

**Los Angeles City Council, Journal/Council Proceeding
Wednesday, March 8, 2023**

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, Harris-Dawson, Hernandez, Hutt, Krekorian, Lee, Park, Price Jr., Soto-Martínez, Yaroslavsky (10); Absent: de León, McOsker, Raman, Rodriguez, (4)

Approval of the Minutes

Commendatory Resolutions, Introductions and Presentations

Multiple Agenda Item Comment

Public Testimony of Non-agenda Items Within Jurisdiction of Council

Items Noticed for Public Hearing - PUBLIC HEARING CLOSED

(1) **23-0170
CD 13**

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and ORDINANCE FIRST CONSIDERATION relative to the dedication of City-owned real property as public street lying on 752 North Cole Avenue - Right of Way No 36000-10291.

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

1. FIND that this dedication of City-owned land as a public sidewalk is categorically exempt from the California Environmental Quality Act of 1970, under Article III, Class 5(4) of the City's Environmental Guidelines.
2. DEDICATE, ACCEPT and ESTABLISH the City-owned real property lying on 752 North Cole Avenue, as shown on the Exhibit

Map of the September 28, 2022 City Engineer report, attached to the Council file, as part of Waring Avenue, a public street of said City.

3. PRESENT and ADOPT the accompanying ORDINANCE, dated November 9, 2022, authorizing the dedication, acceptance and establishment of certain real property owned by the City as part of the south side of Waring Avenue east of Cole Avenue, all public streets of said City.
4. FIND that this dedication, acceptance, and establishment, of City-owned real property as public street is in substantial conformance with the purpose, intent, and provisions of the General Plan, pursuant to Section 556 of the City Charter.

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, de León, Harris-Dawson, Hernandez, Hutt, Krekorian, Lee, McOsker, Park, Price Jr., Raman, Rodriguez, Soto-Martínez, Yaroslavsky (14); Nays: (0); Absent: (0)

(2) **23-0169
CD 11**

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and ORDINANCE FIRST CONSIDERATION relative to the dedication of City-owned real property as public street lying 6101 West Century Boulevard - Right of Way No 36000-10253.

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

1. FIND that this dedication of City-owned land as a public sidewalk is categorically exempt from the California Environmental Quality Act of 1970, under Article III, Class 5(4) of the City's Environmental

Guidelines.

2. DEDICATE, ACCEPT and ESTABLISH the City-owned real property lying on the north side of Century Boulevard between Vicksburg Avenue and Airport Boulevard, as shown on the Exhibit Map of the December 15, 2022 City Engineer report, attached to the Council file, as part of Century Boulevard, a public street of said City.
3. PRESENT and ADOPT the accompanying ORDINANCE dated January 30, 2023, authorizing the dedication, acceptance and establishment of certain real property owned by the City as part of the north side of Century Boulevard, all public streets of said City.
4. FIND that this dedication, acceptance, and establishment, of City-owned real property as public street is in substantial conformance with the purpose, intent, and provisions of the General Plan, pursuant to Section 556 of the City Charter.

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, de León, Harris-Dawson, Hernandez, Hutt, Krekorian, Lee, McOsker, Park, Price Jr., Raman, Rodriguez, Soto-Martínez, Yaroslavsky (14); Nays: (0); Absent: (0)

Items for which Public Hearings Have Been Held

- (3) **23-0035**
 CD 12 MITIGATED NEGATIVE DECLARATION, MITIGATION MONITORING PROGRAM, AND RELATED CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS; REPORT FROM THE NORTH VALLEY AREA PLANNING COMMISSION (NVAPC) and APPEAL filed by Jahanshah

Kaboli-Nejad, Roscoe Fallbrook Neighborhood Coalition, from the determination of the NVAPC in approving a Mitigated Negative Declaration as the environmental clearance for the construction, use, and maintenance of an approximately 98,614 square-foot light industrial complex consisting of three single-story plus mezzanine buildings, each built to a maximum height of 40 feet, the proposed Project would result in a floor area ratio of approximately 0.32:1 and 28.8 percent building coverage across the site, the Project would also provide 262 parking spaces on as surface parking lot surrounding the proposed buildings; for the properties located at 22815 - 22825 West Roscoe Boulevard.

Applicant: Kevin Staley, SCIND Fallbrook Point, LLC

Representative: Adrienne Asadoorian and Brad Rosenheim, Rosenheim and Associates

Case No.: DIR-2021-10327-SPR

Environmental No.: ENV-2021-10328-MND

Related Case Nos.: CPC-2007-237-ZC-GPA-CU-SPR; DIR-2016-317--ACI-CLQ; DIR-2017-2024-ACI-CLQ; DIR-2019-7507-ACI-CLQ

(Planning and Land Use Management 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.)

Community Impact Statement: None submitted

TIME LIMIT FILE - MAY 12, 2023

(LAST DAY FOR COUNCIL ACTION - MAY 12, 2023)

**Adopted Planning and Land Use Management Committee report - SEE ATTACHED
Ayes: Blumenfield, de León, Harris-Dawson, Hernandez, Hutt, Krekorian, Lee, Park, Price Jr., Raman, Soto-Martínez, Yaroslavsky (12); Nays: (0); Absent: McOsker, Rodriguez (2)**

(4) **17-0758-S2**

PUBLIC SAFETY, PERSONNEL, AUDITS AND HIRING and BUDGET,

FINANCE AND INNOVATION COMMITTEES' REPORT and RESOLUTION relative to the Phase II eCivis Grants Management Program; and the California Board of State and Community Corrections (BSCC) Proposition 47 Safe Neighborhoods and Schools Grant Program - Los Angeles Diversion Outreach and Opportunities for Recovery for Fiscal Years (FY) 2022-26.

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

1. AUTHORIZE the City Attorney, or designee, to:
 - a. Execute the grant agreement between the BSCC and the City Attorney's Office.
 - b. Accept the grant award in the amount of \$6,000,000 from BSCC.
 - c. Execute a vendor agreement between the City Attorney's Office and Special Service for Groups, Inc. - Project 180.
 - d. Execute a vendor agreement between the City Attorney's Office and West Angeles Community Development Corporation.
 - e. Execute a vendor agreement between the City Attorney's Office and the RAND Corporation.
 - f. Execute a Memorandum of Understanding between the City Attorney's Office and the Los Angeles County Office of the Public Defender.
2. AUTHORIZE the Controller to:
 - a. Establish a receivable for this program totaling \$6,000,000 from BSCC.

- b. Establish an appropriation account within City Attorney Grants Fund No. 368, as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
12W960	Prop. 47 Grant Program	\$6,000,000

- 3. AUTHORIZE the City Attorney, or designee, to:

- a. Transfer \$48,747 from Fund No. 368/12, Account No. 12W960 to Fund No. 100/12, Account No. 001010, Salaries General, for FY 2022-23 salary expenses.

- b. Upon receipt of grant reimbursements and approval of expenses, transfer up to \$359,645 from Fund No. 368/12, Account No. 12W960 to Fund No. 100/12, Revenue Source No. 5346, Related Cost Reimbursement – Grants, to reimburse fringe benefits and related costs during the grant period.

- 4. **INSTRUCT the City Clerk to place on the Council Agenda for the first regular Council meeting on July 1, 2023, or shortly thereafter, the following actions relative to the Proposition 47 Grant Program:**

“That the City Council, subject to the approval of the Mayor, authorize the Controller to transfer \$210,389 from Fund No. 368/12, Account No. 12W960 to Fund No. 100/12, Account No. 001010, Salaries General, for FY 2023-24 salary expenses.”

- 5. **INSTRUCT the City Clerk to place on the Council Agenda for the first regular Council meeting on July 1, 2024, or shortly thereafter, the following actions relative to the Proposition 47 Grant Program:**

“That the City Council, subject to the approval of the Mayor, authorize the Controller to transfer \$214,578 from Fund No. 368/12, Account No. 12W960 to Fund No. 100/12, Account No. 001010, Salaries General, for FY 2024-25 salary expenses.”

6. INSTRUCT the City Clerk to place on the Council Agenda for the first regular Council meeting on July 1, 2025, or shortly thereafter, the following actions relative to the Proposition 47 Grant Program:

“That the City Council, subject to the approval of the Mayor, authorize the Controller to transfer \$120,544 from Fund No. 368/12, Account No. 12W960 to Fund No. 100/12, Account No. 001010, Salaries General, for FY 2025-26 salary expenses.”

7. AUTHORIZE the Council to APPROVE; and, ADOPT the accompanying Los Angeles City Council RESOLUTION contained in the City Administrative Officer (CAO) report dated October 27, 2022, attached to Council file No. 17-0758-S2, for the City Attorney to participate in the Prop. 47 Grant Program.
8. AUTHORIZE the Council President to execute the “Los Angeles City Council Resolution” document as required by the BSCC to distribute grant funds.
9. AUTHORIZE the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the CAO; and, AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: The CAO reports that the total program cost of the Los Angeles Diversion Outreach and Opportunities for Recovery is \$6,000,000, and is fully reimbursed by the BSCC Proposition 47 Grant Program. The grant will provide direct cost funding of \$5,640,356 and related cost funding of \$359,644. No additional General Fund appropriation is required at this time.

Financial Policies Statement: The CAO reports that approval of the recommendations stated complies with the City’s Financial Policies in that total program costs are funded through grant funds to the extent possible. Program costs beyond the grant performance period will be subject to the availability of on-going revenues.

Community Impact Statement: None submitted

Adopted Item

Ayes: Blumenfield, de León, Harris-Dawson, Hernandez, Hutt, Krekorian, Lee, Park, Price Jr., Raman, Soto-Martínez, Yaroslavsky (12); Nays: (0); Absent: McOsker, Rodriguez (2)

(5) **11-0937
CD 14**

GOVERNMENT OPERATIONS COMMITTEE REPORT relative to the renewal application from the Young Women's Christian Association (YWCA) of Greater Los Angeles for a private line telecommunications franchise.

Recommendations for Council action:

1. APPROVE the renewal application from the YWCA of Greater Los Angeles for a private line telecommunications franchise, as detailed in the Information Technology Agency (ITA) report, dated January 25, 2023, attached to the Council file.
2. REQUEST the City Attorney to prepare and present an Ordinance with a ten-year term, allowing for the renewal of the YWCA of Greater Los Angeles private line telecommunications franchise, as detailed in said ITA report.

Fiscal Impact Statement: The ITA reports that approval of the renewal of this private line telecommunications franchise will generate \$2,500 in application fees and \$200 in annual franchise fees over the next 10 years for a total of \$2,000 during the ten-year term of the franchise.

Community Impact Statement: None submitted

Adopted Item

Ayes: Blumenfield, de León, Harris-Dawson, Hernandez, Hutt, Krekorian, Lee, Park, Price Jr., Raman, Soto-Martínez, Yaroslavsky (12); Nays: (0); Absent: McOsker, Rodriguez (2)

(6) **21-0600-S16**

GOVERNMENT OPERATIONS COMMITTEE REPORT relative to best practices to ensure that the City is getting the best price for purchased items.

Recommendation for Council action:

NOTE and FILE the Department of General Services report, dated February 4, 2022, attached to the Council file, relative to best practices to ensure that the City is getting the best price for purchased items.

Fiscal Impact Statement: Not applicable

Community Impact Statement: None submitted

Adopted Item

Ayes: Blumenfield, de León, Harris-Dawson, Hernandez, Hutt, Krekorian, Lee, Park, Price Jr., Raman, Soto-Martínez, Yaroslavsky (12); Nays: (0); Absent: McOsker, Rodriguez (2)

(7) **21-0538**

GOVERNMENT OPERATIONS COMMITTEE REPORT relative to best practices in procurement and potential changes to the City's procurement and contracting practices to ensure that the City gets the best-advertised price for purchased goods.

Recommendation for Council action:

NOTE and FILE the Motion (Krekorian – Raman) relative to directing the Department of General Services (GSD), with the assistance of the City Attorney and the City Administrative Officer, to report on best practices in procurement and potential changes to the City's procurement and contracting practices to ensure that the City gets the best-advertised price for purchased goods.

Fiscal Impact Statement: Not applicable

Community Impact Statement: None submitted

Adopted Item

Ayes: Blumenfield, de León, Harris-Dawson, Hernandez, Hutt, Krekorian, Lee, Park, Price Jr., Raman, Soto-Martínez, Yaroslavsky (12); Nays: (0); Absent: McOsker, Rodriguez (2)

(8) **20-1129**
CD 8

GOVERNMENT OPERATIONS COMMITTEE REPORT relative to the adoption of the environmental findings and authorities to proceed with the acquisition of a site for a new all-electric bus maintenance facility located at 740 and 800 East 111th Place.

Recommendation for Council action:

DISAPPROVE the requested authorities, that include adoption of the environmental findings and authorities for the Department of General Services to proceed with acquisition of a site proposed for a new, all-electric bus maintenance facility located at 740 and 800 East 111th Place.

Fiscal Impact Statement: The Municipal Facilities Committee reports that there would be no General Fund impact resulting from the recommended action not to authorize proceeding with the proposed acquisition. However, the City will forfeit \$900,000 in Proposition A funds utilized for the escrow deposit (\$500,000) and retention payments (\$400,000) to preserve the purchase option.

Community Impact Statement: None submitted

Adopted Item

Ayes: Blumenfield, de León, Harris-Dawson, Hernandez, Hutt, Krekorian, Lee, Park, Price Jr., Raman, Soto-Martínez, Yaroslavsky (12); Nays: (0); Absent: McOsker, Rodriguez (2)

(9) **22-1416**

ECONOMIC AND COMMUNITY DEVELOPMENT COMMITTEE REPORT relative to authorizing the Community Investment for Families Department (CIFD) to accept and execute two grant agreements from the State of California, Office of Traffic Safety for the Child Passenger Safety Program and Pedestrian and Bicycle Safety Program.

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

1. AUTHORIZE the General Manager, CIFD, or designee, to:

a. Retroactively accept and execute grant agreements with the State of California, Office of Traffic Safety in the amounts of \$155,500 for the Child Passenger Safety Program, and \$225,437 for the Pedestrian and Bicycle Safety Program, for the period of October 1, 2022 through September 30, 2023, subject to the approval of the City Attorney as to form.

b. Negotiate and execute Professional Services Agreements with three FamilySource Center agencies and compensation amounts as detailed below to provide pedestrian and bicycle safety education and outreach and distribute related safety equipment and supplies for a one-year contract term retroactive to October 1, 2022 through September 30, 2023, in substantial conformance to the draft agreement, attached to the City Administrative Officer (CAO) report dated November 17, 2022 in the Council file, subject to the review and approval of the City Attorney as to form, and compliance with the City's contracting requirements:

<u>FamilySource Center</u>	<u>Amount</u>
All People's Community Center	\$ 8,500
Central City Neighborhood Partners	8,500
Latino Resource Organization	<u>8,500</u>
	Total: \$25,500

2. AUTHORIZE the Controller to:

a. Establish new accounts and increase/decrease amounts within the Traffic Safety Education Program Fund No. 45C/21 as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
21W121	Community Investment for Families	\$148,143.82
21W299	Reimbursement of General Fund Costs	(34,421.15)
21W343	CIFD Costs – Reserve	87,965.53
21W143	Los Angeles Housing Department	<u>18,424.92</u>
		Total: \$220,113.12

- b. Increase appropriations within the CIFD Fund No. 100/21 (45C/21) as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
001010	Salaries General	\$ 21,107.05
001090	Overtime General	9,257.75
002120	Printing and Binding	4,394.25
002130	Travel	2,778.75
003040	Contractual Services	71,213.00
006010	Office and Administrative	<u>39,393.02</u>
Total:		\$148,143.82

- c. Increase appropriations in the amount of \$18,424.92 within the Los Angeles Housing Department Fund No. 100/43, Account No. 006030, Leasing.

- d. Reduce appropriations in the following accounts within the Traffic Safety Education Program Fund No. 45C/21 related to prior years grant awards that have been closed and are no longer required:

<u>Fiscal Year</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
2012	22H122	Community Development	\$ 208.53
2014	43K299	Reimbursement of General Fund Costs	0.01
2015	43L299	Reimbursement of General Fund Costs	418.27
2016	43M143	Housing and Community Development	68,958.75
2016	43M299	Reimbursement of General Fund Costs	6,282.14
2016	43M343	HCIDLA Costs	58,761.00
2017	43N143	Housing and Community Development	7,345.41
2017	43N343	HCIDLA Costs	61,635.00

2018	43P143	Housing and Community Development	89,039.26
2018	43P299	Reimbursement of General Fund Costs	8,344.51
2018	43P343	HCIDLA Costs	80,149.00
2018	43P582	FamilySource Centers – Nonprofit Managed	44,599.40
2019	43R143	Housing and Community Development	14,753.39
2019	43R299	Reimbursement of General Fund Costs	14,647.35
2019	43R343	HCIDLA Costs	56,757.50
2019	43R582	FamilySource Centers – Nonprofit Managed	11,809.40
2020	43S143	Housing and Community Development	81,001.47
2020	43S299	Reimbursement of General Fund Costs	5,983.43
2020	43S343	HCIDLA Costs	84,000.00
2020	43S582	FamilySource Centers – Nonprofit Managed	37,050.00
2021	43T143	Housing and Community Development	161,808.44
2021	43T158	Unappropriated Balance	6,309.00
2021	43T582	FamilySource Centers – Nonprofit Managed	24,200.00
2021	43TA40	HCIDLA Costs	<u>83,750.00</u>
			Total: \$1,007,811.26

3. AUTHORIZE the General Manager, CIFD, or designee, to prepare Controller instructions or technical corrections as necessary to implement Mayor and Council intentions, subject to the approval of the City Administrative Officer (CAO).

Fiscal Impact Statement: The CAO reports that there is no impact to the General Fund. The Child Passenger Safety and Pedestrian and Bicycle Safety programs will be funded by the two Office of Traffic Safety grant awards.

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

Community Impact Statement: Yes

For:

Atwater Village Neighborhood Council

Adopted Item

Ayes: Blumenfield, de León, Harris-Dawson, Hernandez, Hutt, Krekorian, Lee, Park, Price Jr., Raman, Soto-Martínez, Yaroslavsky (12); Nays: (0); Absent: McOsker, Rodriguez (2)

(10) **23-0142**
CD 4

ENERGY AND ENVIRONMENT and NEIGHBORHOODS AND COMMUNITY ENRICHMENT COMMITTEES' REPORT relative to the transition of Griffith Park's operations to zero-emission, identification of a path to electrify, phase out, or otherwise decarbonize City-owned equipment powered by gasoline engines, and related matters.

Recommendation for Council action, pursuant to Motion (Raman – Hernandez):

INSTRUCT the Department of Recreation and Parks, with the assistance of the City Administrative Officer, Department of General Services, and any other relevant City departments, to report within 60 days with a plan to transition City maintenance and transportation operations in Griffith Park to zero-emissions. The report should identify a path to electrify, phase out, or otherwise decarbonize the following:

- a. City-owned equipment powered by gasoline engines, including lawn, garden and maintenance equipment.
- b. Non-emergency City-owned vehicles that operate within Griffith Park, including on and off road vehicles.
- c. Diesel or gasoline powered generators used for auxiliary power.

d. Any other equipment powered by a diesel or gasoline engine.

Fiscal Impact Statement: 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, de León, Harris-Dawson, Hernandez, Hutt, Krekorian, Lee, Park, Price Jr., Raman, Soto-Martínez, Yaroslavsky (12); Nays: (0); Absent: McOsker, Rodriguez (2)

(11) **21-1015-S1**

ENERGY AND ENVIRONMENT and BUDGET, FINANCE AND INNOVATION COMMITTEES' REPORT relative to the authority for the Board of Public Works (Board), and General Manager, Bureau of Sanitation (BOS), to prepare federal and state grant applications for various programs, and related matters.

Recommendations for Council action:

1. AUTHORIZE the Board of Public Works (Board), and General Manager, Bureau of Sanitation (BOS), and/or their designees, to prepare the grant applications for the proposals as outlined in Attachments 1 and 2 of the February 17, 2023 City Administrative Officer (CAO) report.
2. REQUEST the Board and INSTRUCT the General Manager, BOS, or their designees, if awarded a grant, to report and request authority to accept the grant award(s) and confirm that there is no additional General Fund fiscal impact.

Fiscal Impact Statement: The CAO reports that approval of the recommendations will not result in a General Fund impact. However, upon notification of grant award, if the City is awarded, a reassessment on the General Fund impact should be completed as it relates to lower than requested grant award amounts, verification of local match requirements,

and front-funding needs for grants funded on a reimbursement basis.

Financial Policies Statement: The CAO further reports that the recommendations comply with the City's Financial Policies.

Community Impact Statement: None submitted

Adopted Item

Ayes: Blumenfield, de León, Harris-Dawson, Hernandez, Hutt, Krekorian, Lee, Park, Price Jr., Raman, Soto-Martínez, Yaroslavsky (12); Nays: (0); Absent: McOsker, Rodriguez (2)

(12) **23-0064**

ENERGY AND ENVIRONMENT COMMITTEE REPORT, and ORDINANCE FIRST CONSIDERATION relative to authorizing the quitclaim of 15 Los Angeles Department of Water and Power (LADWP) distribution easements.

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

1. CONCUR with the Board of Water and Power Commissioners' (Board) action of January 10, 2023, Resolution No. 023 118, consenting to the adoption of an Ordinance authorizing the quitclaim of 15 LADWP distribution easements, LADWP Real Estate File No. J-15496-178.
2. PRESENT and ADOPT the accompanying ORDINANCE dated February 16, 2023, approving Resolution No. 023 118 of the Board, authorizing the quitclaim of 15 LADWP distribution easements.

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

Community Impact Statement: None submitted

Adopted Item

Ayes: Blumenfield, de León, Harris-Dawson, Hernandez, Hutt, Krekorian, Lee, Park, Price Jr., Raman, Soto-Martínez, Yaroslavsky (12); Nays: (0); Absent: McOsker, Rodriguez (2)

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

(13) **23-0236**

MOTION (YAROSLAVSKY - PARK) relative to requesting the use of the Tom Bradley Room at City Hall for a Women's History Month Panel Discussion and Reception to be held on March 22, 2023.

Recommendation for Council action:

AUTHORIZE the Department of Public Works to use the City Hall Tom Bradley Room on Wednesday, March 22, 2023, from 2 pm - 6 pm.

Adopted Item

Ayes: Blumenfield, de León, Harris-Dawson, Hernandez, Hutt, Krekorian, Lee, McOsker, Park, Price Jr., Raman, Rodriguez, Soto-Martínez, Yaroslavsky (14); Nays: (0); Absent: (0)

(14) **23-0237**
CD 14

MOTION (DE LEON - RODRIGUEZ) relative to funding for the Highland Park Pool and Bathhouse in Council District 14.

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

1. TRANSFER \$700,000 from the CD14 Real Property Trust Fund No. 696 and \$300,000 from the AB 1290 Fund No. 53P, Account No. 281214 (CD14 Redevelopment Projects - Services) to a new account in the Engineering Special Services Fund No. 682/50, entitled "CD14 Pool Project - Highland Park," for any design, project, and/or City staff costs associated with the development, construction, and/or completion of the Highland Park pool projects.

2. AUTHORIZE the Bureau of Engineering to make any necessary technical and accounting corrections in order to effectuate the intent of this Motion.

Adopted Item

Ayes: Blumenfield, de León, Harris-Dawson, Hernandez, Hutt, Krekorian, Lee, McOsker, Park, Price Jr., Raman, Rodriguez, Soto-Martínez, Yaroslavsky (14); Nays: (0); Absent: (0)

Items Called Special

Motions for Posting and Referral - SEE ATTACHED

Council Members' Requests for Excuse from Attendance at Council Meetings

Closed Session

(15) **23-0180**

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 Kimberly Ann Miller v. City of Los Angeles, et al., Los Angeles Superior Court Case No. 18STCV01372. (This matter arises from a trip and fall incident which occurred on June 20, 2018, near 422 Bauchet Street, in the City of Los Angeles.)

(Budget, Finance and Innovation Committee considered this matter in Closed Session on February 27, 2023)

Adopted Motion (Blumenfield – Price) in Open Session - SEE ATTACHED

Ayes: Blumenfield, de León, Harris-Dawson, Hernandez, Hutt, Krekorian, Lee, McOsker, Park, Price Jr., Raman, Rodriguez, Soto-Martínez, Yaroslavsky (14); Nays: (0); Absent: (0)

(16) **23-0179**

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 Floris Mikail Kalime v. County of Los Angeles, et al., Los Angeles Superior Court Case No. 19STCV24543. (This matter arises from a trip and fall, August 14, 2018, on a residential sidewalk in front of 7119 Lasaine Avenue, in the Lake Balboa community in Los Angeles.)

(Budget, Finance and Innovation Committee considered this matter in Closed Session on February 27, 2023)

Adopted Motion (Blumenfield – Price) in Open Session - SEE ATTACHED
Ayes: Blumenfield, de León, Harris-Dawson, Hernandez, Hutt, Krekorian, Lee, McOsker, Park, Price Jr., Raman, Rodriguez, Soto-Martínez, Yaroslavsky (14); Nays: (0); Absent: (0)

(17) **23-0176**

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 Christian Jaimes v. City of Los Angeles, Los Angeles Superior Court Case No. 21STCV22268. (This matter arises from Plaintiff’s claims of Disability Discrimination, Failure to Provide Reasonable Accommodation, Failure to Engage in the Interactive Process, Retaliation, and Failure to Prevent Discrimination and Retaliation.)

(Budget, Finance and Innovation Committee considered this matter in Closed Session on February 27, 2023)

Adopted Motion (Blumenfield – Price) in Open Session - SEE ATTACHED
Ayes: Blumenfield, de León, Harris-Dawson, Hernandez, Hutt, Krekorian, Lee, McOsker, Park, Price Jr., Raman, Rodriguez, Soto-Martínez, Yaroslavsky (14); Nays: (0); Absent: (0)

(18) **23-0138**

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 George Lakner v. City of Los Angeles, Los Angeles Superior Court Case No. BC708560. (This is an inverse condemnation action in which George Lakner seeks recovery for alleged damage to his property at 17603 West Posetano Road, Pacific Palisades, from a landslide.)

(Budget, Finance and Innovation Committee considered this matter in Closed Session on February 27, 2023)

Adopted Item to Continue to March 22, 2023

Ayes: Blumenfield, de León, Harris-Dawson, Hernandez, Hutt, Krekorian, Lee, McOsker, Park, Price Jr., Raman, Rodriguez, Soto-Martínez, Yaroslavsky (14); Nays: (0); Absent: (0)

(19) **23-0139**

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 LAGD Properties LLC v. City of Los Angeles, Los Angeles Superior Court Case No. 22STCV02977. (This case involves damages to plaintiff's residential property allegedly caused by storm waters from Montecito Drive.)

(Budget, Finance and Innovation Committee considered this matter in Closed Session on February 27, 2023)

Adopted Motion (Blumenfield – Price) in Open Session - SEE ATTACHED

Ayes: Blumenfield, de León, Harris-Dawson, Hernandez, Hutt, Krekorian, Lee, McOsker, Park, Price Jr., Raman, Rodriguez, Soto-Martínez, Yaroslavsky (14); Nays: (0); Absent: (0)

Adjourning Motions

Council Adjournment

ENDING ROLL CALL

Blumenfield, de León, Harris-Dawson, Hernandez, Hutt, Krekorian, Lee, McOsker, Park, Price Jr., Raman, Rodriguez, Soto-Martínez, Yaroslavsky (14)

Whereupon the Council did adjourn

ATTEST: Holly L. Wolcott, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL

ITEM NO. 3

File No. 23-0035

MITIGATED NEGATIVE DECLARATION, MITIGATION MONITORING PROGRAM and PLANNING AND LAND USE MANAGEMENT (PLUM) COMMITTEE REPORT relative to a California Environmental Quality Act (CEQA) Appeal filed for the properties located at 22815 – 22825 West Roscoe Boulevard.

Recommendations for Council action:

1. DETERMINE, pursuant to CEQA Guidelines Section 15074(b), after consideration of the whole of the administrative record, including the Mitigated Negative Declaration, No. ENV-2021-10328-MND, adopted on September 9, 2022, (Mitigated Negative Declaration), and all comments received, with the imposition of mitigation measures, there is no substantial evidence that the project will have a significant effect on the environment; FIND, the Mitigated Negative Declaration reflects the independent judgment and analysis of the City; FIND, the mitigation measures have been made enforceable conditions on the project; and ADOPT the Mitigated Negative Declaration and the Mitigation Monitoring Program prepared for the Mitigated Negative Declaration.
2. ADOPT the FINDINGS of the North Valley Area Planning Commission (NVAPC) as the Findings of Council.
3. RESOLVE TO DENY THE APPEAL filed by Jahanshah Kaboli-Nejad, Roscoe Fallbrook Neighborhood Coalition, and THEREBY SUSTAIN the determination of the NVAPC, in approving a Mitigated Negative Declaration as the environmental clearance for the construction, use, and maintenance of an approximately 98,614 square-foot light industrial complex consisting of three single-story plus mezzanine buildings, each built to a maximum height of 40 feet, the proposed Project would result in a floor area ratio of approximately 0.32:1 and 28.8 percent building coverage across the site, the Project would also provide 262 parking spaces on as surface parking lot surrounding the proposed buildings; for the properties located at 22815 - 22825 West Roscoe Boulevard.

Applicant: Kevin Staley, SCIND Fallbrook Point, LLC

Representative: Adrienne Asadoorian and Brad Rosenheim, Rosenheim and Associates

Case No.: DIR-2021-10327-SPR

Environmental No.: ENV-2021-10328-MND

Related Case Nos.: CPC-2007-237-ZC-GPA-CU-SPR; DIR-2016-317-ACI-CLQ;
DIR-2017-2024-ACI-CLQ; DIR-2019-7507-ACI-CLQ

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

Community Impact Statement: None submitted

Summary:

At a regular meeting held on March 7, 2023, the PLUM Committee considered a report from the NVAPC and CEQA appeal for the properties located at 22815 - 22825 West Roscoe Boulevard. DCP staff provided an overview of the matter. Councilmember Lee provided comments in support of denying the appeal. After an opportunity for public comment, and presentations from the Applicant and Appellant Representatives, the Committee recommended to deny the appeal and thereby sustain the NVAPC's determination in approving the Mitigated Negative Declaration and Mitigation Monitoring Program as the environmental clearance for the project. This matter is now submitted to the Council for consideration.

Respectfully Submitted,

PLANNING AND LAND USE MANAGEMENT COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
HARRIS-DAWSON:	YES
RODRIGUEZ:	YES
YAROSLAVSKY:	YES
LEE:	YES
HUTT:	YES

CR
23-0053_rpt_PLUM_03-07-23

-NOT OFFICIAL UNTIL COUNCIL ACTS-

MOTION

I HEREBY MOVE that the Council ADOPT the following recommendations in order to effect settlement in the case entitled Kimberly Ann Miller v. City of Los Angeles, et al., Los Angeles Superior Court Case No. 18STCV01372. (This matter arises from a trip and fall incident which occurred on June 20, 2018, near 422 Bauchet Street, in the City of Los Angeles.) **SUBJECT TO THE APPROVAL OF THE MAYOR:**

1. AUTHORIZE the City Attorney’s Office to expend up to **\$900,000** in settlement of the above-entitled matter.
2. AUTHORIZE the Controller’s Office to transfer \$900,000 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 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: Raymond Ghermezian, APLC and Kimberly Ann Miller in the amount of \$900,000.
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.

This matter was recommended for approval by the Budget, Finance and Innovation Committee (Blumenfield – Price – Yaroslavsky – McOsker – Rodriguez: “Yes”) at its meeting held on February 27, 2023, in Closed Session as permitted by Government Code Section 54956.9(d)(1).

PRESENTED BY _____

BOB BLUMENFIELD
Councilmember, 3rd District

SECONDED BY _____

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

MOTION

I HEREBY MOVE that the Council ADOPT the following recommendations in order to effect settlement in the case entitled Floris Mikail Kalime v. County of Los Angeles, et al., Los Angeles Superior Court Case No. 19STCV24543. (This matter arises from a trip and fall, August 14, 2018, on a residential sidewalk in front of 7119 Lasaine Avenue, in the Lake Balboa community in Los Angeles.) **SUBJECT TO THE APPROVAL OF THE MAYOR:**

1. AUTHORIZE the City Attorney’s Office to expend up to **\$1,000,000** in settlement of the above-entitled matter.

2. AUTHORIZE the Controller’s Office to transfer \$1,000,000 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. \$550,000 to Ardalan & Associates and Florence Mikail Kalime

 - b. \$450,000 to Structured Assignments, SCC for the benefit of Christopher Ardalan.

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.

This matter was recommended for approval by the Budget, Finance and Innovation Committee (Blumenfield – Price – Yaroslavsky – McOsker: “Yes”) at its meeting held on February 27, 2023, in Closed Session as permitted by Government Code Section 54956.9(d)(1).

PRESENTED BY _____

BOB BLUMENFIELD
Councilmember, 3rd District

SECONDED BY _____

CURREN D. PRICE, JR.

AS 2/27/23
CF 23-0179

MOTION

I HEREBY MOVE that the Council ADOPT the following recommendations in order to effect settlement in the case entitled Christian Jaimes v. City of Los Angeles, Los Angeles Superior Court Case No. 21STCV22268. (This matter arises from Plaintiff’s claims of Disability Discrimination, Failure to Provide Reasonable Accommodation, Failure to Engage in the Interactive Process, Retaliation, and Failure to Prevent Discrimination and Retaliation.):

REJECT the Plaintiff’s offer of settlement.

This matter was recommended for approval by the Budget, Finance and Innovation Committee (Blumenfield – Price – Yaroslavsky – McOsker: “Yes”) at its meeting held on February 27, 2023, in Closed Session as permitted by Government Code Section 54956.9(d)(1).

PRESENTED BY _____

BOB BLUMENFIELD
Councilmember, 3rd District

SECONDED BY _____

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

MOTION

I HEREBY MOVE that the Council ADOPT the following recommendations in order to effect settlement in the case entitled LAGD Properties LLC v. City of Los Angeles, Los Angeles Superior Court Case No. 22STCV02977. (This case involves damages to plaintiff’s residential property allegedly caused by storm waters from Montecito Drive.), **SUBJECT TO THE APPROVAL OF THE MAYOR:**

1. APPROVE settlement of this matter in the amount of \$700,000, comprised of:
 - a. \$350,000 due in fiscal year 2022-23.
 - b. \$350,000 due in fiscal year 2023-24.
2. AUTHORIZE the City Attorney, or designee, to execute the settlement agreement.
3. AUTHORIZE the City Attorney to draw two demands from the Liability Claims Fund No. 100/59, Account No. 009798, Miscellaneous Liability Payouts as follows:
 - a. \$350,000 to Sullivan Workman & Dee, LLP Client Trust Account, as first payment due in fiscal year 2022-23.
 - b. \$350,000 to Sullivan Workman & Dee, LLP Client Trust Account, as second and final payment due in fiscal year 2023-24, to be paid upon Council approval by July 31, 2023.
4. AUTHORIZE the City Attorney to execute any additional or revised documents necessary to carry out the settlement in substantial conformance with the above terms.

This matter was recommended for approval by the Budget, Finance and Innovation Committee (Blumenfield – Price – Yaroslavsky – McOsker: “Yes”) at its meeting held on February 27, 2023, in Closed Session as permitted by Government Code Section 54956.9(d)(1).

PRESENTED BY _____

BOB BLUMENFIELD
Councilmember, 3rd District

SECONDED BY _____

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

AS 2/27/23
CF 23-0139

TO CITY CLERK FOR PLACEMENT ON NEXT
REGULAR COUNCIL AGENDA TO BE POSTED #51

MOTION

I MOVE that the Council Action of 8-30-2019 relative to the use of CRA/LA Excess Bond Proceeds for the Chandler Bikeway Development project (North Hollywood Redevelopment Project Area) BE AMENDED to transfer / appropriate \$170,000, representing surplus funding returned by the contractor on this project, in the below amounts and in the Accounts specified in the General Services Fund No. 100-40, to the Street Services Fund No. 100-86, Account No. 3030 (Construction Expense) to be used for the purchase and installation of exercise equipment and safety rubberized flooring for the above project.

<u>General Services Fund No. 100-40</u>	
Account No. 001014, Salaries Construction	\$ 9,125
Account No. 001101, Hiring Hall Construction	24,750
Account No. 001121, Benefits Hiring Hall Construction	12,375
Account No. 003180, Construction Materials	<u>123,750</u>
	Total \$ 170,000

I FURTHER MOVE that the Bureau of Street Services and /or the General Services Department be authorized to make any corrections, clarifications or revisions to the above fund transfer instructions, including any new instructions, in order to effectuate the intent of this Motion, and including any corrections and changes to fund or account numbers; said corrections / clarifications / changes may be made orally, electronically or by any other means.

PRESENTED BY: Paul Krekorian
PAUL KREKORIAN
Councilman, 2nd District

SECONDED BY: J.S.L.

ORIGINAL

ak

PK

MAR 08 2023

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

#52

MOTION

I MOVE that \$70,240 Council District Six portion of the Special Events Fee Subsidy line item General City Purposes Fund No. 100-56 be transferred/appropriated to the Street Services Fund No. 100-86, Account No. 003040 (Contractual Services) for the Sherman Way Tunnel monthly cleaning in Council District Six.

I FURTHER MOVE that the Bureau of Street Services be authorized to make any corrections, clarifications or revisions to the above fund transfer instructions, including any new instructions, in order to effectuate the intent of this Motion, and including any corrections and changes to fund or account numbers; said corrections / clarifications / changes may be made orally, electronically or by any other means.

PRESENTED BY:

[Signature] for CD 6

SECONDED BY:

[Signature]

ORIGINAL

ak

[Handwritten mark]

MAR 08 2023

MOTION

TO CITY CLERK FOR PLACEMENT ON NEXT REGULAR COUNCIL AGENDA TO BE POSTED #53

On July 18, 2022, at approximately 2:25 am, an unknown male suspect wearing dark clothing and a baseball hat ignited a recreational vehicle (RV) at the 3400 block of Marmion Way before fleeing the area on foot. The Los Angeles Fire Department (LAFD) responded to the fire and upon extinguishing the fire, the deceased body of Manuel Moreno Sagrero was discovered inside the RV. The Los Angeles Police Department (LAPD) has been unable to identify the suspect.

I THEREFORE MOVE that by adoption of this Motion, the City Council provide an offer of reward for information leading to the identification, apprehension, and conviction of the person or persons responsible for the death of Manuel Moreno Sagrero on July 18, 2022, and in support thereof, make the following findings pursuant to Division 19, Chapter 12, Article 1 of the Los Angeles Administrative Code:

1. That the death of Mr. Sagrero was caused by the willful misconduct of one or more persons.
2. That this offer of reward is consistent with and taken for the immediate protection of the public peace, health and safety of local residents, as well as visitors to the City, and is consistent with the need to arrest and convict the person who, because of not being apprehended, could by their actions further terrorize and present a continuing and immediate menace to the rights of persons in the City.
3. That what happened to the victim is an especially disturbing crime and therefore, as a matter of public policy, the City hereby offers a reward as an added inducement for persons to come forward with information leading to the identification, apprehension and conviction of the person or persons responsible for the death of Manuel Moreno Sagrero.
4. That the sum of \$25,000 shall be the aggregate maximum sum of any payment or payments of a City reward in this instance.
5. That the offer of reward shall be in effect for six months from the date of the advertisement of the reward by the City Clerk.

I FURTHER MOVE that the City Clerk be directed to cause notices and/or advertisements to be duly published according to the requirements of Division 19, Chapter 12, Article 1 of the Los Angeles Administrative Code, and to thereby cause the offer of reward to become effective.

PRESENTED BY:

Kevin de Leon
KEVIN DE LEÓN
Councilmember, 14th District

SECONDED BY:

Monica Rodriguez

CS

ORIGINAL

MAR 08 2023

MOTION

On December 16, 2022, Mayor Karen Bass signed Executive Directive Number 1 (ED 1), titled "Expedition of Permits and Clearance for Temporary Shelters and Affordable Housing Types." ED 1 directs all City departments to conduct their review and approval processes for affordable housing as quickly as possible. The goal of ED 1 is to expedite the process for building affordable housing to rapidly address the homelessness and housing affordability crisis in the City of Los Angeles.

ED 1 directs the Los Angeles Housing Department (LAHD) to "track, and process all affordable housing projects and expedite payments thereon." LAHD's Housing Development Bureau is at the forefront of the City's efforts to build affordable housing. As such, they are tasked, along with the Controller's office, to streamline their processes in order to expedite payments for the development of affordable housing. To accomplish the goals set by ED 1, LAHD must modernize and improve its system capabilities to more effectively track and expedite payments.

LAHD is currently in the process of working with Cask NX LLC to develop multiple features on the ServiceNOW platform including but not limited to: an automated system to submit, review, and validate developer, contractor, and subcontractor compliance documentation, which can also be adapted to process developer drawdown payment requests; and a preliminary tracker solution that migrates HHH and other project data, as well as related data collection and reporting, to the ServiceNow platform. While the State of California's Permanent Local Housing Allocation (PLHA) grant (C.F. 19-0685-S1) funded this program initially, additional funding is required to complete the work on the aforementioned features. Adequate PLHA funds are available to support the process improvements outlined above and to accomplish the goals outlined in ED1; therefore, the development, modernization, and streamlining of LAHD's processes should continue and be expanded to accomplish ED 1's goals.

I THEREFORE MOVE that the City Council instruct and authorize the General Manager of LAHD, or designee, to execute a sixth amendment to contract C-136109 with Cask NX LLC, to continue the development of the ServiceNOW platform to track, process, and expedite payments for affordable housing projects, as well as to track their development, in the amount of \$500,000.

I FURTHER MOVE that \$500,000 be transferred/appropriated within Fund No. 64R/43 SB 2 Permanent Local Housing Allocation from Appropriation Account No. 43W244 Administrative Reserve to Appropriation Account No. 43W900 Contract Programming - Systems Upgrades for Cask NX LLC to continue development of the ServiceNOW platform to track, process, and expedite payments for affordable housing projects, as well as to track their development, and expend funds upon proper written demand of the LAHD General Manager, or designee.

PRESENTED BY: Nithya Raman
NITHYA RAMAN
Councilmember, 4th District

SECONDED BY: [Signature]

ORIGINAL

PK MAR 08 2023

MOTION

The California Cannabis Equity Act of 2018 (Bradford, 2018) established a Local Equity Grant Program, which provides grant funds that are administered by the Governor's Office of Business and Economic Development. This Local Equity Grant provides funds for direct assistance to local jurisdictions 'commercial cannabis Social Equity Programs, and their Social Equity applicants and licensees.

The City of Los Angeles operates a Social Equity Program that promotes equitable ownership and employment opportunities for marginalized communities in order to address the disproportionate impacts of the War on Drugs in those communities. In October 2022, the Governor's Office of Business and Economic Development issued a grant solicitation for the Cannabis Equity Grants Program, and subsequently, the Department of Cannabis Regulation submitted an application for additional grant funding. In February 2023, the Governor's Office of Business and Economic Development announced that the City of Los Angeles was awarded an additional \$1,984,947.11 in equity grant funding for the City's Social Equity Program.

The Department of Cannabis Regulation intends to allocate the funds from the Local Equity Grant Program for a grant program for local equity applicants or licensees to assist with startup and ongoing costs, to provide technical and business development assistance, and to provide workforce development assistance to local Social Equity Program applicants and participants.

I THEREFORE MOVE that the Council authorize the Department of Cannabis Regulation to accept a grant in the amount of \$1,984,947.11 from the State of California to be used to assist the City's commercial cannabis Social Equity Program and Social Equity applicants and licensees; to deposit these funds into a new Account in Fund No. 60E-13, entitled "2023 Cannabis Equity Grant (CEG);" and to execute the attached standard agreement with the Governor's Office of Business and Economic Development for the period of April 1, 2023 through October 31,2024, including any extensions or amendments thereof, subject to the approval of the City Attorney as to form and legality.

I FURTHER MOVE that the Council adopt the attached Resolution as required by the granting agency.

PRESENTED BY:



MARQUEECE HARRIS-DAWSON
Councilmember, 8th District

SECONDED BY:



ORIGINAL

PK

RESOLUTION

WHEREAS, the members of the California Legislature have recognized the need for cannabis equity grant funding; and

WHEREAS, funding has been provided to the Governor's Office of Business and Economic Development to provide grant funds to local governments; and

WHEREAS, the City of Los Angeles has adopted and operates a local equity program for commercial cannabis activity; and

WHEREAS, the City of Los Angeles has determined that it will use grant funds from the Governor's Office of Business and Economic Development to assist local equity applicants and licensees through its local equity program for commercial cannabis activity as described in its application for grant funds;

NOW, THEREFORE, BE IT RESOLVED that the Director of the Social Equity Program of the City of Los Angeles is authorized to execute by electronic signature on behalf of the City of Los Angeles, the grant agreement with the Governor's Office of Business and Economic Development, including any extensions or amendments thereof and any subsequent grant agreement with the Governor's Office of Business and Economic Development in relation thereto.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that any liability arising out of the performance of this grant agreement, including civil court actions for damages, shall be the responsibility of the grant recipient and the authorizing agency. The Governor's Office of Business and Economic Development and the State of California disclaim responsibility for any such liability.



GOVERNOR'S OFFICE OF BUSINESS AND ECONOMIC DEVELOPMENT

STATE OF CALIFORNIA • OFFICE OF GOVERNOR GAVIN NEWSOM

CANNABIS EQUITY GRANTS PROGRAM FOR LOCAL JURISDICTIONS

GRANT AGREEMENT

This Cannabis Equity Grants Program for Local Jurisdictions Grant Agreement ("Agreement") is by and between the City of Los Angeles ("Grantee") and the California Governor's Office of Business and Economic Development ("GO-Biz"), hereinafter jointly referred to as the "Parties" or individually as the "Party." Unless otherwise specified in this Agreement, all definitions, rules, guidelines, and requirements specified in the Cannabis Equity Grants Program for Local Jurisdictions Grant Solicitation ("Grant Solicitation") issued on October 3, 2022, shall apply to this Agreement. The identification number for this Agreement is CEG-2023-544.

In consideration of the mutual covenants and promises in this Agreement, the Parties agree as follows:

- 1. Authority.** This Agreement is authorized and entered into pursuant to the California Cannabis Equity Act, commencing with Business and Professions Code section 26240, in which GO-Biz is authorized to provide grants to Eligible Local Jurisdictions to do either of the following:
 - a. Assist the Local Jurisdiction in the development of its Local Equity Program.
 - b. Assist Local Equity Applicants and/or Local Equity Licensees in the Local Jurisdiction to gain entry to, and to successfully operate in, the state's regulated cannabis marketplace.
- 2. Grant Term.** The performance period of this Agreement shall be from April 1, 2023, or when this Agreement is fully executed by all Parties, whichever is later, through October 31, 2024. Except as provided for in section 7 of this Agreement, grant funds shall be expended only during the Grant Term.
- 3. Grant Award.** Based on its grant application and the points allocated to Grantee pursuant to the scoring criteria in the Grant Solicitation, and conditioned upon the requirements set forth in this Agreement, GO-Biz shall provide Grantee a Grant Award of one million nine hundred eighty-four thousand nine hundred forty-seven dollars and eleven cents (\$1,984,947.11) for the term of this Agreement. In no event shall GO-Biz be obligated to pay any amount in excess of the Grant Award. Grantee waives any and all claims against GO-Biz and the State of California for any costs that exceed the Grant Award.
- 4. Grant Scope/Description.** Grantee agrees to use the Grant Award, in accordance with Exhibit A ("Budget"), for the purposes of assisting its Local Equity Applicants and/or Local Equity Licensees to gain entry to, and to successfully operate in, the state's regulated cannabis marketplace.
- 5. Grant Award Disbursement.** The Grant Award will be issued directly to Grantee in one disbursement, after execution of this Agreement by all parties, and Grantee providing to GO-Biz a copy of the resolution or motion its governing body passed to provide Grantee the authorization to execute this Agreement.
- 6. Unused Grant Funds.** Except as provided for in section 7, any amount of the Grant Award provided under this Agreement that is not expended within the Grant Term, or at the time of early termination of this Agreement, whichever is sooner, shall be returned to GO-Biz. Grantee shall notify GO-Biz of such unused grant funds and GO-Biz shall provide Grantee with instructions as to how to return the funds.

- 7. Continued Use of Grant Funds.** Any portion of the Grant Award originally expended by Grantee during the Grant Term that is returned or repaid to Grantee (e.g., loan repayments from Local Equity Licensees to Grantee, in which the loaned amounts were grant funds from this Agreement) may be used subsequent to the end of the Grant Term, however, any such funds shall retain their character and may only be used for the same purposes as identified in the Budget and subject to the same conditions as set forth in this Agreement, which will survive the Grant Term.
- 8. Eligible Uses.** Grant funds may only be used for the following purposes in accordance with the Budget:
- a. To provide low-interest or no-interest loans or grants to Grantee’s Local Equity Applicants and/or Local Equity Licensees to assist the applicants and/or licensees with startup and ongoing costs.
 - b. To provide or fund direct technical assistance to Grantee’s Local Equity Applicants and/or Local Equity Licensees. No more than ten (10) percent of the total grant award may be used for direct technical assistance.
 - c. To assist in the administration of the Grantee’s Local Equity Program. No more than ten (10) percent of the total grant award may be used for administration, which includes the following:
 - Employing staff or hiring consultants to administer Grantee’s Local Equity Program, including administering loans and grants.
 - Grantee’s costs associated with its efforts to provide sources of capital to its Local Equity Applicants and/or Local Equity Licensees.
- 9. Subcontractors.** No amount of the Grant Award may be used to subcontract any of the commitments contemplated in this Agreement to another entity or person, unless such amount is specifically identified as a subcontracted expense in the Budget.
- 10. Funding Contingency Clause.** Grantee agrees that GO-Biz’s obligation to pay any sum under this Agreement is contingent upon availability of funds disbursed to GO-Biz for such purposes. If there is insufficient funding, GO-Biz shall have the option to either: 1) terminate this Agreement, whereby no party shall have any further obligations or liabilities under this Agreement, or 2) negotiate an Agreement amendment with Grantee to reduce the Grant Award to be provided under this Agreement.
- 11. Documentation and Reporting Requirements.**
- (a) Grantee must be able to demonstrate to the satisfaction of GO-Biz that the Grant Award was expended for eligible uses in accordance with the Budget.
 - (b) Grantee shall submit periodic reports to GO-Biz to document its progress assisting its Local Equity Applicants and/or Local Equity Licensees to gain entry to, and to successfully operate in, the state’s regulated cannabis marketplace in accordance with the Budget. Grantee shall use the periodic performance report template available at <http://www.business.ca.gov/CEG>. Each periodic report shall be due in accordance with the chart below. For the first periodic report, the beginning date is either April 1, 2023, or when this Agreement is fully executed by all Parties, whichever is later. If this Agreement is terminated before the end of the Grant Term, Grantee must submit its periodic reports, within thirty (30) calendar days of the termination date, to document its progress through the termination date of the Agreement.

Period	Report Due Date
April – September 2023	October 31, 2023
October 2023 – December 2023	January 31, 2024
January – March 2024	April 30, 2024
April – June 2024	July 31, 2024
July – October 2024	November 30, 2024

(c) In addition to the periodic reports referenced above, pursuant to California Business and Professions Code section 26244(c), Grantee shall submit an annual report to GO-Biz on or before January 1, 2024, and annually thereafter for each year grant funds are expended. No report shall be submitted prior to December 15, 2023. Grantee shall provide a report to GO-Biz whether or not the Grant Term has expired, or Grantee has expended the grant funds before the end of the Grant Term. At a minimum, the annual report to GO-Biz shall include all of the following information:

- How Grantee disbursed the grant funds.
- How Grantee identified Local Equity Applicants and/or Local Equity Licensees, including how the Grantee determines who qualifies as a Local Equity Applicant or Local Equity Licensee.
- The number of Local Equity Applicants and/or Local Equity Licensees that were served by the grant funds.
- Aggregate demographic data on Local Equity Applicants, Local Equity Licensees, as applicable, and all other applicants and licensees in the jurisdiction, including, but not limited to, race, ethnicity, gender, sexual orientation, income level, education level, prior convictions, and veteran status. This information will be consolidated and reported without the individual's identifying information. Nothing in this subparagraph requires applicants or licensees to report this information should they wish to decline reporting one or more of the listed characteristics.
- If the Grantee requires Local Equity Applicants and/or Local Equity Licensees to become eligible through specific ownership percentages, a breakdown of Local Equity Applicants' and Local Equity Licensees' business ownership types and percentages of ownership.
- At least one success story, including the contact information for the individual that the story relates to, that describes a Local Equity Applicant and/or Local Equity Licensee that was assisted as a result of the grant funds.

(d) Grantee must maintain records detailing the expenditure of all grant funds for a period of seven (7) years after the end of the Grant Term, and shall provide this information to GO-Biz upon request.

12. Audit. The books, accounts, files, and other records of Grantee which are applicable to this Agreement shall be made available for inspection, review, and audit upon request by GO-Biz and its designated representatives to verify proper use of the Grant Award.

13. Termination of Agreement. This Agreement may be terminated by GO-Biz upon action, or inaction, by Grantee that constitutes a material breach of this Agreement. A material breach includes, but is not limited to, refusal or inability to complete the commitments contemplated in this Agreement, improper expenditure of grant funds, failure to properly maintain records or allow GO-Biz access to records as required under this Agreement, and failure to timely complete and submit the reports required under this Agreement. GO-Biz will notify Grantee in writing if it intends to terminate the Agreement pursuant to this section and provide Grantee an opportunity to cure the breach or breaches within thirty (30) calendar days.

14. Assignment. This Agreement is not assignable by Grantee, either in whole or in part, without the consent of GO-Biz in the form of a written amendment.

15. Amendment. This Agreement may be amended or modified only in writing signed by all parties.

16. Grantee – Representations and Warranties. Grantee represents and warrants that:

- (a) It is an Eligible Local Jurisdiction as set forth in the Grant Solicitation.
- (b) It is not a party to any agreement, written or oral, creating obligations that would prevent it from entering into this Agreement or satisfying the terms herein.

- (c) All of the information in its grant application and all materials submitted to GO-Biz are true and accurate.
- (d) Its governing body has authorized it to enter into this Agreement and has designated by title the individual authorized to sign the Agreement on behalf of it, through a resolution or motion in the same or substantially similar form as the Sample Resolution posted on GO-Biz's website at www.business.ca.gov/CEG.
- (e) It understands and agrees it is not eligible to apply for a subsequent Cannabis Equity Grants Program for Local Jurisdictions grant until it has expended its Grant Award under this Agreement as follows:
 - Grantee must demonstrate it has expended at least fifty (50) percent of the grant funds awarded pursuant to this Agreement if greater than twelve (12) and fewer than eighteen (18) months have elapsed since execution of this Agreement (calculated from the date this Agreement was fully executed to the application due date for any subsequent round of the Cannabis Equity Grants Program for Local Jurisdictions).
 - Grantee must demonstrate it has expended at least eighty (80) percent of any grant funds awarded pursuant to this Agreement if eighteen (18) or more months have elapsed since execution of this Agreement (calculated from the date this Agreement was fully executed to the application due date for any subsequent round of the Cannabis Equity Grants Program for Local Jurisdictions).
 - Grantee's expenditures, as required above, must be evidenced by expenditures reported in the most recent periodic report submitted to GO-Biz by the application due date for the subsequent round of the Cannabis Equity Grants Program for Local Jurisdictions for which Grantee is applying.

- 17. Nondiscrimination.** Grantee shall comply with all applicable federal and state laws and statutes related to nondiscrimination, including, but not limited to, race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, veteran and military status, drug addiction, and alcoholism.
- 18. Union Activities.** Grantee acknowledges that Government Code section 16645.2 applies to this Agreement. Pursuant to Government Code section 16645.2, Grantee certifies that none of the Grant Award will be used to assist, promote, or deter union organizing. If Grantee makes expenditures to assist, promote, or deter union organizing, it shall maintain records sufficient to show that no portion of the Grant Award was used for those expenditures. Grantee shall provide those records to the Attorney General upon request.
- 19. Media Release.** Grantee may elect to issue a press release related to this Agreement, but any release shall be approved by GO-Biz in writing prior to such release. Such approval shall not be unreasonably withheld.
- 20. Indemnification/Warranty and Disclaimer/Limitation of Liability.** Grantee shall defend, indemnify, and hold GO-Biz and its agents or assigns, harmless from and against all claims, damages, and liabilities (including reasonable attorneys' fees) arising from this Agreement due to Grantee's breach of this Agreement, or the result of Grantee's negligence or willful misconduct. UNDER NO CIRCUMSTANCES WILL THE STATE OF CALIFORNIA, GO-BIZ, ITS AGENTS OR EMPLOYEES, BE LIABLE TO GRANTEE FOR ANY DIRECT, INDIRECT, INCIDENTAL, SPECIAL OR CONSEQUENTIAL DAMAGES THAT ARISE FROM THIS AGREEMENT.
- 21. Force Majeure.** If by reason of force majeure Grantee's performance hereunder is delayed or prevented, then the performance by Grantee may be extended for the amount of time of such delay or prevention. The term "force majeure" shall mean any fire, flood, earthquake, or public disaster, strike, labor dispute or unrest, embargo, riot, war, insurrection or civil unrest, any act of God, any act of legally constituted authority, or any other cause beyond Grantee's control which would excuse Grantee's performance as a matter of law.
- 22. Notice of Force Majeure.** Grantee agrees to provide GO-Biz written notice of an event of force majeure under this Agreement within ten (10) calendar days of the commencement of such event and within ten (10) calendar days after the termination of such event, unless the force majeure prohibits Grantee from reasonably giving notice within this period. Grantee will give such notice at the earliest possible time following the event of force majeure.

- 23. Integration.** This Agreement (including the exhibits hereto and any written amendments hereof executed by the Parties) constitutes the entire Agreement between the Parties related to this Grant Award and supersedes all prior agreements and understandings, oral and written, between the Parties with respect to the Grant Award described herein.
- 24. Notice.** Within thirty (30) calendar days of the effective date of this Agreement, Grantee shall notify GO-Biz, in writing, of the name, address, phone number, and email of its primary and secondary contact persons for future communication relating to this Agreement. In addition, Grantee agrees to immediately inform GO-Biz of any changes to the name, address, phone number, and email of its primary and secondary contact persons. Unless otherwise specified in this Agreement, any notice required or permitted to be given under this Agreement to GO-Biz shall be emailed to CEG@gobiz.ca.gov.
- 25. Ambiguities.** Each Party has had the opportunity to seek the advice of counsel or has refused to seek the advice of counsel. Each Party and its counsel, if appropriate, have participated fully in the negotiation, drafting, review, and revision of this Agreement. Any rule of construction to the effect that ambiguities are to be resolved against the drafting Party shall not apply in interpreting this Agreement. The language in this Agreement shall be interpreted as to its fair meaning and not strictly for or against any Party.
- 26. Necessary Acts, Further Assurances.** The Parties shall at their own cost and expense execute and deliver any further documents and shall take such other actions as may be reasonably required or appropriate to carry out the intent and purposes of this Agreement.
- 27. Sections and Other Headings.** The section and other headings contained in this Agreement are for reference purposes only and shall not affect the meaning or interpretation of this Agreement.
- 28. Attorneys' Fees.** In the event of any litigation between the parties concerning the terms and provisions of this Agreement, the party prevailing in such dispute shall be entitled to collect from the other party all costs incurred in such dispute, including reasonable attorneys' fees.
- 29. Representation on Authority of Parties/Signatories.** Each person signing this Agreement represents and warrants that he or she is duly authorized and has legal capacity to execute and deliver this Agreement. Each Party represents and warrants to the other that the execution and delivery of this Agreement and the performance of such Party's obligations hereunder have been duly authorized and that this Agreement is a valid and legal agreement binding on such Party and enforceable in accordance with its terms.
- 30. Severability.** If any portion of this Agreement is to any extent invalid, illegal, or incapable of being enforced, such portion shall be excluded to the extent of such invalidity, illegality, or unenforceability; all other terms hereof shall remain in full force and effect.
- 31. Governing Law and Consent to Jurisdiction.** This Agreement will be governed, construed, and enforced according to the laws of the State of California without regard to its conflict of laws rules. Each party hereby irrevocably consents to the exclusive jurisdiction and venue of any state court located within Sacramento County, State of California in connection with any matter arising out of this Agreement or the transactions contemplated under this Agreement.

Remainder of the page is intentionally left blank. Signature page immediately follows.

Governor's Office of Business and Economic Development

By:

Name: Will Koch

Title: Deputy Director

Date:

Grantee:

City of Los Angeles

MOTION

Incarceration can have acute long- and short-term impacts on an individual including difficulty accessing employment, housing, and other benefits. As a result, diversion programs can have a marked impact on communities experiencing high levels of crime or economic distress, offering alternatives to incarceration. The City of Los Angeles has long been a leader in an alternative, holistic approach to public safety that includes community engagement and diversion programs. Diversion programs are an effective tool for law enforcement to collaborate with communities and intercept juvenile, first-time, and repeat offenders, offering diversion and social services.

Diversion programs may proactively focus on high-crime communities and connect those communities with crime prevention services or may intercept misdemeanor or first-time offenders. Diversion programs allow law enforcement to hold violators accountable for their actions while averting conviction. The Los Angeles Police Department (LAPD) has piloted several programs and currently conducts the Los Angeles Diversion, Outreach, and Opportunities for Recovery (LA DOOR) program providing diversion and peer-led multidisciplinary social services including substance use treatment, mental health support, physical healthcare, and case management, without law enforcement as the first point of contact.

Diversion programs are a vital means of preventing incarceration while ensuring that first time offenders and vulnerable populations are connected to the services they need. Understanding how the City can better coordinate resources to address and uplift the needs of diversion and other related programs will allow for greater access to these supportive programs. An overview of LAPD diversion programs would allow for an evaluation of their effectiveness and assist in identifying gaps in service and challenges to implementation.

I THEREFORE MOVE that the Los Angeles Police Department (LAPD) report to the Council with an overview all diversion and recidivism programs implemented by the LAPD or in collaboration with other agencies, including metrics for each program, challenges to implementation, and an evaluation of their success in meeting diversion objectives. The report should also include recommendations to increase participation and improve the effectiveness of each program, as well as the potential effectiveness and feasibility of incorporating existing City resources, including those offered by the Youth Development Department, the Mayor’s GRYPD Office, and Civil + Human Rights and Equity Department (CHRED).

PRESENTED BY:

TIM McOSKER

Councilmember, 15th District

MONICA RODRIGUEZ

Councilwoman, 7th District

SECONDED BY:

ORIGINAL