

ALL ITEMS FORTHWITH

--- SPECIAL COUNCIL MEETING ---

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

ROLL CALL - Members present: Alarcón, Hahn, Huizar, Koretz, Krekorian, LaBonge, Parks, Perry, Rosendahl, Smith and President Garcetti (11); Absent: Cárdenas, Reyes, Wesson and Zine (4)

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 - Item 39-42

**Roll Call #1 - Adopted, Ayes (11); Absent: Cárdenas, Reyes, Wesson and Zine (4)
(Item Nos. 39-41)**

ITEM NO. (39) - ADOPTED

[08-0951-S2](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to the selection of underwriters for issuance of Los Angeles Wastewater System Revenue Bonds, Series 2010.

Recommendations for Council action:

1. AUTHORIZE the selection of Siebert Brandford Shank & Co., LLC. as Senior Manager and De La Rosa & Co. and Stone & Youngberg LLC as Co-Senior Managers for the Wastewater System 2010-A and Series 2010-B transaction.
2. AUTHORIZE the selection of Cabrera Capital Markets, LLC and Backstrom McCarley Berry & Co., LLC to serve as Senior and Co-Manager, respectively, for the Wastewater System Series 2010-C transaction.
3. AUTHORIZE the City Administrative Officer (CAO) to make technical adjustments as necessary to implement the intent of the Mayor and Council actions.

4. INSTRUCT the CAO on all future transactions involving the CAO's Request for Proposal (RFP) process as it relates to the pre-qualified list of underwriters, to send the RFP to all firms listed within a pool on the pre-qualified list.

Fiscal Impact Statement: The CAO reports that there is no impact to the General Fund as a result of the above recommendations. Costs associated with the selection of underwriters will be paid from bond proceeds. Debt service on these Wastewater System Revenue Bonds will be paid from the Sewer Construction and Maintenance Fund.

Debt Impact Statement: The CAO will report back on the debt impact at the time the Wastewater System Revenue Bonds Series 2010 transaction is presented for approval.

Community Impact Statement: None submitted.

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

ITEM NO. (40) - ADOPTED

[10-1468](#)

BUDGET AND FINANCE COMMITTEE REPORT relative to approval of an underwriting team for the anticipated Municipal Improvement Corporation of Los Angeles (MICLA) Lease Revenue Bond financing.

Recommendations for Council action:

1. APPROVE De La Rosa as senior manager on the tax-exempt bonds, Seibert Brandford Shank as senior manager on the taxable bonds (Recovery Zone Economic Development Bonds), and Estrada Hinojosa as co-manager as the underwriting team for the anticipated MICLA Lease Revenue Bond financing to be sold on a negotiated basis.
2. INSTRUCT the City Administrative Officer (CAO) on all future transactions involving the CAO's Request for Proposal (RFP) process as it relates to the pre-qualified list of underwriters, to send the RFP and/or Request for Information to all firms listed within a pool on the pre-qualified list.

Fiscal Impact Statement: The CAO reports that there is no fiscal impact to the City's General Fund from the approval of the above recommendations.

Debt Impact Statement: The CAO reports that there is no debt impact to the City's General Fund from the approval of the above recommendations.

Community Impact Statement: None submitted.

ITEM NO. (41) - ADOPTED

[10-1429](#)

CD 11

ADMINISTRATIVE EXEMPTION and TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT relative to proposed First Amendment to Ground Lease LAA-6249 with CalPortland Company (CalPortland) to extend the term ten years for land located at 5299 West 111th Street at Los Angeles International Airport (LAX).

Recommendations for Council action:

1. FIND that this action, as described in the August 6, 2010 Board of Airport Commissioners (Board) report and attached to the Council file, is exempt from the California Environmental Quality Act (CEQA) pursuant to Article III Class 1 (18)(c) of the Los Angeles City CEQA Guidelines.
2. APPROVE the First Amendment to Ground Lease LAA-6249 with CalPortland to extend the term of the lease for ten years for land located at 5299 West 111th Street at LAX.
3. CONCUR in the Board's action of August 2, 2010 (Board Order No. AO-5174) authorizing the Executive Director to execute the ten-year lease with CalPortland to extend the term of the lease for ten years for land located at 5299 West 111th Street at LAX, with a term from September 17, 2010 to September 16, 2020.

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - SEPTEMBER 5, 2010

(LAST DAY FOR COUNCIL ACTION - AUGUST 20, 2010)

ITEM NO. (42) - ADOPTED, *AS AMENDED - SEE FOLLOWING

Roll Call #2 - Adopt as Amended, Ayes (10); Absent: Cárdenas, Parks, Reyes, Wesson and Zine (5)

[10-1497](#)

CD 12

COMMUNICATION FROM THE BOARD OF REFERRED POWERS relative to proposed donation agreement with the North Valley Family YMCA at Porter Ranch for the development, construction and maintenance by the YMCA of a parking lot and hiking trail at Limekiln Canyon Park.

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

1. CONCUR in the Zoning Administrator's adoption of the Mitigated Negative Declaration (MND; ENV-2008-3312-MND-REC1 and associated case, ZA-2008-3311-ZV) on April 23, 2009 for the development, construction and maintenance by the YMCA of Metropolitan Los Angeles - North Valley Branch (YMCA) of a parking lot and hiking trail at Limekiln Canyon Park (Park) and find that, with the imposition of the mitigation measures contained in the MND, the construction and operation of the proposed project will not have a significant adverse effect on the environment.
2. APPROVE the Donation Agreement (Agreement), substantially in the form on file in the Board Office, as detailed in Board of Recreation and Parks Commissioners (Board) Report No. 10-199 and attached to the Council file, pursuant to which the YMCA will develop, construct, and maintain a parking lot and hiking trail at the Park, to be used for park purposes, subject to the approval of the City Attorney as to form.

~~3. DIRECT the Board Secretary to transmit the Agreement simultaneously to the Mayor in accordance with Executive Directive No.3, and to the City Attorney for review as to form.~~

***(Smith - Rosendahl)**

4. AUTHORIZE the Board President and Secretary to execute the Agreement upon receipt of the aforementioned approvals as detailed in the above Recommendations.

Fiscal Impact Statement: Neither the City Administrative Officer or the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

TIME LIMIT FILE - OCTOBER 11, 2010

(LAST DAY FOR COUNCIL ACTION - OCTOBER 8, 2010)

(Arts, Parks, Health and Aging Committee waived consideration of the above matter)

Items for Which Public Hearings Have Not Been Held - Items 43-51

(10 Votes Required for Consideration)

**Roll Call #3 - Adopted, Ayes (10); Absent: Cárdenas, Parks, Reyes, Wesson and Zine (5)
(Item Nos. 43-44)**

ITEM NO. (43) - ADOPTED

10-0600-S33

COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER (CAO) relative to the incorporation of an accounts receivable component into the Financial Management System (FMS) Project.

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

1. RESOLVE that one Management Analyst II position and one Systems Analyst II position in the Office of Finance from September 1, 2010 through June 30, 2011, subject to allocation by the Civil Service Commission, and subject to approval of the pay grade by the CAO, Employee Relations Division, to support the development of interfaces between the FMS and the City's independent accounts receivable systems, is APPROVED.
2. APPROPRIATE \$500,000 from the Unappropriated Balance Fund No. 100/58, FMS Project to the following funds and accounts, for the following purposes:

<u>Fund/Dept/Account</u>	<u>Amount</u>	<u>Purpose</u>
100/96/1010	\$124,000	Office of Finance Salaries
100/32/3040	\$376,000	ITA Contractual Services

3. AUTHORIZE the General Manager, Information Technology Agency (ITA) to negotiate and execute the Third Amendment to the contract with CGI Technologies and Solutions, Inc., attached to the Council file, for the implementation of the FMS, to add deliverables related to the

development of interfaces between selected accounts receivable systems and FMS, and to increase the contract sum by \$560,000 from \$19,777,582 to \$20,337,582, contingent upon full compliance with all applicable City contracting requirements, and subject to the review and approval of the City Attorney.

4. AUTHORIZE the debt financing of expenditures up to \$560,000 associated with the design and development of the accounts receivable component of the FMS by CGI Technologies and Solutions, Inc., and the Controller to pay for those expenditures from appropriations established in Fund No. 298/32 ITA for the FMS Project.
5. INSTRUCT the CAO, upon completion of the concept design of the accounts receivable component, to determine whether the project scope and funding requirements comply with the description outlined in the report, and if necessary, instruct the ITA and the Office of Finance to report to the City Council and obtain approval prior to beginning development and implementation.
6. INSTRUCT the Project Oversight Committee of the FMS Project to ensure that the FMS Project is not delayed as a result of work related to the development of its accounts receivable component.

Fiscal Impact Statement: The CAO reports that approval of the above recommendations will result in the expenditure of \$500,000 from the Unappropriated Balance - Financial Management System Project. These funds are intended to be used for this project and will have no additional fiscal impact. Their use is therefore in compliance with the City's Financial Policies. Authorization of debt financing of \$560,000 from the Municipal Improvement Corporation of Los Angeles (MICLA) is also recommended in this report. These funds have not been authorized through the City's Budget.

The City's Financial Policies state that General Fund funding for new or expanded programs will only be considered on an interim basis in extreme circumstances. Due to the Council's prior instruction to proceed with this project, providing interim funding for this project complies with the City's Financial Policies.

Debt Impact Statement: The CAO reports that issuance of up to \$560,000 in MICLA Lease Revenue Bonds for the FMS Replacement Project will not cause the City's debt service payments to exceed six percent of General Fund revenues for non-voter-approved debt as established in the City's Financial Policies, Debt Management Section. During the life of the bonds, the average annual debt service will be approximately \$39,000 for 25 years.

Community Impact Statement: None submitted.

(Information Technology and Government Affairs, Budget and Finance and Personnel Committees waived consideration of the above matter)

ITEM NO. (44) - ADOPTED

[10-1492](#)

COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER (CAO) relative to acceptance of California Office of Traffic Safety Grant Award for the Habitual Offender DUI Program.

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

1. AUTHORIZE the City Attorney, or designee, to approve the accompanying grant award between the City and the Habitual DUI Offender Program and further AUTHORIZE the City Attorney, or designee, to execute said grant award on behalf of the City, subject to the approval of the City Attorney as to form and legality.
2. AUTHORIZE the City Attorney, or designee, to accept the grant award in the amount of \$367,372 for funding the Habitual DUI Offender Program for the period of October 1, 2010 - September 30, 2011.
3. AUTHORIZE the Controller to:
 - a. Establish a receivable in the amount of \$367,372 within Fund 368/12
 - b. Establish the following appropriation Account Nos. within Fund 368/12:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
G231	Personnel Services	\$271,582
G232	Fringe Benefits	\$86,010
G233	Operating Expenses	\$5,780
G234	Travel	\$4,000
 - c. Transfer \$203,687 from Fund 368/12, Account G231- Personal Services to Fund 100/12, Account 1010 Salaries General.
 - d. Transfer, upon receipt of grant funds, \$86,010 from Fund 368, Account F631 Personnel Services to Fund 100/12, Account 4610 Reimbursement of Related Costs.
4. REQUEST the City Attorney to submit invoices to the California Office of Traffic Safety on a quarterly basis to ensure that expenditures are reimbursed in a timely manner.
5. AUTHORIZE the Office of the City Attorney to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the CAO.

Fiscal Impact Statement: The CAO reports that during the adoption of the 2010-11 City Budget, the overall City Attorney Budget was reduced by ten percent. The City Attorney has stated their intent to use a variety of methods to maintain a balanced budget through furloughs, normal attrition, special funding reimbursements and one-time revenues; however, a significant overall salary shortfall of up to \$9 million exists, excluding the Department's assumed attrition of \$2.5 million. This grant award is unanticipated and not included in the 2010-11 Adopted Budget. Because these position authorities were funded in the Adopted Budget it is typically recommended that funding reimbursement be recognized as a General Fund receipt. However the use of these funds to mitigate the shortfall is reasonable given the magnitude and is an appropriate use of funds as these funds represent unanticipated revenue.

The total cost of the 2010-11 Habitual DUI Offender Grant Program is \$450,666 of which \$367,372 will be fully reimbursed by the California Office of Traffic Safety (OTS) for salaries, fringe benefits and expenses in Fiscal Year 10-11. The General Fund impact will be \$83,294 for general City overhead which is not eligible for reimbursement by OTS. No additional funds are needed for the overhead, because these are continuing positions. No matching funds are required for grant

acceptance. The recommendations in this report are in compliance with the City's Financial Policies in that one-time revenue will be used to support one-time expenditures.

Community Impact Statement: None submitted.

(Public Safety Committee waived consideration of the above matter)

ITEM NO. (45) - ADOPTED

Roll Call #4 - Adopted, Ayes (10); Absent: Cárdenas, Perry, Reyes, Wesson and Zine (5)

[07-4174](#)

CD 9

CONSIDERATION OF MOTION (GARCETTI - LABONGE) relative to rescinding Council actions of July 9, 2010 relative to the proposed disposition of property for development of the Slauson Central Retail Center.

Recommendations for Council action:

1. RESCIND Council's action of July 9, 2010 relative to the proposed disposition of property for the development of the Slauson Central Retail Center located at 944-1010 East Slauson Avenue and 1040 East Slauson Avenue.
2. DIRECT the City Clerk to place on the **TUESDAY, SEPTEMBER 7, 2010** City Council agenda the recommendations previously put before the Council on July 9, 2010, including the original Motion and Resolution as attached.
3. HOLD a public hearing pursuant to Health and Safety Code Section 33433 regarding the proposed disposition of 944-1010 East Slauson Avenue and 1040 East Slauson Avenue on Tuesday, September 7, 2010.

Community Impact Statement: None submitted.

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

ITEM NO. (46) - ADOPTED

Roll Call #3 - Adopted, Ayes (10); Absent: Cárdenas, Parks, Reyes, Wesson and Zine (5)

[10-2260](#)

CD 4

CONSIDERATION OF MOTION (LABONGE - CARDENAS) relative to a short-term lease of the vacant City owned old Gardner Library building located at 1403 Gardner Street to Jimmy Kimmel Live productions.

Recommendations for Council action:

1. AUTHORIZE the Department of General Services (GSD) to negotiate and execute a lease agreement with Jimmy Kimmel Live productions for the old Gardner Library building located at 1403 Gardner Street in Council District Four to be used primarily for storage purposes and consistent with the additional terms and conditions listed below:

Location: 1403 Gardner Street

Total Area: 4,000 square feet plus adjacent parking area

Rent: \$1.00 per square foot per month

Term: Month to month

Termination: 30 day notice by either party

Restrictions: Use for storage purposes

2. INSTRUCT the GSD to concurrently release a Request for Proposal on said location.
3. FIND, pursuant to Charter Section 371(e)(10), that the proposed short term lease agreement is exempt from the competitive bidding process inasmuch as the use of the competitive bidding would be undesirable, impractical or impossible for the following reasons: leasing this site to Jimmy Kimmel Live productions will ensure that the property is occupied and maintained; eliminates the risk of illegal use and trash dumping, graffiti and other nuisance activities; the lease will generate revenue to the City that would otherwise not occur due to the restrictive lease terms, site location, site size and existing conditions; the lease is consistent with the City's prior actions in fostering and encouraging the entertainment industry; and the proposed lease is temporary in nature and coincides with the City's desire to be able to access and regain possession of the property on a short notice.

Community Impact Statement: None submitted.

(Information Technology and Government Affairs Committee waived consideration of the above matter)

ITEM NO. (47) - ADOPTED

Roll Call #5 - Adopted, Ayes (10); Absent: Cárdenas, Perry, Reyes, Wesson and Zine (5)

[10-1288](#)

CD 14

CONSIDERATION OF MOTION (HUIZAR - ROSENDAHL) relative to fund transfers in connection with the design of an activated pedestrian warning device for the intersection of Fourth Street and Concord Street.

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

1. TRANSFER \$8,500 from Seismic Bond Fund 608, project Account No. S676, titled "Fourth St-0331" to the following funds and accounts, in the amounts indicated, for staffing expenses associated with expediting the design of an activated pedestrian warning device for the intersection of Fourth Street and Concord Street:
 - a. Department of Transportation -
Fund No. 100/94 Salaries Overtime,
Account No.1090 \$5,000

b. Department of Public Works,
Bureau of Street Lighting -
Fund No. 100/84 Salaries Overtime,
Account No.1090 \$3,500

2. DIRECT the Los Angeles Department of Transportation and the Bureau of Street Lighting to return any unspent funds from the above appropriations back to Seismic Bond Fund 608, Project Account No. S676, titled "Fourth St-0331" after completion of the signal design work.

Community Impact Statement: None submitted.

(Public Works Committee waived consideration of the above matter)

**Roll Call #3 - Adopted, Ayes (10); Absent: Cárdenas, Parks, Reyes, Wesson and Zine (5)
(Item Nos. 48-49)**

ITEM NO. (48) - ADOPTED

[10-2258](#)
CD 5

CONSIDERATION OF MOTION (KORETZ - REYES) relative to waiving the dedication requirements required at 633 Estrellita Way.

Recommendations for Council action:

1. INSTRUCT the Bureau of Engineering (BOE) to waive the 2 1/2 foot dedication required at 633 Estrellita Way.
2. DIRECT the BOE to maintain the existing 5 foot dedication unimproved dedication on the lot, as described in the Motion and attached to the Council file and above in Recommendation No. 1.

Community Impact Statement: None submitted.

(Public Works Committee waived consideration of the above matter)

ITEM NO. (49) - ADOPTED

[10-2256](#)
CD 5

CONSIDERATION OF MOTION (KORETZ - HUIZAR) relative to designating the intersection of Whitworth Drive and Fairfax Avenue as "Officer Mario Navidad Square."

Recommendations for Council action:

1. DESIGNATE the intersection of Whitworth Drive and Fairfax Avenue as "Officer Mario Navidad Square."

2. DIRECT the Department of Public Works to implement the designation of “Officer Mario Navidad Square.”
3. INSTRUCT the Los Angeles Department of Transportation to work with the Los Angeles Police Department and Council District 5 staff to designate an appropriate location from which to hang a sign(s) at the intersection of Whitworth Drive and Fairfax Avenue in order to identify “Officer Mario Navidad Square.”

Community Impact Statement: None submitted.

(Public Works Committee waived consideration of the above matter)

ITEM NO. (50) - ADOPTED

Roll Call #7 - Adopted, Ayes (10); Absent: Cárdenas, Perry, Reyes, Wesson and Zine (5)

10-0002-S80

CONSIDERATION OF RESOLUTION (LABONGE - SMITH - ET AL.) relative to the City's position supporting S1334 and HR 847, which would provide long-term health care for those exposed to toxins resulting from the collapse of the World Trade Center towers.

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

ADOPT the accompanying RESOLUTION to include in the City's 2009-10 Federal Legislative Program SUPPORT for S1334 and HR 847, both entitled the 9/11 Health and Compensation Act, which would provide long-term health care for those exposed to toxins resulting from the collapse of the World Trade Center towers and compensation for economic losses due to illness or injuries caused by the attacks.

Community Impact Statement: None submitted.

(Information Technology and Government Affairs Committee waived consideration of the above matter)

ITEM NO. (51) - MAPS APPROVED - CITY ENGINEER REPORTS ADOPTED

**Roll Call #6 - Adopted, Ayes (10); Absent: Cárdenas, Perry, Reyes, Wesson and Zine (5)
(Item Nos. 51a-51b)**

09-0973

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:

[09-0973](#)

CD 11

- a. FINAL MAP OF TRACT NO. 60907 for property located at 1046-48 West Princeton Drive (South of Princeton Drive, East of Thatcher Avenue).
(Bond No. C-117709)
(Quimby Fee: \$115,470)
Applicants: Western Pacific Land Company
Harvey A. Goodman

[10-2271](#)

CD 4

- b. FINAL MAP OF TRACT NO. 62178 for property located at 5550-70 West Wilshire Boulevard (South of Wilshire Boulevard and East of Ridgely Drive).
(Bond No. C-117710)
(Quimby Fee: \$810,599)
Applicants: SSR Miracle Mile, LLC
Fusco Engineering

Ayes, Alarcón, Hahn, Huizar, Koretz, Krekorian, LaBonge, Parks, Rosendahl, Smith and President Garcetti (10); Absent: Cárdenas, Perry, Reyes, Wesson and Zine (5)

Whereupon the Special Council meeting did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL