATE relative to vacating an east west alley southerly of Washington Boulevard between Claudina Avenue and Vineyard Avenue -VAC-E1401379 (Vacation).

Recommendations for Council action:

1. REAFFIRM the FINDINGS of September 22, 2020, that the Vacation, pursuant to the City of Los Angeles Environmental Guidelines, is exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(3) of the City of Los Angeles Environmental Guidelines.
2. REAFFIRM the FINDINGS of September 22, 2020, that the Vacation is in substantial conformance with the General Plan pursuant to Section 556 of the Los Angeles City Charter.
3. ADOPT the accompanying RESOLUTION TO VACATE No. 22-1401379 for the Vacation.

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

Community Impact Statement: None submitted

Adopted Item

Ayes: Blumenfield, Bonin, Buscaino, Cedillo, de León, Harris-Dawson, Hutt, Koretz, Lee, O'Farrell, Price Jr., Raman (12); Nays: (0); Absent: Krekorian, Martinez, Rodriguez (3)

(25) **22-0949**
CD 13

COMMUNICATION FROM THE CITY ENGINEER relative to initiating vacation proceedings for a portion of Cahuenga Boulevard between Waring Avenue and Melrose Avenue (VAC-E1401427).

Recommendations for Council action:

1. ADOPT the City Engineer report dated August 15, 2022, attached to the Council file, to initiate the vacation proceedings to vacate a portion of Cahuenga Boulevard between Waring Avenue and Melrose Avenue, as shown on Exhibit A of said City Engineer report,

pursuant to California Streets and Highways Code, Division 9, Part 3, Public Streets, Highways and Service Easements Vacation Law.

2. DIRECT the Bureau of Engineering to investigate and report regarding the feasibility of this vacation request.

Fiscal Impact Statement: The City Engineer reports that a fee of \$14,980 was paid by the petitioner for the investigation of this request pursuant to Section 7.42 of the Los Angeles Administrative Code (LAAC). Any deficit fee to recover the cost pursuant to LAAC Section 7.44 will be required of the petitioner.

Community Impact Statement: None submitted

Adopted Item

Ayes: Blumenfield, Bonin, Buscaino, Cedillo, de León, Harris-Dawson, Hutt, Koretz, Lee, O'Farrell, Price Jr., Raman (12); Nays: (0); Absent: Krekorian, Martinez, Rodriguez (3)

(26) **21-0010-S22**

MOTION (BUSCAINO – BLUMENFIELD) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person or persons responsible for the death of Monica Molina on May 2, 2021.

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

1. PROVIDE an offer of reward in the amount of \$50,000 for information leading to the identification, apprehension, and conviction of the person or persons responsible for the death of Monica Molina on May 2, 2021.
2. FIND that the subject reward following findings pursuant to Division 19, Chapter 12, Article 1 of the Los Angeles Administrative Code.
3. DIRECT the City Clerk to publish the required notices and/or

effective this reward.

Adopted Item Forthwith

Ayes: Blumenfield, Bonin, Buscaino, Cedillo, de León, Harris-Dawson, Hutt, Koretz, Lee, O'Farrell, Price Jr., Raman (12); Nays: (0); Absent: Krekorian, Martinez, Rodriguez (3)

(27) **22-0010-S20**

MOTION (HARRIS-DAWSON - BONIN) relative to an offer of reward for information leading to the identification, apprehension, and conviction of person(s) responsible for the attempted murder of Eduin Lopez on July 17, 2022.

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

1. PROVIDE an offer of reward in the amount of \$50,000 for information leading to the identification, apprehension, and conviction of the person(s) responsible for the injury of Eduin Lopez.
2. FIND that the subject reward complies with the provisions of Chapter 12, Article 1, Division 19, of the Los Angeles Administrative Code.
3. DIRECT the City Clerk to publish the required notices and/or advertisements to effectuate this reward.
4. DIRECT the City Clerk to publish the reward notice in the Our Weekly, Los Angeles Sentinel, and LA Watts Times, in addition to the regular publications used by the City Clerk for reward notices, to ensure adequate community notice.

Adopted Item

Ayes: Blumenfield, Bonin, Buscaino, Cedillo, de León, Harris-Dawson, Hutt, Koretz, Lee, O'Farrell, Price Jr., Raman (12); Nays: (0); Absent: Krekorian, Martinez, Rodriguez (3)

Items Called Special

Motions for Posting and Referral - SEE ATTACHED

Council Members' Requests for Excuse from Attendance at Council Meetings

Adjourning Motions - SEE ATTACHED

Council Adjournment

ENDING ROLL CALL

Blumenfield, Bonin, Buscaino, Cedillo, de León, Harris-Dawson, Hutt, Koretz, Lee, O'Farrell, Price Jr., Raman (12); Absent: Krekorian, Martinez, Rodriguez (3)

Whereupon the Council did adjourn.

ATTEST: Holly L. Wolcott, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL

COMMENDATORY RESOLUTIONS

MOVED BY	SECONDED BY	NAME
Price	De Leon	Dr. Seleshi Bekele Awulachew
Cedillo	De Leon	Richard Aguilar
Cedillo	De Leon	Arturo Vargas
Cedillo for Martinez	Price	Univision

ADJOURNING MOTIONS

MOVED BY	SECONDED BY	NAME
Buscaino	All Councilmembers	Maury Wills
Raman	All Councilmembers	Marsha Hunt


MOTION

Luna Vista L.P. (Sponsor), a California limited partnership, has requested that the City of Los Angeles (City) through the Los Angeles Housing Department (LAHD) issue Multifamily Housing Revenue Bonds, in an amount not to exceed \$32,997,000 to finance the acquisition, rehabilitation, and development of a 73-unit multifamily housing project known as Luna Vista (Project) located at 8767 N. Parthenia Place in Council District 6. The Project will provide 71 units of affordable housing, and 2 manager units.

In accordance with the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) and as part of the bond issuance process, LAHD conducted the required public hearing on April 21, 2022. Notice of the public hearing was published on April 14, 2022. LAHD is required to provide proof to the California Debt Limit Allocation Committee (CDLAC) that a TEFRA hearing has been conducted as part of the application process. The Sponsor has pledged to comply with all City and LAHD bond policies related to the work described in this motion, including but not limited to payment of prevailing wages for labor and project monitoring with the LAHD.

The City is a conduit issuer and is required by federal law to review and approve all projects within its jurisdiction and conduct a public hearing. The bond debt is payable solely from revenues or other funds provided by the Sponsor. The City does not incur liability for repayment of the bonds. To allow the bonds to be issued in accordance with CDLAC requirements, the Council should approve the minutes of the hearing and adopt the required Resolution (attached).

I THEREFORE MOVE that the City Council consider the attached results of the TEFRA public hearing held on April 21, 2022 for Luna Vista and adopt the attached TEFRA Resolution approving the issuance of bonds in an amount not to exceed \$32,997,000 for the acquisition, rehabilitation, and development of a 73-unit multifamily housing project located 8767 N. Parthenia Place in Council District 6.

PRESENTED BY:  (City Council President MARTINEZ)
NURY MARTINEZ
Councilwoman, 6th District

SECONDED BY: 

ORIGINAL

RESOLUTION

CITY OF LOS ANGELES

A RESOLUTION APPROVING FOR PURPOSES OF SECTION 147(f) OF THE INTERNAL REVENUE CODE OF 1986 THE ISSUANCE OF BONDS OR NOTES BY THE CITY OF LOS ANGELES TO FINANCE THE ACQUISITION, REHABILITATION, CONSTRUCTION AND EQUIPPING OF A MULTIFAMILY RESIDENTIAL RENTAL PROJECT LOCATED WITHIN THE CITY OF LOS ANGELES.

WHEREAS, the City of Los Angeles (the "City") is authorized, pursuant to Section 248, as amended, of the City Charter of the City and Article 6.3 of Chapter 1 of Division 11 of the Los Angeles Administrative Code, as amended (collectively, the "Law"), and in accordance with Chapter 7 of Part 5 of Division 31 (commencing with Section 52075) of the Health and Safety Code of the State of California (the "Act"), to issue its revenue bonds or notes for the purpose of providing financing for the acquisition, construction, rehabilitation and equipping of multifamily rental housing for persons and families of low or moderate income; and

WHEREAS, the City intends to issue for federal income tax purposes certain bonds or notes (the "Bonds") the proceeds of which will be used to finance the acquisition, construction, rehabilitation and equipping of a multifamily rental housing project described in paragraph 6 hereof (the "Project"); and

WHEREAS, the Project is located wholly within the City; and

WHEREAS, it is in the public interest and for the public benefit that the City authorize the financing of the Project, and it is within the powers of the City to provide for such financing and the issuance of the Bonds; and

WHEREAS, the interest on the Bonds may qualify for a federal tax exemption under Section 142(a)(7) of the Internal Revenue Code of 1986 (the "Code"), only if the Bonds are approved in accordance with Section 147(f) of the Code; and

WHEREAS, pursuant to the Code, Bonds are required to be approved, following a public hearing, by an elected representative of the issuer of the Bonds (or of the governmental unit on behalf of which the Bonds are issued) and an elected representative of the governmental unit having jurisdiction over the area in which the Project is located; and

WHEREAS, this City Council is the elected legislative body of the City and is the applicable elected representative required to approve the issuance of the Bonds within the meaning of Section 147(f) of the Code; and

WHEREAS, pursuant to Section 147(f) of the Code, the City caused a notice to appear in the *Los Angeles Times*, which is a newspaper of general circulation in the City, on April 14, 2022, to the effect that a public hearing would be held with respect to the Project on April 21, 2022 regarding the issuance of the Bonds; and

WHEREAS, the Los Angeles Housing Department held said public hearing on such date, at which time an opportunity was provided to present arguments both for and against the issuance of the Bonds; and

WHEREAS, the minutes of said hearing have been presented to this City Council;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Los Angeles, as follows:

1. The recitals hereinabove set forth are true and correct, and this City Council so finds. This Resolution is being adopted pursuant to the Law and the Act.

2. Pursuant to and solely for purposes of Section 147(f) of the Code, the City Council hereby approves the issuance of the Bonds by the City in one or more series up to the maximum amount below and a like amount of refunding bonds, pursuant to a plan of financing, to finance or refinance the Project. It is intended that this Resolution constitute approval of the Bonds: (a) by the applicable elected representative of the issuer of the Bonds; and (b) by the applicable elected representative of the governmental unit having jurisdiction over the area in which the Project is located, in accordance with said Section 147(f).

3. Pursuant to the Law and in accordance with the Act, the City hereby authorizes the Los Angeles Housing Department to proceed with a mortgage revenue bond program designed to provide housing within the City of Los Angeles for low- and moderate-income persons through the issuance of the Bonds for the Project, in one or more series and in an amount not to exceed that specified in paragraph 6 hereof.

4. Notwithstanding anything to the contrary hereof, the City shall be under no obligation to issue any portion of the Bonds described in paragraph 6 hereof to be issued by the City for the Project prior to review and approval by the City and the City Attorney of the documents, terms and conditions relating to such Bonds.

5. [Reserved].

6. The "Project" referred to hereof is as follows:

Project Name:	Address	#Units:	Project Sponsor	Maximum Amount:
Luna Vista	8767 N. Parthenia Place Los Angeles CA, 91343	73 (including 2 manager units)	Luna Vista, LP	\$32,997,000

7. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED this ___ day of _____, 2022 at Los Angeles, California.

I certify that the foregoing Resolution was adopted by the Council of the City of Los Angeles at its meeting on _____, 2022.

By _____
Title _____

TEFRA PUBLIC HEARING MEETING MINUTES
THURSDAY – APRIL 21, 2022
10:00 AM
LOS ANGELES HOUSING DEPARTMENT
BY TELECONFERENCE
APOLINAR ABRAJAN, CHAIR

This meeting was conducted to meet the required Tax Equity and Fiscal Responsibility Act of 1982 (“TEFRA”) Public Hearing for West Third Apartments, Broadway Apartments, Western Avenue Apartments, Vista Terrace, Luna Vista, and Colorado East.

This meeting was called to order on Thursday, April 21, 2022 at 10:00 a.m. via teleconference by the Los Angeles Housing Department.

A notice of this hearing was published in the Los Angeles Times on April 14, 2022 (the “Notice”). The purpose of this meeting was to hear public comments regarding the City of Los Angeles’ proposed issuance of multifamily housing revenue bonds or notes for the above referenced projects.

The Los Angeles Housing Department representatives present were Apolinar Abrajan, Steven Brady, Donald Byers, Helen Villagomez, Conny Griffith, and Adam R. Miller. All representatives were present via teleconference as described in the Notice.

By 10:30 a.m. there were no other representatives from the public who made themselves available and no public comments were provided, so the meeting was adjourned.

I declare under penalty of perjury that this is a true and exact copy of the TEFRA public hearing meeting minutes regarding the above referenced projects held on April 21, 2022 at Los Angeles, California.

CITY OF LOS ANGELES
Los Angeles Housing Department
ANN SEWILL, General Manager

Apolinar Abrajan, Finance Development Officer II

MOTION


Vista Terrace L.P. (Sponsor), a California limited partnership, has requested that the City of Los Angeles (City) through the Los Angeles Housing Department (LAHD) issue Multifamily Housing Revenue Bonds, in an amount not to exceed \$48,000,000 to finance the acquisition and rehabilitation of the 102-unit multifamily housing project known as Vista Terrace (Project) located at 8134 and 8146 Van Nuys Blvd. Council District 6. The Project will provide 101 units of affordable housing, and 1 manager unit.

In accordance with the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) and as part of the bond issuance process, LAHD conducted the required public hearing on April 21, 2022. Notice of the public hearing was published on April 14, 2022. LAHD is required to provide proof to the California Debt Limit Allocation Committee (CDLAC) that a TEFRA hearing has been conducted as part of the application process. The Sponsor has pledged to comply with all City and LAHD bond policies related to the work described in this motion, including but not limited to payment of prevailing wages for labor and project monitoring with the LAHD.

The City is a conduit issuer and is required by federal law to review and approve all projects within its jurisdiction and conduct a public hearing. The bond debt is payable solely from revenues or other funds provided by the Sponsor. The City does not incur liability for repayment of the bonds. To allow the bonds to be issued in accordance with CDLAC requirements, the Council should approve the minutes of the hearing and adopt the required Resolution (attached).

I THEREFORE MOVE that the City Council consider the attached results of the TEFRA public hearing held on April 21, 2022, for Vista Terrace and adopt the attached TEFRA Resolution approving the issuance of bonds in an amount not to exceed \$48,000,000 for the acquisition and rehabilitation of a 102-unit multifamily housing project located at 38134 and 8146 Van Nuys Blvd in Council District 6.

PRESENTED BY:


NURY MARTINEZ
Councilwoman, 6th District

SECONDED BY:



ORIGINAL

RESOLUTION
CITY OF LOS ANGELES

A RESOLUTION APPROVING FOR PURPOSES OF SECTION 147(f) OF THE INTERNAL REVENUE CODE OF 1986 THE ISSUANCE OF BONDS OR NOTES BY THE CITY OF LOS ANGELES TO FINANCE THE ACQUISITION, REHABILITATION, CONSTRUCTION AND EQUIPPING OF A MULTIFAMILY RESIDENTIAL RENTAL PROJECT LOCATED WITHIN THE CITY OF LOS ANGELES.

WHEREAS, the City of Los Angeles (the "City") is authorized, pursuant to Section 248, as amended, of the City Charter of the City and Article 6.3 of Chapter 1 of Division 11 of the Los Angeles Administrative Code, as amended (collectively, the "Law"), and in accordance with Chapter 7 of Part 5 of Division 31 (commencing with Section 52075) of the Health and Safety Code of the State of California (the "Act"), to issue its revenue bonds or notes for the purpose of providing financing for the acquisition, construction, rehabilitation and equipping of multifamily rental housing for persons and families of low or moderate income; and

WHEREAS, the City intends to issue for federal income tax purposes certain bonds or notes (the "Bonds") the proceeds of which will be used to finance the acquisition, construction, rehabilitation and equipping of a multifamily rental housing project described in paragraph 6 hereof (the "Project"); and

WHEREAS, the Project is located wholly within the City; and

WHEREAS, it is in the public interest and for the public benefit that the City authorize the financing of the Project, and it is within the powers of the City to provide for such financing and the issuance of the Bonds; and

WHEREAS, the interest on the Bonds may qualify for a federal tax exemption under Section 142(a)(7) of the Internal Revenue Code of 1986 (the "Code"), only if the Bonds are approved in accordance with Section 147(f) of the Code; and

WHEREAS, pursuant to the Code, Bonds are required to be approved, following a public hearing, by an elected representative of the issuer of the Bonds (or of the governmental unit on behalf of which the Bonds are issued) and an elected representative of the governmental unit having jurisdiction over the area in which the Project is located; and

WHEREAS, this City Council is the elected legislative body of the City and is the applicable elected representative required to approve the issuance of the Bonds within the meaning of Section 147(f) of the Code; and

WHEREAS, pursuant to Section 147(f) of the Code, the City caused a notice to appear in the *Los Angeles Times*, which is a newspaper of general circulation in the City, on April 7, 2022, to the effect that a public hearing would be held with respect to the Project on April 14, 2022 regarding the issuance of the Bonds; and

WHEREAS, the Los Angeles Housing Department held said public hearing on such date, at which time an opportunity was provided to present arguments both for and against the issuance of the Bonds; and

WHEREAS, the minutes of said hearing have been presented to this City Council;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Los Angeles, as follows:

1. The recitals hereinabove set forth are true and correct, and this City Council so finds. This Resolution is being adopted pursuant to the Law and the Act.

2. Pursuant to and solely for purposes of Section 147(f) of the Code, the City Council hereby approves the issuance of the Bonds by the City in one or more series up to the maximum amount below and a like amount of refunding bonds, pursuant to a plan of financing, to finance or refinance the Project. It is intended that this Resolution constitute approval of the Bonds: (a) by the applicable elected representative of the issuer of the Bonds; and (b) by the applicable elected representative of the governmental unit having jurisdiction over the area in which the Project is located, in accordance with said Section 147(f).

3. Pursuant to the Law and in accordance with the Act, the City hereby authorizes the Los Angeles Housing Department to proceed with a mortgage revenue bond program designed to provide housing within the City of Los Angeles for low- and moderate-income persons through the issuance of the Bonds for the Project, in one or more series and in an amount not to exceed that specified in paragraph 6 hereof.

4. Notwithstanding anything to the contrary hereof, the City shall be under no obligation to issue any portion of the Bonds described in paragraph 6 hereof to be issued by the City for the Project prior to review and approval by the City and the City Attorney of the documents, terms and conditions relating to such Bonds.

5. [Reserved].

6. The "Project" referred to hereof is as follows:

Project Name:	Address	#Units:	Project Sponsor	Maximum Amount:
Vista Terrace	8134 and 8146 Van Nuys Blvd., Panorama CA, 91402	102 (including 1 manager unit)	Vista Terrace, LP	\$48,000,000

7. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED this ___ day of _____, 2022 at Los Angeles, California.

I certify that the foregoing Resolution was adopted by the Council of the City of Los Angeles at its meeting on _____, 2022.

By _____
Title _____

**TEFRA PUBLIC HEARING MEETING MINUTES
THURSDAY – APRIL 21, 2022
10:00 AM
LOS ANGELES HOUSING DEPARTMENT
BY TELECONFERENCE
APOLINAR ABRAJAN, CHAIR**

This meeting was conducted to meet the required Tax Equity and Fiscal Responsibility Act of 1982 (“TEFRA”) Public Hearing for West Third Apartments, Broadway Apartments, Western Avenue Apartments, Vista Terrace, Luna Vista, and Colorado East.

This meeting was called to order on Thursday, April 21, 2022 at 10:00 a.m. via teleconference by the Los Angeles Housing Department.

A notice of this hearing was published in the Los Angeles Times on April 14, 2022 (the “Notice”). The purpose of this meeting was to hear public comments regarding the City of Los Angeles’ proposed issuance of multifamily housing revenue bonds or notes for the above referenced projects.

The Los Angeles Housing Department representatives present were Apolinar Abrajan, Steven Brady, Donald Byers, Helen Villagomez, Conny Griffith, and Adam R. Miller. All representatives were present via teleconference as described in the Notice.

By 10:30 a.m. there were no other representatives from the public who made themselves available and no public comments were provided, so the meeting was adjourned.

I declare under penalty of perjury that this is a true and exact copy of the TEFRA public hearing meeting minutes regarding the above referenced projects held on April 21, 2022 at Los Angeles, California.

CITY OF LOS ANGELES
Los Angeles Housing Department
ANN SEWILL, General Manager

Apolinar Abrajan, Finance Development Officer II

MOTION

TO CITY CLERK FOR PLACEMENT ON NEXT
REGULAR COUNCIL AGENDA TO BE POSTED

#53

The Sunshine Canyon Community Amenities Trust Fund can be used for public-benefit projects that help to improve the quality of life for residents in Granada Hills. There is a need to assist Supporters of Law Enforcement in Devonshire (SOLID), a nonprofit organization and public-private partnership that supports community policing and provides the officers of the Devonshire division with additional resources.

I THEREFORE MOVE that the Council RESOLVE that \$15,856 in the Sunshine Canyon Community Amenities Trust Fund No. 699-14 be allocated appropriated to Supporters of Law Enforcement in Devonshire (SOLID) organization in order to help to improve the working conditions of our LAPD officers and fund new workstation furniture.

I FURTHER MOVE that the City Clerk be authorized to make any technical corrections or clarifications to the above fund transfer instructions in order to effectuate the intent of this motion.

PRESENTED BY


JOHN S. LEE

Councilmember, 12 District

SECONDED BY



ORIGINAL

SEP 23 2022



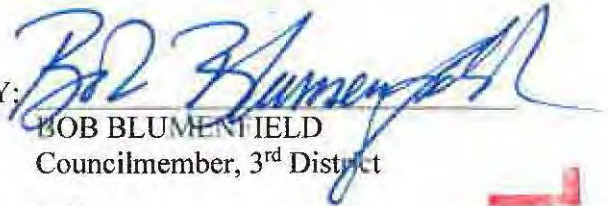
TO CITY CLERK FOR PLACEMENT ON NEXT
REGULAR COUNCIL AGENDA TO BE POSTED #54

MOTION

I MOVE that \$15,000 in the Council District 3 portion of the Street Furniture Revenue Fund No. 43D, Dept. 50 be transferred / appropriated to the following accounts, and in the amounts specified, in the Street Services Fund No. 100-86: \$10,000 to Account No. 001090 (Salaries, Overtime) and \$5,000 to Account No. 006020 (Operating Supplies) for center median island landscape improvements on Greenbriar Drive in Council District 3.

I FURTHER MOVE that the Bureau of Street Services be authorized to make any technical corrections or clarifications to the above fund transfer instructions in order to effectuate the intent of this Motion

PRESENTED BY:


BOB BLUMENTIELD
Councilmember, 3rd District

SECONDED BY:



ORIGINAL

majs

SEP 23 2022



MOTION

On February 25, 2022, the Council and Mayor approved funding for the development of Miramar Gold (C.F. No. 22-0167) located at 1434 Miramar Street (Project). The Project will be developed by West Hollywood Community Housing Corporation (WHCHC) and consist of 94 affordable housing units, including 47 supportive housing units. On June 15, 2022, the Project was awarded a federal annual allocation of low-income housing tax credits in the amount of \$1,981,106. Subsequently, the developer obtained construction cost bids and the final bid was approximately \$6.2 million higher than originally budgeted. Additionally, the increases in interest rates are forcing the private lender to add a cushion to the blended rate, further impacting the Project's budget.

To help mitigate the funding gap, WHCHC has approached all of the Project's lenders to increase the previously approved funding amounts. The private permanent loan will be greater by increasing the targeted rents for the non-supportive housing units to 60 percent Area Median Income. WHCHC has secured a private donor contribution in the amount of \$2 million. Additionally, the Los Angeles County Community Development Authority is increasing its funding commitment.

LAHD seeks authority to increase its loan to the developer by \$2,771,075 to \$13,806,150, reduce the interest rate, and amend the Project's income mix to help address the Project's funding shortfall. To accommodate this funding request, the Department recommends that the funding commitment for WHCHC's Third Thyme project be reduced by this amount. The redirection of funds will allow Miramar Gold to close its construction financing while WHCHC seeks replacement funding from other entities to close Third Thyme by March 2023.

I THEREFORE MOVE that the City Council, subject to the approval of the Mayor, authorize the General Manager of the Los Angeles Housing Department (LAHD), or designee, to:

- Increase funding for the Miramar Gold Apartments located at 1434 Miramar Street (Project) by \$2,771,075 from \$11,035,075 to \$13,806,150.
- De-obligate funds as noted below

Project Name	Fund No	Account	Amount
	HOME		
Third Thyme	561	43S800	\$2,771,075

And obligate funds as noted below

Project Name	Fund No	Account	Amount
	HOME		
Miramar Gold	561	43S800	\$2,771,075

- Approve the Project's revised unit mix to include 44 non-supportive housing units at 60 percent AMI.

PRESENTED BY: 
GILBERT A. CEDILLO
Councilmember, 1st District

SECONDED BY: 

ORIGINAL

SEP 28 2022

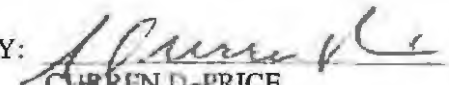

MOTION ECONOMIC DEVELOPMENT & JOBS

On August 18, 2021, the City Council approved, among other things, the selection of The Bakewell Company and Associates as the preferred developer (Developer) of a mixed-use project on City-owned property located at 200 East Slauson Avenue, 5828-5936 Wall Street, and 5829-5935 South Los Angeles Street in Council District Nine (APN 6006-003-900; Properties) and authorized the Economic and Workforce Development Department (EWDD) to negotiate and execute an Exclusive Negotiation Agreement (ENA) with the Developer for the proposed project (C.F. 19-0362). The proposed project consists of a mixed-use development with residential, recreational, retail, and commercial uses (Project).

Subsequent to the Council's action and prior to the execution of an ENA, the City received clarification from the Developer on the following: 1) the City-authorized contracting entity for the ENA should be modified from "The Bakewell Company and Associates (Buyer)" to the "The Bakewell Company of California, LLC, and The Michaels Organization (Buyer or Lessee)"; 2) the transfer structure of the City-owned Properties should be modified from "sale" to "sale or lease"; and 3) the Project description should be modified to include a public park along Slauson Avenue (to be transferred to the City's Department of Recreation and Parks upon completion); the redevelopment of the Brotherhood Crusade site; and the development of affordable housing subject to and contingent upon compliance with the restrictions set forth in Government Code Section 37364, along with any other City-required elements, such as parking. Council action is needed to authorize the above modifications prior to the execution of an ENA.

I THEREFORE MOVE that the Council action approved on August 19, 2021, relative to a proposed Exclusive Negotiation Agreement (ENA) with The Bakewell Company and Associates to construct a mixed use project on City-owned property located at at 200 East Slauson Avenue, 5828-5936 Wall Street, and 5829-5935 South Los Angeles Street, Los Angeles, CA 90003 (APN 6006-003-900; Properties) (C.F. 19-0362), BE AMENDED to:

1. Modify the authorized contracting entity for the Exclusive Negotiation Agreement from "The Bakewell Company and Associates (Buyer)" to "The Bakewell Company of California, LLC, and The Michaels Organization (Buyer or Lessee)";
2. Modify the transfer instruction of the city-owned properties from "effectuate the sale of the Properties" to "effectuate the sale or lease of the Properties"; and
3. Modify the scope of the Project to include a public park along Slauson Avenue; the redevelopment of the privately-owned Brotherhood Crusade site; and the development of affordable housing subject to and contingent upon compliance with the restrictions set forth in Government Code Section 37364, along with any other City-required elements, such as parking.

PRESENTED BY: 
CURREN D. PRICE
Councilmember 9th District

SECONDED BY: 

SEP 23 2022

oi

ORIGINAL

MOTION

In 2018, the City entered into a contract with the State of California Department of Toxic Substances Control (DTSC) (Contract No. C-130849) to provide oversight to implement the California Land Reuse and Revitalization Act of 2004 for the assessment, and if necessary, remediation of City-owned property located at 5867 South Los Angeles Street in Council District Nine (Slauson Wall Site). This action was necessary in order for the City to determine subsurface environmental impacts under a Voluntary Cleanup Agreement with DTSC of the Slauson Wall Site.

On November 3, 2021, the City Council approved funding in the amount of \$126,000 for site preparation services to be performed by AECOM (Contract No. C-135202) (C.F. 09-2665-S6). The City has taken a phytoremediation approach toward the clean-up of the Slauson Wall Site which involves an untested, innovative, environmentally friendly, and cost effective method of remediation. AECOM is assisting the City in preparing the Slauson Wall Site for that clean-up approach.

Additional funding is needed to continue supporting the work of AECOM, DTSC, and to cover other related remediation, site preparation, and post-remediation costs including, but not limited to, groundwater monitoring, well destruction, excavation, backfill, and post-remediation soil vapor monitoring costs. Council action is needed to approve additional funding for the Slauson Wall Site clean-up efforts and authorize the amendment of related contracts where applicable.

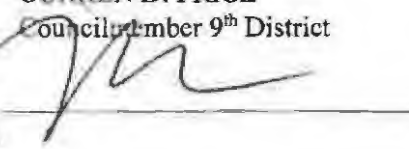
I THEREFORE MOVE that the Council approve additional funding in the amount of \$96,743 from the Los Angeles Housing Department (LAHD) Low Moderate Housing Fund No. 55J, Account 43K008, to the City Administrative Officer (CAO), Fund No. 100-10, Account No. 003040 (Contractual Services) for site preparation services related to the Slauson Wall Development Project, authorize the CAO to amend Contract C-135202 with AECOM to add the new scope and increase the not to exceed contract amount to \$1,222,195, subject to the approval of the City Attorney as to form.

I FURTHER MOVE that the Council approve additional funding in the amount of \$113,715 from the LAHD Low Moderate Housing Fund No. 55J, Account 43K008, for use by LAHD for site assessment and oversight services related to the Slauson Wall Site and authorize LAHD to amend Contract C-130849 with the State of California Department of Toxic Substances Control, subject to the approval of the City Attorney as to form.

I FURTHER MOVE that the Council approve funding in the amount of \$155,000 from the LAHD Low Moderate Housing Fund No. 55J, Account 43K008, for use by LAHD for other related remediation, site preparation, and post-remediation costs including but not limited to groundwater monitoring, well destruction, excavation, backfill, and post-remediation soil vapor monitoring costs and authorize LAHD to prepare, process and execute any document(s) necessary to carry out the related work, subject to the approval of the City Attorney as to form.

I FURTHER MOVE that the Economic and Workforce Development Department be authorized to make any technical corrections or clarification as necessary to the above fund transfer instructions in order to effectuate the intent of this Motion.

PRESENTED BY: 
CURREN D. PRICE
Councilmember 9th District

SECONDED BY: 

ORIGINAL

oi SEP 23 2022


MOTION

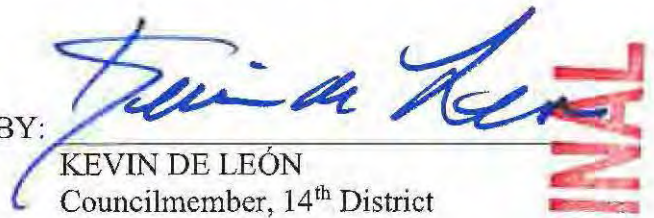
The Bureau of Engineering (BOE) has conducted a field investigation assessing the condition and stability of a slope abutting Broadway near 3660 and 3830 North Broadway in the Lincoln Heights neighborhood. At this location, soil and debris from the slope have covered a portion of the sidewalk and the road itself. BOE's investigation also found that the dislodged soil has built up along a stairway at this site and displaced fencing along the stairway. Soil and debris have also covered part of the retaining wall along this street segment and the retaining wall is damaged and constructed of deteriorating wood.

This buildup of dirt and debris is a hazard to pedestrians and drivers and it is imperative the City take action to quickly return this street segment to a proper condition. BOE has referred this site to its Hillside Slope Stability Program to evaluate permanent repairs. As a temporary fix, BOE is recommending that the soil and debris on the sidewalk, stairway, and road be removed and the fencing along the stairwell be repaired.

I THEREFORE MOVE that the Bureau of Engineering and Bureau of Street Services, with the assistance of the Department of Water and Power, be instructed to report back with a plan and timeline for restoring the segment of Broadway near 3660 and 3830 North Broadway to a proper condition in a timely manner.

I FURTHER MOVE that the City Administrative Officer, with the assistance of the Bureau of Engineering and Bureau of Street Services, be instructed to identify funding to restore this segment of Broadway.

PRESENTED BY:


KEVIN DE LEÓN
Councilmember, 14th District

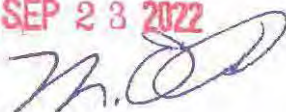
SECONDED BY:



ORIGINAL

majs

SEP 23 2022



MOTION

El Cholo, one of Southern California’s oldest Mexican restaurants still currently operating, opened its doors in 1923 as the Sonora Café. Alejandro and Rosa Borquez moved to the City in 1922 and named their restaurant after their home state of Sonora, Mexico. In 1925, the restaurant was renamed “El Cholo,” the name given to field hands by Spanish settlers in California, after a patron drew a figure of a Mexican field hand on one of the café’s paper menus.

In 1927, Aurelia Borquez, the daughter of Alejandro and Rosa, and her future husband, George Salisbury, opened their own El Cholo restaurant at Western Avenue, a small counter with three booths and eight stools. Right away, the Western El Cholo attracted business from early Hollywood stars and locals alike. In 1931, the Salisburys moved their restaurant down the street to a larger building at the intersection of 11th Street and Western Avenue, where it still operates today.

Despite temporarily closing between 1944 and 1946 as a result of World War II, El Cholo continued to rise in fame, serving the many Hollywood stars and Los Angeles celebrities who frequented the restaurant. In 1962, Ron Salisbury, the son of George and Aurelia, opened a new El Cholo in La Habra, and in 1967, Ron took over full ownership and management of the El Cholo restaurants.

In the early 1970s, the Western El Cholo was further renovated to expand its footprint and feature a full bar, a notable moment for a restaurant opened during Prohibition. The seventies would also see the addition of the burrito to the menu, taking inspiration from East LA’s El Tepeyac Café and joining other famous dishes including El Cholo’s sweet green corn tamales, classic margaritas, and enchiladas.

Under Ron’s ownership, El Cholo would continue to expand, selling their billionth tortilla in 1996 and opening locations throughout Southern California including Santa Monica, Corona Del Mar, Anaheim Hills, and Downtown Los Angeles. El Cholo has been a mainstay of Los Angeles through the decades, weathering the ups and downs of our City’s long history, and 2023 will mark the 100th anniversary of the restaurant, Ron Salisbury’s 90th Birthday, and El Cholo’s first expansion out-of-state to Salt Lake City, Utah.

In recognition of El Cholo’s long culinary history in the City and in anticipation of El Cholo’s centennial anniversary in 2023, it is appropriate that the City name the intersection of 11th Street and Western Avenue, adjacent to the Salisburys’ first El Cholo restaurant, as “El Cholo Square.”

I THEREFORE MOVE that the intersection at 11th Street and Western Avenue be named as “El Cholo Square” and that the Department of Transportation be directed to erect permanent ceremonial sign(s) to this effect at this location.

PRESENTED BY: 
HEATHER HUTT
Councilmember, 10th District

SECONDED BY: 

ORIGINAL

majs
SEP 23 2022


MOTION

On June 29, 2021, the City Council adopted Motion (de León – Raman) that instructed and authorized the Chief Legislative Analyst (CLA) to negotiate and execute a Memorandum of Understanding (MOU) with the Los Angeles County Metropolitan Transportation Authority (Metro) for the proposed future development of City-owned property located at First and Alameda Street (Mangrove site) and Metro-owned property located at First Street and Central Avenue (Regional Connector site) in Little Tokyo (C.F. 13-0275-S2).

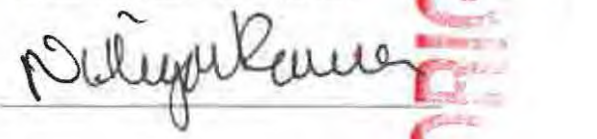
The City and Metro have reached agreement on the proposed terms of the MOU and are reflected in the draft MOU attached hereto. On April 20, 2022, Metro’s Planning and Programming Committee authorized its Chief Executive Officer to execute an MOU with the City that includes such terms agreed upon by both parties.

The main goal of the Economic and Workforce Development Department (EWDD) is to steer economic development in a manner that yields thriving businesses, and creates job training and career opportunities for the City of Los Angeles. As such, EWDD is positioned to serve as the lead City Department in furthering the future development of the City’s Mangrove Site in collaboration with Metro and its Regional Connector Site.

I THEREFORE MOVE that the City Council adopt the Memorandum of Understanding between the City of Los Angeles and the Los Angeles County Metropolitan Transportation Authority for the proposed future development of City-owned property located at First and Alameda Street (Mangrove site) and Metro-owned property located at First Street and Central Avenue (Regional Connector site) substantially as attached, and authorize Economic and Workforce Development Department to review and revise the MOU as needed prior to its execution.

I FURTHER MOVE that the City Council authorize the General Manager of EWDD, or designee, to execute the respective MOU, as well as any other documents necessary, and instruct EWDD, with the assistance of the Chief Legislative Analyst, City Administrative Officer, and all relevant City departments, to serve as the lead City Department for the proposed future development of the City’s Mangrove Site in collaboration with Metro and its Regional Connector Site.

PRESENTED BY: 
KEVIN DE LEÓN
Councilmember 14th District

SECONDED BY: 

SEP 23 2022


MEMORANDUM OF UNDERSTANDING
BETWEEN THE
CITY OF LOS ANGELES
AND THE
LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY

This Memorandum of Understanding (“**MOU**”) is entered into as of _____ 2022 (“**Effective Date**”) by and between the CITY OF LOS ANGELES (“**City**”), a municipal corporation, acting by and through its Office of the Chief Legislative Analyst (“**CLA**”) and the LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY (“**LACMTA**”), a public agency existing under the authority of California Public Utilities Code §§ 130050.2 et seq. The City and LACMTA are collectively referred to herein as “**Parties**” and individually as a “**Party**”, and desire to enter into this MOU to coordinate jointly on planning studies, and potential solicitation, evaluation and selection of development proposal(s) for City-owned and LACMTA-owned properties adjacent to or in close proximity to the LACMTA Regional Connector Project and Little Tokyo/Arts District Station, as further described and defined below.

RECITALS

- A) WHEREAS, the City is the owner of that certain real property consisting of various parcels located at the northeast quadrant of the intersection between 1st Street and Alameda Street in the City of Los Angeles as depicted in Attachment A – City Property Map, attached hereto (collectively, “**City Property**”).
- B) WHEREAS, LACMTA is the owner of that certain real property bounded by 1st Street to the north, Alameda Street to the east and Central Avenue to the west in the City of Los Angeles that will be improved with transit infrastructure and related facilities and operational requirements, leaving an irregularly shaped portion of land available for non-transit use as depicted in Attachment B – LACMTA Property Map, attached hereto (“**LACMTA Property**”).
- C) The City Property and LACMTA Property may also be referred to hereinafter collectively as the “**Properties**”.
- D) WHEREAS, LACMTA is currently constructing a regional rail connection on the LACMTA Property (“**Regional Connector Project**”).

- E) WHEREAS, in connection with the Regional Connector Project:
1. The City and LACMTA are parties to:
 - a. that certain [[Lease dated June 18, 2014]], by which City has leased to LACMTA certain portions of the City Property for use as construction offices; and
 - b. that certain Covenant and Agreement Regarding Easement dated June 18, 2014, recorded as Instrument No. 2014-0633992 in the Official Records of the County of Los Angeles, as modified by that certain Property Exchange Agreement and Joint Escrow Instructions dated [XX. 2020], by which the City has granted to LACMTA a temporary construction easement over certain portions of the City Property for use as construction and laydown areas.
 2. LACMTA holds surface and subsurface tunnel easements and surface and subsurface fan plant easements, in and under certain portions of the City Property, pursuant to instruments recorded [XX date] as [Instrument No. XX] and recorded July 22, 2020 as Instrument No. 20200816610, respectively, in the Official Records of the County of Los Angeles.
 3. The agreements and easements described herein may be referred to hereinafter collectively as the “**Existing Agreements**”.
- F) WHEREAS, the leasehold interest and temporary construction easements described herein will terminate in accordance with the terms and conditions of the Existing Agreements.
- G) WHEREAS, the City Property and the LACMTA Property are part of the Sustainable Little Tokyo vision and present an invaluable development opportunity for the City, LACMTA, and the communities of Little Tokyo and the Arts District.
- H) WHEREAS, LACMTA is willing to study the potential of joining a portion of the LACMTA Property with the City Property to present an opportunity for an integrated development project to be delivered by a third-party developer.
- I) WHEREAS, LACMTA provides essential transit services for its patrons; therefore any development of the LACMTA Property must ensure the integrity of LACMTA’s transit infrastructure and not interfere with LACMTA’s operations. Accordingly, the Parties wish to participate in a coordinated and efficient effort to facilitate transit-oriented development of the Properties in a manner that will benefit the citizens of the City and County of Los Angeles and increase transit ridership.

- J) WHEREAS, LACMTA’s Joint Development Policy establishes certain requirements for the solicitation, negotiation, design and construction of Joint Development projects.
- K) WHEREAS, on June 29, 2021, the City Council instructed the CLA to negotiate and execute an MOU with LACMTA to coordinate jointly on the development of design guidelines, parking and market analysis, and a community outreach strategy for the proposed future development of the Properties (collectively, “**Planning Activities**”), as well as future issuances of any Requests for Interest and/or Request for Proposals related thereto.
- L) WHEREAS, the Parties desire to enter into this MOU to define the terms of cooperation and to identify the respective roles and responsibilities of the Parties in coordinating jointly on the Planning Activities and potential solicitation, evaluation and selection of development proposal(s) (collectively, “**Development Solicitation and Recommendation Activities**”), for the Properties.
- M) WHEREAS, the Parties understand that any development of the Properties and all processes leading thereto shall be consistent with all applicable local, State and Federal laws, and shall be subject to future agreements between and among the appropriate parties.

NOW THEREFORE, in consideration of the mutual terms and conditions contained herein, LACMTA and the City hereby agree as follows:

AGREEMENT

1. **PARTIES’ RESPONSIBILITIES**

- A. The City shall procure the services of third-party consultants to assist in the Planning Activities and Development Solicitation and Recommendation Activities. The City shall fund 70% and LACMTA shall fund 30% of the total costs of those third-party consultants procured to assist in the Planning Activities and Development Solicitation and Recommendation Activities. The third-party consultants shall include, without limitation, design/architecture, community engagement, economic and legal experts. LACMTA shall be included in the City’s procurement of the third-party consultants.
- B. The City shall coordinate and work with the procured third-party consultants and LACMTA to study the potential for integrated transit-oriented development of the Properties.

- C. LACMTA shall make the Regional Connector Project plans and other relevant information available to the City to support the Planning Activities, subject to the execution of a confidentiality agreement in a form mutually agreed between the Parties.
- D. The City shall coordinate and work with LACMTA to prepare and issue any competitive solicitations for the development of the Properties based on the Planning Activities (“**Solicitation**”). The City will be responsible for ensuring that the drafting of the Solicitation documents, implementing the Solicitation process, and the selection and implementation of the development project comply with the City’s policies and procedures. LACMTA will be responsible for ensuring that the Solicitation documents and implementation of the development project comply with applicable LACMTA policies and procedures, in LACMTA’s sole determination. Notwithstanding anything to the contrary herein, the City, in partnership with LACMTA, will lead the Solicitation process for the development of the Properties in accordance with all applicable LACMTA policies and procedures and local, State and Federal laws.
- E. The City shall handle all administrative tasks associated with the Solicitation and will be the single point of contact during the procurement process. The City shall issue the Solicitation with an attached tri-party Exclusive Negotiation Agreement (“**ENA**”) in a form mutually agreed to by the Parties.
- F. The City shall oversee the third-party consultants’ review of the Solicitation responses and the drafting of the tri-party ENA.
- G. The City and LACMTA shall work cooperatively and in good faith on the Planning Activities and the Development Solicitation and Recommendation Activities, including, amongst other activities, processing the Solicitation and timely meeting all deadlines and responding to proposers by providing information and documentation regarding their respective Properties.
- H. The City and LACMTA shall each have members participate in the Solicitation evaluation process.
- I. The City and LACMTA will obtain all authorizations needed from their respective agencies to enter into a tri-party ENA with the selected developer.
- J. The City and LACMTA, directly or by and through their third-party consultants, shall coordinate in developing and implementing a community outreach strategy through

all phases of the Planning Activities and Developer Solicitation and Recommendation Activities that recognizes and incorporates past and on-going planning efforts in the subject communities and is integrated with other LACMTA outreach efforts, where practicable. The City, LACMTA and their third-party consultants will coordinate and work cooperatively with the community to create the structures for community participation and engagement, and will establish a community oversight and engagement process that is appropriate for the time period before, during, and after the disposition of the Properties.

3. TERM OF THE AGREEMENT

The term of this MOU shall commence on the Effective Date and shall remain in full force and effect until four (4) years from the Effective Date, unless earlier terminated by the City or LACMTA as provided in Section 8 of this MOU. Either party may extend the term of this MOU for a period of one (1) year by providing written notice to the other party at least thirty (30) days in advance of the termination date. In such case, this MOU shall remain in full force and effect until five (5) years from the Effective Date, unless earlier terminated by the City or LACMTA as provided in Section 8 of this MOU.

4. INDEMNIFICATION

Pursuant to the provisions of Section 895.4 of the California Government Code, each of the Parties agree to indemnify and hold the other harmless from all liability for damage, actual or alleged, to person or property arising out of or resulting from the indemnifying party's acts or omissions in the performance of this MOU. In the event of third-party loss caused by negligence, wrongful act or omission of both Parties, each party shall bear financial responsibility in proportion to its percentage of fault as may be mutually agreed or judicially determined. The provisions of California Civil Code Section 2778 regarding interpretation of indemnity agreements are hereby incorporated.

5. INCORPORATION OF ATTACHMENTS AND RECITALS

A. The following Attachments are hereby incorporated into and made a part of this MOU wherever referred to as though set forth at length, except where certain portions of specific Attachments have been deleted or superseded by other sections of this MOU:

Attachment A: City Property Map

Attachment B: LACMTA Property Map

B. The terms set forth in the Recitals above are hereby incorporated by this reference as if set forth in full herein.

6. AMENDMENT

This MOU may only be amended in writing and duly executed by both Parties.

7. AUTHORIZED REPRESENTATIVES

The following individuals and their successors are designated by the City and LACMTA as the authorized representatives of the two Parties for implementation of this MOU, and all correspondence and notices relative hereto shall be considered delivered when received by these individuals at the following addresses:

For City: Sharon M. Tso
Chief Legislative Analyst
200 N. Spring Street, Suite 255
Los Angeles, CA 90012
T: (213) 473-5709
E: sharon.tso@lacity.org

For LACMTA: Nicholas Saponara
Executive Officer
Transit Oriented Communities
Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza, Mail Stop: 99-22-2
Los Angeles, CA 90012-2932
T: (213) 922-4313
E: SaponaraN@metro.net

8. TERMINATION

Either Party may terminate this MOU, in whole or part, at any time, upon thirty (30) days advance written notice to the other Party.

9 OTHER TERMS AND CONDITIONS

- A. This MOU constitutes the full and complete understanding between the Parties.
- B. This MOU shall be governed by California law and applicable federal law. If any provision of this MOU is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions shall nevertheless continue in full force without being impaired or invalidated in any way.
- C. The terms of this MOU shall inure to the benefit of, and shall be binding upon, each of the Parties and their respective successors and assigns.

[SIGNATURES FOLLOW ON NEXT PAGE]

The Parties have entered into, agreed to and accepted the terms and conditions of this MOU as of the Effective Date:

CITY OF LOS ANGELES, a municipal corporation

BY AND THROUGH ITS OFFICE OF THE CHIEF LEGISLATIVE ANALYST:

By: _____

SHARON M. TSO
Chief Legislative Analyst

ACKNOWLEDGED BY ITS GENERAL SERVICES DEPARTMENT:

By: _____

TONY ROYSTER
General Manager

APPROVED AS TO FORM:

MICHAEL N. FEUER, CITY ATTORNEY

By: _____

Assistant / Deputy City Attorney

LACMTA:

LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY

By: _____

NICHOLAS SAPONARA
Executive Officer

APPROVED AS TO FORM:

DAWYN R. HARRISON

Acting County Counsel

By: _____

Deputy

ATTACHMENT A – CITY PROPERTY MAP

ATTACHMENT B – LACMTA PROPERTY MAP

MOTION

BUDGET & FINANCE

The TUMO Center for Creative Technologies (TUMO) is a nonprofit organization that provides extracurricular after-school programs in many countries for youth to develop knowledge, skills, and abilities in various fields of technology and design including animation, filmmaking, graphic design, illustration, computer games development, photography, robotics, music composition, new media, and writing. The organization is now in the process of acquiring a site in the Southeast San Fernando Valley to open the first TUMO Los Angeles Center (the "Project").

The City of Los Angeles, as grantee and pass-through administrator, was awarded \$9 million in grant funding in the 2021-22 State Budget for the purposes of property acquisition and/or construction of the future TUMO Los Angeles Center Project. This funding, which is critical to the advancement of the Project, will be disbursed by the California State Library Department.

TUMO also received an additional \$14.5 million allocation directly from the state in 2022-23 and \$1 million from the Program Year 48 Consolidated Plan for this purpose. TUMO is already in the process of acquiring this property, and an expedited process is required to ensure the funding is available for deposit into escrow.

In order to receive the grant funds, the City and TUMO must submit a completed application and other specific project information, including a Budget Detail Form, a proposed Activities Timeline, property purchase documentation, and City authorization to accept the funds.

I THEREFORE MOVE that Council, subject to approval of the Mayor,

1. Authorize the Controller to create a new interest-bearing special fund, entitled "Grants and Awards", Fund No. XXX/10, for the receipt of the \$9 million grant award from the California State Library Department and create an appropriation account entitled, "TUMO Center Project"; and
2. Authorize the City Administrative Officer (CAO), or designee, to:
 - a. Accept the \$9 million in funding designated in the 2021-22 State Budget for the TUMO Center Project;
 - b. Deposit these funds into the new Grants and Awards Fund No, XXX/10, and appropriate these funds into the TUMO Center Project Account;
 - c. Negotiate and execute the grant agreement and expend the funds for the purchase of property acquisition consistent with the grant agreement with the State of California for said funding.
3. If State grant funds or the CDBG funds are not actually transferred in order to be available to meet the close of escrow deadline, approve a Reserve Fund Loan in the amount of \$10 million to finance the site acquisition associated with the TUMO Center Project and authorize the Controller to:
 - a. Transfer up to \$10 million from the Reserve Fund to the Unappropriated Balance Fund No. 100/58 and appropriate therefrom to the TUMO Center Project Account within the Grants and Awards Fund No. XXX/10, upon written communication from the CAO;
 - b. Upon receipt of grant funds, instruct the CAO to transfer said funds to reimburse the Reserve Fund Loan.

I FURTHER MOVE that the CAO, or designee, be authorized to prepare any necessary Controller instructions and make technical corrections or clarifications to the above instructions in order to effectuate the intent of this Motion, including any corrections and changes to fund or account numbers.

Presented by:

Paul Krekorian

PAUL KREKORIAN
Councilmember, 2nd District

Seconded by:

Mitchell

ORIGINAL

SEP 23 2022

Mitchell

MOTION

I MOVE that the Council Action of June 22, 2022, relative to the acquisition of real property located at 1554 West 11th Place in Council District One (C.F. 22-0438) for the purpose of providing publicly accessible open space BE AMENDED to include the following action:

I FURTHER MOVE that the Council AUTHORIZE the General Services Department (GSD) to accept the transfer of real property located at 1554 W. 11th Place (Property) in Council District One from CRA/LA, A Designated Local Authority (CRA/LA) to GSD as all conditions of such acceptance have either been waived or completed and the City has received an "Approval of Removal Action Completion Report" and "Certificate of Completion" from the Department of Toxic Substances Control certifying that the Property is suitable for unrestricted land use.

PRESENTED BY: 
GILBERT CEDILLO
Councilmember, 1st District

SECONDED BY: 

ORIGINAL

SEP 23 2022

oi

MOTION

Billy, the Asian bull elephant who has lived for decades at the Los Angeles Zoo and Botanical Gardens (Zoo), has spent much of his time in Los Angeles in conditions that only met minimums set by the Association of Zoos and Aquariums (AZA). For many years before the opening of the current Elephants of Asia exhibit he was placed alone in a small enclosure where he was kept on hard surfaces not considered beneficial for his feet and joints, and allegedly received a lack of sufficient exercise and stimulation.

Billy long has been exhibiting abnormal (stereotypic) behavioral patterns many elephant experts characterize as indicating detrimental mental health impacts from that environment. Elephants of Asia provides a better environment for him and the Zoo's other elephants but one which cannot compare with that afforded by a sanctuary in terms of space and natural conditions.

In the new exhibit Billy and the other elephants have had more space but still experience a lack of soft surfaces, and Billy's very presence along with the cows (females) Tina, Jewel, and Shaunzi, have until recently necessitated that the acreage be divided into large corrals so that Billy can be kept separate, as has been the standard for elephant bulls and cows in captivity. This expanded space has been broken up by being fenced off into areas (called "corrals") separated by electrified fences.

Thus, the purpose of the larger exhibit has been compromised, diluting the benefits of the costly expansion of the usable space for the Zoo's elephants completed a decade ago. Now the Zoo has decided to allow Billy and the females to occupy the same space at times, an inherently controversial and risky move according to elephant experts. The Zoo Vision Plan's new proposal to further expand the usable acreage of the exhibit by about three acres does not ultimately resolve all of these issues and creates new ones by intruding into wildlife habitats outside of the zoo's current boundaries.

Additionally, for several years the Zoo attempted unsuccessfully to collect genetic material from Billy for use in assisted captive breeding efforts in North America. Techniques for collecting this material are necessarily extremely invasive, adding to the list of ways Billy's long stay at the Zoo has been detrimental to his well-being. According to the Smithsonian Conservation Biology Institute, "Elephants in zoos breed poorly or not at all."

Noting that, for assisted reproduction, timing is crucial, the Institute's website continues, "...Unfortunately, techniques for freezing an elephant's (reproductive material) and then thawing it at the opportune moment have not been perfected." This suggests that Billy could continue to be subjected to invasive treatment in the future with the scant prospect of effectuating successful breeding. In the unlikely occurrence of an elephant being born it would just increase the size of the Zoo's herd and, unlike the Zoo's highly-praised condor program, would not increase the prospect of species survival in the long run.

It is past the time the physical discomfort and potential threats to his health Billy has faced for much of his life should have come to an end. More than a decade ago the Zoo sent Ruby, an African cow who would not have been compatible with the Asian elephant concept of the current



exhibit, to a sanctuary in Northern California. This earned the Zoo plaudits and allowed Ruby to live out the rest of her life in the most positive environment then available to her in North America.

Subsequent litigation (Leider v. Lewis) found that the Zoo still needed to improve its care and treatment of elephants. The court found in favor of the plaintiff but it remains disputed as to whether the Zoo has consistently complied with all of the instructions of the court for improved treatment of the elephants. Specifically, the Zoo allegedly is not providing the elephants with a soft surface in the exhibit as ordered by the Superior Court a number of years ago, adding to concerns about the elephants' physical health. Relocating Billy to a sanctuary is the optimal solution for him and also would provide Tina, Jewel, and Shaunzi more space on a daily basis.

I THEREFORE MOVE that the City Council instruct the Los Angeles Zoo to immediately cancel any current or future elephant breeding activities or programs involving any current or future elephants, and, in conjunction with the Chief Legislative Analyst, to report back within 30 days on the steps necessary to begin the process of safely relocating Billy to a suitable sanctuary environment; and

I FURTHER MOVE that the Zoo be instructed to immediately comply with all provisions of the Leider v. Lewis decision irrespective of the legal status of the case, and manage the Elephants of Asia exhibit as a more open environment for no more than four female elephants at a time, making more extensive real-time use of the available acreage for cows that have suffered abuse in previous living situations; and

I FURTHER MOVE that the Mayor and Council create an animal welfare oversight committee, comprised of bonafide experts in animal welfare and animal health, to advise the Mayor, the City Council, the Zoo and the Board of Zoo Commissioners on issues relating to the safe and healthful care and housing of elephants and all other animals at the Zoo.

PRESENTED BY:



PAUL KORETZ
Councilmember, 5th District

SECONDED BY:



ORIGINAL

SEP 23 2022

ITEM 1

File No. 14-0236

PERSONNEL, AUDITS, AND ANIMAL WELFARE COMMITTEE relative to the reappointment of Ms. Rhonda Hilyer to the Employee Relations Board.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Ms. Rhonda Hilyer to the Employee Relations Board for the term ending September 23, 2027 is APPROVED and CONFIRMED. (Current composition: F=3; M=2)

Financial Disclosure Statement: Pending.

Community Impact Statement: None submitted.

TIME LIMIT FILE – SEPTEMBER 26, 2022

(LAST DAY FOR COUNCIL ACTION – SEPTEMBER 23, 2022)

Summary:

On September 21, 2022, your Committee considered an August 10, 2022 communication from the Mayor relative to the reappointment of Ms. Rhonda Hilyer to the Employee Relations Board for the term ending September 23, 2027. After consideration, the Committee moved to recommend approval of the reappointment of Ms. Hilyer to the Employee Relations Board. This matter is now forwarded to the Council for its consideration.

Respectfully Submitted,

Personnel, Audits, and Animal Welfare Committee

COUNCILMEMBER VOTE

KORETZ: YES

HARRIS-DAWSON: YES

BONIN: ABSENT

ARL

9/21/22

-NOT OFFICIAL UNTIL COUNCIL ACTS-