

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

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

Item Noticed for Public Hearing - Item 44

**ITEM NO. (44) - MOTION ADOPTED TO APPROVE COMMITTEE REPORT RECOMMENDATIONS,
AS AMENDED - SEE FOLLOWING**

**Roll Call #2 - Motion (Perry - Smith) to Adopt as Amended, Ayes (11); Absent: Hahn, Reyes, Weiss
and Wesson (4)**

[07-4174](#)
CD 9

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTIONS relative to an Amended and Restated Disposition and Development Agreement with Slauson Central LLC (Developer), for the development of the Slauson Central Retail Center (Project) located at 944-1010 and 1040 East Slauson Avenue, and related actions.

Recommendations for Council action:

1. ADOPT the accompanying RESOLUTION (attached to the Community Redevelopment Agency [CRA] report received in the Housing, Community and Economic Development Committee meeting on August 13, 2008) CERTIFYING that Council has reviewed and considered the environmental effects of the Project as identified in the Initial Study/Mitigated Negative Declaration (MND), as supplemented by the August 2008 Addendum to the MND prepared by the CRA and making other findings required by the California Environmental Quality Act of 1970.

2. ADOPT the accompanying joint RESOLUTION (attached to the City Administrative Officer [CAO] report dated August 13, 2008) authorizing the sale of property and making certain findings pursuant to Health and Safety Code Section 33433, and FIND that the:
 - a. Project will assist in eliminating blight.
 - b. CRA sale of that property is consistent with the Five-Year Implementation Plan for the Council District Nine Corridors South of the Santa Monica Freeway Recovery Redevelopment Project Area.
 - c. Consideration to be received by the CRA is not less than the fair re-use value of the property in keeping with Health and Safety Code Section 33433.
3. HOLD a Public Hearing pursuant to Health & Safety Code Section 33433 regarding the proposed disposition of 944-1010 East Slauson Avenue and 1040 East Slauson Avenue.
4. AUTHORIZE the Chief Executive Officer, CRA, or designee, to:
 - a. Execute the First Amendment to Disposition and Development Agreement with the Developer for the development of the Project, subject to the review of the City Attorney as to form and legality and the Department of Public Works, Bureau of Contract Administration, for compliance with CRA contracting requirements.
 - b. Negotiate indemnification language that would provide full indemnification of the Developer in connection with any potential damages related to the current or future appeals by M&A Gabae or Kramer Metals of the right to take decisions, subject to the review of the City Attorney as to form and legality.

Fiscal Impact Statement: The CAO reports that the Project has a General Fund impact of approximately \$1.7 million (principal and interest over 18 years) for the repayment of the City's portion of \$6.58 million in Section 108 loans. Over an 18 year period the Section 108 debt service payments total \$9.7 million and are derived from following sources: 1) 49 percent of Project generated site specific tax revenues (sales taxes, utility user taxes and business license fees - approximately \$1.7 million); 2) CRA project generated and area wide tax increment (TI) funds (approximately \$1.3 million); and, 3) City Assembly Bill 1290 funds (approximately \$6.7 million) from the Council District Nine Redevelopment Project Area.

The proposed Project has used a total of \$7.66 million from U.S. Housing and Urban Development funds, two Section 108 loans totaling \$6.58 million and a \$1.08 million Brownfields Economic Development Initiative (BEDI) Grant, which were previously approved for the City's Goodyear Industrial Tract. The BEDI funds paid for capitalized interest for the first two years and other costs for the Project. These Section 108 loan and the BEDI represent funds from the federal government and are collateralized against future City's Community Development Block Grant entitlements. Should these funds be used in an ineligible activity, repayment would have to come from non-federal dollars.

The CRA's contribution to the Project could total up to \$6.9 million in TI and bond funds: \$2.3 million is available for Section 108 debt service obligations and \$4.6 million is estimated for acquisition related expenses. The CRA is only bound by the disclosure provisions of the City Debt Management Policies; the City Financial Policies are not applicable to the CRA.

