

Los Angeles City Council, **Journal/Council Proceedings**
Friday, **May 29, 2009**
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: Alarcon, Hahn, Huizar, LaBonge, Parks, Perry, Rosendahl, Smith, Zine and President Garcetti (10); Absent: Cardenas, Greuel, Reyes, Weiss and Wesson (5).

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
MAY 26, 2009

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 22

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

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

Items Noticed for Public Hearing - Items 1-3

**Roll Call #1 - Motion (Rosendahl - Smith) Adopted to Continue Hearing, Unanimous Vote (10);
Absent: Cardenas, Greuel, Reyes, Weiss and Wesson (5)
(Item Nos. 1-3)**

**ITEM NO. (1) - HEARING HELD - HEARING CONTINUED TO AND ORDINANCE TO BE PRESENTED ON
JUNE 19, 2009**

[09-0495](#)
CD 13

HEARING PROTESTS against the proposed improvement and maintenance of the Miramar Street and Westlake Avenue Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Miramar Street and Westlake Avenue Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on March 27, 2009 - Continue hearing and present Ordinance on JUNE 19, 2009 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (2) - HEARING HELD - HEARING CONTINUED TO AND ORDINANCE TO BE PRESENTED ON JUNE 19, 2009

[09-0496](#)

CDs 1&13

HEARING PROTESTS against the proposed improvement and maintenance of the San Fernando Road and Fletcher Drive Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the San Fernando Road and Fletcher Drive Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on March 27, 2009 - Continue hearing and present Ordinance on JUNE 19, 2009 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (3) - HEARING HELD - HEARING CONTINUED TO AND ORDINANCE TO BE PRESENTED ON JUNE 19, 2009

[09-0545](#)

CD 11

HEARING PROTESTS against the proposed improvement and maintenance of the Broadway and Sixth Avenue Lighting District.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of the Broadway and Sixth Avenue Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on March 27, 2009 - Continue hearing and present Ordinance on JUNE 19, 2009 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

Items for Which Public Hearings Have Been Held - Items 4-8

ITEM NO. (4) - ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #3 - Motion (Perry - Hahn) Adopted, Ayes (10); Absent: Cardenas, Greuel, Reyes, Weiss and Wesson (5)

[08-2855](#)

COMMUNICATION FROM THE LOS ANGELES HOUSING DEPARTMENT relative to various actions related to Round 1 of the 2009 Affordable Housing Trust Fund (AHTF), the AHTF Round 2 Notice of Funding Availability (NOFA), and the 2009 Permanent Supportive Housing Program NOFA and Cooperation Agreement.

(Housing, Community and Economic Development 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 Housing, Community and Economic Development Committee at 213-978-1080.)

ADOPTED

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to various actions related to Round 1 of the 2009 Affordable Housing Trust Fund (AHTF), the AHTF Round 2 Notice of Funding Availability (NOFA), and the 2009 Permanent Supportive Housing Program (PSHP) NOFA and Cooperation Agreement.

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

1. **APPROVE** the recommendations contained within the City Administrative Officer (CAO) and Chief Legislative Analyst (CLA) report dated May 26, 2009 (Attachment).
2. **INSTRUCT** the CLA to report back within 15 days with a draft Cooperation Agreement between the Community Redevelopment Agency and the Los Angeles Housing Department (LAHD) relative to the Five Percent Funds that the CRA transfers on a yearly basis to the AHTF.

Fiscal Impact Statement: The CAO and CLA report that there is no impact on the General Fund. Approval of the recommendations will result in the issuance of Letters of Commitment as part of the 2009 AHTF NOFA Round One totaling approximately \$6.2 million consisting of previously approved HOME funds. The recommendations will also result in the release of the 2009 PSHP NOFA in the amount of at least \$13.8 million based on availability of previously approved HOME funds (\$4.7 million), McKinney Act Bond funds (\$0.70 million), Los Angeles Department of Water and Power funds (\$3.9 million), Housing Opportunities for Persons with AIDS (HOPWA) funds (\$1.9 million), and the State's Local Housing Trust Fund Matching Program (\$2.6 million). The LAHD must report back to the Mayor and Council with recommendations for final awards based on the results of the 2009 PSHP NOFA. The recommendations comply with City Financial Policies as dedicated special funding sources will fully fund commitments to projects.

Community Impact Statement: None submitted.

ITEM NO. (5) - ADOPTED, AS AMENDED - SEE FOLLOWING - TO THE MAYOR FORTHWITH

Roll Call #7 - Motion (Rosendahl - Reyes) to Adopt as Amended, Ayes (10); Absent: Cardenas, Greuel, Hahn, Smith and Wesson (5)

[09-0372](#)

COMMUNICATION FROM THE COMMUNITY DEVELOPMENT DEPARTMENT relative to the Housing and Community Development Consolidated Plan - Second Year Action Plan 2009-10.

(Housing, Community and Economic Development 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 Housing, Community and Economic Development Committee at 213-978-1080.)

ADOPTED

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the 35th Program Year (PY) Housing and Community Development Consolidated Plan (Con Plan) - Second Year Action Plan 2009-10 and other technical adjustments.

