

Los Angeles City Council, **Journal/Council Proceedings**

Friday, **June 27, 2008**

John Ferraro Council Chamber, Room 340, City Hall - 10:30 am

****ALL ITEMS FORTHWITH ****

--- SPECIAL COUNCIL MEETING ---

10:30 A.M. OR AS SOON THEREAFTER
AS COUNCIL RECESSES ITS REGULAR MEETING

ROLL CALL - Members present: Alarcon, Cardenas, Hahn, Huizar, Parks, Reyes, Rosendahl, Weiss, Wesson, Zine and President Garcetti (11); Absent: Greuel, LaBonge, Perry and Smith (4).

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

Item for Which Public Hearing Has Been Held - Item 30

ITEM NO. (30) - ADOPTED

Roll Call #1 - Motion (Alarcon - Parks) Adopted, Ayes (11); Absent: Greuel, LaBonge, Perry and Smith (4)

[05-1330-S3](#)

CD 7

BUDGET AND FINANCE COMMITTEE REPORT relative to the Children's Museum of Los Angeles (CMLA).

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

1. APPROVE the change in opening date for the CMLA project from March 31, 2009 to June 30, 2010.
2. APPROVE the reallocation of up to \$4 million in Proposition 40 discretionary funds from various other projects to the CMLA and direct Steering Committee staff to identify the affected projects and to present them for Steering Committee consideration and approval.
3. APPROVE the acceptance of \$1 million in Proposition 40 Roberti-Z'Berg-Harris grant funds for the CMLA project that were formerly allocated to the County of Los Angeles and AUTHORIZE the City's representative to negotiate and execute any amendments to State grant or sub-grant contracts or other documents necessary to obtain State approval and receive said funds and reflect the Council's intent.

4. AUTHORIZE the City Clerk to return \$602,334 in unspent Reserve Fund loan monies from Contract No. 108833 with the CMLA to the Reserve Fund from Fund No. 100/56, Account No. 0841 entitled Children's Museum of LA (Council file No. 05-1330-S2).
5. AUTHORIZE the extension of the repayment deadline for a Reserve Fund loan totaling \$1,147,666 from June 30, 2008 to June 30, 2009, or sooner if fundraising goals are met.
6. AUTHORIZE the City Engineer to negotiate and execute amendments to Proposition K Grant Agreement No. 109472 and Sub-Grant Agreement No. C-110211, as necessary, to reflect the Council's intent.
7. AUTHORIZE the City Administrative Officer to make any technical adjustments that may be needed to implement the above recommendations.
8. NOTE and FILE the Controller's report relative to the Audit of the CMLA inasmuch as the report is submitted for information and no further Council action is necessary.
9. NOTE and FILE the LA for Kids Steering Committee report, dated November 8, 2007, entitled Response to the August 29, 2007 Controller Audit of the CMLA inasmuch as the report is submitted for information only and no further Council action is necessary.

Fiscal Impact Statement: The LA For Kids Steering Committee reports that this report will delay the repayment of \$1.15 million due to the Reserve Fund. This payment was due on June 30, 2008 and would now be due June 30, 2009. Approval of the above recommendations will result in \$602,334 being returned to the General Fund. There is no additional anticipated impact on the General Fund inasmuch as the CMLA project is expected to be completed within the previously established and approved construction budget and with private donations for the exhibit program.

Community Impact Statement: None submitted.

(Audits and Governmental Efficiency Committee waived consideration of the above matter)

Items for Which Public Hearings Have Not Been Held - Items 31-35

(10 Votes Required for Consideration)

ITEM NO. (31) - ADOPTED - ORDINANCE OVER TO JULY 8, 2008

Roll Call #3 - Motion (Garcetti - Alarcon) Adopted, Ayes (11); Absent: LaBonge, Perry, Smith and Weiss (4)

[08-1299](#)

COMMUNICATION FROM THE BOARD OF WATER AND POWER COMMISSIONERS and ORDINANCE FIRST CONSIDERATION relative to a proposed Fiber Optic Infrastructure Consolidation Agreement and Master Lease Agreement between the Information Technology Agency (ITA) and the Los Angeles Department of Water and Power (LADWP).

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

1. CONCUR with the Board of Water and Power Commissioners (Board) action on June 3, 2008, Resolution No. 008-256, as amended and adopted by the Board, approved as to form and legality by the City Attorney, which approves the Consolidation Agreement including Exhibit E (attached to the Council file) with the ITA, and further approves as to form Exhibit F (also attached to the Council file), which will be executed between the parties and will require a delegation of authority by Council to the City's authorized representative to execute either F-1 or F-2 with the LADWP. Said agreements allow for the purchase of approximately 210 fiber route miles from the City.
2. APPROVE the Fiber Optic Infrastructure Consolidation Agreement (attached to the Council file) for consolidation, management, and maintenance of 210 fiber route miles of City fiber optic networks with the fiber optic networks managed and maintained by the LADWP.
3. APPROVE the use of an independent outside appraiser selected by the LADWP, with the approval of the City, to value the City Fiber Optic infrastructure assets to be transferred to the Department, with the Indemnification Provision contained in Exhibit F-1 (attached to the Council file) and without the Exhibit F-1 Indemnification Provision as provided in Exhibit F-2 (attached to the Council file).
4. INSTRUCT the General Manager, ITA, to represent the City in the independent outside appraisal of the City fiber optic infrastructure to be transferred to the LADWP, and recommend to the Council for its consideration and acceptance either:
 - a. Master Lease Agreement No. FO-371-07/2005 with the Indemnification Provision (attached to the Council file) and designated as Exhibit F-1 or;
 - b. Master Lease Agreement No. FO-371-07/2005 (attached to the Council file) and designated as Exhibit F-2 excluding the Indemnification Provision contained in Exhibit F-1.
5. PRESENT and ADOPT the accompanying ORDINANCE amending the Los Angeles Administrative Code to add provisions transferring the operation, maintenance and control of the City fiber optic network infrastructure identified in the Fiber Optic Infrastructure Consolidation Agreement and Master Agreement No. FO-371-07/2005 (Exhibit F-1 or F-2 as accepted by the Council).
6. ACCEPT the \$5,000,000 offered by the LADWP and authorized by the Board as a deposit on the Fiber Optic Consolidation Agreement and Master Lease Agreement independent of the adoption of the accompanying Ordinance fully implementing the agreements.

Fiscal Impact Statement: The City Administrative Officer reports that the proposed Fiber Optic Consolidation and Master Lease Agreement will result in a one-time payment by the LADWP to the City General Fund of between \$5,000,000 and \$11,851,106 for acquisition of the identified City fiber optic networks, which will be provided from the Power Revenue Fund. Although the LADWP is only bound by the City Debt Management Policies, the City Financial Policies are also applicable.

Approval of the proposed Agreement will result in an additional General Fund impact for City communication services contract costs of \$108,000 annually plus future annual consumer price index adjustments payable by the City for management and maintenance of the 210 fiber route miles of fiber optic networks to be transferred.

Future additional City fiber optic network service requirements within the consolidated LADWP fiber optic network service area will also be provided by the LADWP. The cost of these additional fiber optic network services cannot be identified at this time but will compare favorably with the commercial rates that would otherwise be payable by the City for acquisition, management, and maintenance of such additional fiber optic network services.

Community Impact Statement: None submitted.

(Energy and the Environment Committee waived consideration of the above matter)

ITEM NO. (32) - ADOPTED

Roll Call #4 - Motion (Parks - Alarcon) Adopted, Ayes (11); Absent: LaBonge, Perry, Smith and Weiss (4)

[08-1648](#)

CD 13

COMMUNICATION FROM THE COMMUNITY REDEVELOPMENT AGENCY (CRA) relative to a Memorandum of Understanding (MOU) with the Department of Recreation and Parks (DRP) and the Los Angeles Unified School District (LAUSD) to negotiate the funding of certain improvements to, and the joint public use of, athletic facilities at the new Helen Bernstein High School.

Recommendation for Council action:

AUTHORIZE the Chief Executive Officer, CRA, or designee, to execute a MOU with the DRP and LAUSD specifying mutual goals among all entities for the enhancement of the multi-use sports field at the new Helen Bernstein High School and for the development of a joint use agreement, subject to the review of the City Attorney as to form and legality.

Fiscal Impact Statement: The CRA reports that there is no fiscal impact to the City's General Fund as a result of this action.

Community Impact Statement: None submitted.

(Housing, Community and Economic Development Committee waived consideration of the above matter)

ITEM NO. (33) - ADOPTED

Roll Call #5 - Motion (Parks - Alarcon) Adopted, Ayes (11); Absent: LaBonge, Perry, Smith and Weiss (4)

[06-1325-S5](#)

CONSIDERATION OF RESOLUTION (WESSON - REYES) relative to extending the tenant relocation fee amounts set forth in the Los Angeles Municipal Code (LAMC).

Recommendation for Council action:

ADOPT the accompanying RESOLUTION extending the tenant relocation fee amounts set forth in Sections 47.06 D1b(1), (2), and (3), 47.07 D1b(1), (2), and (3), and 151.09(G) of the LAMC.

Community Impact Statement: None submitted.

(Housing, Community and Economic Development Committee waived consideration of the above matter)

**Roll Call #2 - Motion (Wesson - Hahn) Adopted, Ayes (11); Absent: Greuel, LaBonge, Perry and Smith (4)
(Item Nos. 34-35d)**

ITEM NO. (34) - ADOPTED

[08-1226](#)

CONSIDERATION OF MOTION (ROSENDAHL - CARDENAS) relative to funding from services provided to HSI Productions during the filming of a commercial.

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

AUTHORIZE the Los Angeles Department of Transportation (LADOT) to:

- a. Assign a traffic engineer to monitor traffic from the ATSAC Center upon receipt of a written request for traffic management services from the entities representing HSI Productions.
- b. Accept monies from entities representing HSI Productions and to deposit \$552.33 into the LADOT Trust Fund No. 840 and transfer into LADOT Fund No. 100/94, Account No. 1090 (Salaries - Overtime) for the actual costs of overtime due for the requested traffic officers.

(Transportation Committee waived consideration of the above matter)

ITEM NO. (35) - MAPS AND BONDS APPROVED - CITY ENGINEER REPORTS ADOPTED

[06-0204](#)

et al. FINAL MAPS in the various Council Districts.

Recommendation for Council action:

APPROVE the Final Maps and ADOPT the City Engineer Reports as detailed in the various listed Council files, including bonds, agreements, contracts and other related issues as specified:

[06-0204](#)

CD 6

- a. FINAL MAP OF TRACT NO. 54230 for property located at 6541 North Odessa Avenue lying westerly of Odessa Avenue and southerly of Kittridge Street.
(Bond No. C-113645)
(Quimby Fee: \$53,544)
Applicants: Reza Saratzadeh
 Techna Land Co.

[08-1700](#)

CD 2

- b. FINAL MAP OF TRACT NO. 61877 for property located at 10010 Helen Avenue lying easterly of Helen Avenue and southerly of Wicks Street.
(Bond No. C-113648)
(Quimby Fee: \$27,256)
Applicants: Helen Hills L. P.
GM Engineering

[08-1654](#)

CD 6

- c. PARCEL MAP L.A. NO. 2006-2522 for property located at 14121 Erwin Street lying northerly of Erwin Street and easterly of Van Nuys Boulevard.
(Bond No. C-113646)
(Quimby Fee: \$20,488)
(Less Dwelling Unit Construction Tax: \$800)
Applicants: Nuard Kolangian
Reynaldo E. De Leon

[08-1679](#)

CD 12

- d. PARCEL MAP L.A. NO. 2004-7890 for property located at 9380 North Ruffner Avenue lying southerly of Vincennes Street.
(Bond No. C-113647)
(Quimby Fee: \$6,814)
Applicants: Chrysalis Enterprises, LLC
Robert B. Lamishaw

Councilmember Zine moved, seconded by Councilmember Parks, that the Special Council meeting adjourn.

Ayes, Alarcon, Cardenas, Greuel, Hahn, Huizar, Parks, Reyes, Rosendahl, Wesson, Zine and President Garcetti (11); Absent: LaBonge, Perry, Smith and Weiss (4).

Whereupon the Special Council meeting did adjourn.

ATTEST: Karen E. Kalfayan, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL