Los Angeles City Council, Journal/Council Proceedings
Friday, January 20, 2012
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, Garcetti, Huizar, Koretz, Krekorian, Perry, Reyes, Rosendahl and President Wesson (10); Absent: Englander, LaBonge, Parks and Zine (4)


COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 9

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

Items for Which Public Hearings Have Been Held - Items 1-2

ITEM NO. (1) - CONTINUED TO JANUARY 31, 2012

Adopted to Continue, Unanimous Vote (10); Absent: Englander, LaBonge, Parks and Zine (4)

11-2107

JOBS AND BUSINESS DEVELOPMENT COMMITTEE REPORT relative to the economic impact of the United States Post Office planned closures of mail processing centers and local post offices in the City as well as the potential job displacement of the postal employees.

Recommendation for Council action, pursuant to Motion (LaBonge - Garcetti):

REQUEST the Chief Legislative Analyst (CLA) and the United States Postal Service to report to the Jobs, Business Development Committee on the economic impacts of the location closures in the City and the potential job displacement of the postal employees.

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

Community Impact Statement: None submitted.
ITEM NO. (2) - ADOPTED - TO THE MAYOR FORTHWITH

Adopted, Ayes (10); Absent: Englander, LaBonge, Parks and Zine (4)

11-2131

TRANSPORTATION COMMITTEE REPORT relative to funding for staff positions in the Mayor's Office to coordinate and expedite Measure R transit design and construction projects.

Recommendations for Council action, as initiated by Motion (Huizar - Rosendahl), SUBJECT TO THE APPROVAL OF THE MAYOR:

1. ACCEPT funding from the Metropolitan Transportation Authority to be used to fund staff positions in the Mayor's Office to coordinate and expedite City departments' efforts in support of Measure R transit project design and construction.

2. DEPOSIT to the General Fund and appropriate therefrom to Fund 100/46 Account 1020 - Mayor's Office Salaries - Grant Reimbursed, to be used for funding staff positions to coordinate and expedite Measure R transit design and construction projects.

3. AUTHORIZE the City Administrative Officer (CAO) to make any necessary technical corrections consistent with this action.

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

Community Impact Statement: None submitted.

Items for Which Public Hearings Have Not Been Held - Items 3-9
(10 Votes Required for Consideration)

ITEM NO. (3) - CONTINUED TO JANUARY 24, 2012

Adopted to Continue, Unanimous Vote (10); Absent: Englander, LaBonge, Parks and Zine (4)

11-0980
CD 14

CONTINUED CONSIDERATION OF COMMUNICATION FROM CHAIR AND MEMBER, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE relative to execution of a Purchase and Sale Agreement to sell vacant, industrial land at 2760 East Washington Boulevard (Property) to the Ely Keenberg Revocable Trust for $1.2 million minus any escrow related fees, and related actions.

Recommendations for Council action:
1. ACKNOWLEDGE and UNDERSTAND that the California Supreme Court (Court) in the case entitled California Redevelopment Association v. Matosantos, stayed certain portions of Assembly Bill (AB) x1-26 and AB x1-27, but allowed other provisions to be implemented, such as the prohibition on new contracts and amendments to existing contracts. Specifically, the Community Redevelopment Agency of Los Angeles (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 as determined by the Court. The Court ruling on the legal challenge to the legislation is anticipated by January 15, 2012.

2. RECOGNIZE that the Purchase and Sale Agreement for the Property was executed prior to the Court stay and is a pre-existing contract that creates an obligation on behalf of the CRA/LA. The Office of the City Attorney states that typically the Court stay does not impact escrow closures if certain parameters are met. It is anticipated that escrow will close on December 20, 2011 provided a No Further Action letter is generated by the Los Angeles County on the Property remediation and no new documents need to be executed.

3. AMEND the CRA/LA Budget and Work Program in the year that the sale occurs and ACCEPT the proceeds from the proposed sale of CRA/LA-owned land parcel located at the Property in the approximate amount of $1,200,000 minus any related escrow expenses and place such funds in Budget Line Item Economic Development (EA2190).

Fiscal Impact Statement: The City Administrative Officer reports that there is no impact on the City General Fund. Approval of the recommendation will result in the receipt of approximately $1,200,000 by the CRA/LA from the proposed sale of CRA/LA-owned land located at the Property. Funds generated from the Property sale will used to provide gap financing for a proposed mixed-use project at the southeast corner of East First Street and North Boyle Avenue. The City's Financial Policies are not applicable to the CRA/LA. The CRA/LA is bound only by the disclosure provisions of the City's Debt Management Policies. The recommendations are in compliance with the CRA/LA's Financial Policies in that they are consistent with the CRA/LA's Budget and Work Program for the Project Area.

Community Impact Statement: None submitted.

(Continued from Council meeting of January 13, 2012)

ITEM NO. (4) - RECEIVED AND FILED

Adopted to Receive and File, Unanimous Vote (10); Absent: Englander, LaBonge, Parks and Zine (4)

10-1926-S1

CONTINUED CONSIDERATION OF MOTION (ROSEDAHL - KORETZ - ALARCON) relative to directing the City Attorney to dismiss litigation to remove from the ballot a proposed City ballot measure which would mandate that the City condition adult film permits on the production company’s agreement to use condoms in its films.

Recommendations for Council action:
1. DIRECT the City Attorney to dismiss litigation to remove from the ballot a proposed City ballot measure which would mandate that the City condition adult film permits on the production company’s agreement to use condoms in its films.

2. REQUEST the City Attorney to report today in Closed Session to the Council on this litigation.

(Continued from Council meeting of December 13, 2011)

ITEM NO. (5) - ADOPTED

Adopted, Ayes (10); Absent: Englander, LaBonge, Parks and Zine (4)

MOTION (REYES - HUIZAR) relative to funding for installation of banners in the Angelino Heights area in Council District One.

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

1. TRANSFER / APPROPRIATE $4,000 in the Council District One portion of the Street Furniture Revenue Fund No. 43D/50 to the Street Lighting Fund No. 100/84, Account No. 1090 (Salaries - Overtime) for installation of banners in the Angelino Heights area.

2. AUTHORIZE the Bureau of Street Services to make any technical corrections or clarifications as necessary to the above instructions in order to effectuate the intent of this Motion.

ITEM NO. (6) - ADOPTED

Adopted, Ayes (10); Absent: Englander, LaBonge, Parks and Zine (4)

MOTION (REYES - HUIZAR) relative to naming the intersection of South Vermont Avenue and West Pico Boulevard as Monsignor Oscar A. Romero Square in Council District One.

Recommendation for Council action:

NAME the intersection of South Vermont Avenue and West Pico Boulevard in Council District One as Monsignor Oscar A. Romero Square and DIRECT the Los Angeles Department of Transportation to post the appropriate signs as this location to implement the above action.
ITEM NO. (7) - ADOPTED

Adopted, Ayes (10); Absent: Englander, LaBonge, Parks and Zine (4)

12-0026
CD 4

MOTION (LABONGE - GARCETTI) relative to rescinding prior Council action of January 10, 2012, regarding the allocation of Council District Four Assembly Bill (AB) 1290 funds.

Recommendation for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:
1. RESCIND prior Council action of January 10, 2012 (Council file No. 12-0026) relative to the allocation of Council District Four AB 1290 Funds.

2. TRANSFER / APPROPRIATE $250,000 in the Council District Four portion of the AB 1290 Fund No. 53P, Account No. G304 (Redevelopment Projects - Services) to the General City Purposes Fund No. 100/56, Account No. 0704 (CD-4 Community Services) for additional funding and support of community services efforts in Council District Four.

ITEM NO. (8) - ADOPTED

Adopted, Ayes (10); Absent: Englander, LaBonge, Parks and Zine (4)

12-0081
CD 14

MOTION (HUIZAR - KREKORIAN) relative to installing street banners announcing the 125th Anniversary of Occidental College.

Recommendations for Council action:
1. APPROVE the street banner program announcing the 125th Anniversary of Occidental College, as a City of Los Angeles Non-Event Street Banner program for the period of March 2012 until April 2013.

2. APPROVE the content of the street banners for the above specified event, as attached.

ITEM NO. (9) - ADOPTED

Adopted, Ayes (10); Absent: Englander, LaBonge, Parks and Zine (4)

11-0010-S29
CD 8

MOTION (PERRY for PARKS - ALARCON) relative to reinstating the reward offer in the death of Alonzo Ester for an additional six months.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:
1. REAFFIRM Council’s findings and REINSTATE the reward offer relative to the death of Alonzo Ester (Council action of May 25, 2011, Council file No. 11-0010-S29) 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.

2. DIRECT the City Clerk to publish the reward notice in the “Our Weekly” and “LA Watts Times,” in addition to the regular publication used by the City Clerk for reward notices, to ensure adequate community notice.

Item for Which Public Hearing Has Been Held - Item 10

ITEM NO. (10) - ADOPTED, AS AMENDED - SEE FOLLOWING

Adopted as Amended, Ayes (10); Absent: Englander, LaBonge, Parks and Zine (4)

11-0763-S1
CONTINUED CONSIDERATION OF HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and AMENDING MOTION (PERRY - LABONGE) relative to amending the Fiscal Year (FY) 2011-12 Community Redevelopment Agency of Los Angeles (CRA/LA) budget for additional carryover resources of $212.4 million, and related action.

ADOPTED, AS AMENDED

A. HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT

Recommendations for Council action:

1. AMEND the CRA/LA FY 2011-12 Budget and Work Program by $212,385,624 which consists of $85,660,825 in prior year carryover resources plus $126,724,799 in encumbrances.

2. UNENCUMBER $2,743,900 in funds set aside for the Voluntary Alternative Redevelopment Program payments to the State of California and reprogram the funds as General Revenue reserves.

Fiscal Impact Statement: The City Administrative Officer reports that there is no impact on the City General Fund. Approval of the proposed actions will increase the CRA/LA FY 2011-12 Adopted Budget and Work Program by $212.4 million, for a total amended Budget of $671.4 million, unencumber $2.7 million in funds set aside for the Voluntary Alternative Redevelopment Program payments to the State of California and reprogram the funds as Agency General Revenue reserves. The proposed changes involve Agency General Revenues, Tax Increment, Low and Moderate Income Housing Funds and Taxable Bond Proceeds. The use of these funds is in compliance with the CRA/LA’s Financial Policies in that the recommended actions are consistent with the CRA/LA 2011-12 Budget and Work Program. The City's Financial Policies are not applicable to the CRA/LA. The CRA/LA is bound only by the disclosure provisions of the City's Debt Management Policies.

Community Impact Statement: None submitted.
B. AMENDING MOTION (PERRY - LABONGE)

Recommendations for Council action:

1. APPROVE the use of $197,695 in CRA/LA carryover resources from the Beacon Street Project Area to be used for the San Pedro Arts, Culture and Entertainment District (ACE) project pursuant to a Memorandum of Understanding (MOU) with the San Pedro Peninsula Chamber of Commerce for this purpose (ACE MOU).

2. AMEND the FY 2012 Budget and Work Program for the Beacon Street Project Area to recognize $197,695 in carryover resources be used for the ACE MOU.

3. INSTRUCT/AUTHORIZE the CAO to take any actions and to make any technical adjustments as necessary to implement the above instructions.

C. AMENDING MOTION (CARDENAS - PERRY)

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

1. AUTHORIZE the City Attorney to amend the following contracts to increase the following maximum compensation amounts by the following amounts:
   
   Goldfarb & Lipman, C-115300 - $152,000
   Meyers nave Riback & Silver, C-115159 - $250,000
   Opper & Varco, C-115398 - $210,000

2. AUTHORIZE the Community Redevelopment Agency (CRA) to TRANSFER funds in the amount of $612,000 to the City Attorney to deposit said funds into Fund 100/12, Revenue Account 5188, Miscellaneous Revenues to pay for the budget increases for outside counsel services through the contracts listed in Instruction No. 1.

3. AUTHORIZE the City Attorney to accept the transfer of funds up to $612,000 from the CRA and deposit said funds into Fund 100/12 Revenue Account 5188, Miscellaneous Revenues.

4. AUTHORIZE the Controller to recognize the revenue transferred from the CRA as additional Fiscal Year (FY) 2012 revenue and appropriate same amount to Fund 100/12, Account No. 9301.

5. AUTHORIZE the City Attorney to adjust allocation of amounts specified in Instruction No. 1.
6. AUTHORIZE the City Attorney to encumber funds within Fund 100/12, Appropriation Account 9301, toward the contracts listed in Instruction No. 1 above and expend against these encumbrances to pay for outside counsel services related to community redevelopment matters.

7. AMEND the FY 2011-12 City Center Budget and Work Program to TRANSFER an amount not to exceed $3,312,397, if available, from budget lines Economic Development ($3,262,398) and Public Improvement ($49,999) to budget line Affordable Housing (CT1090) to fund enforceable obligations related to the Permanent Supportive Housing Program.

8. ALLOCATE $500,000 from the CRA/LA to the Coalition for Responsible Community Development to operate the Clean and Safe Program in Council District Nine.

9. ALLOCATE $1,163,030 from the CRA/LA for the Little Tokyo Third Street Project in Council District Nine.

10. RECOGNIZE $6,933,644 of tax increment and $1,733,416 of Housing funds from the Bunker Hill cash trap release.

11. RECOGNIZE $1,900,000 in general revenue from the Carryover Budget to CDD for the repayment of 20-year Community Development Block Grant Loans.

12. AUTHORIZE the CLA’s Office to transfer funds directly to CDD for the repayment of the Slauson Central Section 108 Loan.

13. AMEND the FY 2011-12 Adelante Eastside Budget and Work Program to TRANSFER an amount not to exceed $1,500,000 from budget line Public Improvement (EA3200) to budget line Economic Development (EA2170) to fund the Boyle Heights Chavez Avenue Streetscape Pedestrian Improvement Project in Council District 14.

14. INSTRUCT the CLA/CAO, with the assistance of the CRA, to review all existing work orders and contracts and make any technical changes and prepare any Controller instructions that may be required to maximize the use of tax increment, and AUTHORIZE the Controller to implement those instructions.

15. AUTHORIZE the City Attorney or designee to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the CAO, and AUTHORIZE the Controller to implement the instructions.

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

12-0110
MOTION (ROSENDAHL - PERRY) relative to funding in support of seasonal community activities in Council District 11.
MOTION (GARCETTI - REYES) relative to funding to support the Elysian Valley Street Lighting Project Phase II in Council District 13.

MOTION (WESSON - REYES) relative to funding for two existing Community Redevelopment Agency obligations for projects within Council District 10.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon his request and without objections Councilmember Garcetti was excused to leave at 1:00 p.m from Council Session of Tuesday, January 24, 2012, due to City Business.

Upon her request and without objections Councilmember Perry was excused to leave at 11:45 a.m. from Council Session of Tuesday, January 24, 2012, due to City Business.

Upon his request and without objections Councilmember Reyes was excused to leave at 12:30 p.m from Council Session of Wednesday, January 25, 2012.

Upon his request and without objections Councilmember Cardenas was excused from Council Session of Friday, January 27, 2012, due to City Business.

Upon his request and without objections Councilmember LaBonge was excused to arrive at 11:30 a.m to Council Session of Friday, January 27, 2012.

Upon his request and without objections Councilmember LaBonge was excused to leave at 11:30 a.m from Council Session of Tuesday, January 31, 2012.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

12-0004 - Keith L. Wong
Fred Sabine

Garcetti - Reyes
Garcetti - Cardenas - Reyes

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

12-0003 - Etta James
Shirley Molly Berg

Perry
Cardenas

Alarcón, Cárdenas, Garcetti, Huizar, Koretz, Krekorian, Perry, Reyes, Rosendahl and President Wesson (10); Absent: Englander, LaBonge, Parks and Zine (4)
Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk             PRESIDENT OF THE CITY COUNCIL

*********************************************************************************************************************

Regular meeting recessed at 11:02 a.m.
Special meeting convened at 11:02 a.m.
Special meeting adjourned at 11:07 a.m.
Regular meeting convened at 11:07 a.m.