Community Impact Statement: None submitted.

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

ADOPTED

AMENDING MOTION (PERRY - SMITH)

Recommendation for Council action:

AMEND the Housing, Community and Economic Development Committee Report to record the following information relative to the Slauson Central Retail Center Project:

**77,300 sq. ft. shopping center; overall reduction of 2,700 sq. ft.
The 6,500 sq. ft. pad can be used as a restaurant or other commercial use
that does not generate more a.m. or p.m. peak hour traffic
11,800 sq. ft. of shop space**

Items for Which Public Hearings Have Not Been Held - Items 45-49

(10 Votes Required for Consideration)

**ITEM NO. (45) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS -
ORDINANCE OVER TO SEPTEMBER 2, 2008**

**Roll Call #3 - Motion (Rosendahl - LaBonge) Adopted, Ayes (10); Absent: Hahn, Reyes, Smith,
Weiss and Wesson (5)**

[07-1352](#)

CD 15

COMMUNICATION FROM THE OFFICE OF THE CITY CLERK and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to the disestablishment of the Downtown San Pedro Merchant-Based Business Improvement District (BID).

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

1. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION to disestablish the Downtown San Pedro Merchant BID.
2. DIRECT the City Clerk to schedule, prepare, publish, and mail the public hearing notice, as required by the provisions of Section 36500 et seq. of the California Streets and Highways Code.
3. INSTRUCT the City Clerk, subject to approval by the City Attorney as to form and legality, to prepare an enabling Ordinance disestablishing the Downtown San Pedro Merchant BID.
4. DIRECT the City Clerk, if the Ordinance disestablishing the Downtown San Pedro Merchant BID is adopted, to administer reimbursement of any remaining assessment revenue pursuant to Section 36551 of the California Streets and Highways Code.

Fiscal Impact Statement: The City Clerk reports that there is no impact on the General Fund.

Community Impact Statement: None submitted.

(Jobs, Business Growth and Tax Reform Committee waived consideration of the above matter)

ITEM NO. (46) - ADOPTED

Roll Call #1 - Motion (Perry - Greuel) Adopted, Ayes (11); Absent: Hahn, Reyes, Weiss and Wesson (4)

[06-2908-S1](#)

CD 10

CONSIDERATION OF MOTION (WESSON - PARKS) relative to various actions to facilitate the purchase of a site, or a portion thereof, for use as parking at the La Cienega-Jefferson Project.

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

AUTHORIZE the General Manager, Community Development Department, or designee, to:

- a. Execute the loan documents with the La Cienega Jefferson Towers, LLC, for the first advance (\$4,770,918) and to negotiate, amend, and execute the documents for the second advance (\$6,319,082), subject to the review of the City Attorney as to form and legality.
- b. Negotiate and execute a Variable/Fixed Rate Promissory Note and other related documents with U.S. Department of Housing and Urban Development to draw down the Brownfields Economic Development Initiative Grant of \$1,090,000 and the companion Section 108 Loan amount of \$10,000,000, for development of the La Cienega-Jefferson Project, subject to the review of the City Attorney as to form and legality.
- c. Temporarily accept an assignment of partnership interest Conjunctive Points Properties I, LP (or its successor) that currently owns the Samitaur site as long as the City is adequately held harmless and indemnified from any liabilities by the partnership owing the Samitaur site, subject to the review of the City Attorney as to form and legality.
- d. Accept either of the "adjacent sites" or the Samitaur site as collateral for the second advance as long as the outstanding principal balance of the grant funds plus any other loans on the La Cienega-Jefferson Project do not exceed 80 percent of the value of the completed La Cienega-Jefferson Project.
- e. Prepare Controller instructions, with concurrence of the City Administrative Officer (CAO), including any future technical adjustments relative to the intent of the subject Motion, and authorizing the Controller to implement these instructions.

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

ITEM NO. (47) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

Roll Call #4 - Motion (Perry - Greuel) Adopted, Ayes (10); Absent: Hahn, Reyes, Smith, Weiss and Wesson (5)

[08-0002-S129](#)

COMMUNICATION FROM CHIEF LEGISLATIVE ANALYST (CLA) and RESOLUTION (CARDENAS - PERRY) relative to the City's position on AB 2275 (Fuentes).

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

ADOPT the accompanying RESOLUTION to include in the City's 2007-08 State Legislative Program SUPPORT of AB 2275 (Fuentes) which seeks to require a water-bottling source, in applying to obtain a license, to provide information regarding the total volume of water bottled or sold, the source from which the water is obtained, and the location of the source; and for the Department of Public Health to compile and make public the information provided by the applicants.

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

Community Impact Statement: None submitted.

(Rules and Government Committee waived consideration of the above matter)

Roll Call #1 - Motion (Perry - Greuel) Adopted, Ayes (11); Absent: Hahn, Reyes, Weiss and Wesson (4) (Item Nos. 48-49)

ITEM NO. (48) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

[05-2763-S1](#)

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE CITY ENGINEER and RESOLUTION TO VACATE relative to the vacation of the alley easterly of Compton Avenue from 46th Street to its northerly terminus (VAC E1401036).

Recommendations for Council action:

1. REAFFIRM the FINDINGS of September 11, 2007, that the vacation of the alley easterly of Compton Avenue from 46th Street to its northerly terminus, is exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(3) of the City of Los Angeles Environmental Guidelines.
2. REAFFIRM the FINDINGS of September 11, 2007, that this vacation is in substantial conformance with the General Plan pursuant to Section 556 of the Los Angeles City Charter.
3. ADOPT the accompanying RESOLUTION TO VACATE NO. 08-1401036R for the vacation of the alley easterly of Compton Avenue from 46th Street to its northerly terminus.
4. INSTRUCT the City Clerk to transmit, following Council adoption, Resolution to Vacate No. 08-1401036R to the Land Development Group of the Bureau of Engineering for recordation of said Resolution with the Los Angeles County Recorder.

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

Community Impact Statement: None submitted.

ITEM NO. (49) - ADOPTED

[08-2169](#)

CONSIDERATION OF MOTION (PARKS - SMITH) relative to a Chemical Buffer Zone Protection Program (Chem-BZPP) grant allocation for the Los Angeles Police Department (LAPD).

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

1. AUTHORIZE the Chief of Police, or designee, to accept the Fiscal Year 2006 Chem-BZPP grant allocation of \$1,158,581 from the Governor's Office of Homeland Security for the period of October 1, 2006 to September 30, 2008.
2. AUTHORIZE the LAPD to submit grant reimbursement requests to the Los Angeles County Office of Emergency Management as the grant administrator and deposit grant receipts in Fund No. 339/70.
3. AUTHORIZE the Controller to:
 - a. Set up a grant receivable of \$1,158,581 and establish an appropriation account, account number to be determined, within Fund No. 339/70 for the disbursement of the Chem-BZPP grant.
 - b. Increase appropriations as needed from Fund No. 339/70, Account No. XXX to Fund No. 100/70, as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
6010	Office & Administrative Expenses	\$ 231,958
7300	Furniture, Office & Technical Equip	<u>26,623</u>
	Total	\$1,158,581

4. AUTHORIZE the LAPD to prepare Controller instructions for any technical adjustments consistent with this action, subject to the approval of the City Administrative Officer; and, AUTHORIZE the Controller to implement the instructions.

(Public Safety Committee waived consideration of the above matter)

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

Ayes, Alarcon, Cardenas, Greuel, Huizar, LaBonge, Parks, Perry, Rosendahl, Zine and President Garcetti (10); Absent: Hahn, Reyes, Smith, Weiss and Wesson (5).

Whereupon the Special Council meeting did adjourn.

ATTEST: Karen E. Kalfayan, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL