Los Angeles City Council, Journal/Council Proceedings
Friday, April 1, 2005
John Ferraro Council Chamber, Room 340, City Hall - 10:45 am

- - - SPECIAL COUNCIL MEETING - - -

10:45 A.M. OR AS SOON THEREAFTER
AS COUNCIL RECESSES ITS REGULAR MEETING

ROLL CALL - Members present: Cardenas, Garcetti, Greuel, Hahn, LaBonge, Miscikowski, Parks, Reyes, Smith, Villaraigosa, Weiss, Zine and President Padilla (13); Absent: Ludlow and Perry (2).

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

Items for Which Public Hearings Have Been Held - Items 1-3

Roll Call #1 - Motion (Zine - Parks) Adopted, Ayes (13); Absent: Ludlow and Perry (2)
(Item Nos. 1-3)

ITEM NO. (1) - ADOPTED

02-0637

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to a Construction / Permanent Loan Agreement with Hart Village, LP, for the purpose of developing the Hart Village Affordable Housing Project.

Recommendations for Council action:

1. AUTHORIZE the Chief Executive Officer, Community Redevelopment Agency (CRA), or designee, to execute a Construction and Permanent Loan Agreement in an amount not to exceed $2,850,000 with Hart Village, LP, for the Hart Village Affordable Housing Project at 6941 Owensmouth Street, in the Canoga Park Disaster Assistance Project Area; subject to conditions contained in the CRA's report to Council dated March 17, 2005 (attached to the Council file), the approval of the City Attorney as to form and legality, and the approval of the Department of Public Works, Bureau of Contract Administration for compliance with CRA contracting requirements.

2. AUTHORIZE the CRA to substitute the current Borrower/Developer for the Acquisition and Predevelopment Loan Agreement, Owensmouth Hart, LLC, with the new Borrower/Developer for the Construction and Permanent Loan Agreement, Hart Village LP for the project.

Fiscal Impact Statement: The City Administrative Officer reports that this action will not impact the General Fund. The CRA will provide funding for the increase in the Construction and Permanent Loan Agreement from Reseda-Canoga Park Low and Moderate Income Housing Funds.

ITEM NO. (2) - ADOPTED - FORTHWITH

04-1685

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION relative to a loan increase for the Vermont Seniors/Exposition West Senior Housing Project.

Recommendations for Council action:

1. AMEND the Community Redevelopment Agency's (CRA) Fiscal Year 2004-05 Budget and Work Program to transfer funds as follows:

   From:

Account	Work Objective	Amount
H01950	New Housing Initiatives	$ 415,000
N51070	Scattered Sites	580,000
N51010	Residential Rehabilitation	208,872
VM1950	New Housing Initiatives	488,000
CR1050	Buckingham Seniors - Other Housing Costs	795,000
	Total	$2,486,872

   To:

Account	Work Objective	Amount
HE1700	Vermont Senior Apartments	$2,486,872

2. AUTHORIZE the Chief Executive Officer, CRA, or designee, to execute an agreement to amend the Agency Gap Loan with Community Resources and Talent Development for the Vermont Seniors Project, located at 39th Street and Vermont Avenue in the Hoover Expansion Redevelopment Project Area, to increase the amount by $2,486,872, from $5,954,000 to $8,440,872, to be used to pay for acquisition, predevelopment, construction, and permanent financing costs.

3. ADOPT the accompanying JOINT RESOLUTION making the Findings of Benefit necessary to transfer low- and moderate-income housing funds from the Normandie 5, Vermont/Manchester, and Crenshaw Redevelopment Project Areas for the Vermont Seniors/Exposition West Senior Housing Project.

Fiscal Impact Statement: The Chief Legislative Analyst reports that this action will not impact the General Fund. The additional $2,486,872 is comprised of $415,000 from Hoover Expansion (New Housing Initiatives); $580,000 from Normandie 5 (Scattered Sites); $208,872 Normandie 5 (Residential Rehabilitation); $488,0000 Vermont Manchester (New Housing Initiatives), and $795,000 Crenshaw (Buckingham Seniors).

ITEM NO. (3) - MOTION ADOPTED TO APPROVE PERSONNEL AND BUDGET AND FINANCE COMMITTEES' REPORT

05-0048

PERSONNEL AND BUDGET AND FINANCE and PLANNING AND LAND USE MANAGEMENT COMMITTEES' REPORTS relative to establishment of a Building and Safety Building Permit Enterprise Fund (Enterprise Fund).

ADOPTED

A. PERSONNEL AND BUDGET AND FINANCE COMMITTEES' REPORT

Recommendations for Council action:

1. REQUEST the City Attorney to prepare and present an ordinance establishing the Enterprise Fund as described in the report of the City Administrative Officer (CAO), dated December 22, 2004, attached to the Council file, with the Enterprise Fund to be operative effective July 1, 2005.

2. AUTHORIZE the Controller to:

   a. Create an interest-bearing Enterprise Fund and designate a fund number.

   b. Create revenue and appropriation accounts within the Enterprise Fund upon the demand of the General Manager, Department of Building and Safety.

3. REQUEST the Mayor to:

   a. Incorporate the Enterprise Fund into the 2005-06 Proposed Budget.

   b. Provide $10,000,000 in seed money from the Reserve Fund for the Enterprise Fund.

   c. Include a plan for appropriating the seed money to accounts within the Enterprise Fund.

   d. Include the following 25 position authorities for staffing flexibility, additional administration, support, and supervision in the Department of Building and Safety's 2005-06 Proposed Budget:

Regular Authorities for supporting, managing and administering the Fund Enterprise

No.	Code	Title
1	1523-2	Senior Accountant II
1	1513-2	Accountant II
1	9171-1	Senior Management Analyst I

Regular Authorities for Plan Check Operation

No.	Code	Title
1	7255-3	Engineering Geologist III
5	7957-3	Structural Engineering Associate III

Regular Authorities for Inspection Operation

No.	Code	Title
1	4258	Chief Inspector
1	4242	Senior Fire Sprinkler Inspector
1	4253	Senior Building Mechanical Inspector

Resolution Authorities for Plan Check Operation

No.	Code	Title
2	7212-3	Office Engineering Technician III
1	7525-3	Electrical Engineering Associate III
1	7554-3	Mechanical Engineering Associate III

Resolution Authorities for Inspection Operation

No.	Code	Title
1	4240	Fire Sprinkler Inspector
2	4253	Senior Building Mechanical Inspector
5	4251	Building Mechanical Inspector
1	4245	Heating and Refrigeration Inspector

The positions listed above are subject to paygrade determination by the CAO.

4. INSTRUCT the CAO and the Department of Building and Safety to include the Personnel Committee in the distribution of the quarterly report on the status of the Enterprise Fund revenues, expenditures and staffing, once the Enterprise Fund has become operative.

5. INSTRUCT the CAO to review the Department of Building and Safety's requests to fill positions under the Enterprise Fund, and to prepare a quarterly report for the Personnel Committee for the Personnel Committee's recommendations to the Council on filling future vacant positions.

RECEIVED AND FILED

B. PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT

Recommendations for Council action:

1. REQUEST the City Attorney to prepare and present an ordinance establishing the Enterprise Fund as described in the report of the City Administrative Officer (CAO), dated December 22, 2004, attached to the Council file, with the Enterprise Fund to be operative effective July 1, 2005.

2. AUTHORIZE the Controller to:

   a. Create an interest-bearing Enterprise Fund and designate a fund number.

   b. Create revenue and appropriation accounts within the Enterprise Fund upon the demand of the General Manager, Department of Building and Safety.

3. REQUEST the Mayor to:

   a. Incorporate the Enterprise Fund into the 2005-06 Proposed Budget.

   b. Provide $10,000,000 in seed money from the Reserve Fund for the Enterprise Fund.

   c. Include a plan for appropriating the seed money to accounts within the Enterprise Fund.

   d. Include the following 38 position authorities for staffing flexibility, additional administration, support, and supervision in the Department of Building and Safety's 2005-06 Proposed Budget:

   Regular Authorities for supporting, managing and administering the Enterprise Fund

No.	Code	Title
1	1523-2	Senior Accountant II
1	1513-2	Accountant II
1	1201	Principal Clerk
1	1368	Senior Clerk Typist
3	1358	Clerk Typist

1	9167-2	Senior Personnel Analyst II
1	9171-1	Senior Management Analyst I
1	1455-3	Systems Programmer III
1	1431-4	Programmer Analyst IV
1	1470	Database Architect
1	1835-2	Storekeeper II
1	4258	Chief Inspector
1	4242	Senior Fire Sprinkler Inspector
1	4253	Senior Building Mechanical Inspector
1	7255-3	Engineer Geologist III
5	7957-3	Structural Engineering Associate III
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Resolution Authorities for Inspection Operation

No.	Code	Title
1	1368	Senior Clerk Typist
2	1358	Clerk Typist
2	7212-3	Office Engineering Technician III
1	7525-3	Electrical Engineering Associate III
1	7554-3	Mechanical Engineering Associate III
1	4240	Fire Sprinkler Inspector
2	4253	Senior Building Mechanical Inspector
5	4251	Building Mechanical Inspector
1	4245	Heating and Refrigeration Inspector
16		

The positions listed above are subject to paygrade determination by the CAO.

4. INSTRUCT the CAO and the Department of Building and Safety to report quarterly on the status of the Enterprise Fund revenues, expenditures and staffing, once the Enterprise Fund has become operative.

Fiscal Impact Statement: The CAO reports that creating the Enterprise Fund would cause a reduction in General Fund revenue and a corresponding decrease in General Fund expenditures. These two impacts should be substantially offsetting.

To provide seed money for the Enterprise Fund, this proposal would cost the Reserve Fund $10,000,000. This seed money represents Fiscal Year 2004-05 receipts to date from the Building and Safety Department in excess of the revenue anticipated to date in the 2004-05 Adopted Budget. This impact would occur in July 2005, and could be programmed into the 2005-06 Budget.

Closed Session - Item 4

ITEM NO. (4) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Roll Call #2 - Motion (Parks - Miscikowski) Adopted in Open Session, Ayes (11); Absent: Greuel, Ludlow, Perry and Villaraigosa (4)

04-0451

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to settlement in the case entitled Carvin v. City of Los Angeles, Los Angeles Superior Court Case No. BC 290553. (This matter arises out of an employment matter in the Office of the Controller.)

(Budget and Finance Committee considered the above matter in Closed Session on March 29, 2005)

ADOPTED IN OPEN SESSION

MOTION (PARKS - MISCIKOWSKI)

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

1. AUTHORIZE the City Attorney to expend $490,000 in settlement of the case entitled Carvin v. City of Los Angeles, Los Angeles Superior Court Case No. BC 290553, from the Liability Claims Account No. 9770, Fund 100, Department 59.

2. AUTHORIZE the City Attorney to draw demands thereon in amounts payable as follows:

   a. $250,000 upon execution of the Agreement by Mr. Carvin, payable to the Louis J. Cohen, A Professional Corporation, Attorney-Client Trust Account.

   b. $90,000 on or about July 1, 2005, paid by check to Daniel Carvin.

   c. $150,000 on or after January 1, 2006, paid by check to Daniel Carvin.

This matter was approved by the Budget and Finance Committee (Parks - Miscikowski - Cardenas - Smith "yes") at its meeting of March 29, 2005, in Closed Session as permitted by Government Code Section 54956.9(a).

Councilmember LaBonge moved, seconded by Councilmember Garcetti, that the Special Council meeting adjourn.

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

Whereupon the Special Council meeting did adjourn.

ATTEST: Frank T. Martinez, CITY CLERK

By

Council Clerk PRESIDENT OF THE CITY COUNCIL