

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

Friday, **March 6, 2009**

Van Nuys City Hall, 14410 Sylvan Street, Van Nuys, CA 91401 - 10:15 am

**- - - SPECIAL COUNCIL MEETING - - -**

10:15 A.M. OR AS SOON THEREAFTER  
AS COUNCIL RECESSES ITS REGULAR MEETING

**ROLL CALL - Members present: Alarcon, Cardenas, Greuel, Hahn, LaBonge, Parks, Perry, Reyes, Rosendahl, Smith, Weiss, Wesson, Zine and President Garcetti (14); Absent: Huizar (1).**

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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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**Items for Which Public Hearings Have Been Held - Items 36-38**

**ITEM NO. (36) - AD HOC COMMITTEE ON PUBLIC DEBT, BONDS AND FINANCING REPORT ADOPTED TO THE MAYOR FORTHWITH - RECEIVED AND FILED COMMUNICATION FROM ENERGY AND ENVIRONMENT COMMITTEE AND RESOLUTION - SEE FOLLOWING**

**Roll Call #1 - Motion (Cardenas - Parks) Adopted, Ayes (14); Absent: Huizar (1)**

**RECEIVED AND FILED**

[08-0951-S1](#)

COMMUNICATION FROM CHAIR, ENERGY AND ENVIRONMENT COMMITTEE, RESOLUTION and ORDINANCE FIRST CONSIDERATION relative to authorizing the issuance of up to \$350 million in bonds in connection with the Los Angeles Wastewater System Refunding Series 2009 bond issue.

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

1. ADOPT the Twenty-Fourth Supplemental RESOLUTION, Attachment A, which authorizes the issuance of up to \$350 million in bonds, incorporates various documents required to execute the refunding, as detailed in Exhibits A-D of the December 10, 2008 City Administrative Officer (CAO) report, attached to the Council file, and authorizes the CAO to take certain actions required to manage the transaction.
2. INSTRUCT the CAO to report back to Council if additional transactions pursuant to the Twenty-Fourth Supplemental Resolution are recommended.

3. INSTRUCT the City Clerk to set an agenda item on a date or dates given by the CAO to include the following actions, if additional transactions pursuant to the Twenty-Fourth Supplemental Resolution are recommended:

ADOPT the Supplemental RESOLUTION which authorizes the issuance of bonds, incorporates various documents required to execute the refunding, and authorizes the CAO to take certain actions required to manage the transaction.

4. PRESENT and ADOPT the accompanying ORDINANCE providing for the issuance of refunding bonds for the Wastewater System and amending Section 5.168.1 of the Los Angeles Administrative Code to add related special funds.

Fiscal Impact Statement: The CAO reports that there is no impact on the General fund as a result of the recommended Los Angeles Wastewater System Refunding Series 2009 bond issue. The debt service on the Wastewater System Revenue Bonds is paid from the Sewer Construction and Maintenance Fund. The costs of issuance will be paid from bond proceeds.

Debt Impact Statement: The CAO reports that the refunding of Commercial Paper will not produce savings but does allow for the amortization of principal and makes available additional Commercial Paper capacity for the Wastewater System Capital Program.

Community Impact Statement: None submitted.

(Ad Hoc Committee on Public Debt, Bonds and Financing report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)

(For background reports and materials related to this matter, contact the Legislative Assistant for the Energy and Environment Committee at 213-978-1076.)

## ADOPTED

**COMMUNICATION FROM CHAIR, AD HOC COMMITTEE ON PUBLIC DEBT, BONDS AND FINANCING, ORDINANCE FIRST CONSIDERATION and RESOLUTION relative to the issuance of Los Angeles Wastewater System Revenue Bonds, Refunding Series 2009.**

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

1. **PRESENT and ADOPT the accompanying ORDINANCE providing for the issuance of Refunding Bonds for the Wastewater System, and amending Section 5.168.1 of the Los Angeles Administrative Code to add related special funds for the Series 2009 Bonds, consisting of a Debt Service Fund and a Rebate Fund.**
2. **ADOPT the Twenty-Fourth Supplemental RESOLUTION, attached to the Council file, which authorizes the issuance of up to \$350 million in bonds, incorporates various documents required to execute the refunding, and authorizes the City Administrative Officer (CAO) to take certain actions required to manage the transaction.**

3. **INSTRUCT** the CAO to report back if additional transactions pursuant to the Twenty-Fourth Supplemental Resolution are recommended.
4. **INSTRUCT** the City Clerk to set an agenda item on a date or dates given by the CAO to include the following actions, if additional transactions pursuant to the Twenty-Fourth Supplemental Resolution are recommended:

**ADOPT** the Supplemental Resolution which authorizes the issuance of bonds, incorporates various documents required to execute the refunding, and authorizes the CAO to take certain actions required to manage the transactions.

**Fiscal Impact Statement:** The CAO reports there is no impact on the General Fund as a result of the recommended Los Angeles Wastewater System Refunding Series 2009 Bond issue. The debt service on the Wastewater System Revenue Bonds is paid from the Sewer Construction and Maintenance Fund. The costs of issuance will be paid from bond proceeds.

**Debt Impact Statement:** The CAO reports that the refunding of Commercial Paper will not produce savings but does allow for the amortization of principal and makes available additional Commercial Paper capacity for the Wastewater System Capital Program.

**Community Impact Statement:** None submitted.

**ITEM NO. (37) - ADOPTED - TO THE MAYOR FORTHWITH - SEE FOLLOWING**

**Roll Call #3 - Motion (Cardenas - Hahn) Adopted, Ayes (13); Absent: Huizar and Perry (2)**

[08-0178-S12](#)

COMMUNICATIONS FROM THE MAYOR and CITY ADMINISTRATIVE OFFICER relative to selection of Gang Reduction and Youth Development (GRYD) zones intervention services providers, gang prevention and intervention services providers outside of the GRYD zones, and GRYD evaluation services provider.

(Ad Hoc Committee on Gang Violence and Youth Development report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)

(For background reports and materials related to this matter, contact the Legislative Assistant for the Hoc Committee on Gang Violence and Youth Development at 213-978-1064.)

**ADOPTED**

**COMMUNICATION FROM CHAIR, AD HOC COMMITTEE ON GANG VIOLENCE AND YOUTH DEVELOPMENT** relative to selection of Gang Reduction and Youth Development (GRYD) zones intervention services providers, gang prevention and intervention services providers outside of the GRYD zones, and GRYD evaluation services provider.

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

**APPROVE** the recommendations of the City Administrative Officer (CAO), as shown in the attached CAO report dated March 3, 2009, relative to selection of GRYD zones intervention services providers, gang prevention and intervention services providers outside of the GRYD zones, and GRYD evaluation services provider.

**Fiscal Impact Statement:** The CAO reports that there is no additional impact on the General Fund. Funding for the proposed contracts is available in the Fiscal Year 2008-09 Adopted Budget and from a 2008 Edward Byrne Congressional Mandate Award and a 2008 Office of Juvenile Justice Delinquency Prevention grant, which are pending submission and approval by Council. The recommendations in the CAO report comply with City Financial Policies in that the proposed funding is balanced against established revenue approved in previous Council actions and from federal grants.

**Community Impact Statement:** None submitted.

**ITEM NO. (38) - ADOPTED, AS AMENDED - TO THE MAYOR FORTHWITH - SEE FOLLOWING**

**Roll Call #2 - Motion (Smith - Cardenas) To Adopt as Amended, Ayes (14); Absent: Huizar (1)**

[07-2833-S1](#)

MOTION (SMITH - CARDENAS - ZINE) relative to reconsideration of Council action regarding the appeal of Conditional Use Permit for Providence Holy Cross Medical Center expansion project and related actions, including consideration of Mitigated Negative Declaration and appeal of lawsuit entitled Community Advocates for Responsible Expansion at Providence Holy Cross, et al. v. City of Los Angeles; Providence Holy Cross Medical Center, et al., Real Parties in Interest, Los Angeles Superior Court Case No. BS 112571.

(Planning and Land Use Management Committee waived consideration of the above matter)

(Jobs, Business Growth and Tax Reform Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)

(For background reports and materials related to this matter, contact the Legislative Assistant for the Jobs, Business Growth and Tax Reform Committee at 213-978-1077.)

**ADOPTED, AS AMENDED**

**JOBS, BUSINESS GROWTH AND TAX REFORM COMMITTEE REPORT** relative to Providence Holy Cross Medical Center.

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

- 1. SET ASIDE** the City Council findings made in November, 2007 in connection with the approval of the Project under the California Environmental Quality Act (CEQA).
- 2. SET ASIDE** all prior permits, authorizations, authorities to construct, and any and all other approvals issued for the Project.

3. SET ASIDE the City Council November, 2007 denial of Petitioners' and Dr. Timothy Germann's appeals ("Appeals") from the Los Angeles City Planning Commission's adoption of a Mitigated Negative Declaration (MND) for the expansion of Providence Holy Cross Medical Center in Mission Hills.
4. DENY by a majority vote, the two appeals received on September 7, 2007, relative to: City Planning Case No.: 2005-0041 CV-ZAA-1A, Location: 15031 Rinaldi Street: Appellant No.1, Timothy D. Germann, M.D.; Appellant No. 2, Theodore Franklin, on behalf of CARE and Nick Krall (Council file No. 07-2833).
5. ADOPT, by a majority vote, the findings and explanations as set forth by the City Planning Commission on July 26, 2007, as included in the August 20, 2007 Determination Letter from City Planning, and attached to Council file No. 07-2833.
6. REQUEST and AUTHORIZE the City Attorney to submit a Return on the Writ in the matter of Community Advocates For Responsible Expansion at Providence Holy Cross, et al. v. City of Los Angeles; Providence Holy Cross Medical Center, et al., Real Parties in Interest, Los Angeles Superior Court (LASC) Case No. BS112571, and dismiss the City's appeal in the matter of Community Advocates For Responsible Expansion at Providence Holy Cross, et al. v. City of Los Angeles; Providence Holy Cross Medical Center, et al., Real Parties in Interest, LASC Case No. BS112571.

**Fiscal Impact Statement:** Neither City Administrative Office nor the Chief Legislative Analyst has completed a financial analysis of the report.

**Community Impact Statement:** None submitted.

ADOPTED

AMENDING MOTION (ALARCON - SMITH - GARCETTI)

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

1. SET ASIDE the City Council November, 2007 denial of Petitioners' and Dr. Timothy German's administrative Appeals from the Los Angeles City Planning commission's adoption of an MND for the expansion of Providence Holy Cross Medical Center in Mission Hills.
2. SET ASIDE the City Council findings made in November, 2007 in connection with the approval of the Project under the California Environmental Quality Act (CEQA).
3. SET ASIDE all prior permits, authorizations, authorities to construct, and any and all other approvals issued for the Project.
4. DENY the two Administrative Appeals received on September 7, 2007 by affirmative majority vote, relative to: City Planning Case No.: 2005-0041 CV-ZAA-1A, Location: 15031 Rinaldi Street: Appellant No.1, Timothy D. Germann, M.D.; Appellant No. 2, Theodore Franklin, on behalf of CARE and Nick Krall (Council file No. 07-2833).

5. **ADOPT**, by an affirmative majority vote, the mitigated negative declaration, and the findings and explanations as set forth by the City Planning Commission on July 26, 2007, as included in the August 20, 2007 Determination Letter from City Planning, and attached to the file.
6. **INSTRUCT** and **AUTHORIZE** the City Attorney to submit a Return on the Writ in the matter of Community Advocates For Responsible Expansion at Providence Holy Cross, et al. v. City of Los Angeles; Providence Holy Cross Medical Center, et al., Real Parties in Interest, Los Angeles Superior Court Case No. BS112571, consistent with this motion, and to dismiss the City's appeal in the Project Lawsuit Appeal, Case B212641 upon dismissal by Providence Holy Cross Medical Center, of its appeal of the same matter.
7. **CONSIDER** the fact that construction on the project has stopped and the partially-built structure can be negative for the community. Additionally, continued delays in its completion can reduce the quality of life of the community's residents and workers who could be working and earning income building the Project, and on hospital workers who could be working and providing much needed medical services in the completed expansion.

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

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

**Whereupon the Special Council meeting did adjourn.**

ATTEST: Karen E. Kalfayan, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL