Los Angeles City Council, Journal/Council Proceeding Wednesday, November 30, 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, Harris-Dawson, Hutt, Krekorian, Lee, O'Farrell, Price Jr., Raman, Rodriguez (10); Absent: Buscaino, Cedillo, de León, Koretz (4)

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) 22-0928

HOMELESSNESS AND POVERTY COMMITTEE REPORT relative to requesting the Los Angeles Homeless Services Authority (LAHSA) to release quarterly reports for one year following any place-based intervention in the City; and improving the City's policies regarding such interventions; and related matters.

Recommendations for Council action, as initiated by Motion (Bonin – et al. – Blumenfield):

 REQUEST the LAHSA to release quarterly reports for one year following any place-based interventions in the City, with such reports detailing aggregate and anonymized data on current placements for the persons experiencing homelessness (PEH) involved, including the total number of people:

- a. "Placed-based intervention" defined as: A type of homeless intervention wherein services and resources such as outreach, interim housing beds, rental subsidies, or other resource referrals or matches are prioritized exclusively for a defined geography over a specific period of time, often with a scheduled "choice date" for encampment closure, rather than based on individual or family-based needs assessments, acuity scores, or other coordinated entry intake responses.
- b. In permanent housing via reunification.
- c. In permanent supportive housing (PSH).
- d. In other, non-PSH, permanent housing.
- e. In shared housing.
- f. In safe parking.
- g. In congregate shelter.
- h. In motels or hotels.
- i. In other non-congregate shelter.
- j. In other interim housing.
- k. Enrolled in transition age youth programs.
- I. Exited from initial housing placement and exit destinations.
- m. Who have returned to the street.
- n. Who had no housing placement or were disconnected from

providers.

- o. Who have passed away.
- 2. REQUEST the LAHSA, with support from the City Administrative Officer (CAO) and other relevant departments, report every six months on best practices learned from previous placed-based interventions and with recommendations to improve our City's policies regarding such interventions with the goals of:
 - a. Increasing initial housing placement success and housing retention.
 - b. Increasing coordination with relevant County departments.
 - c. Increasing voluntary program participation from PEH.
 - d. Increasing the deployment of resources and services that remove barriers for PEH.
 - e. Reducing overall intervention costs.
 - f. Reducing involvement between PEH and law enforcement.
 - g. Reducing displacement to other areas.

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

Community Impact Statement: Yes

For:

Palms Neighborhood Council Pico Union Neighborhood Council

Adopted Item Forthwith

Ayes: Blumenfield, Bonin, Buscaino, Harris-Dawson, Hutt, Koretz, Krekorian, Lee, O'Farrell, Price Jr., Raman, Rodriguez (12); Nays: (0); Absent: Cedillo, de León (2)

(2) **21-0213 CD 10**

HOMELESSNESS AND POVERTY COMMITTEE REPORT and RESOLUTIONS relative to issuing supplemental tax-exempt multifamily conduit revenue notes in an amount up to \$1,000,000; and executing related financing documents for the McDaniel House Supportive Housing Project (McDaniel House) located at 1043 South Harvard Boulevard in Council District 10.

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

- 1. NOTE and FILE the Los Angeles Housing Department (LAHD) report dated October 16, 2022, attached to Council file No. 21-0213, relative to the issuance of supplemental tax-exempt multifamily conduit revenue notes for the McDaniel House.
- 2. ADOPT the accompanying RESOLUTION attached to the City Administrative Officer (CAO) report dated November 3, 2022, attached to Council file No. 21-0213, authorizing the issuance of up to \$1,000,000 in tax-exempt multifamily conduit revenue notes for the McDaniel House located at 1043 South Harvard Boulevard in Council District 10.
- 3. AUTHORIZE the General Manager, LAHD, or designee, to negotiate and execute the relevant financing documents for the McDaniel House, subject to the approval of the City Attorney as to form.

<u>Fiscal Impact Statement:</u> The CAO reports that there will be no impact to the General Fund as a result of the issuance of these multifamily conduit revenue notes (notes) for the McDaniel House. The City is a conduit issuer and does not incur liability for the repayment of the notes, which are a limited obligation payable solely from the revenues of the McDaniel House, and the City is not, under any circumstances, obligated to make payments on the notes.

<u>Financial Policies Statement:</u> The CAO reports that the recommendations in the subject CAO report comply with the City's Financial Policies.

<u>Debt Impact Statement:</u> The CAO reports that there is no debt impact as these bonds are a conduit issuance debt The CAO reports that there is no debt impact as these bonds are a conduit issuance debt and not a debt of the City.and not a debt of the City.

Community Impact Statement: None submitted

Adopted Item Forthwith

Ayes: Blumenfield, Bonin, Buscaino, Harris-Dawson, Hutt, Koretz, Krekorian, Lee, O'Farrell, Price Jr., Raman, Rodriguez (12); Nays: (0); Absent: Cedillo, de León (2)

(3) **22-1311**

HOMELESSNESS AND POVERTY and BUDGET AND FINANCE COMMITTEES' REPORT relative to creating and funding new liaison positions assigned to specific Council Districts that would provide Council offices with strategic communication, data and metrics, programmatic analysis, regional coordination and district- level knowledge and support, to help maximize the City's effectiveness in responding to the homelessness crisis.

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

- 1. REQUEST the Los Angeles Homeless Services Authority (LAHSA) to report within 60 days with a plan for the creation of new liaison positions assigned to specific Council Districts to provide Council Offices with strategic communication, data and metrics, programmatic analysis, regional coordination, and district- level knowledge and support. These liaisons would be evaluated on a quarterly basis by Council Offices and should have responsibilities such as:
 - a. Strategic Communication Expanding capacity to source information across internal departments at LAHSA, responding to urgent and time-sensitive requests from Council offices regarding client-level information such as case manager assignments, and connecting City partners with

County support and vice versa.

- Data and Metrics Ensuring standardized data and metrics reporting to Council District offices, including key performance indicators for LAHSA-contracted programs.
- c. Programmatic Analysis Tracking, at the Council District level, performance of homeless services and programs funded by LAHSA, Council Districts and the City.
- d. Regional Coordination Collaborating with staff from Council offices and the Mayor's office and attending SPA-level meetings and monthly programmatic coordination meetings with representatives from various levels of government.
- e. District-Level Knowledge & Support Developing deep knowledge of the stakeholders, neighborhood groups, service providers, housing resources and needs of unhoused people in assigned Council Districts.
- DIRECT the City Administrative Officer (CAO) to report within 60 days with options for funding these positions that will not use the City's General Fund.

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

Community Impact Statement: Yes

For:

Palms Neighborhood Council

Adopted Item Forthwith

Ayes: Blumenfield, Bonin, Buscaino, Harris-Dawson, Hutt, Koretz, Krekorian, Lee, O'Farrell, Price Jr., Raman, Rodriguez (12); Nays: (0); Absent: Cedillo, de León (2)

(4) 18-0849 CD 9

HOMELESSNESS AND POVERTY COMMITTEE REPORT and RESOLUTIONS relative to considering the results of the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) hearing for the Broadway Apartments Supportive Housing Project (BA) located at 301 West 49th Street in Council District 9; and issuing supplemental tax-exempt multifamily conduit revenue bonds in an amount up to \$2,220,000; and executing related financing documents for the BA.

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

- NOTE and FILE the Los Angeles Housing Department (LAHD) report dated October 16, 2022, attached to Council file No. 18-0849, relative to the issuance of supplemental tax-exempt multifamily conduit revenue bonds for the BA.
- 2. CONSIDER the results of the TEFRA hearing held on April, 21 2022 for the BA contained in the City Administrative Officer (CAO) report dated November 3, 2022, attached to Council file No. 18-0849.
- 3. ADOPT the accompanying TEFRA RESOLUTION attached to the CAO report dated November 3, 2022, attached to the Council file, authorizing the issuance of up to \$2,220,000 in supplemental taxexempt multifamily conduit revenue bonds for the BA located at 301 West 49th Street in Council District 9.
- 4. AUTHORIZE the General Manager, LAHD, or designee, to negotiate and execute the relevant financing documents for the BA, subject to the approval of the City Attorney as to form.

<u>Fiscal Impact Statement:</u> The CAO reports that will be no impact to the General Fund as a result of the issuance of these supplemental multifamily conduit revenue bonds (bonds) for the BA. The City is a conduit issuer and does not incur liability for the repayment of the bonds, which are a limited obligation payable solely from the revenues of the BA, and the City is not, under any circumstances, obligated to make payments on the

bonds.

<u>Financial Policies Statement:</u> The CAO reports that the above recommendations comply with the City's Financial Policies.

<u>Debt Impact Statement:</u> The CAO reports that there is no debt impact as these bonds are a conduit issuance debt and not a debt of the City.

Community Impact Statement: None submitted

Adopted Item Forthwith

Ayes: Blumenfield, Bonin, Buscaino, Harris-Dawson, Hutt, Koretz, Krekorian, Lee, O'Farrell, Price Jr., Raman, Rodriguez (12); Nays: (0); Absent: Cedillo, de León (2)

(5) **20-0121 CD 2**

HOMELESSNESS AND POVERTY COMMITTEE REPORT and RESOLUTIONS relative to issuing supplemental tax-exempt multifamily conduit revenue bonds in an amount up to \$500,000; and executing related financing documents for the NoHo 5050 Supportive Housing Project (NoHo 5050) located at 5050 Bakman Avenue in Council District 2.

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

- 1. NOTE and FILE the Los Angeles Housing Department (LAHD) report dated October 16, 2022, attached to Council file No. 20-0121, relative to the issuance of supplemental tax-exempt multifamily conduit revenue bonds for the NoHo 5050.
- 2. ADOPT the accompanying RESOLUTION attached to the City Administrative Officer (CAO) report dated November 3, 2022, attached to Council file No. 20-0121, authorizing the issuance of up to \$500,000 in tax-exempt multifamily conduit revenue bonds for the NoHo 5050 located at 5050 Bakman Avenue in Council District 2.
- 3. AUTHORIZE the General Manager, LAHD, or designee, to negotiate and execute the relevant financing documents for the NoHo 5050, subject to the approval of the City Attorney as to form.

<u>Fiscal Impact Statement:</u> he CAO reports that there will be no impact to the General Fund as a result of the issuance of these multifamily conduit revenue bonds (bonds) for the NoHo 5050. The City is a conduit issuer and does not incur liability for the repayment of the bonds, which are a limited obligation payable solely from the revenues of the NoHo 5050 and the City is not, under any circumstances, obligated to make payments on the bonds.

<u>Financial Policies Statement:</u> The CAO reports that the above recommendations comply with the City's Financial Policies.

<u>Debt Impact Statement:</u> The CAO reports that there is no debt impact as these bonds are a conduit issuance debt and not a debt of the City.

Community Impact Statement: None submitted

Adopted Item Forthwith

Ayes: Blumenfield, Bonin, Buscaino, Harris-Dawson, Hutt, Koretz, Krekorian, Lee, O'Farrell, Price Jr., Raman, Rodriguez (12); Nays: (0); Absent: Cedillo, de León (2)

(6) **17-1274-S1 CD 11**

HOMELESSNESS AND POVERTY COMMITTEE REPORT and RESOLUTIONS relative to considering the results of the Tax Equity and Fiscal Responsibility Act of 1982 (TEFR) hearing for the Missouri Place Apartments Supportive and Affordable Housing Project (MPA) located at 11950 Missouri Avenue in Council District 11; and re-issuing tax-exempt multifamily conduit revenue bonds in an amount up to \$23,437,500; and executing related financing documents for the MPA.

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

1. NOTE and FILE the Los Angeles Housing Department (LAHD) report dated October 17, 2022, attached to Council file No. 17-1274-S1, relative to the re-issuance of tax-exempt multifamily

conduit revenue bonds for the MPA.

- 2. CONSIDER the results of the TEFRA hearing held on September 29, 2022 for the MPA contained in the City Administrative Officer (CAO) report dated November 3, 2022, attached to Council file No. 17-1274-S1.
- 3. ADOPT the accompanying TEFRA RESOLUTION attached to the CAO report dated November 3, 2022, attached to the Council file, authorizing the reissuance of up to \$23,437,500 in tax-exempt multifamily conduit revenue bonds for the MPA located at 11950 Missouri Avenue in Council District 11.
- 4. AUTHORIZE the General Manager, LAHD, or designee, to negotiate and execute the relevant financing documents for the MPA, subject to the approval of the City Attorney as to form.

<u>Fiscal Impact Statement:</u> The CAO reports that will be no impact to the General Fund as a result of the re-issuance of these multifamily conduit revenue bonds (bonds) for the MPA. The City is a conduit issuer and does not incur liability for the repayment of the bonds, which are a limited obligation payable solely from the revenues of the MPA, and the City is not, under any circumstances, obligated to make payments on the bonds.

<u>Financial Policies Statement:</u> The CAO reports that the above recommendations comply with the City's Financial Policies.

<u>Debt Impact Statement:</u> The CAO reports that there is no debt impact as these bonds are a conduit issuance debt and not a debt of the City.

Community Impact Statement: None submitted

Adopted Item Forthwith

Ayes: Blumenfield, Bonin, Buscaino, Harris-Dawson, Hutt, Koretz, Krekorian, Lee, O'Farrell, Price Jr., Raman, Rodriguez (12); Nays: (0); Absent: Cedillo, de León (2)

(7) **18-0515**

CD 8

HOMELESSNESS AND POVERTY COMMITTEE REPORT and RESOLUTIONS relative to considering the results of the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) hearing for the Western Avenue Apartments Supportive Housing Project (WAA) located at 5501 South Western Avenue in Council District 8; and issuing supplemental tax-exempt multifamily conduit revenue bonds in an amount up to \$1,150,000; and executing related financing documents for the WAA.

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

- NOTE and FILE the Los Angeles Housing Department (LAHD) report dated October 21, 2022, attached to Council file No. 18-0515, relative to the issuance of supplemental tax-exempt multifamily conduit revenue bonds for the WAA.
- 2. CONSIDER the results of the TEFRA hearing held on April 21, 2022 for the WAA contained in the City Administrative Officer (CAO) report dated November 4, 2022, attached to Council file No. 18-0515.
- 3. ADOPT the accompanying RESOLUTION attached to the CAO report dated November 4, 2022, attached to the Council file, authorizing the issuance of up to \$1,150,000 in supplemental taxexempt multifamily conduit revenue bonds for the WAA located at 5501 South Western Avenue in Council District 8.
- 4. AUTHORIZE the General Manager, LAHD, or designee, to negotiate and execute the relevant financing documents for the WAA, subject to the approval of the City Attorney as to form.
- 5. REQUIRE that the borrower and/or other financing parties of the WAA submit a plan to resolve the Event of Default, which must be satisfactory to the LAHD and all relevant parties, prior to the execution of relevant financing documents for the supplemental bonds.

Fiscal Impact Statement: The CAO reports that will be no impact to the

General Fund as a result of the issuance of these supplemental multifamily conduit revenue bonds (bonds) for WAA. The City is a conduit issuer and does not incur liability for the repayment of the bonds, which are a limited obligation payable solely from the revenues of the WAA, and the City is not, under any circumstances, obligated to make payments on the bonds.

<u>Financial Policies Statement:</u> The CAO reports that the above recommendations comply with the City's Financial Policies.

<u>Debt Impact Statement:</u> The CAO reports that there is no debt impact as these bonds are a conduit issuance debt and not a debt of the City.

Community Impact Statement: None submitted

Adopted Item Forthwith

Ayes: Blumenfield, Bonin, Buscaino, Harris-Dawson, Hutt, Koretz, Krekorian, Lee, O'Farrell, Price Jr., Raman, Rodriguez (12); Nays: (0); Absent: Cedillo, de León (2)

(8) **18-0525 CD 1**

HOMELESSNESS AND POVERTY COMMITTEE REPORT and RESOLUTIONS relative to considering the results of the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) hearing for the West Third Apartments Supportive Housing Project (WTA) located at 1900 West 3rd Street in Council District 1; and issuing supplemental tax-exempt multifamily conduit revenue bonds in an amount up to \$2,730,000; and executing related financing documents for the WTA.

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

- NOTE and FILE the Los Angeles Housing Department (LAHD) report dated October 21, 2022, attached to Council file No. 18-0525, relative to the issuance of supplemental tax-exempt multifamily conduit revenue bonds for the WTA.
- CONSIDER the results of the TEFRA hearing held on April 21, 2022 for the WTA contained in the City Administrative Officer (CAO) report dated November 4, 2022, attached to Council file No. 18-0525.

- 3. ADOPT the accompanying RESOLUTION attached to the CAO report dated November 4, 2022, attached to the Council file, authorizing the issuance of up to \$2,730,000 in supplemental taxexempt multifamily conduit revenue bonds for the WTA located at 1900 West 3rd Street in Council District 1.
- 4. AUTHORIZE the General Manager, LAHD, or designee, to negotiate and execute the relevant financing documents for the WTA, subject to the approval of the City Attorney as to form.
- 5. REQUIRE that the borrower and/or other financing parties of the WTA submit a plan to resolve the Event of Default, which must be satisfactory to the LAHD and all relevant parties, prior to the execution of relevant financing documents for the supplemental bonds.

<u>Fiscal Impact Statement:</u> The CAO reports that will be no impact to the General Fund as a result of the issuance of these supplemental multifamily conduit revenue bonds (bonds) for the WTA. The City is a conduit issuer and does not incur liability for the repayment of the bonds, which are a limited obligation payable solely from the revenues of the WTA, and the City is not, under any circumstances, obligated to make payments on the bonds.

<u>Financial Policies Statement:</u> The CAO reports that the above recommendations comply with the City's Financial Policies.

<u>Debt Impact Statement:</u> The CAO reports that there is no debt impact as these bonds are a conduit issuance debt and not a debt of the City.

Community Impact Statement: None submitted

Adopted Item Forthwith

Ayes: Blumenfield, Bonin, Buscaino, Harris-Dawson, Hutt, Koretz, Krekorian, Lee, O'Farrell, Price Jr., Raman, Rodriguez (12); Nays: (0); Absent: Cedillo, de León (2)

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

(9) **21-1240-S1**

COMMUNICATION FROM THE CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to the establishment of separate account for Opioid Settlement funds in the case of City of Los Angeles v. Purdue Pharma, L.P., et al.

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

 PRESENT and ADOPT the accompanying ORDINANCE, dated November 7, 2022, relative to adding Article 33 to Chapter 5, Division 5 of the Los Angeles Administrative Code to establish a trust fund called the "Opioids Settlement Trust Fund."

2. AUTHORIZE the Controller to:

- a. Establish a new trust fund, entitled "Opioids Settlement Funds." The Fund will be administered by the Office of the City Administrative Officer. It will be used to receive and disburse the settlement funds from the National Settlements, as well as any additional funds obtained through the resolution of the City's claims against defendants in City of Los Angeles v. Purdue Pharma L.P., et al., Case No. 1:18-OP-45601-DAP, including claims resolved through bankruptcy proceedings (the City's "Opioid Claims").
- b. Establish separate accounts within the Opioid Settlement Fund, as determined necessary by the City Administrative Officer, in order to allow the City Administrative Officer to take receipt of and track the various payments obtained through resolution of the City's Opioids Claims and to ensure that those funds are spent in accordance with the terms of applicable laws, settlement agreements, bankruptcy plans, and this Honorable Body's directions. Such accounts may include, at the City Administrative Officer's discretion, but are not limited to, accounts entitled:
 - i. Various Opioid Settlement Agreements Fund

- ii. Litigating Subdivisions Fund
- iii. Abatement Fund
- c. For Fiscal Year 2022-23, upon deposit in the General Fund of payments from the National Settlements previously estimated to be at least \$3.29 million, transfer up to \$3.29 million from Unappropriated Balance Fund No. 100/58, Account No. 580388, Opioid Settlement to the newly created Various Opioids Settlement Agreements Fund account in the newly created Opioid Settlement Funds trust fund, Department No. 10.
- d. Allow all additional opioid settlement funds received by the City to be deposited into the newly created Various Opioid Settlement Agreements Fund, and allow, this fiscal year, up to \$1.42 million to be transferred to the newly created Litigating Subdivisions Fund and up to \$5.2 million to be transferred to the newly created Abatement Fund.

<u>Fiscal Impact Statement:</u> 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

The City Council may recess to Closed Session, pursuant to Government Code Section 54956.9(d)(1), to confer with its legal counsel relative to the case entitled <u>City of Los Angeles v. Purdue Pharma L.P.</u>, et al., Case No. 1:18-OP-45601-DAP.

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

Adopted Item Forthwith

Ayes: Blumenfield, Bonin, Buscaino, Harris-Dawson, Hutt, Koretz, Krekorian, Lee, O'Farrell, Price Jr., Raman, Rodriguez (12); Nays: (0); Absent: Cedillo, de León (2)

(10) **21-1240**

COMMUNICATION FROM THE CITY ATTORNEY relative to the case entitled <u>City of Los Angeles v. Purdue Pharma L.P., et al.</u>, Case No. 1:18-OP-45601-DAP.

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

AUTHORIZE the City Attorney's Office to take all actions necessary to vote in favor of the tentative agreement.

<u>Fiscal Impact Statement:</u> 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

The City Council may recess to Closed Session, pursuant to Government Code Section 54956.9(d)(1), to confer with its legal counsel relative to the case entitled <u>City of Los Angeles v. Purdue Pharma L.P., et al.</u>, Case No. 1:18-OP-45601-DAP.

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

Adopted Item Forthwith

Ayes: Blumenfield, Bonin, Buscaino, Harris-Dawson, Hutt, Koretz, Krekorian, Lee, O'Farrell, Price Jr., Raman, Rodriguez (12); Nays: (0); Absent: Cedillo, de León (2)

(11) **22-0748**

COMMUNICATION FROM THE MAYOR relative to the appointment of Daniel Tarica, as the permanent General Manager, Department of Cultural Affairs.

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Daniel Tarica as permanent General Manager for the Department of Cultural Affairs is APPROVED and CONFIRMED.

Financial Disclosure Statement: Pending

Community Impact Statement: None submitted

TIME LIMIT FILE - DECEMBER 30, 2022

(LAST DAY FOR COUNCIL ACTION - DECEMBER 13, 2022)

(Arts, Parks, Health, Education, and Neighborhoods Committee waived consideration of above matter)

Adopted Item Forthwith

Ayes: Blumenfield, Bonin, Buscaino, Harris-Dawson, Hutt, Koretz, Krekorian, Lee, O'Farrell, Price Jr., Raman, Rodriguez (12); Nays: (0); Absent: Cedillo, de León (2)

(12) **22-1432**

COMMUNICATION FROM THE LOS ANGELES HOUSING DEPARTMENT (LAHD) relative to the exemption of one Principal Project Coordinator (Class Code 9134) position for the LAHD from the Civil Service pursuant to Charter Section 1001(d)(4).

Recommendation for Council action:

APPROVE the exemption of one Principal Project Coordinator (Class Code 9134) position for the LAHD from the Civil Service pursuant to Charter Section 1001(d)(4).

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

<u>Community Impact Statement:</u> None submitted.

(Personnel, Audits, and Animal Welfare Committee waived consideration of the above matter)

Adopted Item Forthwith

Ayes: Blumenfield, Bonin, Buscaino, Harris-Dawson, Hutt, Koretz, Krekorian, Lee, O'Farrell, Price Jr., Raman, Rodriguez (12); Nays: (0); Absent: Cedillo, de León (2)

(13) **22-1413**

COMMUNICATION FROM THE MAYOR relative to the re-exemption of one Assistant General Manager (Class Code 9241) position for the Department of Recreation and Parks (RAP) from the Civil Service pursuant to Charter Section 1001(b).

Recommendation for Council action:

APPROVE the re-exemption of one Assistant General Manager (Class Code 9241) position for the RAP from the Civil Service pursuant to Charter Section 1001(b).

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

<u>Community Impact Statement:</u> None submitted.

TIME LIMIT FILE - JANUARY 3, 2023

(LAST DAY FOR COUNCIL ACTION - JANUARY 3, 2023)

(Personnel, Audits, and Animal Welfare Committee waived consideration of the above matter)

Adopted Item Forthwith

Ayes: Blumenfield, Bonin, Buscaino, Harris-Dawson, Hutt, Koretz, Krekorian, Lee, O'Farrell, Price Jr., Raman, Rodriguez (12); Nays: (0); Absent: Cedillo, de León (2)

(14) **18-1097-S2 CD 9**

CONSIDERATION OF MOTION (PRICE – O'FARRELL) relative to a bridge loan to Casa de Rosas Campus, L.P. for the Casa de Rosas Project (Project) located at 2600 South Hoover Street.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF

THE MAYOR:

1. AUTHORIZE the General Manager, Los Angeles Housing Department (LAHD), or designee, to:

a. Effectuate a bridge loan of up to \$2,672,588 from the Low and Moderate Income Housing Fund (LMIHF) to Casa de Rosas Campus, L.P. for the Project located at 2600 South Hoover Street, subject the terms noted below, and cause these funds to be transferred to the appropriate accounts for the Project:

Amount: \$2,672,588

Payable in full upon the earlier of (i) conversion to

Term: permanent financing; or, (ii) twelve (12) months from

execution of loan documents.

Interest: 3 percent per annum

b. Draft, negotiate, and execute loan documents to provide a bridge loan of up to \$2,672,588, subject to the approval of the City Attorney as to form.

- c. Prepare Controller Instructions, subject to the approval of the Chief Legislative Analyst.
- d. Disburse LMIHF funds from the bridge loan upon review by the LAHD and the City Attorney and a determination by LAHD, in its sole discretion, that disbursed funds will not be used to subsidize other Project cost overruns and shall only be used to pay either (i) wages due to contractors or subcontractors who are not subject to fines or penalties imposed by the Department of Industrial Relations; or, (ii) other appropriate costs that must be paid in order for the Project to convert to permanent financing and fully repay the senior construction loan.
- e. Report within 60 days on the status of the protective advance repayment and resolution of the pending prevailing wage matters.

 AUTHORIZE the Controller to implement the instructions and expend funds upon receipt of proper demand by the General Manager, LAHD, or designee.

Community Impact Statement: None submitted

(Housing Committee waived consideration of the above matter)

Question Whether to Substitute Adopted Forthwith

Ayes: Blumenfield, Bonin, Buscaino, Harris-Dawson, Hutt, Koretz, Krekorian, Lee, O'Farrell, Price Jr., Raman, Rodriguez (12); Nays: (0); Absent: Cedillo, de León (2)

Adopted Substitute Motion (Price -O'Farrell) Forthwith - SEE ATTACHED Ayes: Blumenfield, Bonin, Buscaino, Harris-Dawson, Hutt, Koretz, Krekorian, Lee, O'Farrell, Price Jr., Raman, Rodriguez (12); Nays: (0); Absent: Cedillo, de León (2)

Items Called Special

Motions for Posting and Referral - SEE ATTACHED

Council Members' Requests for Excuse from Attendance at Council Meetings

Closed Session

(15) **22-1299**

The City Council may recess to Closed Session, pursuant to Government Code Section 54956.9(d)(1), to confer with its legal counsel relative to the case entitled Leroy Arnold v. City of Los Angeles, et al., Los Angeles Superior Court Case No. 19STCV31225. (This matter arises from a trip and fall incident that occurred on December 19, 2018, on the sidewalk located at 2415 West 6th Street in Los Angeles.)

(Budget and Finance Committee considered the above matter in Closed Session on November 14, 2022)

Adopted Item Forthwith - SEE ATTACHED

Ayes: Blumenfield, Bonin, Buscaino, Harris-Dawson, Hutt, Koretz, Krekorian, Lee, O'Farrell, Price Jr., Raman, Rodriguez (12); Nays: (0); Absent: Cedillo, de León (2)

(16) **22-1301**

The City Council may recess to Closed Session, pursuant to Government Code Section 54956.9(d)(1), to confer with its legal counsel relative to the case entitled <u>Inge Famularo v. City of Los Angeles</u>, et al., Los Angeles Superior Court Case No. 21STCV01183. (This matter arises from a trip and fall accident that occurred on February 21, 2019, at or near 6624 West Olympic Boulevard in the City of Los Angeles.)

(Budget and Finance Committee considered the above matter in Closed Session on November 14, 2022)

Adopted Item Forthwith - SEE ATTACHED Ayes: Blumenfield, Bonin, Buscaino, Harris-Dawson, Hutt, Koretz, Krekorian, Lee, O'Farrell, Price Jr., Raman, Rodriguez (12); Nays: (0); Absent: Cedillo, de León (2)

(17) **22-0548**

The City Council may recess to Closed Session, pursuant to Government Code Section 54956.9(d)(1), to confer with its legal counsel relative to the case entitled Miguel Sillas, et al. v. City of Los Angeles, et al., United States District Court Case No. CV17-08691 FMO (AFMx), (This matter arises from an incident involving members of the Los Angeles Police Department on June 10, 2016, in Los Angeles, California.)

(Budget and Finance Committee considered the above matter in Closed Session on November 14, 2022)

Adopted Item Forthwith - SEE ATTACHED Ayes: Blumenfield, Bonin, Buscaino, Harris-Dawson, Hutt, Koretz, Krekorian, Lee, O'Farrell, Price Jr., Raman, Rodriguez (12); Nays: (0); Absent: Cedillo, de León (2)

(18) **21-0083**

The City Council may recess to Closed Session, pursuant to Government Code Section 54956.9(d)(1), to confer with its legal counsel relative to the case entitled Richard Castillo v. City of Los Angeles, et al., United States District Court Case No. CV 20-04257 JAK (JCx). (This matter arises from an incident involving members of the Los Angeles Police Department on April 27, 2020, in Los Angeles, California.)

(Budget and Finance Committee considered the above matter in Closed Session on November 14, 2022)

Adopted Item Forthwith - SEE ATTACHED Ayes: Blumenfield, Bonin, Buscaino, Harris-Dawson, Hutt, Koretz, Krekorian, Lee, O'Farrell, Price Jr., Raman, Rodriguez (12); Nays: (0); Absent: Cedillo, de León (2)

(19) **22-1303**

The City Council may recess to Closed Session, pursuant to Government Code Section 54956.9(d)(1), to confer with its legal counsel relative to the case entitled <u>Sara Herrera</u>, et al. v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BC647423. (This matter arises from an incident involving members of the Los Angeles Police Department on January 17, 2016, in Los Angeles, California.)

(Budget and Finance Committee considered the above matter in Closed Session on November 14, 2022)

Adopted Item Forthwith - SEE ATTACHED Ayes: Blumenfield, Bonin, Harris-Dawson, Hutt, Koretz, Krekorian, Lee, O'Farrell, Price Jr., Raman, Rodriguez (11); Nays: Buscaino (1); Absent: Cedillo, de León (2)

(20) **22-1314**

The City Council may recess to Closed Session, pursuant to Government Code Section 54956.9(d)(1), to confer with its legal counsel relative to the case entitled Lou Vince v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BC704165. (This matter arises from allegations of the Fair Employment and Housing Act violations against the Los Angeles Police Department.)

(Budget and Finance Committee considered the above matter in Closed Session on November 14, 2022)

Adopted the City Attorney recommendations Forthwith Ayes: Blumenfield, Bonin, Buscaino, Harris-Dawson, Hutt, Koretz, Krekorian, Lee, O'Farrell, Price Jr., Raman, Rodriguez (12); Nays: (0); Absent: Cedillo, de León (2)

(21) **21-1317**

The City Council may recess to Closed Session, pursuant to Government Code Section 54956.9(d)(1), to confer with its legal counsel relative to the case entitled Adam Hoffman, et al. v. City of Los Angeles, Los Angeles Superior Court Case No. BC672326. (This case concerns allegations the City overinflated the annual Dry Winter Compensation Factor that is

applied to the City's residential sewer service charges, and the City failed to comply with Proposition 218/California Constitution Article 13D, 6.)

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

Council discussed the matter in Closed Session and instructed legal counsel with respect to subject litigation.

(22) **19-0822**

The City Council may recess to Closed Session, pursuant to Government Code Section 54956.9(d)(1), to confer with its legal counsel relative to the case entitled <u>Janet Garcia</u>, et al. v. City of Los Angeles, et al., United States District Court Case No. 2:19-cv-06182-DSF-PLA. (This case concerns allegations the Plaintiff's constitutional rights were violated as a result of the City's practice of seizing and immediately destroying homeless individuals' belongings during encampment cleanups conducted pursuant to Los Angeles Municipal Code 56.11.)

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

Council discussed the matter in Closed Session and instructed legal counsel with respect to subject litigation.

Adjourning Motions - SEE ATTACHED

Council Adjournment

ENDING ROLL CALL

Blumenfield, Bonin, Buscaino, Harris-Dawson, Hutt, Koretz, Krekorian, Lee, O'Farrell, Price Jr., Raman, Rodriguez (12); Absent: Cedillo, de León (2)

Whereupon the Council did adjourn.

ATTEST: Holly L. Wolcott, CITY CLERK

Council Clerk

PRESIDENT OF THE CITY COUNCIL

COMMENDATORY RESOLUTIONS

MOVED BY	SECONDED BY	NAME
O'Farrell	Blumenfield	Juan Fregoso
O'Farrell	Blumenfield	Yocelyne Barrera-Baltazar
O'Farrell	Blumenfield	Jeanne Min
Buscaino	Harris-Dawson	Jenny Chavez
O'Farrell	Lee	Craig Bullock
O'Farrell	Lee	Daniel Halden
O'Farrell	Blumenfield	Star Parsamyan
Buscaino	Harris-Dawson	Gianine Rizzi
Lee	Blumenfield	James E. Moore
Harris-Dawson	Bonin	The Upper Room
		Fellowship Retirement
		Commemoration Day
O'Farrell	Lee	Dave E. Cano
Raman	Bonin	World AIDS Day

ADJOURNING MOTIONS

MOVED BY	SECONDED BY	NAME
Hutt	All Councilmembers	Earl E. Gales Jr.



MOTION

Since 2018, the Council and Mayor have taken several actions to dispose of City-owned property and approve funding for the development of Casa de Rosas Apartments (Project) located at 2600 S. Hoover Street. The Project, to be rehabilitated by the Casa de Rosas Campus, L.P (Developer) will be comprised of 36 supportive housing units and one additional manager's unit. The Project has completed construction, but has encountered challenges related to the payment of prevailing wages. At this time, the contractor is seeking its final payment but the Los Angeles Housing Department (LAHD) is unable to disburse Proposition HHH funds as there is a case open with the State's Department of Industrial Relations (DIR) related to the payment of wages. LAHD seeks authority to provide a short-term bridge loan as a protective advance to protect its security for repayment of the Project's senior construction loan.

To support this Project, the City disposed of the site, authorized a related acquisition loan for \$2,562,674, awarded a Proposition HHH loan in the amount of \$7,920,000, and issued tax exempt bonds in the amount of \$10,771,000. LAHD now seeks authority to make a short-term Protected Advance Bridge Loan to the Developer of up to \$3,125,000 as a Protective Advance Bridge Loan. LAHD describes a Protective Advance as a loan made to protect the Project collateral and thus the City's investment of Proposition HHH dollars. Presently, the Project's construction loan will become due and payable in full on December 1, 2022. If a Protective Advance is not made at this time, the Project's construction lender, which has the Deed of Trust senior to the City's Proposition HHH and acquisition loans, may foreclose on the Project and potentially risk a full or partial loss of the City's existing funding, as well as the elimination of associated affordability restrictions for the Project.

It is expected that the Protective Advance funds will pay outstanding wages due to the contractor and subcontractors and to pay down the Project's construction lender to avoid foreclosure. In addition, the DIR has imposed fees related to Labor Code violations. The Developer is hopeful that they may persuade the DIR to waive the fees or clear up any misinterpretation and have the DIR remove the fees. If unsuccessful, the Developer may pursue payment by the General Contractor for these fees.

LAHD has informed that once the DIR wage issues are resolved, the Project can repay the Protective Advance with permanent financing including the still-unspent Proposition HHH monies. However, it remains unclear if the available permanent sources will be sufficient to fully repay the Protective Advance at time of conversion. An extension of the Protective Advance may be warranted at that time.

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

1. Effectuate a bridge loan of up to \$ 3,125,000 from the Low and Moderate Income Housing Fund (LMIHF) to Casa de Rosas Campus, L.P. for the Casa de Rosas Project located at 2600 S. Hoover Street subject the terms noted below, and cause these funds to be transferred to the appropriate accounts for the Project:

Amount	\$3,125,000
Term	Payable in full upon the earlier of (i) conversion to permanent financing, or (ii)
	twelve (12) months from execution of loan documents
Interest	3% per annum

PMK

2. Draft, negotiate, and execute loan documents to provide a bridge loan of up to \$3,125,000, subject to the approval of the City Attorney as to form;

- 3. Prepare Controller Instructions, subject to the approval of the Chief Legislative Analyst;
- 4. Disburse LMIHF funds from the Protected Advance Bridge Loan upon review by LAHD and the City Attorney and a determination by LAHD, in its sole discretion, that disbursed funds will not be used to subsidize other project cost overruns and shall only be used to pay either (i) wages due to contractor or subcontractors who are not subject to fines or penalties imposed by DIR, or (ii) other appropriate costs that must be paid in order for the project to convert to permanent financing and fully repay the senior construction loan; and
- 5. Report within 60 days on the status of the protective advance repayment and resolution of the pending prevailing wage matters.

CURREN D. PRICE, JR. Councilmember, 9th District

I FURTHER MOVE that the Controller be authorized to implement the instructions and expend funds upon receipt of proper demand by the General Manager of LAHD, or designee

PRESENTED BY:

SECONDED BY:

MOTION

I HEREBY MOVE that the Council ADOPT the following recommendations in order to effect settlement in the case entitled <u>Leroy Arnold v. City of Los Angeles</u>, et al., Los Angeles Superior Court Case No. 19STCV31225. (This matter arises from a trip and fall incident that occurred on December 19, 2018, on the sidewalk located at 2415 West 6th Street in Los Angeles.) **SUBJECT TO THE APPROVAL OF THE MAYOR:**

- 1. AUTHORIZE the City Attorney's Office to expend up to **\$200,000** in settlement of the above-entitled matter.
- AUTHORIZE the Controller's Office to transfer \$200,000 from the Liability Claims Fund No. 100/59, Account No. 009798, Miscellaneous Liability Payouts, to Fund No. 100/59, Account No. 009795, Public Works, Street Services Liability Payouts.
- 3. AUTHORIZE the City Attorney to draw two demands from Fund No. 100/59, Account No. 009795, Public Works, Street Services Liability Payouts, as follows:
 - a. Law Offices of Samer Habbas & Associates Inc. PC and Leroy Arnold in the amount of \$197,839.44.
 - b. California Department of Health Care Services in the amount of \$2,160.56.
- 4. AUTHORIZE the City Attorney, or designee, to make necessary technical adjustments, subject to the approval of the City Administrative Officer, and authorize the Controller to implement the instructions.

PRESENTED BY_	
	PAUL KREKORIAN
	Councilmember, 2nd District
SECONDED BY _	
	BOB BLUMENFIELD

Councilmember, 3rd District

AS 11/14/22 CF 22-1299

MOTION

I HEREBY MOVE that the Council ADOPT the following recommendations in order to effect settlement in the case entitled <u>Inge Famularo v. City of Los Angeles</u>, et al., Los Angeles Superior Court Case No. 21STCV01183. (This matter arises from a trip and fall accident that occurred on February 21, 2019, at or near 6624 West Olympic Boulevard in the City of Los Angeles.) **SUBJECT TO THE APPROVAL OF THE MAYOR:**

- 1. AUTHORIZE the City Attorney's Office to expend up to **\$225,000** in settlement of the above-entitled matter.
- 2. AUTHORIZE the Controller's Office to transfer \$225,000 from the Liability Claims Fund No. 100/59, Account No. 009798, Miscellaneous Liability Payouts, to Fund No. 100/59, Account No. 009795, Public Works, Street Services Liability Payouts.
- 3. AUTHORIZE the City Attorney to draw a demand from Fund No. 100/59, Account No. 009795, Public Works, Street Services Liability Payouts, as follows: Jamison Empting Cronin, LLP and Inge Famularo in the amount of \$225,000.
- 4. AUTHORIZE the City Attorney, or designee, to make necessary technical adjustments, subject to the approval of the City Administrative Officer, and authorize the Controller to implement the instructions.

PRESENTED BY_	
	PAUL KREKORIAN
	Councilmember, 2nd District
SECONDED BY	
	BOB BLUMENFIELD
	Councilmember, 3rd District

MOTION

I HEREBY MOVE that the Council ADOPT the following recommendations in order to effect settlement in the case entitled <u>Miguel Sillas</u>, et al. v. City of Los Angeles, et al., United States District Court Case No. CV17-08691 FMO (AFMx) and United States Court of Appeals for the Ninth Circuit Case No. 22-55240. (This matter arises from an incident involving members of the Los Angeles Police Department on June 10, 2016, in Los Angeles, California.) **SUBJECT TO THE APPROVAL OF THE MAYOR:**

- 1. AUTHORIZE the City Attorney's Office to expend up to \$434,706.52 in settlement of the above-entitled matter.
- 2. AUTHORIZE the Controller's Office to transfer \$434,706.52 from the Liability Claims Fund No. 100/59, Account No. 009798, Miscellaneous Liability Payouts, to Fund No. 100/59, Account No. 009792, Police Liability Payouts.
- 3. AUTHORIZE the City Attorney to draw a demand from Fund No. 100/59, Account No. 009792, Police Liability Payouts, as follows: Spertus, Landes & Umhofer, LLP in the amount of \$434,706.52.
- 4. AUTHORIZE the City Attorney, or designee, to make necessary technical adjustments, subject to the approval of the City Administrative Officer, and authorize the Controller to implement the instructions.

PRESENTED BY_	
	PAUL KREKORIAN
	Councilmember, 2nd District
SECONDED BY _	
	BOB BLUMENFIELD
	Councilmember 3rd District

MOTION

I HEREBY MOVE that the Council ADOPT the following recommendations in order to effect settlement in the case entitled <u>Richard Castillo v. City of Los Angeles, et al.</u>, United States District Court Case No. CV20-04257 JAK (JCx). (This matter arises from an incident involving members of the Los Angeles Police Department on April 27, 2020, in Los Angeles, California.) **SUBJECT TO THE APPROVAL OF THE MAYOR:**

- 1. AUTHORIZE the City Attorney's Office to expend up to \$750,000 in settlement of the above-entitled matter.
- AUTHORIZE the Controller's Office to transfer \$750,000 from the Liability Claims Fund No. 100/59, Account No. 009798, Miscellaneous Liability Payouts, to Fund No. 100/59, Account No. 009792, Police Liability Payouts.
- 3. AUTHORIZE the City Attorney to draw a demand from Fund No. 100/59, Account No. 009792, Police Liability Payouts, as follows: The Ouchi Law Firm APC and Raymundo Ferriera in the amount of \$750,000.
- 4. AUTHORIZE the City Attorney, or designee, to make necessary technical adjustments, subject to the approval of the City Administrative Officer, and authorize the Controller to implement the instructions.

PRESENTED BY_	
	PAUL KREKORIAN
	Councilmember, 2nd District
SECONDED BY	
	BOB BLUMENFIELD
	Councilmombor 3rd District

MOTION

I HEREBY MOVE that the Council ADOPT the following recommendations in order to effect settlement in the case entitled <u>Sara Herrera</u>, et al. v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BC647423. (This matter arises from an incident involving members of the Los Angeles Police Department on January 17, 2016, in Los Angeles, California.) **SUBJECT TO THE APPROVAL OF THE MAYOR:**

- 1. AUTHORIZE the City Attorney's Office to expend up to \$750,000 in settlement of the above-entitled matter.
- AUTHORIZE the Controller's Office to transfer \$750,000 from the Liability Claims Fund No. 100/59, Account No. 009798, Miscellaneous Liability Payouts, to Fund No. 100/59, Account No. 009792, Police Liability Payouts.
- 3. AUTHORIZE the City Attorney to draw a demand from Fund No. 100/59, Account No. 009792, Police Liability Payouts, as follows: Taylor and Ring LLP and Sara Herrera and Efrain Herrera, Sr., in the amount of \$750,000.
- 4. AUTHORIZE the City Attorney, or designee, to make necessary technical adjustments, subject to the approval of the City Administrative Officer, and authorize the Controller to implement the instructions.

PRESENTED BY_	
	PAUL KREKORIAN
	Councilmember, 2nd District
SECONDED BY _	
	BOB BLUMENFIELD
	Councilmember, 3rd District

MOTION

On June 1, 2022, Council approved a Motion (C.F. 22-0611) to transfer funding in various accounts for enhanced maintenance and services to improve the lives of residents in Council District 8. As part of the action, Council approved a six-month extension (from June 2023 through December 2023) of the contract with Los Angeles Brotherhood Crusade for Summer Night Lights (C-138622). In addition to the contract extension, the Motion recommended that \$500,000 be transferred from the Department of Recreation and Parks directly to the Los Angeles Brotherhood Crusade.

The original contract with the Los Angeles Brotherhood Crusade was administered by the City Clerk. To provide contracting and fund disbursement continuity, the City Clerk should continue to administer the contract with funding transferred from the Council District 8 portion of the General City Purposes Fund to the organization, rather than funding being transferred from Recreation and Parks to the organization.

I THEREFORE MOVE that \$500,000 be transferred from the Recreation and Parks Fund No. 302/89, Account No. 89725 (Youth Program) to the General City Purposes Fund No. 100/56, Account No.000708 (Council District Community Services-CD8) to be used for the contract with Los Angeles Brotherhood Crusade (C-138622).

I FURTHER MOVE that Controller be authorized to prepare Controller instructions and implement these instructions, and to make technical adjustments that may be required and are consistent with this action.

PRESENTED BY:

MARQUEECE HARRIS-DAWSON Councilmember, 8th District

SECONDED BY:

NOV 3 0 2022

SCOS 0 8 VON

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

MOTION

Holocaust Museum LA, a California nonprofit public benefit corporation (the "Borrower") and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code"), has requested that the California Enterprise Development Authority ("CEDA") issue, from time to time, pursuant to a plan of finance, one or more series of its revenue bonds or other obligations pursuant to Section 145 of the Code in an aggregate principal amount not to exceed \$50,000,000 (the "Obligations") for the purpose of financing, refinancing and/or reimbursing the Borrower for the cost of the acquisition, construction, installation, renovation, expansion, equipping and furnishing of certain facilities of the Borrower, including, but not limited to, a new learning center pavilion, a theater, classrooms, special exhibit space, and a new Boxcar Pavilion all located at 100 The Grove Drive, Los Angeles, California 90036 (the "Facilities"). The Obligations may also be used for providing one or more debt service reserve funds, paying a portion of the interest to accrue on the Obligations, providing working capital and paying certain costs of issuance. The Facilities will be owned by the Borrower and will serve to perpetuate the memory of the Holocaust, commemorate those who perished, honor those who survived, educate citizens about the Holocaust and inspire a more dignified and humane world.

In accordance with the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA), a public hearing is required to move forward with the issuance of the Obligations. No City funds will be directed to the Facilities, as the Obligations are payable solely from revenues or other funds provided by the Borrower. The City does not incur liability for repayment of the Obligations. The City is required by federal law to review and approve all projects within its jurisdiction and conduct a public hearing. Nothing in this Motion precludes any approval otherwise required by the City. The Facilities will be funded primarily through the Obligations. Following the TEFRA public hearing, the Council should adopt the attached Resolution.

I THEREFORE MOVE that City Council adopt the attached Resolution approving the issuance of the Obligations by CEDA in an aggregate principal amount not to exceed \$50,000,000 for the purpose of financing, refinancing and/or reimbursing the Borrower for the cost of the acquisition, improvement, furnishing and equipping of the real property located at 100 The Grove Drive, Los Angeles, California 90036; and hold a TEFRA public hearing and adopt the attached Resolution at the City Council Meeting to be held on December 7, 2022 at 10:00 a.m. located at 200 North Spring Street, Room 340, Los Angeles, California 90012.

PRESENTED BY

Paul Koretz

Councilmember, 5th District

NOV 3 0 2022

RESOLUTION

APPROVING THE ISSUANCE OF REVENUE BONDS OR OTHER OBLIGATIONS BY THE CALIFORNIA ENTERPRISE DEVELOPMENT AUTHORITY IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$50,000,000 FOR THE PURPOSE OF FINANCING, REFINANCING AND/OR REIMBURSING THE COST OF ACQUISITION, CONSTRUCTION, INSTALLATION, RENOVATION, EXPANSION, EQUIPPING AND FURNISHING OF FACILITIES FOR THE BENEFIT OF THE HOLOCAUST MUSEUM LA AND OTHER MATTERS RELATING THERETO HEREIN SPECIFIED

WHEREAS, Holocaust Museum LA, a nonprofit public benefit corporation, duly organized and existing under the laws of the State of California (the "Borrower"), has requested the California Enterprise Development Authority (the "Authority") to issue, from time to time, pursuant to a plan of finance, its tax-exempt revenue bonds or other obligations in an aggregate principal amount not to exceed \$50,000,000 (the "Obligations") for the benefit of the Borrower pursuant to Chapter 5 of Division 7 of Title 1 of the Government Code of the State (commencing with Section 6500) (the "Act"); and

WHEREAS, the proceeds of the Obligations will be used for the purpose of (a) financing, refinancing and/or reimbursing the Borrower for the cost of the acquisition, construction, installation, renovation, expansion, equipping and furnishing of certain facilities of the Borrower, including, but not limited to, a new learning center pavilion, a theater, classrooms, special exhibit space, and a new Boxcar Pavilion all located at 100 The Grove Drive, Los Angeles, California 90036 (the "Facilities"), and (b) funding one or more debt service reserve funds, paying a portion of the interest to accrue on the Obligations, providing working capital and paying certain costs of issuance of the Obligations; and

WHEREAS, the issuance of the Obligations must be approved by the governmental unit on behalf of which the Obligations are issued and a governmental unit having jurisdiction over the territorial limits in which the Facilities located pursuant to the public approval requirement of Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"); and

WHEREAS, the Facilities are located within the territorial limits of City of Los Angeles (the "City") and the City Council of the City (the "City Council") is the elected legislative body of the City; and

WHEREAS, the Authority and the Borrower have requested that the City Council approve the issuance of the Obligations by the Authority and the financing, refinancing or reimbursing of the Borrower for the cost of the Facilities with the proceeds of the Obligations pursuant to Section 147(f) of the Code; and

WHEREAS, the Facilities provide significant benefits to the City's residents through the Borrower's mission to perpetuate the memory of the Holocaust, commemorate those who perished, honor those who survived, educate citizens about the Holocaust and inspire a more dignified and humane world; and

WHEREAS, the Authority's issuance of the Obligations will result in a more economical and efficient issuance process because of the Authority's expertise in the issuance of conduit revenue obligations; and

WHEREAS, it is intended that this Resolution shall comply with the public approval requirements of Section 147(f) of the Code; provided, however, that this Resolution is neither intended to nor shall it constitute an approval by the City Council of the Facilities for any other purpose; and

WHEREAS, pursuant to Section 147(f) of the Code, the City Council of the City, following notice duly given, held a public hearing regarding the issuance of the Obligations and now desires to approve the issuance of the Obligations by the Authority; and

WHEREAS, in recognition of the City's objective of addressing the needs of residents with disabilities, the Borrower has agreed that (a) any Facilities to be constructed with the proceeds of the Obligations will comply with the Americans with Disabilities Act, 42 U.S.C. Section 12101 et seq. and the 2010 ADA Standards, Chapter 11 of Title 24 of the California Code of Regulations, (b) the Borrower will not discriminate in its programs, services or activities on the basis of disability or on the basis of a person's relationship to, or association with, a person who has a disability and (c) the Borrower will provide reasonable accommodation upon request to ensure equal access and effective communication to its programs, services and activities.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the City Council of the City as follows:

Section 1. The City Council hereby finds and determines that all of the recitals are true and correct. The City Council finds that the Facilities will provide the significant benefits set forth in the recitals above. The City Council hereby approves the issuance of the Obligations by the Authority, which Obligations may be tax-exempt and/or taxable as approved by the Authority in its resolution, in an amount not to exceed \$50,000,000 to finance, refinance and/or reimburse the Borrower for the cost of the Facilities and to fund one or more debt service reserve funds, pay a portion of the interest to accrue on the Obligations, and pay certain costs of issuance of the Obligations. This resolution shall constitute approval of the issuance of the Obligations within the meaning of Section 147(f) of the Code and shall constitute the approval of the issuance of the Obligations within the meaning of the Act; provided, however, that this Resolution shall not constitute an approval by the City Council of the Facilities for any other purpose. The City shall not bear any responsibility for the tax-exempt status of the Obligations, the repayment of the Obligations or any other matter related to the Obligations.

Section 2. All actions heretofore taken by the officers, employees and agents of the City with respect to the approval of the Obligations are hereby approved, confirmed and ratified, and the officers and employees of the City and their authorized deputies and agents are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all certificates and documents which they or special counsel may deem necessary or advisable in order to consummate the Obligations and otherwise to effectuate the purposes of this Resolution.

Section 3. This Resolution shall take effect from and after its adoption.

MOTION

I MOVE that \$609,236 in the AB1290 Fund No. 53P, Account No. 281213 (CD 13 Redevelopment Projects - Services) be transferred / appropriated to the Cultural Affairs Fund No. 100-30, Account No. 003040 (Contractual Services) for the "Little Armenia Gateway Public Art Project," for which the Cultural Affairs Department will serve as overall project manager with the understanding that these funds will be distributed as detailed below and that if any funds remain after completion of the project, they shall be used for its maintenance:

Bureau of Street Services	\$40,000	Purchase of bollard lights for plaza (materials purchased OPO 86 2300003	300811) Fund100-86, Account 003040- Contractual Services
Bureau of Street Services	\$12,000	Actual Direct labor costs (no expenses or construction): July 1, 2022 to No	ovember 4, 2022, Fund 100-86, Account 001010- Salaries General
Bureau of Street Services	\$20,000	Projected Direct labor costs (no expenses or construction): November 5, 2	022 to April 2023 Fund 100-86, Account 001010- Salaries General
General Services (GSD)	\$487,236	Contractor work for plaza installation and GSD administration	Fund 100-40, Accounts:
			001014, Salaries Construction - \$9,348
			001101 Hiring Hall Construction - \$30,820

001014, Salaries Construction - \$9,348 001101, Hiring Hall Construction - \$30,820 001121, Benefits Hiring Hall Construction - \$14,022 003180, Construction Materials - \$433,046

DCA, maintenance

\$50,000.00 Maintenance line-item for span of artwork Fund 100-30, Account 3040

I FURTHER MOVE that the Cultural Affairs Department be authorized to make any technical corrections or clarifications as necessary to the above fund transfer instructions in order to effectuate the intent of this Motion.

PRESENTED BY:

MITCH O'FARRELI

Councilman, 13th District

SECONDED BY:





WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, Assembly Bill 180, approved by Governor Newsom in June 2022, amended the Budget Act of 2021 with a one-time allotment of \$1.8 billion for the Transit and Intercity Rail Capital Program Cycle (TIRCP) to be administered by the California State Transportation Agency (CalSTA); and

WHEREAS, this funding includes a new TIRCP cycle (Cycle 6) to award multi-year grants to high priority transit projects in Southern California following an application review and prioritization process; and

WHEREAS, the TIRCP Cycle 6 represents a unique and much-needed one-time opportunity to supplement funding for construction-ready, competitive projects previously awarded TIRCP funds; and

WHEREAS, Metro's ability to submit competitive applications to the TIRCP has resulted in CalSTA awarding \$1.5 billion in discretionary TIRCP grant funds from the program's first five cycles (FY 2015 to FY 2022) to support the delivery of 11 transit capital projects; and

WHEREAS, CalSTA published its 2023 TIRCP Cycle 6 Final Guidelines and Call for Projects on November 15, 2022 and the grant applications, with a prioritization of requests, are due to CalSTA by December 6, 2022, for funding decisions in 2023; and

WHEREAS, Metro staff assessed all potentially eligible projects against the TIRCP's evaluation criteria and requirements and determined that Metro should submit funding requests for the following three projects: East San Fernando Valley (ESFV) Light Rail Transit (LRT) Project, Metro L (Gold) Line Foothill Extension to Montclair Project, and the West Santa Ana Branch Project; and

WHEREAS, the recommended three projects are transformative regional transportation projects that will provide a significant opportunity to deliver high quality light rail transit for priority populations; and

WHEREAS, the ESFV LRT project is recommended as Metro's first priority project and will provide significant and targeted benefits for a federal designated area of persistent poverty and for Metro's Equity Focused Communities along the project corridor and links these communities to the Metro G (Orange) Line and the Metrolink/rail system, and is projected to serve an estimated 35,000 riders a day;

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NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2022-2023 State Legislative Program SUPPORT for the Los Angeles County Metropolitan Transportation Authority staff recommendation to submit a funding request for the California State Transportation Agency's Transit and Intercity Rail Capital Program Cycle 6 that identifies the East San Fernando Valley Light Rail Transit Project as the number one priority.

Presented by:

PAUL KREKORIAN

Councilmember, Second District

NITHYA RAMAN

Councilmember, Fourth District

MONICA RODRIGUEZ

Councilmember, Seventh District

Seconded by

RESOLUTION KULES, ELECTIONS & INTERGOVERNMENTAL RELATIONS

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must first have been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and,

WHEREAS, international sports competitions such as the 2022 Federation Internationale de Football Association (FIFA) World Cup, or the upcoming 2028 Olympic games in Los Angeles bring the world together, focused on healthy competition, national unity and athletic excellence; and,

WHEREAS, international and domestic competitions receive intense attention in the form of printed and broadcast media, social media and television ratings, resulting in tens of millions of people watching the events and paid advertisements; and,

WHEREAS, It is essential for major events such as these to promote inclusivity, good sportsmanship and competition, equal access for women, fair workplace and worker conditions, and especially human tolerance and inclusivity for marginalized communities such as the LGBTQ+ community; and,

WHEREAS, the recent "one love" controversy with respect to the LGBTQ+ community and FIFA 2022 World Cup tournament, and the now well known workers rights violations highlight the need to support non-negotiables that are a-political, such as basic human rights that include workers rights; and,

WHEREAS, in 2020, the International Olympic Committee (IOC) announced a public shift towards greater inclusivity and awareness via a collaboration with the United Nations (UN) High Commissioner for Human Rights; and,

WHEREAS, the 2020 IOC report was a first step, it specified the need for embedded respect for all people, an articulation of that respect including roles and responsibilities, further identification and addressing of human rights and risks, tracking the progress and communication thereof, and a focus on the wider sports ecosystem; and,

WHEREAS, female rights, LGBTQ+ rights, and workers rights are human rights, it is necessary for the City of Los Angeles to call on more inclusivity from FIFA, the IOC, especially as Los Angeles gets ready to host the 2028 Olympic and Paralympic Games; and,

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby calls upon FIFA, the IOC and other international sports and major event organizers to codify human rights within their bylaws, require and promote the fair treatment of workers, women, LQBTQ+ community members and all marginalized people as a condition for participating nations and cities wherever international sporting events are held.

PRESENTED BY:

MITCH O'FARRELL

Councilmember, 13th District

SECONDED BY

Shall Hall

Paul Hont

ORIGINAL

PK NOV 3 0 2022

MOTION

Recently, the City Council approved the vacation of Chick Hearn Court between South Figueroa and Georgia Street (SVAC- E1401399 - Council File No. 21-0859) to allow for the creation of a pedestrian-only promenade between LA Live and Crypto.com Arena.

In order to complete the vacation and deliver this long-awaited pedestrian enhancement, L.A. Live Properties, LLC, ("Applicant") will need to satisfy various conditions of approval of the street vacation.

While the Applicant works to satisfy these conditions of approval, a Revocable Permit is necessary for the Applicant to commence the improvements necessary to convert the vacation area into a pedestrian-only street as soon as possible.

I THEREFORE MOVE that the City Council direct the Bureau of Engineering and any other appropriate City department, bureau, or agency to work cooperatively with the Applicant and its representatives through the B-permit process regarding the Chick Hearn Court Vacation identified in Revocable Permit Application No. 2022000118.

I FURTHER MOVE that the Bureau of Engineering, and any other appropriate City department, bureau, or agency, be directed to issue a Revocable Permit prior to the completion of the street vacation on the condition that the Applicant satisfies the conditions of such Revocable Permit and appropriately guarantees, and posts a bond in sufficient amounts to be determined by the City Engineer, to return and reconstruct the right-of-way back to its present condition in the event the Applicant does not effectuate the vacation.

PRESENTED BY:

CURREN D. PRICE, JR. Councilmember, 9th District

SECONDED BY:

NOV 3 0 2022

PK CORRECT

MOTION

BUDGET & FINANCE

After extensive outreach and engagement, the Department of Transportation (LADOT), with the support and coordination of the Bureau of Street Services (StreetsLA) and Metro, is beginning construction of the first phase of the Venice Boulevard Safety and Mobility Project, which will create a full-time dedicated bus lane and continuous protected bike lane on one of Los Angeles' most important east-west corridors. The bus lane will speed up the commutes of Metro Line 33's nearly 20,000 weekday riders, 93 percent of whom are people of color and 84% of whom are members of households with annual incomes less than \$50,000. The protected bike lane component of the project will close a critical gap between the protected bike lanes recently installed in Council District 10 and the Mar Vista Great Street, making bike riding a much safer and more comfortable option for people traveling along the entire corridor.

In response to both community input and technical considerations, LADOT and Metro are proposing a phased approach to this project, with immediate quick-build improvements to be coordinated with StreetsLA's December 2022 resurfacing through eastern Mar Vista and Palms and subsequent investment in a more comprehensive scope with more durable concrete improvements, bus stop amenities, lighting, greening, and other community-requested elements. Implementation of the western segment of the project will be coordinated with a forthcoming resurfacing project via Mayor Garcetti's new BLAST program, providing more opportunity for additional stakeholder input on this longer project. Both the Mar Vista Community Council and Palms Neighborhood Council have passed motions committing to partner on engagement for these future phases.

This approach requires funding to support further project development and community engagement on subsequent phases, leverage external grant funds, and ensure community sustainability and aesthetic priorities are incorporated. To undertake these activities, a transfer of funds is necessary. Funding is dedicated to this corridor and is available for these purposes.

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

- Transfer/appropriate up to \$11.7 million from the Subventions and Grants Fund No. 305-50, Venice Blvd Relinquishment Account 50NKGD to a new account in the Transportation Trust Fund No. 840-94, entitled "Venice Boulevard Safety and Mobility Project," for the following purposes:
 - a. Planning and community engagement for future project phases
 - b. Design and engineering
 - c. Grant application support
 - d. Local match for regional, State, and/or Federal grants
 - e. Installation of community-supported project scope elements (lighting, trees, etc.)
 - f. Construction

Within this funding allocation, reserve \$1.9 million for project development and implementation for the segment between Lincoln Blvd and Beethoven Street and \$3.9 million for project development of a potential project extension east of Culver Blvd.



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- 2. Transfer/appropriate up to \$93,000 from the Subventions and Grants Fund No. 305-50, Venice Blvd Relinquishment Account 50NKGD to StreetsLA Fund 100, Department 86, Account 001010 (salaries general) for resurfacing of a portion of Venice Blvd.
- 3. Authorize the Department of Transportation to make any technical corrections or clarifications to the above fund transfer instructions in order to effectuate the intent of this Motion, including any corrections and changes to fund or account numbers.

PRESENTED BY:

PAUL KORETZ

Councilmember, 5th District

SECONDED BY

MOTION TRADE, TRAVEL AND TOURISIV.

Van Nuys Airport (VNY) is one of the busiest general aviation airports in the country, located in the San Fernando Valley. General aviation includes all aviation services except for commercial air travel, including services for the ultrawealthy utilizing private jet services. Over the past few years major development and modernization has come to VNY, both in the form of infrastructure upgrades to flight facilities like runways, and via reconstruction of hangars for fixed based operators (FBOs) providing private jet service. During the pandemic, when commercial airlines experienced some of the most severe impacts to their industry, private air traffic into and out of VNY grew. Though this growth has brought financial gain to the airport and to the City of Los Angeles, and additional jobs for Angelenos, it comes at a real cost to San Fernando Valley residents. Increased noise, pollution, and air traffic complicate our regional efforts to address environmental justice concerns and our climate crisis.

Throughout this period of growth and modernization at VNY, groups that help advise the airport on modernization like the Citizens Advisory Council (CAC) have not consistently been included or briefed on Requests For Proposals and contract awards for major airport projects. Just a few weeks ago, a significant proposal for modernization of helicopter facilities at VNY was sent to the Board of Airport Commissioners (BOAC) for their approval without any action or discussion at the CAC. The night before that BOAC meeting, the item was pulled. There are other projects pending action, and no clear standards of community outreach from the Los Angeles World Airports (LAWA).

It was in this context that the VNY Citizens Advisory Council, at its Tuesday, November 1st meeting, passed a motion asking for a moratorium on all development projects at Van Nuys Airport until a communications plan for impacted stakeholders and community members is put in place, and until they receive a detailed accounting of development projects that LAWA acted on since 2017.

Especially at a time when the City of Los Angeles is transitioning to new leadership, thoughtful action is required to restore the public's trust. For LAWA, this means ensuring activities at VNY are good for all stakeholders, including those who work and benefit from the economic activity at the airport and those who deal with the fallout of that activity in the form of increased noise and pollution.

I THEREFORE MOVE that the Los Angeles World Airports (LAWA) report back to Council within 90 days on the following:

- List of Projects and Awards A complete list of all redevelopment projects with corresponding RFP documentation and project award details at VNY including, but not limited to, infrastructure improvements to the airfield and common air support facilities, hangar and FBO facility redevelopments for jets, propeller planes, and helicopters, and any educational or auxiliary support facilities for the airport since January 2017.
- Community Engagement For the aforementioned list, details regarding the community engagement plan LAWA undertook to ensure the public was made aware of these projects and their potential impacts to the community. This should include all major stakeholder groups engaged for each project like neighborhood councils, homeowners associations, the VNY Citizens Advisory Council, chambers of commerce, business improvement districts (BIDs), council offices, and the mayor's office. It should also include a description of the documentation and briefings that were provided to these stakeholders on a per-project basis.





- Compliance with the 2005 VNY Master Plan A detailed description of the compliance or non-compliance of the aforementioned projects with the 2005 Van Nuys Airport Master Plan;
- Environmental Impacts An accounting of the environmental review of these projects, including which projects had detailed California Environmental Quality Act (CEQA)-compliant Environmental Impact Reports (EIR), which projects sought and obtained CEQA exemptions, which projects had detailed National Environmental Policy Act (NEPA)-compliant EIRs, which projects sought and obtained NEPA exemptions, and which projects had ground source emissions impacts detailing any oversight from the South Coast Air Quality Management District (ScAQMD); and
- Proposal for Future Community Engagement a detailed description of LAWA's plans for future community engagement for all VNY projects, covering how LAWA will engage impacted communities via community meetings, the Board of Airport Commissioners, neighborhood councils, homeowners associations, the VNY Citizens Advisory Council, chambers of commerce, BIDs, council offices, and the Mayor's office.

I FURTHER MOVE that the Los Angeles World Airports (LAWA) ensure all future VNY Citizens Advisory Council meetings are recorded and available for the public on LAWA's website within 60 days, or provide a report back to Council on ways to record these meetings to ensure greater transparency to the public.

PRESENTED BY:

NITHYA RAMAN

Councilmember, 4th District

BOB BLUMENFIELD

Councilmember, 3rd District

PAUL KREKORIAN

Council President, 2nd District

SECONDED BY:

