

Los Angeles City Council, **Journal/Council Proceedings**
Friday, **October 22, 2010**
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: Alarcón, Cárdenas, Hahn, Huizar, Koretz, Krekorian, LaBonge, Perry, Reyes, Rosendahl, Smith, Zine and President Garcetti (13); Absent: Parks and Wesson (2)

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
OCTOBER 19, 2010

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 11

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 for Which Public Hearings Have Been Held - Items 1-3

ITEM NO. (1) - CONTINUED TO NOVEMBER 9, 2010

Roll Call #1 - Adopted to Continue, Unanimous Vote (13); Absent: Parks and Wesson (2)

[08-3458](#)
CD 13

CONTINUED CONSIDERATION OF COMMUNICATION FROM CHAIR AND MEMBER, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE and RESOLUTION relative to a Disposition and Development Agreement (DDA) for the sale of Community Redevelopment Agency (CRA)-owned property at 1601 North Vine Street (Site) to 1601 North Vine, LLC (Developer), for \$825,000, for the development of a commercial office building (Project).

Recommendations for Council action:

1. HOLD a Public Hearing and ADOPT the accompanying Joint RESOLUTION (attached to the CRA report dated April 1, 2010) making findings pursuant to California Health and Safety Code Section 33433 for the sale of the Site to the Developer at the reuse value of \$825,000 and under the terms and conditions in the DDA with the Developer for the development of the Project located in the Hollywood Redevelopment Project Area.

2. AUTHORIZE the Chief Executive Officer, CRA, or designee, to:
 - a. Execute a DDA between the CRA and the Developer for the sale of CRA-owned parcels and the development of the proposed 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. Execute the documents attached to the DDA and take other actions as contemplated by the DDA, subject to the review and approval of the City Attorney as to form and legality.
3. AMEND the CRA Budget and Work Program for the fiscal year in which the proceeds of sale are received to include \$825,000 of the Project Developer's funds as payment for the CRA-owned parcels; and create a new Work Program Objective, Developer Contribution, Account Code to be established.

Fiscal Impact Statement: The City Administrative Officer reports that there is no impact on the City General Fund. The CRA is bound only by the City Debt Management Policies; the City Financial Policies are not applicable to the CRA. Approval of the recommendations will allow the CRA to execute a DDA with the Developer for the Project located in the Hollywood Redevelopment Area. The \$825,000 in proceeds from the sale of the Project Site will be returned to the CRA Budget. Additional funds of approximately \$120,000 from the Hollywood Project Area, Commercial and Industrial Projects are required to complete relocation of an existing business on the Project Site.

Community Impact Statement: None submitted.

(Public Hearing Closed on June 2, 2010)

(Continued from Council meeting of September 21, 2010)

ITEM NO. (2) - ADOPTED - SEE FOLLOWING

Roll Call #2 - Adopted, Ayes (13); Absent: Parks and Wesson (2)

[10-1562](#)
CD 2

COMMUNICATION FROM THE COMMUNITY DEVELOPMENT DEPARTMENT and RESOLUTION relative to authorization of a \$10 million tax-exempt financing by the California Municipal Finance Authority for the benefit of the Oakwood School.

(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.)

(Click on the above hyperlink or go to <http://cityclerk.lacity.org/lacityclerkconnect/index.cfm> for background documents.)

ADOPTED

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and RESOLUTION relative to authorization of a \$10 million tax-exempt financing by the California Municipal Finance Authority for the benefit of the Oakwood School.

Recommendations for Council action:

- 1. ADOPT the accompanying RESOLUTION approving the issuance by the California Municipal Finance Authority of its revenue obligations in an aggregate principal amount not to exceed \$10 million for the purpose of financing and refinancing the cost of construction, installation, rehabilitation, furnishing and equipping of facilities for the benefit of the Oakwood School, providing the terms and conditions for such obligations and other matters relating thereto.**
- 2. FIND the Oakwood School transaction necessary and appropriate to accomplish the City's community and economic development objectives.**

Fiscal Impact Statement: The Community Development Department (CDD) reports that there is no General Fund impact to the City as a result of the recommended actions. The department states that the recommended actions comply with the City's financial and debt management policies. The proposed financing does not have the pledge of public funds, security or repayment commitment of the City. The source of debt service and repayment of the tax-exempt loan is solely the operating revenues of the Oakwood School. The CDD notes that it will receive a transaction fee of approximately \$6,667 from the California Municipal Finance Authority.

Community Impact Statement: None submitted.

ITEM NO. (3) - CONTINUED TO OCTOBER 26, 2010 - AMENDING MOTION ALSO CONTINUED - SEE FOLLOWING

Roll Call #4 - Adopted to Continue, Amending Motion Continued, Unanimous Vote (13): Absent: Parks and Wesson (2)

[10-1621](#)

COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER relative to placing on the March 2011 ballot a measure to add an additional retirement tier to the Los Angeles Fire and Police Pension system.

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

(Click on the above hyperlink or go to <http://cityclerk.lacity.org/lacityclerkconnect/index.cfm> for background documents.)

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

CONTINUED

A. RULES AND ELECTIONS and PERSONNEL COMMITTEES' REPORT

Recommendation for Council action:

REQUEST the City Attorney to prepare and present a ballot title and resolution to place before the voters in March 2011 a measure for pension reform for new hires in the Los Angeles Fire and Police Pension system.

Fiscal Impact Statement: The City Administrative Officer reports that adoption of new tiers would result in savings to the General Fund. It is anticipated that for every 1,000 new hires, the retirement tiers recommended in the report will save approximately \$173 million under the LAFPP design, over a 30 year period.

Community Impact Statement: None submitted.

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

B. AMENDING MOTION (GARCETTI - ZINE)

Recommendations for Council action:

- 1. REQUEST the City Attorney to include language to allow the Council by Ordinance to amend Tier 6 to allow members of other tiers to elect to transfer to Tier 6 provided it is actuarially cost neutral.**
- 2. REQUEST the City Attorney to include a provision to allow unclaimed monies to revert to the Plan to avoid escheting to the State.**

Items for Which Public Hearings Have Not Been Held - Items 4-13

(10 Votes Required for Consideration)

ITEM NO. (4) - ADOPTED

**Roll Call #5 - Adopted, Ayes (14); Absent: Parks (1)
(Item Nos. 4a-4b)**

[10-0005-S780](#)

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 October 15, 2010:

[10-0005-S780](#)

CD 9

- a. Property at 2220 South Maple Avenue (Case No. 230840).
Assessor I.D. No. 5127-014-017

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 8, 2009)

[10-0005-S781](#)

CD 9

- b. Property at 1401 East 56th Street (Case No. 272811).
Assessor I.D. No. 5104-020-019

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 13, 2010)

ITEM NO. (5) - ADOPTED

Roll Call #6 - Adopted, Ayes (14); Absent: Parks (1)

[10-0005-S782](#)

CD 4

RESOLUTION relative to the termination of the rent reductions.

Recommendation for Council action:

ADOPT the accompanying RESOLUTION for the termination of rent reductions, for units 101-03, 105-07, 201-07, 301-07, 401-07, at 722 South Hartford Avenue, (Case No. 184504). The Los Angeles Housing Department (LAHD) Code Enforcement Unit has confirmed that the habitability violations have been corrected and only minor violations remain at the property, as contained in the LAHD's report of July 23, 2010, Assessor I.D. No. 5143-009-006.

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 25, 2010)

ITEM NO. (6) - ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #7 - Adopted, Ayes (14); Absent: Parks (1)

[10-1591](#)

CONSIDERATION OF MOTION (PERRY for SMITH - LABONGE) relative to modifying the Fiscal Year (FY) 2007 State Homeland Security Grant Program grant to procure Chemical, Biological, Radiological, Nuclear, and Explosive related equipment.

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

1. AUTHORIZE the Los Angeles Fire Department (LAPD) to borrow \$262,045 in funds from Fund 40J/38, Account 002R to procure Chemical, Biological, Radiological, Nuclear, and Explosive related equipment.

2. AUTHORIZE the Controller, upon presentation of proper documentation from the LAFD, to TRANSFER FY 2007 State Homeland Security Grant Program grant funds from Fund 49T/46, Account E938 to Fire Department Fund 40J/38, Account 002R, in a cumulative total amount not to exceed \$262,045.

Community Impact Statement: None submitted.

(Public Safety and Budget and Finance Committees' waived consideration of the above matter)

ITEM NO. (7) - ADOPTED

Roll Call #8 - Adopted, Ayes (14); Absent: Parks (1)

[10-1613](#)

CD 1

MOTION (REYES - ROSENDAHL) relative to a supplemental agreement with the Historic Lincoln Heights Industrial Economic Development Corporation.

Recommendation for Council action:

DIRECT the City Clerk to negotiate and execute a supplemental agreement (third supplemental) to City Contract No. C111645 between the City and the Historic Lincoln Heights Industrial Economic Development Corporation in order to extend the term of the agreement from May 31, 2010 and utilizing existing funds remaining for this purpose.

ITEM NO. (8) - SUBSTITUTE MOTION ADOPTED IN LIEU OF ORIGINAL MOTION - SEE FOLLOWING

Roll Call #9 - to Adopt Substitute Motion, Ayes (14); Absent: Parks

[09-2570](#)

CD 15

MOTION (HAHN - LABONGE) relative to funding for the construction of bridge improvements on Gaffey Street in Council District 15.

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

1. TRANSFER \$400,000 from the Gaffey Street Pedestrian Bridge Account in the Engineering Special Services Fund No. 682/50, to the following accounts, and in the amounts specified in the General Services Fund No. 100/40 for the construction of bridge improvements on Gaffey Street in Council District 15:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1101	Construction Salaries, Hiring Hall	\$ 150,000
1121	Construction Salaries, Hiring Hall Fringe Benefits	60,000
3180	Construction Materials & Supplies	<u>190,000</u>
	Total	\$ 400,000

2. AUTHORIZE the Bureau of Street Services and/or the Department of General Services to make any technical corrections or clarifications to the above fund transfer instructions in order to effectuate the intent of this Motion.

ADOPTED

SUBSTITUTE MOTION (HAHN - HUIZAR)

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

1. **TRANSFER \$450,000 from the Relinquishment of Gaffey Street Account in the Subventions and Grants Fund No. 305/50, Revenue Source 3410, as follows, for the construction of bridge improvements on Gaffey Street in Council District 15: \$50,000 to the Gaffey Street Pedestrian Bridge Account in the Engineering Special Services Fund No. 682/50, and \$400,000 to the below listed accounts, and in the amounts specified, in the General Services Fund No. 100/40:**

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1101	Construction Salaries, Hiring Hall	\$ 150,000
1121	Construction Salaries, Hiring Hall Fringe Benefits	60,000
3180	Construction Materials & Supplies	<u>190,000</u>
	Total	\$ 400,000

2. **AUTHORIZE the Bureau of Street Services and/or the Department of General Services to make any technical corrections for clarifications to the above fund transfer instructions in order to effectuate the intent of this Motion.**

**Roll Call #3 - Adopted, Ayes (13): Absent: Parks and Wesson (2)
(Item Nos. 9-10)**

ITEM NO. (9) - ADOPTED

[10-1615](#)
CD 15

MOTION (HAHN - KORETZ) relative to funding for the Cabrillo Street Extension Project in Council District 15.

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

1. **TRANSFER/APPROPRIATE \$37,000 from the Capital Improvement Expenditure Program Fund No. 100/54, Account Y603 to the Engineering Special Services Fund No. 682/50, Account V213 Revenue Source No. 4610 to supplement the \$50,000 previously authorized for the Cabrillo Street Extension Project and complete the purchase of the property.**
2. **INSTRUCT the Bureau of Engineering to take the steps necessary to acquire the vacant lot on behalf of the City and AUTHORIZE the BOE to prepare any technical corrections or clarifications necessary to implement the intent of this Motion and AUTHORIZE the Controller to implement the technical corrections.**

ITEM NO. (10) - ADOPTED

[09-2639](#)

CD 15

MOTION (HAHN - LABONGE) relative to lease approval for the Watts Neighborhood Council at 10221 Compton Avenue, No. 106A, Los Angeles, CA 90002, in Council District 15.

Recommendation for Council action:

APPROVE the executed Neighborhood Council Lease Agreement between the City of Los Angeles, through the Department of Neighborhood Empowerment (on behalf of the Watts Neighborhood Council), and Watts Civic Center ACLP, for office space at 10221 Compton Avenue, No. 106A, Los Angeles, CA 90002, under the terms and conditions outlined in the Neighborhood Council Lease Agreement attached to the Council file.

ITEM NO. (11) - ADOPTED

Roll Call #10 - Adopted, Ayes (14); Absent: Parks (1)

[10-1616](#)

CD 5

MOTION (KORETZ - LABONGE) relative to lease approval for the Mid City West Community Council at 543 North Fairfax Avenue, Los Angeles, CA 90036, in Council District Five.

Recommendation for Council action:

APPROVE the executed Neighborhood Council Lease Agreement between the City of Los Angeles, through the Department of Neighborhood Empowerment (on behalf of the Mid City West Community Council), and National Council of Jewish Women, for office space at 543 North Fairfax Avenue, Los Angeles, CA 90036, under the terms and conditions outlined in the Neighborhood Council Lease Agreement attached to the Council file.

ITEM NO. (12) - CONTINUED TO NOVEMBER 9, 2010

Roll Call #1 - Adopted to Continue, Unanimous Vote (13); Absent: Parks and Wesson (2)

[08-3458-S1](#)

CD 13

CONTINUED CONSIDERATION OF MOTION (ZINE for GARCETTI - PERRY) relative to development of a commercial office building at 1601 and 1605 North Vine Street.

Recommendations for Council action:

1. CERTIFY, prior to reaching a decision on a project to develop the site at 1601 and 1605 North Vine Street, Hollywood, CA 90028, with an eight-story office building, including a ground floor divided into lobby and common areas and retail space (Project), that it has reviewed and considered the environmental effects of the Project as shown in the Environmental Impact Report (EIR).

2. CONCUR and ADOPT the Community Redevelopment Agency of the City of Los Angeles's (CRA/LA) California Environmental Quality Act (CEQA) findings as set forth in Attachment A to the CRA/LA Board Memorandum dated April 1, 2010.
3. DETERMINE, based on the Council's review and consideration of the EIR, and based on the whole of the record before it, including matters added to the record following CRA/LA approval of the Project, and accordance with CEQA Guidelines Section 15162, that no subsequent environmental document is required in that:
 - a. No revisions to the EIR are required due to the involvement of new significant environmental effects or substantial increase in the severity of previously identified significant effects.
 - b. No substantial changes have occurred with respect to the circumstances under which the Project is being undertaken which will require major revisions of the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
 - c. No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the EIR was certified, shows that:
 - 1) The Project will have one or more significant effects not discussed in the EIR.
 - 2) Significant effects previously examined will be substantially more severe than shown in the EIR.
 - 3) Mitigation measures or alternative previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the project proponents decline to adopt the mitigation measures or alternative.
 - 4) Mitigation measures or alternatives which are considerably different from those analyzed in the EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.
4. MITIGATE or AVOID the environmental effects of those parts of the Project that it is approving by concurring with and hereby adopting the Mitigation Monitoring Program adopted by the CRA/LA in connection with the Project.
5. CONCUR and ADOPT the Statement of Overriding Considerations approved by the CRA/LA in connection with the Project.
6. INSTRUCT staff to prepare and file a Notice of Determination with respect to the Council's findings and approval of the Project.

7. SPECIFY that the record of the proceedings upon which its decision is based is located in the City Clerk's Office, Room 395 City Hall, 200 North Spring Street, Los Angeles, CA 90012, and in the offices of the CRA/LA located at 354 South Spring Street, Suite 800, Los Angeles, CA 90013.

(Continued from Council meeting of September 21, 2010)

ITEM NO. (13) - ADOPTED

Roll Call #11 - Adopted, Ayes (14); Absent: Parks (1)

10-1614

RESOLUTION (KORETZ - ROSENDAHL - HUIZAR) relative to declaring October 16, 2010 as Childhood Hunger Day in the City of Los Angeles.

Recommendation for Council action:

RESOLVE to DECLARE October 16, 2010 as Childhood Hunger Day in the City of Los Angeles.

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

10-1676

MOTION (GARCETTI - HUIZAR) relative to funding for the contract with VOTEC Corporation.

10-1670

MOTION (GARCETTI - HUIZAR) relative to naming the intersection at Temple Street and Alvarado Boulevard as Remedios "Remy" V. Geaga Square.

06-1696-S1

MOTION (REYES - ROSENDAHL) relative to amending prior Council action of July 6, 2010, regarding a proposed lease agreement with Glendale Kia.

10-1671

MOTION (GARCETTI - SMITH - ALARCON) relative to the Los Angeles Area Chamber of Commerce presenting an economic study report to the Los Angeles City Council.

10-1058-S3

MOTION (REYES - KORETZ) relative to removing the sunset clause within the Baseline Mansionization Ordinance to be extended permanently.

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

[10-1058-S2](#)

RESOLUTION (REYES - KORETZ) relative to extending the sunset date of the Baseline Mansionization Ordinance to February 23, 2011.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

[10-0004-S3](#) - Susan G. Komen Breast Cancer Awareness Month
October 2010

LaBonge - All Councilmembers

Michael W. Perez - Lieutenant I + II

LaBonge - All Councilmembers

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

[10-0003-S3](#) - Senator Jenny Oropeza

Hahn - All Councilmembers

Alarcón, Cárdenas, Hahn, Huizar, Koretz, Krekorian, LaBonge, Perry, Reyes, Rosendahl, Zine and President Garcetti (12); Absent: Parks, Smith and Wesson (3)

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL