

Los Angeles City Council, **Journal/Council Proceedings**  
Friday, **November 18, 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: Englander, Huizar, Koretz, Krekorian, LaBonge, Parks, Rosendahl, Wesson, Zine and President Garcetti (10); Absent: Alarcón, Cárdenas, Perry and Reyes (4)**

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF  
NOVEMBER 15, 2011

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 20

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

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## **Items for Which Public Hearings Have Been Held - Items 1-7**

**ITEM NO. (1) - CONTINUED TO NOVEMBER 29, 2011**

**Adopted to Continue, Unanimous Vote (11); Absent: Alarcón, Cárdenas and Perry (3)**

[10-1076](#)

CONTINUED CONSIDERATION OF ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to the status of joint-use agreements between the City and various schools citywide and in the Northeast San Fernando Valley.

Recommendation for Council action:

NOTE and FILE the Department of Recreation and Parks report relative to the status of joint-use agreements between the City of Los Angeles and various schools citywide, particularly within the Northeast San Fernando Valley, and the programs offered at Los Angeles Unified School District sites located in each of the 15 Council Districts.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

(Continued from Council meeting of October 11, 2011)

**ITEM NO. (2) - ADOPTED, AS AMENDED - SEE FOLLOWING**

**to Adopt as Amended, Ayes (11); Absent: Alarcón, Cárdenas and Perry (3)**

[10-1409](#)

COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER AND CHIEF LEGISLATIVE ANALYST relative to the Financial Plan for the Sixth Street Viaduct Improvement Project.

(Personnel and Public Works Committees waived consideration of the above matter)

(Budget and Finance 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**

**BUDGET AND FINANCE COMMITTEE REPORT** relative to the Financial Plan for the Sixth Street Viaduct Improvement Project.

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

1. **NOTE and FILE** the joint City Administrative Officer (CAO)/Chief Legislative Analyst (CLA) report dated August 4, 2010 titled "Sixth Street Viaduct Improvement Project - Financial Plan", attached to the Council file.
2. **AUTHORIZE** a total project budget of \$400,996,227 for the Sixth Street Viaduct Improvement Project as the current budget consistent with the project's Environmental Impact Report.
3. **AUTHORIZE** the City Engineer to execute and submit an Advanced Construction Process Financial Plan for the Sixth Street Viaduct Improvement Project to the appropriate federal and state authorities for approval (Attachment 1, Exhibit 4 of the CAO/CLA report dated October 18, 2011 attached to the Council file).
4. **AUTHORIZE** the issuance of up to \$98.5 million in MICLA financing to cash flow the Sixth Street Viaduct Improvement Project with the understanding that all of the City's costs related to this financing will be fully reimbursable from federal and state grants.
5. **CONCUR** with the City Engineer's execution of the Highway Bridge Program High Cost Commitment Letter required by the State.
6. **RESOLVE** that the Employment Authority of the four positions listed below, subject to allocation by the Personnel Department and pay grade determination by the CAO, is **APPROVED:**

<u>No.</u>	<u>Code</u>	<u>Class Title</u>
1	9489-D	Principal Civil Engineering PM III
1	7965-B	Structural Engineer PM 1
1	9184-2	Management Analyst II
1	1368	Senior Clerk Typist

7. INSTRUCT the City Engineer to report back to the City Council prior to the award of the construction contract for this project.
8. AUTHORIZE the CAO to make any technical corrections necessary to implement the intent of the Mayor and the Council.
9. INSTRUCT the City Engineer, CAO, and CLA to contact the congressional delegation for Los Angeles to ensure that funding is forthcoming through the life of the project.
10. INSTRUCT CAO to work with the City Engineer to keep the number of personnel/positions to a minimum until project contracts are signed.

**Fiscal Impact Statement:** The CAO/CLA report that adoption of this report commits the City to assume financial responsibility for this \$401 million project in advance of annual state and federal reimbursements. The City's financial responsibility decreases each year as reimbursements are made. In the unlikely event that a new federal transportation bill is not approved, the City would be responsible for either completing or canceling the project. To mitigate this financial risk, the City Engineer must report back prior to executing a construction contract for this project.

**Debt Impact Statement:** The CAO/CLA report that the use of \$98.5 million in MICLA financing will require that the General Fund initially cash flow the interest costs associated with this transaction. The anticipated interest cost of \$8.2 million is included in the total estimated cost of the project of \$401 million. The project's federal and state grant funding sources will fully reimburse the City for these MICLA costs.

**Community Impact Statement:** None submitted.

(Personnel and Public Works Committees waived consideration of the above matter)

**ADOPTED**

**AMENDING RESOLUTION (HUIZAR - PARKS)** relative to the City's position in connection with legislation that provides for a robust, multi-model, multi-year surface transportation funding authorization to finance infrastructure improvements, at not less than current program funding levels.

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

**RESOLVE to include in the City's 2011-12 Federal Legislative Program SUPPORT of legislative that provided for a robust, multi-model , multi-year surface transportation funding authorization to finance infrastructure improvements, at not less than current program funding levels, and provides dedicated resources for financing tools such as the Transportation Infrastructure Finance and Innovation Act loans and the proposed America Fast Forward initiative, as well the necessary resources to maintain the federal commitment for the replacement of the City's Sixth Street Viaduct Seismic Improvement Project.**

**Adopted, Ayes (10); Absent: Alarcón, Cárdenas, Perry and Reyes (4)  
(Item Nos. 3-4)**

**ITEM NO. (3) - ADOPTED**

[09-0185-S3](#)

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to a request for authority for the Los Angeles Housing Department (LAHD) to accept a grant award for \$5 million and execute a Grant Agreement with the California Housing Finance Agency Mortgage Assistance Corporation (CalHFA MAC) for the Los Angeles Mortgage Modification Program (LAMMP), and related actions.

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

1. AUTHORIZE the General Manager, LAHD, or designee, to:
  - a. Accept the CalHFA MAC grant award of \$5 million from the U.S. Treasury sponsored program entitled the Housing Finance Agency Innovation Fund for the Hardest Hit Housing Markets (Hardest Hit Program) for the LAMMP, and receive and deposit reimbursements.
  - b. Negotiate and execute a grant agreement, any amendments thereto, and any other documents necessary between CalHFA MAC and the LAHD, on behalf of the City of Los Angeles, for the disbursement of the CalHFA Innovation Fund Hardest Hit Program grant in the amount of \$5 million.
  - c. Negotiate and execute participation agreements with banks that will be participating in the LAMMP and with terms wherein the end date coincides with the end date of the grant agreement with CalHFA MAC.
  - d. Negotiate and execute a Sole Source Professional Services Agreement for an amount not to exceed \$350,000 and a term wherein the end date coincides with the end date of the grant agreement with CalHFA MAC with Neighborhood Legal Services of Los Angeles (NLSLA) to partner with the LAHD to implement and administer the LAMMP, subject to the approval of the City Attorney as to form, and review and approval of the Department of Public Works, Bureau of Contract Administration, as to compliance with all applicable City requirements.

- e. Prepare Controller instructions and make any necessary technical adjustments consistent with Mayor and Council actions on this matter, subject to the approval of the City Administrative Officer (CAO), and authorize the Controller to implement these instructions.

2. AUTHORIZE the Controller to:

- a. Establish a new interest-generating Fund XXX/43 for the LAHD entitled CalHFA Innovation Fund for the receipt and disbursement of CalHFA MAC grant funds.
- b. Establish a grant receivable account from CalHFA MAC for \$5,000,000 within the new CalHFA Innovation Fund, XXX/43.
- c. Establish new accounts and appropriate funds to be administered by the LAHD for Fiscal Year (FY) 2011-12 as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
43H 143	Housing	\$53,390.00
43H299	Related Costs	\$21,610.00
43H868	Program Operation	\$4,500,000.00
43H830	Program Admin. - NLSLA	\$350,000.00
43H304	Admin. Reserve	<u>\$75,000.00</u>
	Total	\$ 5,000,000.00

- d. Expend funds in the accounts identified in 2(c), for an amount not to exceed \$5 million, upon proper written demand from Fund XXX/43 by the General Manager, LAHD, or designee.
- e. Increase appropriations within Fund No. 100/43 for FY 2011-12 as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
001010	Salaries	\$53,390.00

- f. Expend funds in the accounts identified in 2(e) from Fund 100/43 upon proper written demand by the General Manager, LAHD, or designee.

3. INSTRUCT the LAHD to provide current data on foreclosures within the City of Los Angeles.

Fiscal Impact Statement: The City Administrative Officer reports that there is no impact on the General Fund. The recommendations of this report authorize the LAHD to accept and disburse the CalHFA MAC grant in the amount of \$5 million from the U.S. Treasury sponsored Housing Finance Agency Innovation Fund for the Hardest Hit Housing Markets program (Hardest Hit Program) for the LAMMP. The CalHFA MAC grant will assist low- and moderate-income homeowners throughout the City earning at or below 120 percent of the area median income to obtain mortgage loan modifications that include principal forgiveness through a grant to the homeowner in the form of a one-time payment to the lender. These recommendations are in compliance with the City's Financial Policies because the implementation of the LAMMP is contingent on grant funding.

Community Impact Statement: None submitted.

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

[11-0223](#)

HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to a request for authority for the Los Angeles Housing Department (LAHD) to enter into a Letter of Agreement with the Los Angeles Department of Building and Safety (LADBS) to implement a pilot program, funded by Neighborhood Stabilization Program (NSP) grant funds, for the LADBS to provide case management and inspection services.

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

1. AUTHORIZE the General Managers, LAHD and LADBS, or designees, for the purpose of setting forth terms and conditions by which the LADBS will provide services for projects funded through the NSP that are greater than routine, to execute a Letter of Agreement in substantial conformance with Attachment A of the City Administrative Officer (CAO) report dated October 31, 2011 attached to the Council File, for a term to begin on the date of the letter's execution through June 30, 2014 in an amount not to exceed \$249,108 for Fiscal Year 2011-12, subject to the review and approval of the City Attorney as to form and compliance with the City's contracting requirements.

2. AUTHORIZE the Controller to:

a. Establish a new account within Fund 52J as follows:

<u>Account</u>	<u>Title</u>
43H108	Building and Safety

b. Transfer funds within Fund 52J up to the amounts as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
From: 43F304	Administrative Reserve	\$249,108
<u>Account</u>	<u>Title</u>	<u>Amount</u>
To: 43H108	Building and Safety	\$151,598
43H299	Related Costs	<u>\$97,510</u>
	Total	\$249,108

c. Authorize the LAHD to expend funds on an as needed basis in an amount not to exceed \$249,108 from the fund and accounts in Recommendation No. 2b of this report upon proper written demand of the General Manager, LAHD, or designee.

d. Increase appropriations in Fund 100 as follows:

<u>Fund/Dept/Account</u>	<u>Title</u>	<u>Amount</u>
100/08/001010	Salaries General	\$150,338
100/08/003310	Transportation	<u>\$1,260</u>
	Total	\$151,598

3. AUTHORIZE the General Managers, LAHD and LADBS, or designees, to prepare Controller instructions and make any necessary technical adjustments that are consistent with the Mayor and Council action on this matter, subject to the approval of the CAO, and AUTHORIZE the Controller to implement those instructions.

Fiscal Impact Statement: The CAO reports that there is no General Fund impact. Approval of the report recommendations will allow for the expenditure of \$249,108 NSP grant funds for greater-than routine plan check and inspection services to be provided by the LADBS to the LAHD. These recommendations are in compliance with the City's Financial Policies in that sufficient NSP funds are available and continued funding of the pilot project is dependent on continuing availability of NSP grant funding.

Community Impact Statement: None submitted.

#### **ITEM NO. (5) - ADOPTED - SEE FOLLOWING**

**Adopted, Ayes (10); Noes: LaBonge (1); Absent: Alarcón, Cárdenas and Perry (3)**

[11-1789](#)

CD 14

COMMUNICATION FROM THE BOARD OF PUBLIC WORKS relative to the certification of the Environmental Impact Report, Environmental Impact Statement (EIR/EIS) and approval of the Sixth Street Viaduct Seismic Improvement Project.

(Public Works 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**

**PUBLIC WORKS COMMITTEE REPORT** relative to the certification of the Environmental Impact Report, Environmental Impact Statement (EIR/EIS) and approval of the Sixth Street Viaduct Seismic Improvement Project.

#### **Recommendations for Council action:**

1. **CERTIFY** that the Final EIR/EIS has been completed in compliance with the California Environmental Quality Act, that the Council has reviewed and considered the information contained in the Final EIR/EIS prior to approving the project, that the Final EIR/EIS reflects the City's independent judgment and analysis, and that the documents constituting the record of proceedings in this matter are in the custody of the City Clerk, and in the files of the Department of Public Works, Bureau of Engineering.
2. **ADOPT** all of the mitigation measures contained in Appendix F (attached to the Council file) as conditions of project approval.
3. **ADOPT** the Mitigation Monitoring and Reporting Program.

4. **APPROVE** the Findings and Statement of Overriding Considerations.
5. **APPROVE** the project, identified as the preferred alternative in the Final EIR/EIS.
6. **ACKNOWLEDGE** that the President of the Board of Public Works has concurred with the Memorandum of Agreement between the California Department of Transportation and the State Historic Preservation Officer to resolve the adverse effects on the historic viaduct pursuant to the National Historic Preservation Act.

**Fiscal Impact Statement:** The Board of Public Works reports that the project's proposed budget is \$401 million. Revenue is derived from various sources, as follows: Federal Highway Bridge Program Funds; Proposition 1B Bridge Seismic Funds; City Matching Funds, and other State Funds.

**Community Impact Statement:** None submitted.

**Adopted, Ayes (10); Absent: Alarcón, Cárdenas, Perry and Reyes (4)**  
**(Item Nos. 6-7)**

**ITEM NO. (6) - ADOPTED**

[11-1876](#)

TRANSPORTATION COMMITTEE REPORT relative to amending the contract with Veolia Transportation for the provision of Downtown DASH services for a fourth year.

Recommendation for Council action:

AUTHORIZE the Los Angeles Department of Transportation to execute an amendment to the contract with Veolia Transportation for the provision of Downtown DASH services, extending the contract for a fourth year on a month-to-month basis at an hourly rate of \$83.64, subject to the approval of the City Attorney as to form and legality.

**Fiscal Impact Statement:** The City Administrative Officer reports that the proposed amendment will increase costs from the existing level by approximately \$120,000 per month or \$1.4 million per year. The estimated monthly cost for the Proposed Amendment is \$1.1 million per month or \$13.4 million per year and is budgeted within Proposition A.

**Community Impact Statement:** None submitted.

**ITEM NO. (7) - ADOPTED**

[11-1891](#)

TRANSPORTATION COMMITTEE REPORT relative to amending the contract with Cubic Transportation Systems, Inc., for the purchase of additional Transit Access Pass (TAP) smart fare card system equipment for the City's DASH and Commuter Express transit services.

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



1. AUTHORIZE the General Manager, Los Angeles Department of Transportation (LADOT), to execute a contract amendment with Cubic Transportation Systems, Inc. for the purchase of regional TAP smart card fare equipment for 347 vehicles in the City's fixed route transit fleet (DASH and Commuter Express) in an amount not-to-exceed \$3,512,734, subject to the approval of the City Attorney as to form and legality.
2. AUTHORIZE the LADOT to accept federal transit grant funds in the amount of \$2,761,000 for the procurement of TAP equipment and services, and to submit grant reimbursement requests to the grantor, receive the grant funds and deposit the funds into the Proposition A Local Transit Assistance Fund No. 385.
3. AUTHORIZE the General Manager, LADOT, to execute any Memorandums of Understanding required by the Los Angeles County Metropolitan Transportation Authority for the LADOT to be a TAP participant including acceptance of the Countywide TAP Operating Rules.

Fiscal Impact Statement: The City Administrative Officer reports that this action will not impact the General Fund. Approval of the proposed contract amendment will increase the maximum compensation to Cubic Transportation Systems, Inc., by \$619,513, for a total contract maximum compensation of \$3,512,734. The LADOT has secured federal grants funds in the amount of \$2,761,000 for this purpose. The balance of funding required for this purpose (\$751,734) has been budgeted in previous fiscal years and is available in the City's Proposition A Local Transit Assistance Fund.

Community Impact Statement: None submitted.

## **Items for Which Public Hearings Have Not Been Held - Items 8-11**

(10 Votes Required for Consideration)

**Adopted, Ayes (10); Absent: Alarcón, Cárdenas, Perry and Reyes (4)**  
**(Item Nos. 8a-8s)**

### **ITEM NO. (8) - ADOPTED**

[11-0005-S689](#)

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 November 4, 2011:

[11-0005-S689](#)

CD 1

- a. Property at 1773 North Albion Street (Case No. 248862).  
Assessor I.D. No. 5447-026-020

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

[11-0005-S690](#)

CD 8

- b. Property at 9624 South Hoover Street (Case No. 275431).  
Assessor I.D. No. 6054-027-033

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 15, 2010)

[11-0005-S691](#)

CD 8

- c. Property at 721 West 83rd Street (Case No. 219743).  
Assessor I.D. No. 6032-022-007

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 11, 2009)

[11-0005-S692](#)

CD 8

- d. Property at 10908 South Figueroa Street (Case No. 238296).  
Assessor I.D. No. 6075-033-027

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 23, 2009)

[11-0005-S693](#)

CD 8

- e. Property at 1337 West 36th Place (Case No. 324252).  
Assessor I.D. No. 5040-008-006

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 17, 2011)

[11-0005-S694](#)

CD 9

- f. Property at 1056 West 62nd Street (Case No. 3876).  
Assessor I.D. No. 6003-030-001

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 8, 2006)

[11-0005-S695](#)

CD 9

- g. Property at 151 West 50th Street (Case No. 217463).  
Assessor I.D. No. 5110-019-017

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 7, 2009)

[11-0005-S696](#)

CD 9

- h. Property at 807 East 83rd Street (Case No. 14953).  
Assessor I.D. No. 6029-014-002

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 6, 2006)

[11-0005-S697](#)

CD 9

- i. Property at 311 East 71st Street (Case No. 18137).  
Assessor I.D. No. 6011-009-032

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 11, 2006)

[11-0005-S698](#)

CD 10

- j. Property at 1268 South Meadowbrook Avenue (Case No. 174678).  
Assessor I.D. No. 5070-008-014

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 28, 2009)

[11-0005-S699](#)

CD 10

- k. Property at 2440 West Exposition Place (Case No. 271913).  
Assessor I.D. No. 5044-021-010

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 10, 2010)

[11-0005-S700](#)

CD 11

- l. Property at 3743 South Midvale Avenue (Case No. 259896).  
Assessor I.D. No. 4252-025-007

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 17, 2010)

[11-0005-S701](#)

CD 11

- m. Property at 5748 West Morley Street (Case No. 317003).  
Assessor I.D. No. 4125-011-017

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on April 14, 2011)

[11-0005-S702](#)

CD 14

- n. Property at 2603 East Cesar E. Chavez Avenue (Case No. 229029).  
Assessor I.D. No. 5177-033-019

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on April 2, 2009)

[11-0005-S703](#)

CD 14

- o. Property at 2220 East Michigan Avenue (Case No. 167802).  
Assessor I.D. No. 5183-005-046

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

[11-0005-S704](#)

CD 14

- p. Property at 3253 East Cesar E. Chavez Avenue (Case No. 222349).  
Assessor I.D. No. 5178-025-022

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 19, 2009)

[11-0005-S705](#)

CD 14

- q. Property at 3830 North Portola Avenue (Case No. 264213).  
Assessor I.D. No. 5307-014-016

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 4, 2010)

[11-0005-S706](#)

CD 14

- r. Property at 644 North Cummings Street (Case No. 264559).  
Assessor I.D. No. 5175-027-016

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on June 15, 2010)

[11-0005-S707](#)

CD 15

- s. Property at 2221 East 112th Street (Case No. 117748).  
Assessor I.D. No. 6067-016-032

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

**ITEM NO. (9) - ADOPTED**

**Adopted, Ayes (11); Absent: Alarcón, Cárdenas and Perry (3)**

[11-1262](#)

CD 9

COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER and RESOLUTION relative to refinancing up to \$28.5 million in tax-exempt bonds to extend the maturity term for the Rosslyn Lofts Apartments.

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

ADOPT the accompanying RESOLUTION and Minutes from the Public Hearing held in accordance with Section 142 of the Internal Revenue Code of 1986, as amended, and Section 147 (f) of the Code, approving the reissuance of the California Statewide Communities Development Authority Multifamily Housing Revenue Bonds, 2007 Series in an aggregate principal amount not to exceed \$28.5 million for the purpose of financing and refinancing the acquisition, rehabilitation and equipping of the Rosslyn Lofts and certain other matters related thereto.

Fiscal Impact Statement: The City Administrative Officer reports that issuance of tax-exempt bonds by the California Statewide Communities Development Authority for the Rosslyn Lofts Apartments will not result in any fiscal impact on the City. These bonds will be fully repaid by the Rosslyn Lofts Housing Partners, LP.

Community Impact Statement: None submitted.

(Scheduled pursuant to Council action of August 12, 2011)

## **ITEM NO. (10) - ADOPTED**

**Adopted, Ayes (10); Absent: Alarcón, Cárdenas, Perry and Reyes (4)**

[11-1886](#)

CD 8

CONSIDERATION OF MOTION (PARKS - GARCETTI) relative to the reprogramming of funds from the sale of 8101 South Vermont Avenue to the Community Coalition for \$1,050,000.

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

1. INSTRUCT the General Manager, Department of General Services, to deposit the proceeds from the sale of the property into the Community Development Trust Fund No. 424/4979 (formerly 4455) as indicated in Ordinance No. 179936.
2. AUTHORIZE the Controller to:
  - a. Increase appropriations in the amount of \$250,000 in account 22H140 General Services within the Community Development Trust Fund No. 424 for the Marlton Square (Maranatha Church) Demolition.
  - b. Appropriate \$250,000 to account 003180 Construction Materials and Supplies within Fund No. 100/40.
  - c. Establish new account 22H634 Slauson Avenue and Overhill Drive Façade Improvements in the amount of \$800,000 within the Community Development Trust Fund No. 424.
3. AUTHORIZE the General Manager, Community Development Department, to:
  - a. Prepare any additional Controller instructions that may be necessary and make any technical corrections that may be required to effectuate the intent of this motion; and authorize the Controller to implement these instructions.

- b. Amend the necessary Consolidated Plan(s) as required by HUD.
- c. Negotiate and execute a contract with Los Angeles Neighborhood Initiative in the amount of \$800,000 for the Slauson Avenue and Overhill Drive façade improvements, subject to review of the City Attorney as to form and legality.

Community Impact Statement: None submitted.

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

## **ITEM NO. (11) - ADOPTED**

**Adopted, Ayes (10); Absent: Alarcón, Cárdenas, Englander and Perry (4)**

[11-0362-S1](#)

CD 1

CONSIDERATION OF MOTION (REYES - HUIZAR) relative to waiving the street improvement requirement for the 85-unit affordable housing project located 2914-24 West Eighth Street and 2927-41 West Francis Avenue.

Recommendations for Council action:

1. INSTRUCT the Bureau of Engineering, in consultation with the Planning Department, to waive the street improvement requirement, including street widening, relative to an 85-unit affordable housing project located 2914-24 West Eighth Street and 2927-41 West Francis Avenue, Case No. ZA 2009-1726 (ZAA)(SPR)(DB).
2. REQUEST that the applicant work with the Council office and relevant City departments to obtain all required permits, which may include a revocable permit to provide landscaping in the public right-of-way on West 8th Street.

Community Impact Statement: None submitted.

(Public Works Committee waived consideration of the above matter)

## Closed Session - Item 12

ITEM NO. (12) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Adopted in Open Session, Ayes (10); Absent: Alarcón, Cárdenas, Englander and Perry (4)

[11-1902](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to the case entitled Lilith Chakhalyan v. City of Los Angeles, Los Angeles Superior Court Case No. BC 443367. (This class action lawsuit seeks the reimbursement of Solid Resource Fee mischarges and overcharges made to residents of multi-family dwellings.)

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

**ADOPTED**

**MOTION (PARKS - ENGLANDER)**

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

1. **APPROVE** the proposed stipulation of settlement in the above-entitled class action lawsuit seeking the reimbursement of Solid Resource Fee mischarges and overcharges collected since October 2007, the total amount of refunds are not to exceed \$6,000,000.
2. **AUTHORIZE** the Bureau of Sanitation to process the refunds in the form of credits for those class members who are still Los Angeles Department of Water and Power (LADWP) customers, these credits would result in a reduction in the remittance to Bureau of Sanitation Department Revenue Source Code 442101.
3. **AUTHORIZE** the Bureau of Sanitation to provide by check for those class members who are not still LADWP customers, issued from Bureau of Sanitation account number 50HX82, Fund 508.
4. **AUTHORIZE** the Bureau of Sanitation, or designee, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer, and **AUTHORIZE** the Controller to implement the instructions.

## Items for Which Public Hearings Have Been Held - Items 13-15

to Adopt as Amended, Ayes (10); Absent: Alarcón, Cárdenas, Englander and Perry (4)  
(Item Nos. 13-15)

ITEM NO. (13) - ADOPTED, AS AMENDED - SEE FOLLOWING

[10-0779-S1](#)

CONTINUED CONSIDERATION OF HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to award of contracts for as-needed real estate appraisal services.

Recommendations for Council action:

1. AUTHORIZE the Chief Executive Officer, Community Redevelopment Agency of Los Angeles (CRA/LA), or designee, to award contracts to 20 firms (Attachment A to the Chief Legislative Analyst report dated October 25, 2011 attached to the Council File) to provide appraisal services on an as-needed basis, for a three year period with two one-year options to renew in an amount not to exceed \$950,000, subject to the conditions of the California Supreme Court's (Court) stay.
2. ACKNOWLEDGE and UNDERSTAND that the Court in the case entitled California Redevelopment Association v. Matosantos stayed certain portions of Assembly Bill (AB) x1-26 and all of AB x1-27. The CRA/LA may not, with the exception of existing enforceable obligations, take any action to incur new debt, transfer any assets or undertake any new obligations, unless and until the CRA/LA is legally authorized to act, subject to the conditions of the Court's stay and the provisions of AB x1-26 that are not subject to the stay. The Court has indicated that it will issue a ruling by January 15, 2012.

Fiscal Impact Statement: The Chief Legislative Analyst reports that there is no General Fund impact as a result of this action. Funds will be derived from the project or project areas utilizing the appraisal, acquisition, relocation and property management services.

Community Impact Statement: None submitted.

#### **ADOPTED**

#### **AMENDING MOTION (PARKS - LABONGE)**

#### **Recommendation for Council action:**

**INSTRUCT the Community Redevelopment Agency of Los Angeles to initiate a new Request for Qualifications, after one year of implementation of these approved contracts, to expand their list of real estate appraisal services, real estate relocation services and real estate property management services with particular emphasis on identifying companies and services located within Los Angeles County.**

#### **ITEM NO. (14) - ADOPTED, AS AMENDED - SEE FOLLOWING**

#### **[10-0779-S2](#)**

CONTINUED CONSIDERATION OF HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to award of contracts for as-needed real estate relocation services.

#### **Recommendations for Council action:**

1. AUTHORIZE the Chief Executive Officer, Community Redevelopment Agency of Los Angeles (CRA/LA), or designee, to award contracts to Del Richardson & Associates; EPIC Land Solutions; Overland, Pacific and Cutler, Inc.; Paragon Partners LTD; RAC Solution, Inc.; and Shober Consulting to provide relocation services, on an as-needed basis, for a three-year term with two one-year options for a total amount not to exceed \$950,000 over the term of the contracts. Actions of the City Council to award these contracts are not subject to the conditions of the California Supreme Court's (Court) stay.



2. ACKNOWLEDGE and UNDERSTAND that the Court in the case entitled California Redevelopment Association v. Matosantos stayed certain portions of Assembly Bill (AB) x1-26 and all of AB x1-27. The CRA/LA may not, with the exception of existing enforceable obligations, take any action to incur new debt, transfer any assets or undertake any new obligations, unless and until the CRA/LA is legally authorized to act, subject to the conditions of the Court's stay and the provisions of AB x1-26 that are not subject to the stay. The Court has indicated that it will issue a ruling by January 15, 2012.

Fiscal Impact Statement: The Chief Legislative Analyst reports that there is no impact to the General Fund, as funds will be identified from the individual projects or Redevelopment Project areas and allocated as the services are requested.

Community Impact Statement: None submitted.

## **ADOPTED**

### **AMENDING MOTION (PARKS - LABONGE)**

**Recommendation for Council action:**

**INSTRUCT the Community Redevelopment Agency of Los Angeles to initiate a new Request for Qualifications, after one year of implementation of these approved contracts, to expand their list of real estate appraisal services, real estate relocation services and real estate property management services with particular emphasis on identifying companies and services located within Los Angeles County.**

## **ITEM NO. (15) - ADOPTED, AS AMENDED - SEE FOLLOWING**

### [10-0779-S3](#)

CONTINUED CONSIDERATION OF HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to award of contracts for as-needed real estate property management services.

Recommendations for Council action:

1. AUTHORIZE the Chief Executive Officer, Community Redevelopment Agency of Los Angeles (CRA/LA), or designee, to award contracts to Overland, Pacific and Cutler, Inc.; Paragon Partners; and Real Estate Consultants and Services to provide property management services, on an as-needed basis, for a three-year term with two one-year options to extend for a total amount not to exceed \$850,000 over the term of the contracts. Actions of the City Council to award these contracts are not subject to the conditions of the California Supreme Court's (Court) stay.

2. ACKNOWLEDGE and UNDERSTAND that the Court in the case entitled California Redevelopment Association v. Matosantos stayed certain portions of Assembly Bill x1-26 and all of Assembly Bill x1-27. Given the Court's stay and the uncertain status of such legislation, although the Agency is, and the City Council may be, approving certain actions as described herein, to the extent that such actions are stayed then the CRA/LA shall not execute agreements or take such actions, notwithstanding their approval hereof, until the Supreme Court has decided the case on the merits or the action is no longer stayed.

Fiscal Impact Statement: The Chief Legislative Analyst reports that there is no impact to the General Fund as a result of this action. The funding is derived from the projects or project areas utilizing real estate property management services.

Community Impact Statement: None submitted.

## **ADOPTED**

### **AMENDING MOTION (PARKS - LABONGE)**

#### **Recommendation for Council action:**

**INSTRUCT the Community Redevelopment Agency of Los Angeles to initiate a new Request for Qualifications, after one year of implementation of these approved contracts, to expand their list of real estate appraisal services, real estate relocation services and real estate property management services with particular emphasis on identifying companies and services located within Los Angeles County.**

## **Items for Which Public Hearings Have Not Been Held - Items 16-18**

(10 Votes Required for Consideration)

### **ITEM NO. (16) - ADOPTED**

**Adopted, Ayes (10); Absent: Alarcón, Cárdenas, Englander and Perry (4)**

#### [11-1752](#)

CONTINUED CONSIDERATION OF COMMUNICATION FROM CHAIR, PUBLIC SAFETY COMMITTEE relative to a Department of Animal Services contract with IDEXX Laboratories, Inc., for diagnostic laboratory testing services.

#### Recommendation for Council action:

AUTHORIZE the Department of Animal Services to execute a contract with IDEXX Laboratories, Inc., for diagnostic laboratory testing services, for a term of three years with three one-year renewal options, and for an amount not to exceed \$200,000 per year, subject to the approval of the City Attorney as to form and legality.

Fiscal Impact Statement: The City Administrative Officer reports that this action will not impact the General Fund, inasmuch as funds are already budgeted for this purpose. This is a regular budgeted item funded through the General Fund. The Department of Animal Services spends an estimated \$30,000 per year on this service. This action complies with City financial policies in that budgeted funds are used for the intended purposes.

Community Impact Statement: None submitted.

**ITEM NO. (17) - ADOPTED**

**Adopted, Ayes (10); Absent: Alarcón, Cárdenas, Englander and Perry (4)**

[11-1816](#)  
CD 12

CONTINUED CONSIDERATION OF MOTION (ENGLANDER - ROSENDAHL) relative to installing a traffic control device at Chatsworth Street and Yarmouth Avenue.

Recommendation for Council action:

INSTRUCT the Los Angeles Department of Transportation to report in 10 days with recommendations for the installation of a traffic control device at Chatsworth Street and Yarmouth Avenue to address pedestrian safety concerns in the area.

Community Impact Statement: None submitted.

(Transportation Committee waived consideration of the above matter)

(Continued from Council meeting of November 15, 2011)

**ITEM NO. (18) - ADOPTED**

**Adopted, Ayes (10); Absent: Alarcón, Cárdenas, Perry and Reyes (4)**

[11-1871](#)

CONTINUED CONSIDERATION OF RESOLUTION (KORETZ for ROSENDAHL - LABONGE) relative to declaring November 18, 2011 as The Argonaut Day in the City of Los Angeles.

Recommendation for Council action:

RESOLVE to DECLARE November 18, 2011 as The Argonaut Day in the City of Los Angeles.

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

[11-1946](#)

MOTION (PARKS - ROSENDAHL) relative to funding for the installation of lighting and other power infrastructure in the Leimert Park area.

[11-1945](#)

MOTION (GARCETTI - HUIZAR - ENGLANDER - ET AL.) relative to the removal and election of the City Council President and election of President Pro Tempore.

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

[11-1947](#)

RESOLUTION (ENGLANDER - GARCETTI - WESSON) relative to the City's position in connection with the South Coast Air Quality Management District efforts to resolve the nuisance odor issue at the Sunshine Canyon Landfill.

**COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS**

Motion (Zine - Wesson) unanimously adopted to excuse Council President Garcetti to leave at 1:00 p.m. from Council session of Tuesday, November 29, 2011 due to City business.

**COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:**

[11-0004](#) -S3 - Renee Greif

(LaBonge - Zine - All Councilmembers)

Simmons Bedding Company

(LaBonge - Garcetti - All Councilmembers)

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

[11-0003-S3](#) - Karl Slover

(LaBonge - All Councilmembers)

Andrew Ciesielski

(LaBonge - All Councilmembers)

Ramon G. Valdez

(Reyes)

Ted Kanner

(Koretz - Rosendahl)

Scott Wilson

(LaBonge - All Councilmembers)

**Huizar, Koretz, Krekorian, LaBonge, Parks, Reyes, Rosendahl, Wesson, Zine and President Garcetti (10); Absent: Alarcón, Cárdenas, Englander and Perry (4)**

**Whereupon the Council did adjourn.**

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL

.....  
Regular meeting recessed at 12:18 p.m.  
Special meeting convened at 12:18 p.m.  
Special meeting adjourned at 12:27 p.m.  
Regular meeting convened at 12:27 p.m.