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

1. **AUTHORIZE** the General Managers, Community Development Department (CDD) and Los Angeles Housing Department (LAHD), or designees, to:
 - a. Amend the appropriate Con Plan(s), as needed to reflect the revised Community Development Block Grant (CDBG), Emergency Shelter Grant (ESG), HOME investment Partnership/American Downpayment Initiative (HOME/ADDI), and Housing Opportunities for Persons with AIDS (HOPWA) budgets (Attachments A through D of the City Administrative Officer (CAO) report dated May 26, 2009) and reflecting the Council and Mayor adopted actions on this item, and submit the amended Con Plan(s) to the U.S. Department of Housing and Urban Development (HUD) for review and approval.
 - b. Prepare Controller instructions and/or make any technical adjustments that may be required and are consistent with these actions subject to the approval of the CAO and Request the Controller to implement these instructions.
2. **AUTHORIZE** the General Manager, LAHD, or designee, to implement activities identified in Attachment S1 Addendum of the CAO report dated May 26, 2009, through the negotiation and execution of amendments to existing contracts and agreements for services that are consistent with the scopes of work as approved; and, in substantial conformance with the pro forma agreements for construction projects as provided in Council File 08-0097, and subject to the following:
 - a. Review and approval of the City Attorney as to form and legality.
 - b. Review and approval by the Department of Public Works, Bureau of Contract Administration, as to compliance with City and Federal contract requirements.
 - c. Review and approval by the CAO Risk Management Group as to compliance with insurance requirements, if applicable.
3. **APPROVE** the change in scope for the Boyle Heights Community Center from acquisition to construction and approve the use of \$675,000 in CDBG funds for the construction of the Council District 14 Neighborhood City Hall.
4. **REQUEST** the Controller to take specific financial actions detailed on Attachment F of the CAO report dated May 26, 2009, to complete actions approved in the 34th PY and to implement the Adopted 35th PY Con Plan.

5. REMOVE \$250,000 from the additional program income added to the 35th PY Con Plan carry-in deficit and to add a new line item to Neighborhood Improvements as listed below:

<u>Name</u>	<u>Council District</u>	<u>Amount</u>
Devonshire PALS	12	\$250,000

6. REQUEST the Controller and AUTHORIZE the CAO and CDD to make any technical adjustments necessary in order to implement Recommendation No. 5 above.

Fiscal Impact Statement: The CAO reports that there is no General Fund impact. The recommendations contain corrections and adjustments necessary to complete actions approved in the 34th PY (2008-09) and to implement the Adopted 35th PY Con Plan for 2009-10.

Community Impact Statement: None submitted.

ADOPTED

AMENDING MOTION (ROSENDAHL - REYES)

Recommendation for Council action:

INSTRUCT the Los Angeles Housing Department to set aside \$4 million in HOME funds for the Lincoln Place project.

ITEM NO. (6) - ADOPTED

Roll Call #3 - Motion (Perry - Hahn) Adopted, Ayes (10); Absent: Cardenas, Greuel, Reyes, Weiss and Wesson (5)

[09-0758](#)

CD 9

COMMUNICATION FROM THE COMMUNITY REDEVELOPMENT AGENCY and RESOLUTIONS relative to a Construction and Permanent Loan Agreement with AMCAL Sunrise Fund, LP, in an amount not to exceed \$890,000, for development of the Sunrise Apartments located at 5111, 5113, and 5125 South Main Street.

(Housing, Community and Economic Development 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 Housing, Community and Economic Development Committee at 213-978-1080.)

ADOPTED

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTIONS relative to a Construction and Permanent Loan Agreement (Agreement) with AMCAL Sunrise Fund, LP (AMCAL), in an amount not to exceed \$890,000, for development of the Sunrise Apartments Affordable Senior Housing Project (Project) located at 5111, 5113, and 5125 South Main Street.

Recommendations for Council action:

1. **ADOPT the accompanying joint RESOLUTIONS (Attachments A and B respectively of the City Administrative Officer (CAO) report dated May 26, 2009) making findings that:**
 - a. **The use of Community Redevelopment Agency (CRA) Replacement Housing Trust Funds in the amount of \$890,000 from the Bunker Hill Redevelopment Project Area (BHRPA), for the purpose of developing the Project, sited at 5111, 5113, and 5125 South Main Street in the Council District Nine Corridors South of the Santa Monica Freeway Redevelopment Project Area (CD9RPA), is of benefit to the adjacent BHRPA, pursuant to California Redevelopment Law Health and Safety Code Section 33334.2, 33334.6, and 33413.**
 - b. **An economically feasible alternative of financing the Project, on substantially comparable terms but without subordination of the CRA's Deed of Trust, covenants and use restrictions, is not reasonably available, and to authorize the subordination of the CRA's Deed of Trust, covenants and use restrictions to the Deeds of Trust of the other lenders providing financing for the Project: a conventional lender, the Federal Home Loan Bank Affordable Housing Program, and the Los Angeles Housing Department.**
2. **AUTHORIZE the Chief Executive Officer, CRA, or designee, to:**
 - a. **Execute an Agreement and all ancillary documents with AMCAL, in an amount not to exceed \$890,000, no sooner than 30 days after the adoption of the Sunrise Apartments Relocation Plan by the CRA Board of Commissioners for the purpose of developing the Project, and take such other actions as may be necessary to carry out the Agreement, 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 any applicable CRA contracting requirements.**
 - b. **Amend the CRA Fiscal Year 2008-09 Budget and Work Program to transfer \$890,000 from the BHRPA line item category "Affordable Housing" and allocate such to the CD9RPA line item category "Affordable Housing" for the purpose of developing the Project.**

Fiscal Impact Statement: The CAO reports that there is no impact on the General Fund. The City's Financial Policies are not applicable to the CRA. The CRA is only bound by the disclosure provisions of the City's Debt Management Policies. Approval of the recommendations will result in the expenditure of Replacement Housing Trust Funds in an amount not to exceed \$890,000 from the CRA's BHRPA for the development of affordable senior housing.

