

Los Angeles City Council, Journal/Council Proceedings  
Friday, September 24, 2004  
John Ferraro Council Chamber, Room 340, City Hall - 10 am

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

**ROLL CALL - Members present: Cardenas, Greuel, Hahn, LaBonge, Ludlow, Miscikowski, Parks, Perry, Smith and President Padilla (10); Absent: Garcetti, Reyes, Villaraigosa, Weiss and Zine (5).**

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF  
SEPTEMBER 21, 2004

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - NONE

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PUBLIC TESTIMONY ON NON-AGENDA ITEMS AT THE CALL OF THE CHAIR -  
An opportunity for public testimony was provided.

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ROLL CALL NUMBER (#) - INDICATES THE ORDER IN WHICH THE ITEMS WERE ACTED  
UPON DURING THE COUNCIL MEETING

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## Item Noticed for Public Hearing - Item 1

ITEM NO. (1) - PUBLIC HEARING CLOSED - NO APPEALS - ASSESSMENT CONFIRMED

Roll Call #1 - Motion (Miscikowski - Smith) Adopted, Ayes (10); Absent: Garcetti, Reyes,  
Villaraigosa, Weiss and Zine (5)

04-0809 - CONTINUED CONSIDERATION OF HEARING APPEALS OR OBJECTIONS to Building  
CD 10 and Safety Department report and confirmation of assessment to cover the costs of  
barricading and graffiti abatement of the building(s) and the fencing of the lot at 3939  
Wellington Road. (Assessment: \$10,240.77)

(Continued from Council meeting of September 8, 2004)

## Items for Which Public Hearings Have Been Held - Items 2-22

Roll Call #2 - Motion (Parks - Miscikowski) Adopted, Ayes (10); Absent: Garcetti, Reyes, Villaraigosa, Weiss and Zine (5)  
(Item Nos. 2-4)

### ITEM NO. (2) - ADOPTED

00-1763 - BUDGET AND FINANCE COMMITTEE REPORT relative to the Spousal Abuser Prosecution Program Grant for Fiscal Year 2004-05.

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

1. AUTHORIZE the City Attorney to submit a grant application to the State of California Department of Justice (DOJ) for the 11th year of the Spousal Abuser Prosecution Program (SAPP) in the amount of \$71,274 for the period of July 1, 2004 through June 30, 2005.
2. AUTHORIZE the City Attorney, or designee, to accept the grant award.
3. APPROVE the proposed contract between the City and the DOJ for the SAPP in the amount of \$71,274, subject to the approval of the City Attorney as to form and legality and AUTHORIZE the City Attorney to execute the contract upon verification by the City Administrative Officer (CAO) that all City contracting requirements have been met.
4. APPROVE the City match in the amount of \$11,879 for the period of July 1, 2004 through June 30, 2005.
5. APPROVE a Reserve Fund advance of \$59,395 and TRANSFER said amount from the Reserve Fund to the Unappropriated balance and APPROPRIATE therefrom to the following account within the City Attorney, Fund No. 100/12, to be reimbursed to the Reserve Fund upon receipt of grant funds from the State, as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1010	Salaries, General	\$59,395

6. REQUEST the City Attorney to submit invoices to the State on a quarterly basis to ensure that the Reserve Fund is reimbursed in a timely manner.
7. AUTHORIZE the Controller to reimburse the Reserve Fund upon receipt of said grant funds from the State.
8. CERTIFY that the City will not use the Grant to supplant local expenditures and agree to hold the DOJ harmless from any claims that arise from the use of grant monies.
9. AUTHORIZE the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustment, subject to the approval of the CAO and AUTHORIZE the Controller to implement the instructions.

Fiscal Impact Statement: The CAO reports that a Reserve Fund advance of \$59,395 is required in Fiscal Year 2004-05 to fund the SAPP. This amount will be reimbursed upon receipt of grant funds from the DOJ. Full payment from the grant is anticipated by the second quarter of 2005-06. The cost to the General Fund for the 2004-05 program is \$70,735; \$11,879 of this amount is the City match required to receive grant funds for the SAPP.

**ITEM NO. (3) - ADOPTED**

03-0600 - BUDGET AND FINANCE COMMITTEE REPORT relative to the status of the City  
S54 Attorney's Liability Accounts for the month ending July 31, 2004.

Recommendation for Council action:

RECEIVE and FILE the City Attorney's report relative to the status of Liability Accounts for the month ending July 31, 2004, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

**ITEM NO. (4) - ADOPTED**

03-0600 - BUDGET AND FINANCE COMMITTEE REPORT relative to the City Attorney 2003-04  
S66 Liability Accounts Year End Report.

Recommendation for Council action:

RECEIVE and FILE the City Attorney's report relative to the 2003-04 Liability Accounts Year End Report inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

**ITEM NO. (5) - CONTINUED TO OCTOBER 1, 2004**

**Roll Call #6 - Motion (Parks - Miscikowski) Adopted to Continue, Unanimous Vote (11);  
Absent: Smith, Villaraigosa, Weiss and Zine (4)**

04-1677 - BUDGET AND FINANCE COMMITTEE REPORT relative to a penalty waiver request filed by Comcast Phone of California LLC.

Recommendation for Council action:

APPROVE the recommendation of the Office of Finance relative to a request for waiver of penalty filed by Comcast Phone of California LLC., in the amount of \$314,590.65.

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

**ITEM NO. (6) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS  
Roll Call #2 - Motion (Parks - Miscikowski) Adopted, Ayes (10); Absent: Garcetti, Reyes,  
Villaraigosa, Weiss and Zine (5)**

02-0976 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the Downtown Center Business Improvement District's (BID) 2003 Fiscal Year Annual Report.

Recommendations for Council action:

1. FIND that the accompanying Downtown Center BID's 2003 Fiscal Year Annual Report (attached to the Council file) complies with the requirements of Section 36650 of the California Streets and Highways Code.
2. ADOPT the accompanying Annual Report for the BID's 2004 Fiscal Year, pursuant to California Streets and Highways Code 36600, et seq.

Fiscal Impact Statement: The City Clerk reports that this action will not impact the General Fund.

**ITEM NO. (7) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS,  
- \*AS AMENDED -TO THE MAYOR FORTHWITH - SEE FOLLOWING**

**Roll Call #4 - Motion (Garcetti - Greuel) to Adopt as Amended, Ayes (11); Absent: Reyes, Smith,  
Villaraigosa and Zine (4)**

04-0292 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION relative to the issuance of Letters of Commitment for Funding from the Affordable Housing Trust Fund for various multifamily rental housing developments under the 2004 High Leverage Program (HLP) Round 2(B).

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

1. AUTHORIZE the General Manager, Los Angeles Housing Department (LAHD), or designee, to:
  - a. Issue Letters of Commitment for the HLP with maximum commitment amounts from the Affordable Housing Trust Fund and related sources, and allocate funds accordingly, for the following projects, subject to the condition that project sponsors apply to the State of California Multifamily Housing Program (MHP) for an award of 2004 MHP Round Two funds, currently scheduled for October 1, 2004, and receive a full award from MHP by February 2005:

<u>Project Name</u>	<u>CD</u>	<u>Units</u>	<u>HLP Funding</u>
The Opus at Echo	13	38	\$ 1,900,000
Woodland Terrace	7	31	1,758,184
*Gridley Ranch	7	<u>64</u>	<u>3,764,613</u>
	Total	133	*\$ 7,422,797
			*\$ 3,658,184
			*( <u>Garctti - Greuel</u> )

- b. Issue Letters of Commitment for the HLP with maximum commitment amounts from the Affordable Housing Trust Fund and related sources, and allocate funds accordingly, for the following projects, subject to the condition that project sponsors apply to the MHP for an award of 2004 Round Two funds by the due date of October 1, 2004, and to the County of Los Angeles for an award of City of Industry funds by the due date of September 27, 2004, and receive a full award from both of these programs:

<u>Project Name</u>	<u>CD</u>	<u>Units</u>	<u>HLP Funding</u>
Central Village	9	85	\$ 2,762,655
Mariposa Apartments	13	<u>58</u>	<u>2,783,500</u>
	Total	143	\$ 5,546,155

- c. Negotiate and execute an acquisition, predevelopment, construction, and permanent loan agreement for each project that receives an MHP and/or County of Los Angeles funding award, subject to the satisfaction of all conditions and criteria included within this report, the HLP application, LAHD's transmittal dated August 31, 2004 and LAHD's Letters of Commitment.
- d. Execute Subordination Agreements wherein the City loan and regulatory agreements on all projects recommended are subordinated to their respective conventional, construction, and permanent loans.
- e. Execute agreements allowing the transfer and/or execution of loans to or by limited partnerships to enable the admission of tax credit investors.
- f. Prepare Controller instructions and make any necessary technical adjustments consistent with this action, subject to the review of the City Administrative Officer (CAO); and, authorize the Controller to implement these instructions.
2. REQUEST that the Controller establish new accounts within the Affordable Housing Trust Fund, Fund No. 44G, Department 43, as follows:

<u>Account</u>	<u>Title</u>
W214	Community Redevelopment Agency (CRA) Housing Development
W215	Department of Water and Power (DWP) Housing Development

3. AUTHORIZE the Controller to transfer funds within the Affordable Housing Trust Fund, Fund No. 44G, Department 43, as follows:

From:	<u>Fund No.</u>	<u>Account No.</u>	<u>Amount</u>
	44G	T215	\$ 1,000,000
To:	44G	W215	\$ 1,000,000

4. AUTHORIZE the Controller, upon completion of all necessary environmental requirements, conditions, and clearances applicable to these projects, to:

a. Allocate and expend funds upon proper written demand of the General Manager, LAHD, or designee, for the following, and:

<u>Fund/Dept./Acct.</u>	<u>Title</u>	<u>Project</u>	<u>Amount</u>
44G/43/W211	General Fund	Central Village Apartments	\$ 2,010,655
44G/43/W211	General Fund	Opus at Echo	1,700,000
44G/43/W211	General Fund	Mariposa Place	<u>1,489,345</u>
		Subtotal	\$ 5,200,000
815/43/W005	MFF	Woodland Terrace	\$ 1,374,184
<del>*815/43/W005</del>	<del>MFF</del>	<del>Gridley Ranch</del>	<del>3,564,613</del>
815/43/W005	MFF	Mariposa Place	<u>661,203</u>
		Subtotal	* <del>\$ 5,600,000</del> * <del>\$ 2,035,387</del> <b>*(Garcetti - Greuel)</b>
44G/43/W215	DWP	Opus at Echo	\$ 200,000
44G/43/W215	DWP	Central Village	200,000
44G/43/W215	DWP	Woodland Terrace	200,000
<del>*44G/43/W215</del>	<del>DWP</del>	<del>Gridley Ranch</del>	<del>200,000</del>
44G/43/W215	DWP	Mariposa	<u>200,000</u>
		Subtotal	* <del>\$ 1,000,000</del> * <del>\$ 800,000</del> <b>*(Garcetti - Greuel)</b>
44G/43/T213	Bonds	Central Village Apartments	\$ 414,000
44G/43/T213	Bonds	Mariposa Place	<u>432,952</u>
		Subtotal	\$ 846,952

44G/43/T214	CRA	Central Village Apartments	\$ 138,000
44G/43/T214	CRA	Woodland Terrace	<u>184,000</u>
		Subtotal	\$ 322,000
		Total	*\$12,968,952
			*\$ 9,204,339
			*( <u>Garcetti - Greuel</u> )

- b. Reimburse the sponsors of approved projects for funding expenses incurred prior to execution of the City loan(s) if the expenses have been approved by the LAHD as part of the development cost budget.
5. ADOPT the accompanying Inducement RESOLUTION to enable project sponsors of the Leeward Apartments, Lexington Apartments, and Saenara Apartments projects to apply to the California Debt Limit Allocation Committee (CDLAC) for an allocation of tax-exempt bonds in CDLAC's current round, which has a closing date of October 1, 2004.
6. INSTRUCT the General Manager, LAHD, or designee, to:
- a. Conduct an administrative hearing pursuant to the Tax Equity and Fiscal Responsibility Act of 1986 (TEFRA) for the Leeward Apartments, Lexington Apartments, and Saenara Apartments projects, and other projects applying in the same round, in order to apply for a tax-exempt bond allocation, and submit the minutes of the TEFRA hearing to the Council for review and approval.
  - b. Complete the necessary environmental reviews for projects recommended for funding within this report, including compliance with the California Environmental Quality Act and the National Environmental Policy Act, and report to Council for any necessary findings and actions prior to the disbursement of any funding awards.

Fiscal Impact Statement: The CAO reports that the recommendations above involve the use of \$5.2 million in General Funds budgeted within the 2004-05 Affordable Housing Trust Fund. Additional commitments of \$7.8 million will be made from other Affordable Housing Trust Fund sources and the Municipal Housing Finance Fund, for total funding commitments of \$13.0 million.

**Roll Call #2 - Motion (Parks - Miscikowski) Adopted, Ayes (10); Absent: Garcetti, Reyes, Villaraigosa, Weiss and Zine (5)  
(Item Nos. 8-20)**

**ITEM NO. (8) - ADOPTED**

01-0572 - PUBLIC SAFETY COMMITTEE REPORT relative to quarterly activities of the Personnel Department on the status of Police Officer Hiring.

Recommendation for Council action:

NOTE and FILE the Personnel Department report for the period of January through March 2004 relative to quarterly activities of the Personnel Department on the status of Police Officer Hiring, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

(Personnel Committee waived consideration of the above matter)

#### ITEM NO. (9) - ADOPTED

01-0572 - PUBLIC SAFETY COMMITTEE REPORT relative to quarterly activities of the Personnel S1 Department on the status of Police Officer Hiring.

Recommendations for Council action:

1. NOTE and FILE the Personnel Department reports for the periods of October through December 2003 and March through June 2004 relative to quarterly activities of the Personnel Department on the status of Police Officer Hiring, inasmuch as the reports are submitted for information only and no Council action is necessary.
2. INSTRUCT the Personnel Department and the Los Angeles Police Department (LAPD) to report back on the process of promotional diversity in the LAPD, at all levels.
3. INSTRUCT the Personnel Department and the LAPD to report back on the DROP plan and its effect on promotions within LAPD, etc.

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

(Personnel Committee waived consideration of the above matter)

#### ITEM NO. (10) - ADOPTED

01-1586 - PUBLIC SAFETY COMMITTEE REPORT relative to quarterly activities of the Personnel Department on the status of Police Officer Hiring.

Recommendation for Council action:

NOTE and FILE the Personnel Department reports for the period of October through December 2002 and January through March 2003 relative to quarterly activities of the Personnel Department on the status of Police Officer Hiring, inasmuch as the reports are submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.



**ITEM NO. (11) - ADOPTED**

01-1227 - PUBLIC SAFETY COMMITTEE REPORT relative to strategies to reverse the decline of traffic violation productivity by the Los Angeles Police Department (LAPD).

Recommendation for Council action:

NOTE and FILE the LAPD report relative to strategies to reverse the decline of traffic violation productivity by the LAPD, inasmuch as the report is submitted for information only and no Council action is necessary.

Fiscal Impact Statement: Not applicable.

**ITEM NO. (12) - ADOPTED**

03-0006 - PUBLIC SAFETY COMMITTEE REPORT relative to Graffiti Apprehension Reward  
S32 payment.  
CD 6

Recommendation for Council action:

APPROVE Graffiti Apprehension Reward payment in the amount of \$1,000 to the applicant for an incident that occurred at 7555 Van Nuys Boulevard.

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

**ITEM NO. (13) - ADOPTED**

04-0006 - PUBLIC SAFETY COMMITTEE REPORT relative to Graffiti Apprehension Reward  
S6 payments.  
CD 6

Recommendation for Council action:

APPROVE Graffiti Apprehension Reward payments of \$250 each, for the total amount of \$1,000, to the four applicants for an incident that occurred at 14300 Sherman Way.

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

**ITEM NO. (14) - ADOPTED**

03-0447 - PUBLIC SAFETY COMMITTEE REPORT relative to a donation from the Special Weapons and Tactics (SWAT) Foundation.

Recommendation for Council action:

ACCEPT and APPROVE the monetary donation in the amount of \$12,500 to the Los Angeles Police Department from the SWAT Foundation, and THANK the donor for this generous donation.

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

**ITEM NO. (15) - ADOPTED**

03-1352 - PUBLIC SAFETY COMMITTEE REPORT relative to a donation of computer and camera equipment from the Los Angeles Police Southeast Explorer Post 911.

Recommendation for Council action:

ACCEPT and APPROVE the donation to the Los Angeles Police Department, of various computer and camera equipment, valued at \$12,795, from the Los Angeles Police Southeast Explorer Post 911, to assist with the Weed and Seed Grant Program in the Southeast Area, and THANK the donor for this generous donation.

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

**ITEM NO. (16) - ADOPTED**

04-1651 - PUBLIC SAFETY COMMITTEE REPORT relative to a donation of personal computers to the Los Angeles Police Department's (LAPD) Air Support Division.

Recommendation for Council action:

ACCEPT and APPROVE the donation of ten personal computers, valued at \$13,544.40, from Mr. David Sapperstein to the LAPD, Air Support Division, for pilot students training for a helicopter pilot license, and THANK the donor for this generous donation.

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

**ITEM NO. (17) - ADOPTED**

04-1721 - PUBLIC SAFETY COMMITTEE REPORT relative to a donation of various equipment from the State Point of Contact, Office of Criminal Justice Planning, California Counter-Drug Procurement Program.

Recommendation for Council action:

ACCEPT and APPROVE the donation of various equipment, valued at \$88,183.20, from the State Point of Contact, Office of Criminal Justice Planning, California Counter-Drug Procurement Program, to the Los Angeles Police Department's Counter-Terrorism Bureau and THANK the donor for this generous donation.

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

**ITEM NO. (18) - ADOPTED**

04-1722 - PUBLIC SAFETY COMMITTEE REPORT relative to a monetary donation from the Los Angeles Police Foundation for redesign and maintenance of the Department's Website.

Recommendation for Council action:

ACCEPT and APPROVE the monetary donation in the amount of \$262,000 from the Los Angeles Police Foundation to the Los Angeles Police Department, to redesign and maintain the Department's Website for the next three years, and THANK the donor for this generous donation.

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

**ITEM NO. (19) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATION -  
- SEE FOLLOWING**

00-1402 - MOTION (CARDENAS - LABONGE) relative to the acceptance of an additional \$160,000 from the State of California for the Van Nuys Amtrak/Metrolink Station Parking Expansion Phase 4.

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

(For background reports and materials related to this matter, please contact the Legislative Assistant for the Transportation Committee at 213-978-1078.)

**ADOPTED**

**TRANSPORTATION COMMITTEE REPORT** relative to amending a previous Council action regarding the reimbursement of funds by the State of California for the Van Nuys Amtrak/Metrolink Station Parking Expansion Phase 4.

**Recommendation for Council action, pursuant to Motion (Cardenas - LaBonge),  
SUBJECT TO THE APPROVAL OF THE MAYOR:**

**AMEND Council action of February 3, 2004 (Council file No. 04-0026) relative to the transfer and appropriation of \$600,000 to "Van Nuys Amtrak/Metrolink Station Parking Expansion Phase 4" to DIRECT the Department of Transportation (DOT) to:**

- a. **Appropriate all State reimbursed project funds to the Van Nuys Amtrak/Metrolink Station Parking Expansion Account No. R307.**
- b. **Return the front-funded amount of \$600,000 to Proposition C, Fund No. 540, upon completion of the project.**

**Fiscal Impact Statement: The DOT reports that there is no impact on the General Fund/Budget as this matter is 100 percent funded by the State of California.**

**ITEM NO. (20) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATION -  
- SEE FOLLOWING**

**04-0026 - MOTION (CARDENAS - LABONGE) relative to \$600,000 front-funding to be reimbursed by the State of California for the Van Nuys Amtrak/Metrolink Station Parking Expansion Phase 4.**

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

(For background reports and materials related to this matter, please contact the Legislative Assistant for the Transportation Committee at 213-978-1078.)

**ADOPTED**

**TRANSPORTATION COMMITTEE REPORT relative to the acceptance of \$160,000 from the State of California for the Van Nuys Amtrak/Metrolink Station Parking Expansion Project.**

**Recommendation for Council action, pursuant to Motion (Cardenas - LaBonge), SUBJECT TO THE APPROVAL OF THE MAYOR:**

**ACCEPT \$160,000 from the State of California for the Van Nuys Amtrak/Metrolink Station Parking Expansion Project Phase 4 and APPROPRIATE said funds to Account No. R307 to build the project.**

**Fiscal Impact Statement: The Department of Transportation reports that there is no impact on the General Fund/Budget as this matter is 100 percent funded by the State.**

**ITEM NO. (21) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS, AS AMENDED - TO THE MAYOR FORTHWITH - SEE FOLLOWING**

**Roll Call #5 - Motion (Perry - Parks) to Adopt as Amended, Ayes (11); Absent: Smith, Villaraigosa, Weiss and Zine (4)**

04-1812 - COMMUNICATION FROM THE COMMUNITY DEVELOPMENT DEPARTMENT relative to CD 9 the approval of various actions to implement Goodyear Industrial Tract Brownfields Development Projects.

(Housing, Community and Economic Development Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comments will be provided.)

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

(For background reports and materials related to this matter, please contact the Legislative Assistant for the Budget and Finance Committee at 213-978-1075 or the Legislative Assistant for the Housing, Community and Economic Development Committee at 213-978-1080.)

**ADOPTED**

**HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to various actions related to implementing Goodyear Industrial Tract Brownfields Development projects in the Council District Nine Redevelopment Project Area.**

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

- 1. AUTHORIZE the General Manager, Community Development Department (CDD), or designee to:**
  - a. Negotiate and execute agreements with the United States Department of Housing and Urban Development (HUD) to draw down Section 108 Loan Guarantee and Brownfields Economic Development Initiative (BEDI) funds in the amount of \$4.4 million, subject to the approval of the City Attorney as to form and legality.**
  - b. Use a total of \$1.7 million of BEDI funds to pay capitalized interest and other costs for the Goodyear Tract Projects.**
  - c. Use an allocation, in an amount not to exceed \$1.2 million, of Council District Nine AB 1290 funds to pay debt service on the Section 108 Loan Guarantee funds.**
  - d. Amend the appropriate Consolidated Plan(s), as needed for the Goodyear Tract project and submit the amended Consolidated Plan(s) to HUD for review and approval.**

- e. Prepare Controller instructions and make any technical changes that may be required to incorporate the approved Council actions, subject to the review of the City Administrative Officer (CAO); and, request that the Controller implement these instructions.
2. AUTHORIZE the General Manager, CDD and the Chief Executive Officer, Agency, or designees to negotiate and execute agreements between the CDD and the Agency to implement the land acquisition and related activities for the Goodyear Tract Projects, subject to the approval of the City Attorney as to form and legality.
  3. AUTHORIZE the Controller to:
    - a. Rename Account V210 Slauson Central to Goodyear Tract within Fund #43F as CDD Section 108 Loan.
    - b. Rename Account V210 Slauson Central to Goodyear Tract within Fund #47F as CDD Brownfields Economic Development Fund.
    - c. Increase appropriations in Account V210 Goodyear Tract in the amount of \$3,817,000 within Fund #43F CDD Section 108 Loan Guarantee.
    - d. Increase appropriations in Account V210 Goodyear Tract in the amount of \$625,000 within Fund #47F Brownfields Economic Development Fund.
    - e. Expend funds upon proper demand of the General Manager, CDD, or designee.
  4. INSTRUCT the General Manager, CDD, or designee, to report in 90 days on the status of the entire Section 108 Loan Guarantee Program, any future projects that may require similar actions, and how CDD plans to address future HUD deadlines relative to these projects.
  5. INSTRUCT the General Manager, CDD, and the Chief Executive Officer, Agency, that as security funds are replaced for the Goodyear Tract projects, to first replace Council District Nine Redevelopment Project Area AB 1290 funds.

**Fiscal Impact Statement:** The Chief Legislative Analyst and CAO report that this action has a General Fund impact of approximately \$1.2 million (principal and interest over 18 years), or \$102,655. These funds are to be provided from the City's share of Assembly Bill 1290 funds from the Council District Nine Redevelopment Project Area. The total principal and interest to draw down the loans will be \$3.8 million over 18 years, of which \$2.6 million or \$223,874 annually will be from Council District Nine Redevelopment Project Area Tax Increment funds.

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

**ADOPTED**

**AMENDING MOTION (PERRY - PARKS)**

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

**AMEND the Housing, Community and Economic Development Committee (HCED) report relative to various actions on the implementation of Goodyear Industrial Track Brownfields Development projects, located in the Council District Nine (CD 9) Redevelopment Project Area, to include the following accompanying actions, consistent with the HCED recommendations, as taken by the Community Redevelopment Agency (Agency) Board of Commissioners (Agency Board) on September 23, 2004:**

- 1. AUTHORIZE the Agency's Chief Executive Officer or designee to do the following:**
  - a. Acknowledge the future receipt of \$3,817,000 in additional Section 108 Guaranteed Loan Funds (Section 108 Funds) and \$625,000 in additional Brownfields Economic Development Initiative (BEDI) Grant Funds from the Department of Urban Development (HUD) (collectively, BEDI Funds) and amend the Agency Fiscal Year (FY) 2005 Budget and Work Program, as appropriate, to place those funds in Objection C92300 (Goodyear Tract Demonstration Site) and authorize their use for acquisition and relocation costs related to the Goodyear Tract Brownfields Development Projects.**
  - b. Acknowledge the future receipt of a portion of CD 9 Corridors South of the Santa Monica Freeway Recovery Redevelopment Project Area (CD 9 Project Area) AB 1290 City Funds in an amount not to exceed \$1,200,000 (Attachment "A") on an annual basis from FY 2006 through FY 2023 to pay debt service on the above referenced Section 108 Funds, and authorize placement of AB 1290 City Funds into the appropriate objections in future years' budgets.**
  - c. Allocate the BEDI Funds to specific Goodyear Tract Brownfields Development Projects and their specific budget objections for interest on Section 108 Funds, acquisition and relocation activities for the Goodyear Tract Brownfields Development Projects.**
  - d. Negotiate and execute a Cooperation Agreement between the city of Los Angeles (City) and the Agency to implement public financing in the form of the BEDI Funds.**
  - e. Execute a Pledge of CD 9 Project Area Tax Increment for \$2,617,000 of the \$3,817,000 loan (Attachment "B") and transmit this pledge and the City's approval of \$1,200,000 in CD 9 Project Area AB 1290 City funds to HUD as interim sources of security in order to close on the Section 108 Loan Guarantee Funds.**

- f. Negotiate and execute and appropriate documents to perfect substituted pledges of security of equal or greater value to provide a permanent repayment stream for the above referenced Section 108 Funds when final development agreements are approved by the Agency Board for the Goodyear Tract Brownfields Development Projects.
- g. To continue to implement the Goodyear Tract Brownfields Development Projects, including negotiation and voluntary acquisition of 6900 Stanford Avenue and/or 909 East 59th Street, as contemplated in the original BEDI and Section 108 application to HUD.

**ITEM NO. (22) - ADOPTED**

**Roll Call #2 - Motion (Parks - Miscikowski) Adopted, Ayes (10); Absent: Garcetti, Reyes, Villaraigosa, Weiss and Zine (5)**

04-0002 - PUBLIC SAFETY and TRANSPORTATION COMMITTEES' REPORT relative to legislation S104 which removes "intra-state tow truck operations" from Federal law and returns regulatory control to state and local governments.

Recommendations for Council action, initiated by Resolution (Zine - Perry - Smith), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

1. RESOLVE that the City establishes a position of SUPPORT in its 2003-04 Federal Legislative Program for any legislation which removes "intra-state tow truck operations" from federal law and returns regulatory control to state and local governments.
2. REQUEST the Chief Legislative Analyst (CLA) to contact the office of Congressman Brad Sherman (Sherman Oaks), or any other interested Federal legislator, to draft legislation in support of this matter.

Fiscal Impact Statement: None submitted by the CLA. The City Administrative Officer has not completed a financial analysis of this report.

**Item for Which Public Hearing Has Not Been Held - Item 23**

(10 Votes Required for Consideration)

**ITEM NO. (23) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION**

**Roll Call #3 - Motion (LaBonge - Parks) Adopted, Ayes (10); Absent: Garcetti, Reyes, Villaraigosa, Weiss and Zine (5)**

04-1650 - COMMUNICATION FROM THE EXECUTIVE EMPLOYEE RELATIONS COMMITTEE relative to establishing salary rate of pay for the position of permanent City Librarian.

Recommendation for Council action:



RESOLVE that the salary rate of pay for the position of permanent City Librarian, shall BE ESTABLISHED, as recommended by the Mayor and approved by the Executive Employee Relations Committee.

(Council may recess to Closed Session, pursuant to Government Code 54957.6, relative to the above salary recommendation)

(Council adopted the Arts, Parks Health and Aging Committee report on September 14, 2004, confirming the appointment of Ms. Fontayne Holmes as the permanent City Librarian)

## **MOTIONS PRESENTED PURSUANT TO RULE NO. 16 - TO BE PLACED ON THE NEXT AVAILABLE AGENDA**

- 02-1667 - MOTION (PADILLA - CARDENAS) relative to declaring the Sixth Annual Neighborhood Pride Day on October 9, 2004 a Special Event (fees and costs absorbed by the City = \$2,400).
- 03-2558 - MOTION (PADILLA - PERRY - PARKS) relative to declaring the Second Annual Downtown Jingle Walk on December 8, 2004 a Special Event (fees and costs absorbed by the City = \$6,194).
- 02-1663 - MOTION (PARKS - SMITH) relative to declaring the West 71st Street Block Club's Annual Block Club Party on October 9, 2004 a Special Event (fees and costs absorbed by the City = \$312).
- 02-2299 - MOTION (PARKS - SMITH) relative to declaring the 1500 Block Club Block Party on September 25, 2004 a Special Event (fees and costs absorbed by the City = \$312).
- 03-2007 - MOTION (PARKS - SMITH) relative to declaring the Greater Liberty Baptist Church's Annual Back to School Carnival Jam on September 25, 2004 a Special Event (fees and costs absorbed by the City = \$312).
- 04-1921 - MOTION (HAHN - LUDLOW) relative to declaring the San Pedro Sportswalk Induction Ceremony and Awards Luncheon on October 28, 2004 a Special Event (fees and costs absorbed by the City = \$1,226).
- 04-1920 - MOTION (HAHN - LUDLOW) relative to declaring the Sea San Pedro on October 16-17, 2004 a Special Event (fees and costs absorbed by the City = \$4,800).
- 02-2258 - MOTION (MISCIKOWSKI - PADILLA) relative to declaring the 27th Annual Playa del Rey Clean Up on September 19, 2004 a Special Event (fees and costs absorbed by the City = \$1,226).
- 02-1976 - MOTION (MISCIKOWSKI - PADILLA) relative to declaring the 82nd Street Block Party on September 5, 2004 a Special Event (fees and costs absorbed by the City = \$1,226).

- 00-1484 - MOTION (MISCIKOWSKI - PADILLA) relative to declaring the 20th Annual Abbot Kinney Festival on September 26, 2006 a Special Event (fees and costs absorbed by the City = \$9,105).
- 03-2263 - MOTION (MISCIKOWSKI - PADILLA) relative to declaring the Chabad of Brentwood Community Street Festival on October 3, 2004 a Special Event (fees and costs absorbed by the City = \$2,933).
- 04-0010 - MOTION (LUDLOW - HAHN) relative to reinstating the reward offer in the death of S13 Gilberto Santos for an additional 60 days.
- 04-0010 - MOTION (PARKS for ZINE - HAHN) relative to reinstating the reward offer in the death of S29 Jason Lee Deeks for an additional 60 days.
- 04-0010 - MOTION (PARKS - SMITH) relative to an offer of reward for information leading to the S47 identification, apprehension, and conviction of the person(s) responsible for the July 6, 2004 death of Joseph Fleetwood Calloway.
- 04-1922 - MOTION (SMITH - CARDENAS) relative to initiating street vacation proceedings for a 20-foot emergency access easement northerly of Arminta Street from Nollan Place (Private Street) to approximately 355 feet easterly thereof, located in Council District Six.
- 04-0404 - MOTION (PADILLA - LaBonge) relative to authorizing the Commission for Children, Youth and Their Families (CCYF) to use the City Hall Tom Bradley Room and the Board of Public Works Room on Thursday, November 18, 2004.
- 01-0555 - MOTION (SMITH - PARKS) relative to waiving permit fees for the construction of a new S1 median on Reseda Boulevard from Parthenia to Gresham (adopting the median).

## **COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS**

Upon his request, and without objections, Councilmember Garcetti was excused to leave at 12:15 p.m. from Council session of Wednesday, September 29, 2004 due to City business.

Upon his request, and without objections, Councilmember Cardenas was excused to leave at 11:00 am. From Council session of Friday, November 12, 2004 due to City business.

Motion (Perry - LaBonge) unanimously adopted to excuse Councilmember Parks from Council session of Tuesday, September 28, 2004 and upon his request, and without objections, he was excused from Council session of Wednesday, September 29, 2004 due to City business.

Upon his request, and without objections, President Padilla was excused from Council session of Friday, November 19, 2004 due to City business.

Motion (LaBonge - Ludlow) unanimously adopted to excuse Councilmember Hahn from Council sessions of Tuesday and Wednesday, September 28 and 29, 2004 due to City business.

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

04-1298 - Emmanuel Opara

(Parks)

**Ayes, Cardenas, Garcetti, Greuel, LaBonge, Ludlow, Miscikowski, Parks, Perry, Reyes, Smith and President Padilla (11); Absent: Hahn, Villaraigosa, Weiss and Zine (4).**

**Whereupon the Council did adjourn.**

ATTEST: J. Michael Carey, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL