

Los Angeles City Council, **Journal/Council Proceedings**
Friday, **February 11, 2011**
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, Hahn, Huizar, Koretz, Krekorian, LaBonge, Reyes, Rosendahl, Wesson, Zine and President Garcetti (11); Absent: Cárdenas, Parks, Perry and Smith (4)

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
February 8, 2011

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE NONE

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 FEBRUARY 15, 2011

Roll Call #1 - Adopted to Continue, Unanimous Vote (12); Absent: Cárdenas, Parks and Smith (3)

[09-1876](#)

CONTINUED CONSIDERATION OF ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to grant funds from the Medicare Improvements for Patients and Providers Act (MIPPA) for beneficiary outreach and assistance.

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

1. AUTHORIZE the General Manager, Los Angeles Department of Aging (LADOA), or designee, to:
 - a. Execute Standard Agreement Amendment MI-0910-25 for FY 2009-10 and FY 2010-11 MIPPA Contract Amendment No. 1.
 - b. Roll over prior year funding in FY 2009-10 into current FY 2010-11 funds.
 - c. Accept an additional \$1,870 of grant funds for the purpose of expanding outreach to low-income Medicare beneficiaries.

2. AUTHORIZE the Controller to:

- a. Transfer the unexpended balance of \$36,817 for FY 2009-10 MIPPA in Account F102 to FY 2010-11 in Account G102 in Fund No. 100/02:

	<u>Account</u>	<u>Title</u>	<u>Amount</u>
From:	F102	Aging	\$36,817
To:	G102	Aging	\$36,817

- b. Increase the appropriations within Fund No. 100/02, Account G102 by \$1,870:

	<u>Account</u>	<u>Title</u>	<u>Amount</u>
From:	G102	Aging	\$75,086
To:	G102	Aging	\$79,956

- c. Transfer funds within the Fund No. 100/02, Account G102:

	<u>Fund</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
From:	100/02	1010	Salaries - General	\$ 6,124
	100/02	1070	Salaries - As Needed	\$32,577
	100/02	2120	Printing & Binding	\$13,193
	100/02	2130	Travel	\$ 1,800
	100/02	6010	Office & Admin. Exp.	<u>\$23,262</u>
			Total	\$76,956

	<u>Fund</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
To:	100/02	1010	Salaries - General	\$38,701
	100/02	2120	Printing & Binding	\$13,193
	100/02	6010	Office & Admin. Exp.	<u>\$25,062</u>
			Total	\$76,956

Fiscal Impact Statement: The LADOA reports the MIPPA Program grant is entirely funded through the Centers for Medicare and Medicaid services. No City General Funds will be allocated to this project. There is no local match requirement.

Community Impact Statement: None submitted.

(Continued from Council meeting of January 28, 2011)

ITEM NO. (2) - PUBLIC HEARING CLOSED - ADOPTED

Roll Call #3 - Adopted, Ayes (12); Absent: Cárdenas, Parks and Smith (3)

[11-0014](#)
CD 11

CATEGORICAL EXEMPTION and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to the expansion of the Gregory Ain Mar Vista Tract Historic Preservation Overlay Zone (HPOZ) boundaries to include Palms Boulevard median from Meier Street to Stewart Street.

Recommendations for Council action:

1. FIND that this action is categorically exempt from California Environmental Quality Act (CEQA) pursuant to Article 19, Section 15308, 15331, Class 8 and 31 of the City's Guidelines.
2. ADOPT the FINDINGS of the City Planning Commission (CPC) as the Findings of the Council.
3. APPROVE the expansion of the Gregory Ain Mar Vista Tract HPOZ boundaries to include Palms Boulevard median from Meier Street to Stewart Street per Los Angeles Administrative Code Section Chapter 1, Article 2, Section 12.20.3.

Fiscal Impact Statement: The CPC reports that there is no General Fund impact, as administrative costs resulting from implementation are not recovered through fees.

Community Impact Statement: None submitted.

ITEM NO. (3) - REFERRED BACK TO TRANSPORTATION COMMITTEE

Roll Call #2 - Adopted to Refer, Unanimous Vote (12); Absent: Cárdenas, Parks and Smith (3)

[11-0141](#)

MOTION (LABONGE - GARCETTI) relative to the Los Angeles Department of Water and Power (LADWP) continuing infrastructure projects during street construction moratorium periods, provided the LADWP supports traffic control officers at its expense.

(Transportation 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.)

Items for Which Public Hearings Have Not Been Held - Items 4-7

(10 Votes Required for Consideration)

Roll Call #4 - Adopted, Ayes (12); Absent: Cárdenas, Parks and Smith (3)

ITEM NO. (4) - ADOPTED

[11-0005-S91](#)

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 February 4, 2011:

[11-0005-S91](#)

CD 8

- a. Property at 1874 West Century Boulevard aka 1876 West Century Boulevard (Case No. 78655). Assessor I.D. No. 6058-005-017

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on January 25, 2007)

[11-0005-S92](#)

CD 14

- b. Property at 1438 North Murchison Street aka 1440 1/2 North Murchison Street (Case No. 248549). Assessor I.D. No. 5202-012-006

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on October 22, 2009)

[11-0005-S93](#)

CD 8

- c. Property at 1821 West 39th Street aka 1823 West 39th Street (Case No. 299176). Assessor I.D. No. 5035-022-006

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on October 28, 2010)

[11-0005-S94](#)

CD 14

- d. Property at 812 South Spence Street (Case No. 272587). Assessor I.D. No. 5188-005-002

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 11, 2010)

[11-0005-S95](#)

CD 9

- e. Property at 5919 South Broadway aka 5919 1/2 South Broadway (Case No. 277666). Assessor I.D. No. 6005-006-015

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on November 18, 2010)

[11-0005-S96](#)

CD 1

- f. Property at 238 South Avenue 55 (Case No. 299262). Assessor I.D. No. 5468-013-037

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 5, 2010)

ITEM NO. (5) - ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #5 - Adopted, Ayes (11); Absent: Cárdenas, Parks, Reyes and Smith (4)

[11-0103](#)

CD 4

CATEGORICAL EXEMPTION, COMMUNICATION FROM THE COMMUNITY REDEVELOPMENT AGENCY (CRA) and Tax Equity and Fiscal Responsibility Act (TEFRA) RESOLUTION relative to approval of an application to the California Debt Limit Allocation Committee and various actions relating to retention of bond counsel and fiscal agents, and issuance and sale of not to exceed \$8.2 million of multifamily housing revenue bonds for the rehabilitation of the Montecito Apartments located at 6650 Franklin Avenue.

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

1. FIND the rehabilitation of the Montecito Apartment building is categorically exempt from provisions of the California Environmental Quality Act (CEQA), pursuant to Section 15331 (Historical Resource Restoration/Rehabilitation) of the CRA CEQA Guidelines.
2. ADOPT the accompanying RESOLUTION approving an application to the California Debt Limit Allocation Committee and affirming the intent of the CRA to issue tax-exempt multifamily housing revenue bonds (Bonds) to finance the construction activities in an amount not to exceed \$8,200,000 for the Montecito Apartments Project (Project) subject to the CRA's subsequent approval of financing documents for the Bonds.
3. ADOPT the accompanying RESOLUTION approving for purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended, providing for the issuance of Bonds of the CRA to finance the construction of the Project or request that the Mayor execute and deliver such approval in substantially similar form.
4. AUTHORIZE staff to conduct a TEFRA public hearing for issuance of tax-exempt bonds for the Montecito Apartments Project in accordance with federal tax requirements with the Chief Executive Officer, or designee, serving as hearing officer, and transmit the public testimony to the City Council.
5. AUTHORIZE the appointment of Sidley Austin LLP as bond counsel for an amount not to exceed \$34,500 including reimbursable expenses for bond counsel services relative to the proposed issuance and sale of the bonds for the Project.
6. AUTHORIZE the appointment of Public Financial Management, Inc to serve as bond financial advisor for an amount not to exceed \$40,000 and Backstrom, McCarley and Berry LLC to serve as co-financial advisor for an amount not to exceed \$10,000; and up to a total of \$2,000 in reimbursable expenses.
7. AUTHORIZE the CRA to collect at the time of Bond closing, issuance fees in the amount of \$50,000 and 10 basis points (one tenth of one percent) per annum of the outstanding Bond amount thereafter.
8. AUTHORIZE an amendment to the Fiscal Year 2011 budget to recognize the receipt of a CRA loan payoff estimated to be \$1,831,394 into the Bunker Hill Replacement Housing Trust Fund.

Fiscal Impact Statement: The CRA reports that there is no negative impact on the City's General Fund.

Community Impact Statement: None submitted.

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

ITEM NO. (6) - SUBSTITUTE RESOLUTION ADOPTED IN LIEU OF ORIGINAL RESOLUTION - TO THE MAYOR FORTHWITH - SEE FOLLOWING

Roll Call #8 - Substitute Resolution Adopted, Ayes (11); Absent: Cárdenas, Parks, Reyes and Smith (4)

[11-0002-S7](#)

CONSIDERATION OF RESOLUTION (PARKS - GARCETTI) relative to the City's position supporting legislation that would provide full funding of the Community Development Block Grant (CDBG) program.

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

ADOPT the accompanying RESOLUTION to include in the City's 2011-12 Federal Legislative Program:

- a. SUPPORT for full funding of the CDBG program directly allocated by the federal government to entitlement communities, like the City of Los Angeles, which are expended at the local government level to serve disadvantaged communities and help grow local economies and create jobs.
- b. URGE the President and the Administration to PROPOSE full funding of the CDBG program.
- c. OPPOSITION to any reduction to the CDBG program.

Community Impact Statement: None submitted.

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

ADOPTED

SUBSTITUTE RESOLUTION (WESSON for PARKS - PERRY - GARCETTI)

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

SUPPORT full funding of the Community Development Block Grant (CDBG) and Community Services Block Grant (CSBG) programs directly allocated by the federal government to entitlement communities, like the City of Los Angeles, which are expended at the local government level to serve disadvantaged communities, like the help grow local economics and create jobs; 2) URGE the President and the Administration to PROPOSE full funding of the CDBG and CSBG programs; and, 3) OPPOSITION to any reductions to the CDBG and CSBG programs.

ITEM NO. (7) - ADOPTED

Roll Call #6 - Adopted, Ayes (11); Absent: Cárdenas, Parks, Reyes and Smith (4)

[09-0010-S25](#)

MOTION (CÁRDENAS - ALARCON) relative to reinstating the reward offer in the death of Eusobia Rojas for an additional six months.

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

REAFFIRM Council's findings and REINSTATE the reward offer relative to the death of Eusobia Rojas (Council action of April 8, 2009 and June 30, 2010, Council file No. 09-0010-S25) for an additional period of six months from the publication of the offer of reward by the Office of the City Clerk and, further, that the sum of \$50,000 shall be the aggregate maximum sum of any payment or payments of a City reward in this instance.

Item for Which Public Hearing Has Been Held - Item 8

ITEM NO. (8) - ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #7 - Adopted, Ayes (11); Absent: Cárdenas, Parks, Reyes and Smith (4)

[08-1544-S1](#)

CONTINUED CONSIDERATION OF BUDGET AND FINANCE COMMITTEE REPORT relative to funding to assist with correspondence to notify City businesses of the March 8, 2011 effective date of the Outdoor Dining No-Smoking Ordinance.

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

1. TRANSFER \$50,000 from the General City Purposes Fund No. 100/56, Special Events Fee Subsidy - Citywide Account No. 0857 to Street Lighting Fund No. 100/86.
2. AUTHORIZE the City Administrative Officer (CAO) to make technical corrections as necessary to implement Mayor and Council intentions.

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

Community Impact Statement: None submitted.

RECONSIDERATION OF ITEM NO. 30 FROM COUNCIL MEETING OF FEBRUARY 9, 2011

Roll Call #9 - Adopted to Reconsider, Ayes (11); Absent: Cárdenas, Parks, Reyes and Smith (4)

Roll Call #10 - Adopted as Amended, Ayes (11); Absent: Cárdenas, Parks, Reyes and Smith (4)

ADOPTED, AS AMENDED

[11-0065](#)

CD 9

MOTION (PERRY - GARCETTI)

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

AUTHORIZE the transfer of \$250,000 from the City Center Project Area to the ~~Bureau of Street Services~~ Bureau of Engineering through an existing cooperation agreement (Contract No. 503526) to construct improvements to the storm drain system at 12th Street and Crocker Avenue in the City Center Project Area.

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

[10-0849-S1](#)

MOTION (WESSON - HAHN) relative to authorizing grant funding for the District Square Retail Project located at 3650 Rodeo Road, 3650-70 Crenshaw Boulevard and 3562-70 Rodeo Place in Council District 10.

[11-0227](#)

MOTION (PERRY for SMITH - LABONGE) relative to funding for the Los Angeles Police Department (LAPD) to eliminate furloughs for civilian Detention Officers and Senior Detention Officers at the new LAPD Metropolitan facility for the rest of the current fiscal year.

[11-0231](#)

MOTION (PERRY - WESSON) relative to funding for services in connection with the February 16, 2011 Council District Nine Trailblazer Reception in the Tom Bradley Room.

[11-0232](#)

CD 9

MOTION (PERRY - ROSENDAHL) relative to a personal services contract with Pamela Snowden to provide services to the Ninth Council District.

[11-0010-S12](#)

MOTION (PERRY - GARCETTI) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Larry Perkins on January 17, 2011.