Community Impact Statement: None submitted.

ITEM NO. (7) - CONTINUED TO JUNE 3, 2009

Roll Call #6 - Motion (Huizar - Reyes) Adopted to Continue, Unanimous Vote (10); Absent: Cardenas, Greuel, Hahn, Smith and Wesson (5)

[09-0648-S6](#)

COMMUNICATION FROM THE MAYOR relative to Community Development Block Grant funding awarded under the American Recovery and Reimbursement Act.

(Housing, Community and Economic Development Committee and Ad Hoc Committee on Economic Recovery and Reinvestment reports 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 Housing, Community and Economic Development Committee at 213-978-1080 and contact the Legislative Assistant for the Ad Hoc Committee on Economic Recovery and Reinvestment at 213-978-1072.)

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to Community Development Block Grant (CDBG) funding awarded under the American Recovery and Reinvestment Act (ARRA)

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

- 1. APPROVE the proposed Substantial Amendment to the 2008-2009 Program Year (PY) 34 CDBG Action Plan for acceptance of supplemental entitlement dollars awarded under the ARRA (CDBG-R Program); and APPROVE the project line-item allocations set forth in Attachment A of the Mayor's report dated May 20, 2009.**
- 2. RESOLVE and CERTIFY an urgent need to address foreclosure-related services needs as a City priority; and AUTHORIZE the Community Development Department (CDD) to submit a waiver request for the CDBG 15% public services cap under the CDBG-R Program and in lieu allocate up to 25% of the City's award for this purpose.**
- 3. FIND that the Substantial Amendment to the 2008-2009 PY34 CDBG Action Plan will not have significant effects on the environment, pursuant to the City's Environmental Guidelines, and in compliance with the California Environmental Quality Act of 1970; that the Notice of Exemption and Notice of Determination reflect the independent judgment of the lead agency of the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in the Council File in the custody of the City Clerk; and ADOPT the Notice of Exemption and Notice of Determination for this Amendment to the 2008-2009 CDBG Action Plan, to be submitted by the CDD and attached to the Council File. All projects involving new construction and/or major rehabilitation will require the preparation of a Mitigated Negative Declaration or Environmental Impact Report on a site-by-site basis.**
- 4. AUTHORIZE and REQUEST the Mayor to sign, the Federal Form SF-424 and the associated Grantee Certifications, subject to the review and approval of the City Attorney as to form and legality.**

5. **AUTHORIZE** the General Manager, CDD, or designee, to:
 - a. Submit the Substantial Amendment package to the federal Department of Housing and Urban Development (HUD) by the regulatory submission date of June 5, 2009.
 - b. Notify applicants (with copy to relevant Council offices) of funding awarded in the CDBG-R Substantial Amendment plan.
 - c. Prepare Controller instructions and/or make any technical adjustments, subject to review of the City Administrative Officer (CAO) that may be required and are consistent with the intent of this action and, further, Request the Controller to implement these instructions and provide a copy of approved instructions to the Mayor's Office of Housing and Economic Opportunity.
 - d. Report back to the Mayor and Council immediately with a proposal for increased economic development hard construction projects if HUD determines not to grant the public services waiver and funding is required to be reduced in this category.

6. **AUTHORIZE** program implementing departments to negotiate and execute agreements/amendments or interdepartmental agreements with the grant recipients identified in the Mayor's report dated May 20, 2009, in an amount(s) not to exceed that set forth for the specified project(s)/activity(ies) in the CDBG-R Program, and in consultation with CDD, as the grant administrator, and in substantial conformance with the pro forma agreements for public services activities or for construction as provided in the related Council File, subject to:
 - a. Review and approval of the City Attorney as to form and legality.
 - b. Adherence with City contracting provisions administered by the Department of Public Works, Bureau of Contract Compliance, as applicable.
 - c. HUD approval of the CDBG-R Program budget and the receipt of grant funds by the City.

7. **AMEND** the CDBG-R Plan funding budget as follows:

<u>Name</u>	<u>Council District</u>	<u>Budget</u>
Devonshire PALS	12	\$69,000
Los Angeles Boys and Girls Club	1	\$124,000

8. **AMEND** the Mayor's report dated May 20, 2009, to include the list of unfunded requests that were submitted to the CDBG ARRA Working Group as an attachment (Attachment).

9. **INSTRUCT** the Chief Legislative Analyst (CLA) to report back relative to the status of the proposed extension of the current contract between the Metropolitan Transit Authority (MTA) and Ansaldobreda Inc. regarding the construction of a railcar manufacturing facility.

10. **REQUEST** the Office of the Mayor to report back relative to the quantity, quality, and tenure of jobs to be created through CDBG-R funded projects.

Fiscal Impact Statement: None submitted by the Mayor. Neither the CAO nor the CLA has completed a financial analysis of this report.

Community Impact Statement: None submitted.

AD HOC COMMITTEE ON ECONOMIC RECOVERY AND REINVESTMENT REPORT

Recommendation for Council action:

SUBMITS WITHOUT RECOMMENDATION the Communication from the Mayor dated May 20, 2009 relative to CDBG-R supplemental funding awarded under ARRA.

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

Community Impact Statement: None submitted.

ITEM NO. (8) - CONTINUED TO JUNE 2, 2009

Roll Call #2 - Motion (LaBonge - Hahn) Adopted to Continue, Unanimous Vote (10); Absent: Cardenas, Greuel, Reyes, Weiss and Wesson (5)

[08-0993](#)

COMMUNICATION FROM CHAIR, ARTS, PARKS, HEALTH AND AGING COMMITTEE and PUBLIC WORKS COMMITTEE REPORT relative to developing standardized procedures for “cookie cutter” type construction projects and a process for issuing “mini Request for Proposals (RFP).”

Recommendations for Council action, pursuant to Motion (Greuel - LaBonge):

1. DIRECT the Department of Recreation and Parks (RAP) and the Bureau of Engineering (BOE) and REQUEST the City Attorney to develop standardized procedures for “cookie cutter” type projects and to report back to Council in regard to said process.
2. DIRECT the RAP and BOE and REQUEST the City Attorney to develop a process to begin using qualified list of contractors from an RFP process to then be able to issue ‘mini-RFPs’ for standardized facilities construction to decrease the time involved in constructing the facilities and to report back to Council in regard to said process.

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

Community Impact Statement: None submitted.

Items for Which Public Hearings Have Not Been Held - Items 9-22

(10 Votes Required for Consideration)

ITEM NO. (9) - NO ACTION TAKEN

[09-0648](#)

CONSIDERATION OF AND AUTHORITY TO submit potential grant applications in order to meet deadlines established by the Federal Government to secure American Recovery and Reinvestment Act of 2009 funding for the City of Los Angeles, approval of support letter for grants where the City is not the lead agency applying, and related discussions.

(Pursuant to Council action of April 7, 2009)

ITEM NO. (10) - ADOPTED, AS AMENDED - SEE FOLLOWING - FORTHWITH - ORDINANCE OVER ONE WEEK TO JUNE 5, 2009

**Roll Call #8 - Motion (Garcetti - LaBonge) Adopted, Ordinance Over One Week, Ayes (10);
Absent: Cardenas, Greuel, Hahn, Smith and Wesson (5)**

[09-0753](#)

COMMUNICATIONS FROM THE CITY CLERK and CITY ATTORNEY and ORDINANCE FIRST CONSIDERATION relative to calling a Special Election for the purpose of filling a prospective vacancy in the Second Council District.

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

PRESENT and ADOPT the accompanying ORDINANCE calling a Special Election to be held on September 22, 2009 and, if necessary, a Special Runoff Election to be held on December 8, 2009, for the purpose of filling a prospective vacancy in the Second Council District of the City of Los Angeles.

Fiscal Impact Statement: The City Clerk reports that the estimated cost to conduct a single Council District Special Election in the Second Council District, given the number of precincts and estimated 15 to 20 candidates filing papers to run would be approximately \$1.9 million, if two elections are needed. Funding must be included in the Fiscal Year 2009-10 budget for the Special Election.

Community Impact Statement: None submitted.

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

ADOPTED

AMENDING MOTION (GARCETTI - LABONGE)

Recommendation for Council action:

INSTRUCT THE City Clerk to place on the Council agenda for JULY 1, 2009 or soon thereafter as possible, the following recommendations:

1. **APPROPRIATE**, subject to the approval of the Mayor, \$1,800,000 from the “Council District Two Special Election” line item in the Unappropriated Balance Fund No. 100/58 to the City Clerk Fund No. 100/40, as follows: \$930,00 to Account 1070 (Salaries - As-Needed); \$270,000 to Account No. 1090 (Salaries - Overtime) and \$600,000 to Account No. 4170 (Election Expense).
2. **AUTHORIZE** the City Clerk to negotiate and execute any agreements, as appropriate, as may be needed relative to the Council District Two Special Election utilizing funds budgeted for this purpose, subject to the approval of the City Attorney as to form and legality.
3. **AUTHORIZE** the City Clerk to make any technical corrections or clarifications to the above fund transfer instructions in order to effectuate the intent of this action.

ITEM NO. (11) - ADOPTED

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

[09-0005-S324](#)

et al. RESOLUTIONS relative to removing various properties from the Rent Escrow Account Program.

Recommendation for Council action:

ADOPT the accompanying RESOLUTIONS removing the following properties from the Rent Escrow Account Program (REAP), inasmuch as the owner(s) have corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department (LAHD), Code Enforcement Unit, habitability citations, pursuant to Ordinance 173810, and ADOPT the Findings contained in the LAHD’s report of May 22, 2009:

[09-0005-S324](#)

CD 8

- a. Property at 3104 1/2 South Normandie Avenue (Case No. 129345).
Assessor I.D. No. 5040-001-008

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on September 27, 2007)

[09-0005-S325](#)

CD 10

- b. Property at 3913 South Hillcrest Drive (Case No. 61582).
Assessor I.D. No. 5030-014-024

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on November 30, 2006)

[09-0005-S326](#)

CD 2

- c. Property at 4441 North Matilija Avenue (Case No. 167003).
Assessor I.D. No. 2271-010-025

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 15, 2008)

[09-0005-S327](#)

CD 10

- d. Property at 4725 West 18th Street (Case No. 137587).
Assessor I.D. No. 5071-022-004

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 29, 2008)

[09-0005-S328](#)

CD 4

- e. Property at 624 South Ridgeley Drive (Case No. 219010).
Assessor I.D. No. 5508-012-017

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 5, 2009)

[09-0005-S329](#)

CD 5

- f. Property at 931 North Alfred Street (Case No. 99838).
Assessor I.D. No. 5529-006-036

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 3, 2007)

ITEM NO. (12) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #10 - Motion (Perry - LaBonge) to Adopt as Amended, Ayes (10); Absent: Cardenas, Greuel, Hahn, Smith and Wesson (5)

[09-1212](#)

COMMUNICATION FROM THE COMMUNITY REDEVELOPMENT AGENCY (CRA) relative to an Agreement with the Los Angeles Homeless Services Authority (LAHSA) and the Los Angeles Housing Department (LAHD), in an amount not to exceed \$2,435,102, to fund emergency housing facilities and related housing services for the period of April 1, 2009 through March 30, 2010.

Recommendations for Council action:

1. AUTHORIZE the Chief Executive Officer, CRA, or designee, to negotiate and execute an Agreement with the LAHSA and the LAHD, in an amount not to exceed \$2,435,102, to fund the operation and maintenance of emergency housing facilities and related housing in various Council Districts for the period of April 1, 2009 through March 30, 2010, subject to the review of the City Attorney as to form and legality.
2. AMEND the Fiscal Year 09 Budget and Work Program to transfer \$2,435,102 of CRA tax increment funds originally programmed for the City Affordable Housing Trust Fund to the Citywide Non-Housing objective for the LAHSA.

3. WAIVE the requirements of the Master Cooperation Agreement for Affordable Housing Trust Funds with the LAHD (Contract No. 502817) regarding the \$2,435,102 that had been programmed to the City Affordable Housing Trust Fund and REQUEST that the LAHD similarly waive the requirements and consent to the use of said funds as approved hereby.

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

Community Impact Statement: None submitted.

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

ADOPTED

AMENDING MOTION (PERRY - GARCETTI)

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

INCLUDE the following additional recommendations to ensure that all available funds are allocated based on eligibility (this action does not change total program funding):

4. **AUTHORIZE the Los Angeles Housing Department (LAHD) to facilitate an exchange of Community Redevelopment Agency (CRA) funds approved for the Homeless Emergency Shelter and Services program, Central City East Sanitation Project and the Beyond Shelter Assistance for Homeless Families program for Community Development Block Grant (CDBG) funds previously allocated to the Year-Round Emergency Shelter Programs in Downtown and Hollywood, as follows:**

- a. **Increase compensation to the following contracts in the following amounts for one year, to expire March 31, 2010:**

LAHSA - Homeless Emergency Shelter	C-111933	\$510,274
LAHSA - Beyond Shelter	C-111929	\$16,640
Central City East Sanitation Project	C-111930	\$312,000

- b. **Decrease CDBG compensation to the following contracts in the following amounts:**

LAHSA - Year Round Hollywood	C-111931	\$521,196
LAHSA - Year Round Downtown	C-111928	\$317,718

5. **AUTHORIZE the Controller to:**

- a. **Decrease appropriations within the Community Development Trust Fund No. 424, as follows:**

<u>Account</u>	<u>Title</u>	<u>Amount</u>
F349	LAHSA - Year Round Hollywood	\$521,196
F353	LAHSA - Year Round Downtown	\$317,718
	Total	\$838,914

- b. Establish new accounts and appropriate within the Community Development Trust Fund No. 424, as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
F701	LAHSA - Homeless Emergency Shelter	\$510,274
F702	LAHSA - Beyond Shelter	\$16,640
F703	LAHSA - Central City Shelter	\$312,000
	Total	\$838,914

6. AUTHORIZE the Community Development Department (CDD) and the LAHD to prepare Controller instructions and/or make any technical adjustments that maybe required and are consistent with this action, subject to the approval of the City Administrative Officer and instruct the Controller to implement these instructions.
7. AUTHORIZE the General Manager, CDD, or designee to amend the Housing and Community Development Action Plan as necessary, in accordance with the City's adopted Citizen's Participation Plan."

ITEM NO. (13) - ADOPTED

Roll Call #9 - Motion (Rosendahl - LaBonge) Adopted, Ayes (10); Absent: Cardenas, Greuel, Hahn, Smith and Wesson (5)

[09-1078](#)

COMMUNICATION FROM THE MAYOR relative to the exemption of one Deputy General Manager position for the Los Angeles World Airports (LAWA).

Recommendation for Council action:

APPROVE the exemption of one Deputy General Manager position for the LAWA from the Civil Service provisions of the City Charter, pursuant to Charter Section 1001(b)(1).

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - MAY 29, 2009

(LAST DAY FOR COUNCIL ACTION - MAY 29, 2009)

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

ADOPTED

PERSONNEL COMMITTEE REPORT relative to the re-exemption of one Deputy General Manager position for the Los Angeles World Airports (LAWA) from the Civil Service provisions of the City Charter.

Recommendation for Council action:

APPROVE the re-exemption of one Deputy General Manager position from the Civil Service provisions of the City Charter, pursuant to Charter Section 1001(b) (1).

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - MAY 29, 2009

(LAST DAY FOR COUNCIL ACTION - MAY 29, 2009)

ITEM NO. (14) - CONTINUED TO JUNE 19, 2009

**Roll Call #11 - Motion (Alarcon - Rosendahl) Adopted to Continue, Unanimous Vote (10);
Absent: Cardenas, Greuel, Hahn, Smith and Wesson (5)**

[09-0722](#)

CD 7

CONTINUED CONSIDERATION OF DEPARTMENT OF RECREATION AND PARKS, BUREAU OF ENGINEERING, CITY ADMINISTRATIVE OFFICER and CHIEF LEGISLATIVE ANALYST and any other involved City departments to report relative to the Children's Museum of Los Angeles Board of Directors decision to file for bankruptcy under Chapter 7 of federal bankruptcy laws, and related matters.

(Continued from Council meeting of May 22, 2009)

ITEM NO. (15) - ADOPTED

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

[09-1223](#)

et al.

MOTIONS relative to "Special Events" to be held in the various Council Districts.

Recommendations for Council action:

DECLARE the following community events as "Special Events"; APPROVE any temporary street closures as requested; and, INSTRUCT the involved City departments to perform such services as detailed the Council motions attached to the various listed Council files, including the waiver of fees, costs and requirements and other related issues, as specified:

[09-1223](#)

CD 3

- a. MOTION (ZINE - PERRY) relative to declaring the Optimist Dads' Day Dash on June 13, 2009 a Special Event (fees and costs absorbed by the City = \$3,591).

[07-0809-S1](#)

CD 3

- b. MOTION (ZINE - PERRY) relative to declaring the Walk for Darfur on June 7, 2009 a Special Event (fees and costs absorbed by the City = \$3,860).

[09-1224](#)

CD 9

- c. MOTION (PERRY - ZINE) relative to declaring the Swearing In Ceremony on June 4, 2009 a Special Event (the event organizer shall reimburse the City for all fees and costs associated with this event).

[09-1225](#)

CD 9

- d. MOTION (PERRY - ZINE) relative to declaring the Father's Day Affair on June 20, 2009 a Special Event (fees and costs absorbed by the City = \$500).

[08-0753-S1](#)

CD 8

- e. MOTION (PARKS - PERRY) relative to declaring the Sixth Annual City Lites Inner City Sports Event Bike Tour, 5K-Walk, and Health Fair & Festival on May 30, 2009 a Special Event (fees and costs absorbed by the City = \$16,359).

[08-1192-S1](#)

CD 9

- f. MOTION (PERRY - ZINE) relative to declaring the Celebration of Freedom on July 4, 2009 a Special Event (the event organizer shall reimburse the City for all fees and costs associated with this event).

[09-1215](#)

CD 10

- g. MOTION (WESSON - SMITH) relative to declaring the Health Fair on May 16, 2009 a Special Event (fees and costs absorbed by the City = \$2,262).

[09-1217](#)

CD 14

- h. MOTION (HUIZAR - LABONGE) relative to declaring the Third Annual Boyle Heights Technology Center Community Awards Gala on May 29, 2009 a Special Event (fees and costs absorbed by the City = \$13,322).

[09-1218](#)

CD 14

- i. MOTION (HUIZAR - LABONGE) relative to declaring the SEIU Rally on May 22, 2009 a Special Event (fees and costs absorbed by the City = none submitted).

ITEM NO. (16) - ADOPTED, AS AMENDED - SEE FOLLOWING - TO THE MAYOR FORTHWITH

Roll Call #12 - Motion (Zine - Weiss) to Adopt as Amended, Ayes (10); Absent: Cardenas, Greuel, Hahn, Smith and Wesson (5)

[09-0600-S45](#)

MOTION (ZINE - SMITH) relative to a fund transfer to cover the deficit in the As-Needed Salary Account through the end of the fiscal year.

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

1. TRANSFER \$200,000 from Fund 100/61/9200, Civilian FLEX, to Fund 100/66/1070, As Needed Salaries.
2. AUTHORIZE the City Administrative Officer to prepare Controller instructions for any necessary technical adjustments to the above, and AUTHORIZE the Controller to implement the instructions.

ADOPTED

AMENDING MOTION (ZINE - PERRY)

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

TRANSFER \$150,000 from City Attorney Fund No. 100/12, Account 1010, Salaries General, to Account 1080, Salaries Proprietary within the same Fund.

**Roll Call #4 - Motion (LaBonge - Perry) Adopted, Ayes (10); Absent: Cardenas, Greuel, Reyes, Weiss and Wesson (5)
(Item Nos. 17-22)**

ITEM NO. (17) - ADOPTED

[09-1228](#)

CD 2

MOTION (GREUEL - LABONGE) relative to funding for a streetscape project as part of the Commerce Avenue Sidewalk Restoration Project.

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

1. TRANSFER \$200,000 from the Pipeline Franchise Revenue portion of the Council District Two Real Property Trust Fund No. 684 to the below listed Accounts in the Street Services Fund No. 100/86, and in the amount specified, to facilitate street repairs and to purchase and install street furniture and other sidewalk amenities to ensure completion of a comprehensive streetscape project as part of the Commerce Avenue Sidewalk Restoration Project:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1010	Salaries - General	\$100,000
3030	Construction Expense	30,000
3040	Contractual Services	30,000
6020	Operating Supplies	<u>40,000</u>
	Total	\$200,000

2. AUTHORIZE the Director, Bureau of Street Services, or designee, to make any technical corrections or clarifications to the above fund transfer instructions in order to effectuate the intent of this Motion.

ITEM NO. (18) - ADOPTED

[09-1227](#)

CD 2

MOTION (GREUEL - LABONGE) relative to funding to support community programs and groups in Council District Two.

Recommendation for Council action:

TRANSFER \$1,338 in the Council District Two portion of the Council Fund No. 100/28, Account No. 1010 (Salaries - General) to the General City Purposes Fund No. 100/56, Account No. 0702 (CD 2 Community Services) to provide funding to support community programs and groups in Council District Two.

ITEM NO. (19) - ADOPTED

[09-0011-S31](#)

CD 12

MOTION (SMITH - ZINE) relative to funding from the Council District 12 portion of the Street Furniture Revenue fund to the Mulholland Institute for development of a strategic plan.

Recommendations for Council action:

1. TRANSFER \$75,000 from the Council District 12 portion of the Street Furniture Revenue Fund No. 43D/50 to the Mulholland Institute, a division of the Economic Alliance of the San Fernando Valley located at 5121 Van Nuys Boulevard, Suite 200, Sherman Oaks, CA 91403-1497, Contact Bob Scott, 818-712-9500.
2. AUTHORIZE the Chief Legislative Analyst, or designee, to make technical changes to clarify and to implement the intent of this Motion.

ITEM NO. (20) - ADOPTED

[08-2517-S1](#)

MOTION (CARDENAS - ZINE) relative to funding for the 18th Annual Citywide Emergency Preparedness Fairs.

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

1. AUTHORIZE the General Manager, Emergency Management Department, or designee, to accept in-kind and cash donations on behalf of the City for an amount not to exceed \$25,000, to deposit and appropriate the donated funds into Fund 392/34, Account No. 6010, and approve expenditures of such donations in support of the 2009 Annual Emergency Preparedness Fair. In addition, require that the department provide a detailed list of in-kind and cash donations to the Council prior to the event.
2. TRANSFER \$666 from the Emergency Management Department Fund No. 392/34, Account No. 6010 to the General Services Department Fund No. 100/40, to Account No. 1090 (Overtime Account) for Fleet Services, for costs associated with the 18th Annual Emergency Preparedness Fair at Branford Park for the use of the mobile stage.

ITEM NO. (21) - ADOPTED

[09-1216](#)

CD 10

MOTION (WESSON - SMITH) relative to re-affirming the Special Event declaration for the Culver City Farmers' Market.

Recommendation for Council action:

RE-AFFIRM the actions of December 20, 2006, January 8, 2008 and November 25, 2009 (Council file Nos. 06-3138 and 06-3138-S1) relative to the Special Event declaration for the "Culver City Farmers' Market" and RE-ADOPT the fee waiver, street closure, departmental instructions, and other provisions contained therein for an additional period ending on June 30, 2009.

ITEM NO. (22) - ADOPTED

[08-1319-S1](#)

CONTINUED CONSIDERATION OF RESOLUTION (ALARCON - HUIZAR) relative to observing Bert Corona Day in the City of Los Angeles.

Recommendations for Council action:

1. RESOLVE to URGE all residents to celebrate Bert Corona's life and contributions by engaging in service, events, and actions representative of his legacy on his birthday, May 29, 2009.
2. RESOLVE to OBSERVE May 29, 2009 as Bert Corona Day in the City of Los Angeles and honor Bert Corona for his life, work and legacy.

(Continued from Council meeting of April 24, 2009)

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

(10 Votes Required for Consideration)

ITEM NO. (23) - MOTION ADOPTED TO DENY APPEAL - SEE FOLLOWING

ROLL CALL #13 - Motion (Weiss - Reyes) Adopted, Ayes (10); Absent: Cardenas, Greuel, Hahn, Smith and Wesson (5)

[09-1021](#)

CD 5

MITIGATED NEGATIVE DECLARATION and APPEALS filed by Henri and Janice Lazarof, Donna R. Black, Kelly Lytton & Williams, LLP (Representative); and Jon A. Douglas, Kenneth M. Hardgrove, Sherwood and Hardgrove (Representative) from the determination of the Board of Building and Safety Commissioners in approving an application for a haul route to export 7,865 cubic yards of earth from 10550 West Bellagio Road, subject to Conditions of Approval.

Applicant: Stacey Brenner; Owner: M & A Gabae

Board File No. 090010

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

Community Impact Statement: None submitted.

(In addition to any action taken on the appeals, if the application for the haul route is approved, subject to Conditions of Approval, the Council will need to make a finding pursuant to the California Environmental Quality Act that the proposed project will not have a significant impact on the environment, and adopt Mitigated Negative Declaration ENV-2005-8611-MND-REC, as adopted by the Board of Building and Safety Commissioners at its meeting held on April 21, 2009.)

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

TIME LIMIT FILE - JUNE 1, 2009

(LAST DAY FOR COUNCIL ACTION - MAY 29, 2009)

(Continued from Council meeting of May 27, 2009)

ADOPTED

MOTION (WEISS - REYES)

Recommendations for Council action:

1. **FIND** that there are no additional environmental effects other than those identified in the Mitigated Negative Declaration, ENV-2005-8611-MND-REC, and further that those effects will not result in a substantial adverse change in the environment as a result of the hauling and there is no evidence in the record that any of the conditions in CEQA Guidelines 15162 are met, and **ADOPT** the Mitigated Negative Declaration ENV-2005-MND-REC.
2. **DENY** the appeal filed by Henri and Janice Lazarof, Donna R. Black, Kelly Lytton & Williams, LLP (Representative); and Jon A. Douglas, Kenneth M. Hardgrove, Sherwood and Hardgrove (Representative), and thereby **APPROVE** the haul route application, subject to all conditions specified in the Building and Safety Department's report dated April 16, 2009.

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

[09-1277](#)

MOTION (PERRY - GARCETTI) relative to declaring the Heroes for Hope Fundraising Lunch on June 10, 2009 a Special Event (fees and costs absorbed by the City = \$1,000).

[09-1278](#)

MOTION (PERRY - HAHN) relative to declaring the World Wrestling Entertainment Event on August 21-23, 2009 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[08-1669-S1](#)

MOTION (PERRY - HAHN) relative to declaring the ESPY's and X-Games on July 11, through August 3, 2009 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[09-1279](#)

MOTION (PERRY - GARCETTI) relative to declaring the Grand Opening of the James M. Woods Apartments on June 25, 2009 a Special Event (fees and costs absorbed by the City = \$500).

[09-1282](#)

MOTION (PERRY - REYES) relative to declaring the Ringling Brothers Barnum and Bailey Circus on July 6-10, 2009 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[09-1283](#)

MOTION (REYES - PERRY) relative to declaring the La Feria de los Ninos on June 13, 2009 a Special Event (fees and costs absorbed by the City = \$3,000).

[08-2096-S1](#)

MOTION (REYES - PERRY) relative to declaring the Kermes Street Festival on June 20, 2009 a Special Event (fees and costs absorbed by the City = \$2,700).

[09-1285](#)

MOTION (PERRY - REYES) relative to declaring the Kings Fest Event on August 28-30, 2009 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[09-1287](#)

MOTION (PERRY - PARKS) relative to declaring the Flesh Car Crash on July 2, 2009 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[09-1291](#)

MOTION (GARCETTI - ZINE) relative to declaring the UBISOFT Event on June 3, 2009 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[09-1292](#)

MOTION (GARCETTI - ZINE) relative to declaring the UP Premiere Event on May 29, 2009 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[09-1293](#)

MOTION (PARKS - PERRY) relative to declaring the Peace on the Streets Event on May 31, 2009 a Special Event (the event sponsor shall reimburse the City for all fees and costs associated with this event).

[07-1663-S4](#)

MOTION (PARKS - PERRY) relative to declaring the Ninth Annual BET Awards on June 18-30, 2009 a Special Event (fees and costs absorbed by the City = \$25,000).

[09-0028](#)

MOTION (PERRY - PARKS) relative to amending the Walk of Wishes special event.

[09-1289](#)

MOTION (LABONGE for GREUEL - PARKS) relative to funding for electrical work for the Automated Traffic Surveillance and Control System.

[09-1290](#)

MOTION (LABONGE for GREUEL - PARKS) relative to funding for the Los Angeles Department of Water and Power's Trunk Line Work program.

RESOLUTIONS PRESENTED PURSUANT TO RULE NO. 16 - TO BE PLACED ON THE NEXT AVAILABLE AGENDA

[09-1284](#)

RESOLUTION (GARCETTI - ZINE) relative to declaring the month of May 2009 as Motorcycle Awareness Month.

[09-1286](#)

RESOLUTION (ALARCON - HUIZAR) relative to recognizing June 19, 2009 as Safe Sleeping Day.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon his request, and without objections, Councilmember Huizar was excused from the Council session of Tuesday, June 2, 2009 due to City business.

Upon her request, and without objections, Councilmember Greuel was excused to leave from the Council session of Tuesday, June 9, 2009 at 12:30 p.m. due to personal business.

Upon her request, and without objections, Councilmember Perry was excused from the Council sessions of June 2, 2009 and June 17, 2009 due to personal business, and was excused to leave the Council sessions of June 9, 2009 at 11:30 a.m. and June 23, 2009 at 11:45 a.m. due to City business.

Motion (Parks - Huizar) unanimously adopted to excuse Councilmember Perry from the Council session of June 19, 2009 due to personal business.

Upon his request, and without objections, Councilmember Weiss was excused from the Council sessions of June 23, 2009, June 24, 2009 and June 30, 2009 due to personal business.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

[09-0727](#) - Kyra Sedgwick

(Garcetti - LaBonge)

Roger Miller

(Garcetti - All Councilmembers)

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

[09-0726](#) - Ronald Takaki

(Huizar - All Councilmembers)

Robert Lamarr Rodwell

(Parks - Perry)

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

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL