

Los Angeles City Council, Journal/Council Proceeding

Friday, October 13, 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, de León, Hernandez, Krekorian, McOsker, Padilla, Park, Raman, Soto-Martínez, Yaroslavsky (10); Absent: Harris-Dawson, Hutt, Lee, Price Jr., Rodriguez (5)

Approval of the Minutes

Commendatory Resolutions, Introductions and Presentations - SEE ATTACHED

Multiple Agenda Item Comment

Public Testimony of Non-agenda Items Within Jurisdiction of Council

Items for which Public Hearings Have Been Held

(1) **23-1049**

ADMINISTRATIVE EXEMPTION and TRADE, TRAVEL AND TOURISM COMMITTEE REPORT relative to approving the First Amendment to a Subrecipient Agreement for the Port of Los Angeles' (POLA) Advanced Infrastructure Demonstration Project with West Basin Container Terminal and Wireless Advanced Vehicle Electrification, LLC.

Recommendations for Council action:

1. ADOPT the determination by the Board of Harbor Commissioners (Board) that the action is exempt from the California Environmental Quality Act (CEQA) pursuant to Article II, Section 2(f) of the Los Angeles City CEQA Guidelines.
2. APPROVE POLA Resolution No. 23-10163 authorizing approval of

the First Amendment to Subrecipient Agreement No. 20-3723 for the POLA Advanced Infrastructure Demonstration Project with West Basin Container Terminal and Wireless Advanced Vehicle Electrification, LLC

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

Community Impact Statement: None submitted

TIME LIMIT FILE - OCTOBER 26, 2023

(LAST DAY FOR COUNCIL ACTION - OCTOBER 25, 2023)

Adopted Item Forthwith

Ayes: Blumenfield, de León, Harris-Dawson, Hernandez, Krekorian, McOsker, Padilla, Park, Raman, Soto-Martínez, Yaroslavsky (11); Nays: (0); Absent: Hutt, Lee, Price Jr., Rodriguez (4)

(2) **16-0968-S2
CD 1**

TRADE, TRAVEL AND TOURISM COMMITTEE REPORT relative to the redevelopment of the former Lincoln Heights Jail located at 401 North Avenue 19, Los Angeles, California 90031.

Recommendations for Council action, initiated by Motion (Hernandez – McOsker):

1. INSTRUCT the Economic and Workforce Development Department (EWDD), with support from the Chief Legislative Analyst (CLA), City Administrative Officer (CAO), Department of General Services, Bureau of Engineering (BOE), Bureau of Sanitation (BOS), and City Attorney to report to the Council within 120 days providing a high level order of operations for the site to move forward and assessing possibilities of future use of the site, including necessary departmental funding and external funding sources required to move forward with plans. This includes BOS reporting on continued remediation of the site and coordination with the Los Angeles Regional Water Quality Control Board.

2. INSTRUCT the EWDD with support from Council District 1, to develop a community engagement plan within 150 days, including recommendations for outside support necessary to move a community engagement plan forward.

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

Community Impact Statement: None submitted

Adopted Item Forthwith

Ayes: Blumenfield, de León, Harris-Dawson, Hernandez, Krekorian, McOsker, Padilla, Park, Raman, Soto-Martínez, Yaroslavsky (11); Nays: (0); Absent: Hutt, Lee, Price Jr., Rodriguez (4)

(3) **22-0098**

TRADE, TRAVEL AND TOURISM COMMITTEE REPORT relative to increasing and diversifying participation in City contracting.

Recommendations for Council action:

1. INSTRUCT City departments, with assistance from the Office of Procurement (OOP) and Bureau of Contract Administration, to identify contracts appropriate for Community-Level Contracting (CLC).
2. DIRECT the OOP to report on identified contract opportunities by City departments, applicable next steps for adopting the practice of CLC citywide, and resources that may be required.

Fiscal Impact Statement: The City Administrative Officer (CAO) reports that there is no immediate fiscal impact related to the recommendations contained in the July 10, 2023 CAO report, attached to the Council file. However, as discussed in said report, the implementation of the Local Business Preference Program has a direct fiscal impact resulting in an increased cost of \$0.25 million to the City for awards made in 2020-

21. Also, implementation of CLC has an unknown fiscal impact potentially from losing economies of scale and additional staff support necessary to administer these contracts.

Financial Policies Statement: The CAO reports that the recommendations contained in the July 10, 2023 CAO report, attached to the Council file, are in compliance with the City's Financial Policies.

Community Impact Statement: None submitted

Adopted Item Forthwith

Ayes: Blumenfield, de León, Harris-Dawson, Hernandez, Krekorian, McOsker, Padilla, Park, Raman, Soto-Martínez, Yaroslavsky (11); Nays: (0); Absent: Hutt, Lee, Price Jr., Rodriguez (4)

(4) **23-1200-S145**

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the appointment of Julie Stromberg to the Central Los Angeles Area Planning Commission (CLAAPC).

Recommendation for Council action:

RESOLVE that the Mayor's appointment of Julie Stromberg to the CLAAPC for the term ending June 30, 2025, is APPROVED and CONFIRMED. Appointee currently resides in Council District Five. Julie Stromberg will fill the vacancy created by the departure of Andrew Friedman. (Current composition: M = 3; F = 1; Vacancy = 1)

Financial Disclosure Statement: Pending

Background Check: Pending

Community Impact Statement: None submitted

TIME LIMIT FILE - NOVEMBER 9, 2023

(LAST DAY FOR COUNCIL ACTION - NOVEMBER 8, 2023)

Adopted Item Forthwith

Ayes: Blumenfield, de León, Harris-Dawson, Hernandez, Krekorian, McOsker, Padilla,

Park, Raman, Soto-Martínez, Yaroslavsky (11); Nays: (0); Absent: Hutt, Lee, Price Jr., Rodriguez (4)

(5) **23-1035**

PERSONNEL, AUDITS, AND HIRING COMMITTEE REPORT relative to the LAwell Program Employee Benefits Trust Fund review for Fiscal Year (FY) 2022-23.

Recommendation for Council action:

NOTE and FILE the September 22, 2023 Personnel Department report relative to the LAwell Program Employee Benefits Trust Fund review for FY 2022-23, attached to the Council File.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

Adopted Item Forthwith

Ayes: Blumenfield, de León, Harris-Dawson, Hernandez, Krekorian, McOsker, Padilla, Park, Raman, Soto-Martínez, Yaroslavsky (11); Nays: (0); Absent: Hutt, Lee, Price Jr., Rodriguez (4)

(6) **22-1545-S7**

HOUSING AND HOMELESSNESS COMMITTEE REPORT relative to the Homelessness Emergency Account status for the week ending August 18, 2023.

Recommendation for Council action:

NOTE and FILE the City Administrative Officer report dated August 29, 2023, attached to Council file No. 22-1545-S7, relative to the Homelessness Emergency Account status for the week ending August 18, 2023.

Fiscal Impact Statement: Not applicable

Community Impact Statement: None submitted

Adopted Item Forthwith

Ayes: Blumenfield, de León, Harris-Dawson, Hernandez, Krekorian, McOsker, Padilla, Park, Raman, Soto-Martínez, Yaroslavsky (11); Nays: (0); Absent: Hutt, Lee, Price Jr., Rodriguez (4)

(7) **22-1545-S9**

HOUSING AND HOMELESSNESS COMMITTEE REPORT relative to the Homelessness Emergency Account status for the week ending Friday, September 15, 2023.

Recommendation for Council action:

NOTE and FILE the City Administrative Officer report dated September 27, 2023, attached to Council file No. 22-1545-S9, relative to the Homelessness Emergency Account status for the week ending Friday, September 15, 2023.

Fiscal Impact Statement: Not applicable

Community Impact Statement: None submitted

Adopted Item Forthwith

Ayes: Blumenfield, de León, Harris-Dawson, Hernandez, Krekorian, McOsker, Padilla, Park, Raman, Soto-Martínez, Yaroslavsky (11); Nays: (0); Absent: Hutt, Lee, Price Jr., Rodriguez (4)

(8) **22-1545-S8**

HOUSING AND HOMELESSNESS COMMITTEE REPORT relative to the Homelessness Emergency Account year-end status report for Fiscal Year 2022-23.

Recommendation for Council action:

NOTE and FILE the City Administrative Officer report dated August 31, 2023, attached to Council file No. 22-1545-S8, relative to the Homelessness Emergency Account year-end status report for Fiscal Year 2022-23.

Fiscal Impact Statement: Not applicable

Community Impact Statement: None submitted

Adopted Item Forthwith

Ayes: Blumenfield, de León, Harris-Dawson, Hernandez, Krekorian, McOsker, Padilla, Park, Raman, Soto-Martínez, Yaroslavsky (11); Nays: (0); Absent: Hutt, Lee, Price Jr., Rodriguez (4)

(9) **23-0522**

PERSONNEL, AUDITS, AND HIRING and BUDGET, FINANCE, AND INNOVATION COMMITTEES' REPORT relative to request for one Resolution Authority for one Senior Management Analyst II position for the Board of Public Works (BPW) to act as lead Grants Officer managing its grants management unit.

Recommendation for Council action:

DENY the request, as detailed in the May 12, 2023 BPW report, for one Resolution Authority for a Senior Management Analyst II for Fiscal Years 2023-24 and 2024-25 to be a dedicated Grants Officer and the appropriation of \$300,000 from the Climate Equity Fund for this position.

Fiscal Impact Statement: The City Administrative Officer (CAO) reports that its recommendation will have no impact on the General Fund. Approval of the BPW request will have a \$178,540 impact on the General Fund in Fiscal Year 2024-25. Approval of the Resolution Authority for the Senior Management Analyst II for the current fiscal year will have a total cost of \$239,270 (\$166,954 direct costs and \$72,316 indirect costs).

Financial Policies Statement: The CAO reports that the recommendation contained in the September 14, 2023 CAO report, attached to the Council File, complies with the City Financial Policies. The request by the BPW is not in compliance with the City Financial Policies as it is using one-time prior-year monies to fund an ongoing position.

Community Impact Statement: None submitted

Adopted Item Forthwith

Ayes: Blumenfield, de León, Harris-Dawson, Hernandez, Krekorian, McOsker, Padilla,

Park, Raman, Soto-Martínez, Yaroslavsky (11); Nays: (0); Absent: Hutt, Lee, Price Jr., Rodriguez (4)

(10) **23-1029**

PERSONNEL, AUDITS, AND HIRING COMMITTEE REPORT relative to the exemption of one Assistant Chief Grants Administrator (Class Code 1577) position for the Los Angeles Housing Department (LAHD) from the Civil Service pursuant to Charter Section 1001 (d)(4).

Recommendation for Council action:

APPROVE the exemption of one Assistant Chief Grants Administrator (Class Code 1577) position for the LAHD from the Civil Service pursuant to Charter Section 1001 (d)(4) as detailed in the September 18, 2023 LAHD report, attached to the Council File.

Fiscal Impact Statement: None submitted by the LAHD. 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 Forthwith

Ayes: Blumenfield, de León, Harris-Dawson, Hernandez, Krekorian, McOsker, Padilla, Park, Raman, Soto-Martínez, Yaroslavsky (11); Nays: (0); Absent: Hutt, Lee, Price Jr., Rodriguez (4)

(11) **23-0988**

PERSONNEL, AUDITS, AND HIRING COMMITTEE REPORT relative to the exemption of one Senior Project Coordinator (Class Code 1538) position for the Economic and Workforce Development Department (EWDD) from the Civil Service pursuant to Charter Section 1001(d)(4).

Recommendation for Council action:

APPROVE the exemption of one Senior Project Coordinator (Class Code 1538) position for the EWDD from the Civil Service pursuant to Charter Section 1001(d)(4) as detailed in the September 8, 2023 EWDD report, attached to the Council File.

Fiscal Impact Statement: None submitted by the EWDD. 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 Forthwith

Ayes: Blumenfield, de León, Harris-Dawson, Hernandez, Krekorian, McOsker, Padilla, Park, Raman, Soto-Martínez, Yaroslavsky (11); Nays: (0); Absent: Hutt, Lee, Price Jr., Rodriguez (4)

(12) **23-0972**

PERSONNEL, AUDITS, AND HIRING COMMITTEE REPORT relative to proposed Second Amended and Restated Professional Services Agreements for Contract Nos. C-134110, C-134114, and C-134116 with Standard Insurance Company to extend the terms by two years.

Recommendation for Council action:

AUTHORIZE the General Manager, Personnel Department, to execute the Second Amended and to Restated Professional Services Agreement Nos. C-134110, C-134114, and C-134116 with Standard Insurance Company to extend the terms by two years providing seven-year terms effective January 1, 2018 through December 31, 2024, subject to the approval of the City Attorney.

Fiscal Impact Statement: The City Administrative Officer (CAO) reports that funding is provided by the Human Resources Benefit Fund, Civilian FLEX Program Account and also by participant fees. There is no additional impact to the General Fund.

Financial Policies Statement: The CAO reports that as budgeted funds are available to support the proposed Agreement and expenditures in the current year are limited to the appropriation of funds, there commendation of the June 23, 2023 CAO report, attached to the Council File, complies with the City's Financial Policies.

TIME LIMIT FILE - NOVEMBER 13, 2023

(LAST DAY FOR COUNCIL ACTION - NOVEMBER 8, 2023)

Adopted Item Forthwith

Ayes: Blumenfield, de León, Harris-Dawson, Hernandez, Krekorian, McOsker, Padilla, Park, Raman, Soto-Martínez, Yaroslavsky (11); Nays: (0); Absent: Hutt, Lee, Price Jr., Rodriguez (4)

(13) **23-0908**
CD 3

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an appeal of a determination of incompleteness by the Department of City Planning (DCP) under the Permit Streamlining Act for the property located at 8217 North Winnetka Avenue.

Recommendations for Council action:

1. DENY THE APPEAL filed by 8217 Winnetka LLC & Bedrock Properties Group, LLC c/o Leon Benrimon (Representative: Dave Rand and Olivia Joncich, Rand Paster & Nelson LLP), and THEREBY SUSTAIN the DCP's determination of incompleteness under the Permit Streamlining Act, California Government Code Section 65943(c), for an application filed for a Priority Housing Project consisting of a 360 unit, 100 percent affordable (359 affordable units plus 1 market rate manager's unit) residential apartment building utilizing state density bonus provisions; for the property located at 8217 North Winnetka Avenue.
2. ADOPT the recommendation, rationale, and responses, contained in the Department of City Planning staff report dated September 29, 2023.

Applicant: Bedrock Properties Group, LLC dba Uncommon Developers, Leon Benrimon

Representative: Dave Rand and Olivia Joncich, Rand Paster & Nelson LLP

Case No. CPC-2023-4274-DB-PHP-VHCA-1A

Environmental No. ENV-2023-5358-EAF

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

Community Impact Statement: None submitted

TIME LIMIT FILE - OCTOBER 23, 2023

(LAST DAY FOR COUNCIL ACTION - OCTOBER 20, 2023)

The City Council may recess into Closed Session pursuant to Government Code Section 54956.9(d)(2) and (e)(1) to confer with its legal counsel (significant exposure to litigation - at least two potential cases).

Adopted Item Forthwith

Ayes: Blumenfield, de León, Harris-Dawson, Hernandez, Krekorian, McOsker, Padilla, Park, Soto-Martínez, Yaroslavsky (10); Nays: Raman (1); Absent: Hutt, Lee, Price Jr., Rodriguez (4)

(14) **23-0600-S43**

COMMUNICATION FROM THE LOS ANGELES POLICE DEPARTMENT relative to the release of remaining Interim Homeless Housing Funds.

(Budget, Finance and Innovation and Public Safety Committee reports 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

Adopted Item to Continue to October 20, 2023 - SEE ATTACHED

Ayes: Blumenfield, de León, Harris-Dawson, Hernandez, Krekorian, McOsker, Padilla, Park, Raman, Soto-Martínez, Yaroslavsky (11); Nays: (0); Absent: Hutt, Lee, Price Jr., Rodriguez (4)

(15) **23-1032**

ENERGY AND ENVIRONMENT COMMITTEE REPORT relative to the status of all recycLA contracts and the recycLA service providers' compliance with contract objectives and performance requirements, and related matters.

Recommendations for Council action:

1. APPROVE Recommendations 1b, 1c, 1d, and 1e of the September 21, 2023 Bureau of Sanitation (BOS) report, attached to the Council file.
2. DIRECT the BOS to consult with the Mayor's Electric Vehicle (EV) Task Force prior to starting negotiations to help set their technical parameters for leveraging negotiations to substantially increase vehicle electrification rates and/or that if we go with the new Request for Proposal (RFP) option, that BOS coordinate with the Mayor's EV Task Force as part of the RFP development.
3. APPROVE Recommendation 2 of the September 21, 2023 BOS report, attached to the Council file, relative to the Removing Barriers to Recycling Program.
4. INSTRUCT the City Administrative Officer (CAO) and Chief Legislative Analyst (CLA) to:
 - a. Provide assistance to the BOS for the recycLA program's review and in the proposed contract negotiations.
 - b. Provide additional analysis on Recommendation 1e of the September 21, 2023 BOS report, attached to the Council file.
5. DIRECT the BOS to focus negotiations on lowering fees to customers program-wide, including but not limited to specific options for increased competition within and among zones, in order to ensure meeting all of the City's goals.

Fiscal Impact Statement: None submitted by the BOS. Neither the CAO nor the CLA has completed a financial analysis of this report.

Community Impact Statement: None submitted.

The City Council shall recess to Closed Session pursuant to Government Code Section 54956.9(d)(1) to confer with its legal counsel relative to the cases entitled Apartment Owners Association of California v. City of Los Angeles, Los Angeles Superior Court Case No. BC677423 and consolidated case Leeds v. City of Los Angeles, Los Angeles Superior Court Case No. BC709658 (litigation related to the franchise fees associated with the recyclA program).

Adopted item as Amended by Motion 15A (Soto-Martinez – Raman) Forthwith - SEE ATTACHED

Ayes: Blumenfield, de León, Harris-Dawson, Hernandez, Krekorian, McOsker, Padilla, Park, Raman, Soto-Martínez, Yaroslavsky (11); Nays: (0); Absent: Hutt, Lee, Price Jr., Rodriguez (4)

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

(16) **23-0007-S23**
CD 13

COMMUNICATION FROM THE CITY ENGINEER relative to the installation of the name of Gwen Stefani on the Hollywood Walk of Fame.

Recommendation for Council action:

APPROVE the installation of the name of Gwen Stefani at 6212 Hollywood Boulevard.

Fiscal Impact Statement: The City Engineer reports that there is no General Fund impact. All costs are paid by the permittee.

Community Impact Statement: None submitted

Adopted Item Forthwith

Ayes: Blumenfield, de León, Harris-Dawson, Hernandez, Krekorian, McOsker, Padilla,

Park, Raman, Soto-Martínez, Yaroslavsky (11); Nays: (0); Absent: Hutt, Lee, Price Jr., Rodriguez (4)

(17) **20-1128
CD 13**

COMMUNICATION FROM THE CITY ENGINEER relative to initiating vacation proceedings for the northwesterly side of Park Drive from 128 feet of Ewing Street to approximately 184 feet northeasterly thereof (VAC-E1401384).

Recommendations for Council action:

1. ADOPT the City Engineer report dated September 7, 2023, attached to the Council file, to initiate the vacation proceedings to vacate the northwesterly side of Park Drive from 128 feet of Ewing Street to approximately 184 feet northeasterly thereof, as shown on Exhibit C of said City Engineer report, pursuant to California Streets and Highways Code, Division 9, Part 3, Public Streets, Highways and Service Easements Vacation Law.
2. DIRECT the Bureau of Engineering to investigate and report regarding the feasibility of this vacation request.

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

Community Impact Statement: None submitted

Adopted Item Forthwith

Ayes: Blumenfield, de León, Harris-Dawson, Hernandez, Krekorian, McOsker, Padilla, Park, Raman, Soto-Martínez, Yaroslavsky (11); Nays: (0); Absent: Hutt, Lee, Price Jr., Rodriguez (4)

(18) **14-1578-S1
CD 5**

COMMUNICATION FROM THE CITY ENGINEER relative to the final map of Tract No. 72465 located at 11767 East Bellagio Road, westerly of

Moraga Drive.

Recommendation for Council action:

APPROVE the final map of Tract No. 72465, located at 11767 East Bellagio Road, westerly of Moraga Drive and accompanying Subdivision Improvement Agreement and Contract with security documents.

(Bond No. C-144357)

Subdivider: Bellagio Builders, LLC; Surveyor: Cesar S. Bregaudit/Tala Associates, Inc.

Fiscal Impact Statement: he City Engineer reports that the subdivider has paid a fee of \$9,064 for the processing of this final tract map pursuant to Section 19.02(A) (2) of the Los Angeles Municipal Code. No additional City funds are needed.

Community Impact Statement: None submitted.

Adopted Item Forthwith

Ayes: Blumenfield, de León, Harris-Dawson, Hernandez, Krekorian, McOsker, Padilla, Park, Raman, Soto-Martínez, Yaroslavsky (11); Nays: (0); Absent: Hutt, Lee, Price Jr., Rodriguez (4)

(19) **23-1103
CD 13**

COMMUNICATION FROM THE CITY ENGINEER relative to the final map of Tract No. 75022 located at 1422-1426 North Sycamore Avenue, northerly of De Longpre Avenue.

Recommendation for Council action:

APPROVE the final map of Tract No. 75022, located at 1422-1426 North Sycamore Avenue, northerly of De Longpre Avenue and accompanying Subdivision Improvement Agreement and Contract with security documents.

(Bond No. C-144358)

Owner: Jonah 26, LLC and 26 RS Haslacha, LLC and 1426 Sycamore, LLC; Surveyor: Erik Bowers, PLS

Fiscal Impact Statement: The City Engineer reports that the subdivider

has paid a fee of \$9,064 for the processing of this final tract map pursuant to Section 19.02(A) (2) of the Los Angeles Municipal Code. No additional City funds are needed.

Community Impact Statement: None submitted.

Adopted Item Forthwith

Ayes: Blumenfield, de León, Harris-Dawson, Hernandez, Krekorian, McOsker, Padilla, Park, Raman, Soto-Martínez, Yaroslavsky (11); Nays: (0); Absent: Hutt, Lee, Price Jr., Rodriguez (4)

(20) **23-0858**
CD 15

MOTION (McOSKER - HERNANDEZ) relative to amending the Council action of September 29, 2023 regarding the Jose Quezada Memorial Square in Council District 15.

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

AMEND the Council action of September 29, 2023 to transfer and appropriate \$1,612 from the Council District 15 portion of the Street Furniture Revenue Fund No. 43D/50 to the Transportation Fund No. 100/94, Account No. 001090 (Salaries - Overtime) for services associated with this Square.

Adopted Item Forthwith

Ayes: Blumenfield, de León, Harris-Dawson, Hernandez, Krekorian, McOsker, Padilla, Park, Raman, Soto-Martínez, Yaroslavsky (11); Nays: (0); Absent: Hutt, Lee, Price Jr., Rodriguez (4)

Items Called Special

Motions for Posting and Referral - SEE ATTACHED

Council Members' Requests for Excuse from Attendance at Council Meetings

Closed Session

(21) **23-0907**

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 Community Power Collective, et al. v. City of Los Angeles, et al., Los Angeles Superior Court Case No. 22STCP04289. (This lawsuit concerns allegations that certain restrictions contained in Los Angeles Municipal Code Section 42.13 (Sidewalk and Park Vending Program), are unlawful under California Government Code Section 51036, et seq.)

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

Adopted Item to Continue to October 20, 2023

Ayes: Blumenfield, de León, Harris-Dawson, Hernandez, Krekorian, McOsker, Padilla, Park, Raman, Soto-Martínez, Yaroslavsky (11); Nays: (0); Absent: Hutt, Lee, Price Jr., Rodriguez (4)

Adjourning Motions

Council Adjournment

ENDING ROLL CALL

Blumenfield, de León, Harris-Dawson, Hernandez, Krekorian, McOsker, Padilla, Park, Raman, Soto-Martínez, Yaroslavsky (11); Absent: Hutt, Lee, Price Jr., Rodriguez (4)

Whereupon the Council did adjourn.

ATTEST: Holly L. Wolcott, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL

Regular meeting recessed at 12:24 p.m.
Special meeting convened at 12:24 p.m.
Special meeting adjourned at 12:39 p.m.
Regular meeting convened at 12:39 p.m.

COMMENDATORY RESOLUTIONS

MOVED BY	SECONDED BY	NAME
de León	Blumenfield	Salvadoran American Leadership and Educational Fund
Krekorian	Blumenfield	Life Insurance Awareness Month
de León	Krekorian	La Plaza United Methodist Church

BUDGET, FINANCE AND INNOVATION COMMITTEE REPORT relative to the release of remaining Interim Homeless Housing Funds.

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

- 1. CONCUR with Recommendations No. 2 and No. 3 of the Public Safety Committee report dated October 11, 2023, attached to the Council file.
- 2. AMEND Recommendation No. 1 of the Public Safety Committee report dated October 11, 2023 as follows:

TRANSFER appropriations in the amount of \$6.27 million from the Unappropriated Balance Fund No. 100/58, Police Department Sworn Overtime, Interim Homeless Housing, to new accounts for each Council Office, in the amounts designated per Council District included in the Los Angeles Police Department (LAPD) report dated July 27, 2023, attached to the Council file, for expenditure by each Council Office for the support of interim homeless housing sites, with the provision that any such amounts not spent, allocated, encumbered, or declared to the City Clerk's office for retention in the new account by any Council office at the end of 3 months shall be transferred to the Police Fund No. 100/70, Account No. 1092 (Sworn-Overtime).

- 3. INSTRUCT the City Clerk, in consultation with the CAO, to report on how the funding described above in Recommendation No. 2 is spent, if it is not spent on Overtime.

Fiscal Impact Statement: None submitted by LAPD. 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 its regular meeting held on October 11, 2023, the Budget, Finance and Innovation Committee considered a LAPD report dated July 27, 2023, relative to the release of remaining Interim Homeless Housing Funds.

After an opportunity for public comment was held, the Committee moved to approve the LAPD recommendations, as amended, as detailed above. This matter is now forwarded to the Council for its consideration.

Respectfully Submitted,

BUDGET, FINANCE AND INNOVATION COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
BLUMENFIELD	YES
HARRIS-DAWSON	YES
YAROSLAVSKY	YES
McOSKER	YES
RODRIGUEZ	NO

PUBLIC SAFETY COMMITTEE REPORT relative to the release of remaining Interim Homeless Housing Funds.

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

1. TRANSFER appropriations in the amount of \$6.27 million from the Unappropriated Balance Fund No. 100/58, Police Department Sworn Overtime, Interim Homeless Housing, to the Los Angeles Police Department (LAPD), Fund No. 100/70, Account No. 1092, Sworn Overtime.
2. AUTHORIZE the LAPD to make technical corrections as necessary, subject to the approval of the City Administrative Officer (CAO).
3. INSTRUCT the LAPD to report quarterly, beginning at the November 28, 2023 Public Safety Committee meeting, in regard to how the funding described above in Recommendation No. 1 has been allocated.

Fiscal Impact Statement: None submitted by LAPD. Neither the CAO nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

(Also referred to the Budget, Finance, and Innovation Committee)

Summary:

On October 10, 2023, your Committee considered a July 27, 2023 LAPD report relative to the release of remaining Interim Homeless Housing Funds. According to the LAPD, from the remaining Fiscal Year (FY) 2023-24 Police Department Sworn Overtime and Other Homeless Services-Interim Homeless Housing Sites (IHHS) funds, each Council District will be allocated a base amount of 3,067 hours (detailed in Table 2 of the LAPD report; Base Allotted Hours). This base allotment is determined by taking the remaining funds after the A Bridge Home (ABH) site hours are allocated, and distributing them equally amongst the 15 Council Districts (detailed in Table 1 of the LAPD report; IHHS Allotted Hours).

The LAPD distributes the funds in the form of overtime hours based on the LAPD's forecasted overtime rate of \$94.62. The LAPD recognizes 27 ABH shelter sites designated by the Mayor. Of the total \$8.36 million, each Council District will receive an allotment of 1,000 hours per ABH site. As, 250 hours of the total 1,000 hours were previously allocated, the remaining 750 hours from the requested \$6.27 million will be distributed as detailed in the LAPD report. After consideration and having provided an opportunity for public comment, the Public Safety Committee moved to recommend approval of the recommendations contained in the July 27, 2023 LAPD report. Also, the Committee moved to recommend instructing the LAPD to report quarterly, beginning at

the November 28, 2023 Public Safety Committee meeting, in regard to how the funding described above in Recommendation No. 1 has been allocated. This matter is now submitted to Council for its consideration.

Respectfully Submitted,

Public Safety Committee

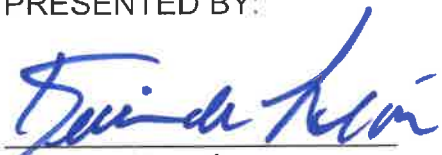
COUNCILMEMBER	VOTE
RODRIGUEZ:	YES
LEE:	YES
McOSKER:	YES
PARK:	YES
SOTO-MARTINEZ:	NO

ARL
10/10/23

-NOT OFFICIAL UNTIL COUNCIL ACTS-

I MOVE that \$400 be transferred / appropriated from the General City Purposes Fund No. 100-56, Account No. 0714 (CD-14 Community Services) to the General Services Fund No. 100-40, Account No. 1070 (Salaries-As Needed), for services in connection with Council District 14's solemn recognition of World AIDS Day on December 1, 2023 including the illumination of City Hall, the Sixth Street Viaduct, and the pylons at Los Angeles International Airport.

PRESENTED BY:



KEVIN DE LEÓN
Councilmember, 14th District

SECONDED BY:



ORIGINAL

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TO CITY CLERK FOR PLACEMENT ON NEXT
REGULAR COUNCIL AGENDA TO BE POSTED #52

MOTION

Warner Center I, LP (Borrower), a Limited Partnership, has requested that the California Municipal Finance Authority (CMFA) issue one or more series of its revenue bonds or other obligations from time to time in an aggregate principal amount not to exceed \$75,000,000 (Obligations), for the purpose of financing the acquisition, construction, improvement and equipping of a 173-unit multifamily rental housing development, located at 21300 Oxnard Street (Project) in Council District 3. The Project will be owned and/or operated by the Borrower.

As a condition to the City’s approval of the TEFRA Resolution for the Project, the Owner of the property shall enter into a regulatory agreement (ADA Regulatory Agreement) with the City, which ADA Regulatory Agreement shall be recorded to affirm that (a) the Project will comply with the Americans with Disabilities Act, 42 U.S.C. Section 12101 et seq. and the 2010 ADA Standards, Chapter 11A of Title 24 of the California Code of Regulations, Section 504 of the Rehabilitation Act of 1973, the Fair Housing Act of 1968 and the California Building Codes, (b) the Owner 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 Owner will provide reasonable accommodation upon request to ensure equal access and effective communication to its programs, services, and activities.

As provided in the Outside Issuer Guidelines of the Los Angeles Housing Department’s (LAHD) Affordable Housing Bond Policies & Procedures (Bond Policies), the City generally requires that all Qualified Residential Rental Projects in the City issue bonds through LAHD. The Bond Policies allow outside issuers to issue tax-exempt multifamily bonds for projects located in the City subject to conditions including execution of a Regulatory Agreement. The outside issuer and Borrower must agree to comply with all requirements of the City’s Bond Policies.

I THEREFORE MOVE that the Council hold a TEFRA Hearing at the City Council Meeting to be held on Friday, October 20, 2023 and adopt the attached TEFRA Resolution to allow the California Municipal Finance Authority to issue bonds in an amount not to exceed \$75,000,000 for the purpose of financing the acquisition, construction, improvement and equipping of a 173-unit multifamily rental housing development, located at 21300 Oxnard Street in Council District 3.

PRESENTED BY: *Bob Blumenfeld*
BOB BLUMENFIELD
Councilmember, 3rd District

SECONDED BY: *Trina Leon*

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OCT 13 2023

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RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ANGELES APPROVING THE ISSUANCE OF THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY MULTIFAMILY HOUSING REVENUE BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$75,000,000 FOR THE PURPOSE OF FINANCING OR REFINANCING THE ACQUISITION, CONSTRUCTION, IMPROVEMENT AND EQUIPPING OF WARNER CENTER I APARTMENTS AND CERTAIN OTHER MATTERS RELATING THERETO

WHEREAS, Warner Center I, LP (the "Borrower") a partnership of which Meta Housing Corporation (the "Developer") or a related person to the Developer is the general partner, has requested that the California Municipal Finance Authority (the "Authority") adopt a plan of financing providing for the issuance of exempt facility bonds for a qualified residential rental project pursuant to Section 142(a)(7) of the Internal Revenue Code of 1986 (the "Code") in one or more series issued from time to time, including bonds issued to refund such exempt facility bonds in one or more series from time to time, and at no time to exceed \$75,000,000 in aggregate principal amount (the "Bonds"), to finance or refinance the acquisition, construction, improvement and equipping of a multifamily rental housing project located at 21300 Oxnard Street, Los Angeles, California (the "Project"); and

WHEREAS, pursuant to Section 147(f) of the Code, the issuance of the Bonds by the Authority must be approved by the City of Los Angeles (the "City") because the Project is located within the territorial limits of the City; and

WHEREAS, the City Council of the City (the "City Council") is the elected legislative body of the City and is one of the "applicable elected representatives" required to approve the issuance of the Bonds under Section 147(f) of the Code; and

WHEREAS, the Authority has requested that the City Council approve the issuance of the Bonds by the Authority in order to satisfy the public approval requirement of Section 147(f) of the Code and the requirements of Section 4 of the Joint Exercise of Powers Agreement Relating to the California Municipal Finance Authority, dated as of January 1, 2004 (the "Agreement"), among certain local agencies, including the City; and

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

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

Section 1. The foregoing resolutions are true and correct.

Section 2. The City Council hereby approves the issuance of the Bonds by the Authority. It is the purpose and intent of the City Council that this resolution constitute approval of the issuance of the Bonds by the Authority, for the purposes of (a) Section 147(f) of the Code by the applicable elected representative of the governmental unit having jurisdiction over the area in which the Project is located, in accordance with said Section 147(f) and (b) Section 4 of the Agreement.

Section 3. The issuance of the Bonds shall be subject to the approval of the Authority of all financing documents relating thereto to which the Authority is a party. The City shall have no responsibility or liability whatsoever with respect to the Bonds.

Section 4. The adoption of this Resolution shall not obligate the City or any department thereof to (i) provide any financing to acquire or construct the Project or any refinancing of the Project; (ii) approve any application or request for or take any other action in connection with any planning approval, permit or other action necessary for the acquisition, construction, rehabilitation, installation or operation of the Project; (iii) make any contribution or advance any funds whatsoever to the Authority; or (iv) take any further action with respect to the Authority or its membership therein.

Section 5. The officers of the City are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents which they deem necessary or advisable in order to carry out, give effect to and comply with the terms and intent of this resolution and the financing transaction approved hereby.

Section 6. This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the City Council of the City of Los Angeles this ___ day of _____, 2023.

AYES:
NOES:
ABSTAIN:
ABSENT:

APPROVED AS TO FORM:
HYDEE FELDSTEIN SOTO, City Attorney

By: _____
Assistant City Attorney

I certify that the foregoing Resolution was adopted by the Council of the City of Los Angeles at its meeting on _____, 2023.
HOLLY L. WOLCOTT, City Clerk

By: _____
Deputy City Clerk

MOTION

In March 2020, the City of Los Angeles adopted some of the strongest tenant protections in the country in order to avert widespread renter displacement and homelessness otherwise expected as a result of the economic impact of the public safety orders issued in response to the COVID-19 pandemic. Eviction protections for nonpayment of rent were maintained through January 31, 2023, and extended certain provisions such as eviction protection for rental arrear from COVID debt from October 1, 2021 to January 31, 2023, and for additional tenants and pets, until February 1, 2024 for all rental units in Los Angeles.

The City of Los Angeles adopted additional permanent protections against evictions - Just Cause Eviction Protection Ordinance No. 187737 and established a Minimum Threshold of Nonpayment of Rent to restrict evictions with Ordinance No. 187763, and also adopted the Economic Displacement Ordinance No. 187764 for tenants unable to afford a rent increase of 10% or more, all applicable to non-rent stabilized rental units.

The City's Rent Stabilization Ordinance (RSO), applies to rental property built on or before October 1, 1978, and provides approximately 600,000 rental units, representing nearly 70% of the City's multi-family housing stock. The RSO limits annual rent increases to protect tenants from large rent increases and allows landlords to increase rents in accordance with the Consumer Price Index, with a floor of 3% and a ceiling of 8%. Under the COVID-19 emergency provisions, Ordinance No. 186607 suspended rent increases for units subject to the RSO, except those necessary to ensure landlords a "just and reasonable" return, as required by state law, until one year following the termination of the local emergency. Starting February 1, 2024 through June 30, 2024, the allowable rent increase for RSO will be 7%. An additional 1% for gas and 1% for electric service can be added if the utility service is provided to the tenant.

Owners of RSO units have not been permitted to raise their rents since March 2020, and are experiencing the financial impacts of the rent freeze and the escalating operating costs such as: trash-hauling fees increasing 14%, water rates increasing 39%, electricity increasing 10%, insurance increasing 40%, property taxes increasing 6%, as well as increasing labor and material costs. These increases are normally partially offset by the annual allowable RSO rent adjustment, as well as by higher rents upon turnover (vacancy decontrol). Owners of RSO units need sufficient income to reinvest in their rental properties and prevent the deterioration of the aging RSO housing stock with old infrastructure and building systems that require upkeep.

According to the U.S. Census Bureau, over 60% of Angelenos are renters and 73% of those renters are rent burdened, spending over 30% of their income on housing. In recent years, Los Angeles has consistently ranked as one of the most rent burdened cities in the nation, and the economic impact to renters post-COVID and the effects of the City's renter protection ordinances and rental assistance programs should be studied.

There is an immediate need for an updated study of the existing rent adjustment formula. The City Council approved Council File 21-0042-S3, instructing the Los Angeles Housing Department to conduct an expedited economic study of the formula for setting the RSO annual allowable rent increase, to include analyzing, in particular, the allowable rent increase in the California cities which have recently adopted or amended their formula for the annual allowable rent increase, including but not limited to Oakland, Bell Gardens, Antioch, Pomona, Santa Ana, and Oxnard; including a review of mandated City fees (i.e. RSO, SCEP, LASAN, RecycLA, DWP, etc) impacting operating expenses in rental properties.


I THEREFORE MOVE that the Los Angeles Housing Department (LAHD) be authorized to negotiate and execute a sole-source contract, subject to the approval as to form by the City Attorney, with Economic Roundtable, for an amount not to exceed \$180,000 from the Rent Stabilization Trust Fund 43/440, the term of the agreement shall be from date of execution to 12 months to conduct an economic study of the formula for setting the RSO annual allowable rent increase, with the understanding the study should conclude within 3 months.

I FURTHER MOVE that due to the continuing state of emergency on housing and homelessness, and in order to prevent wrongful evictions and further tenant displacement, upon the lifting of the City's COVID-19 protections that will expire on January 31, 2024, the City should be prepared to provide both tenants and landlords the most relevant information about their rights and responsibilities, especially as it pertains to the annual allowable rent increase, and request the concurrence of the City Attorney for a sole-source contract as the most effective means to conduct this expedited economic study of the formula for setting the RSO annual allowable rent increase.

I FURTHER MOVE that the Council find that the services to be performed by Economic Roundtable are for the performance of professional, scientific, expert, technical, or other special services of a temporary and occasional character for which competitive bidding is not practicable or advantageous and that the work can be performed more economically or feasibly by independent contractors than by City employees.

I FURTHER MOVE to INSTRUCT the LAHD to include in the economic study, authorized by Council File 21-0042-S3, an analysis of the impacts on homelessness in the City of Los Angeles, including the analysis from the 2020 U.S. Government Accountability Office study around median rent increases, for any recommended allowable rent increase caps and formulas.

PRESENTED BY: 
BOB BLUMENFIELD
Councilmember, 3rd District


HUGO SOTO-MARTÍNEZ
Councilmember, 13th District

SECONDED BY: 

OCT 13 2023

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