

Los Angeles City Council, **Journal/Council Proceedings**
Tuesday, **April 10, 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, Buscaino, Cárdenas, Englander, Garcetti, Huizar, Koretz, Krekorian, LaBonge, Parks, Perry, Reyes, Rosendahl, Zine and President Wesson (15)

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
APRIL 3, 2012

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGES 9-10

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 Not Been Held - Items 1-10

(10 Votes Required for Consideration)

ITEM NO. (1) - RESOLUTION ADOPTED AWARDING THE CITY OF LOS ANGELES GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012-A IN THE AGGREGATE PRINCIPAL AMOUNT OF \$240,100,000 TO BARCLAYS CAPITAL, INC., THE LOWEST RESPONSIBLE BIDDER AT A TRUE INTEREST COST OF 2.217403 PERCENT AND REJECTING ALL OTHER BIDS AND AMENDING AND SUPPLEMENTING THE RESOLUTION OF THE COUNCIL OF THE CITY OF LOS ANGELES, CALIFORNIA, PROVIDING FOR THE ISSUANCE AND SALE OF THE CITY OF LOS ANGELES GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012-A.

Adopted, Ayes (15)

[11-0841](#)

AWARD OF THE SALE of the General Obligation Bonds, Refunding Series 2012-A, in an amount not to exceed \$340.34 million to the lowest responsible bidder, adoption of the RESOLUTION and other actions relating thereto.

(Scheduled pursuant to Council action of February 15, 2012)

ADOPTED

MOTION (KREKORIAN - CARDENAS)

Recommendation for Council action:

ADOPT the accompanying RESOLUTION awarding the City of Los Angeles General Obligation Refunding Bonds, Series 2012-A in the aggregate principal amount of \$240,100,000 to Barclays Capital, Inc., the lowest responsible bidder at a true interest cost of 2.217403 percent and rejecting all other bids and amending and supplementing the Resolutions of the Council of the City of Los Angeles, California, providing for the issuance and sale of the City of Los Angeles General Obligation Refunding Bonds, Series 2012-A.

ITEM NO. (2) - ADOPTED, *AS AMENDED - SEE FOLLOWING - TO THE MAYOR FORTHWITH

Adopted as Amended, Ayes (15)

[12-0422](#)

CDs 9 & 14

COMMUNICATION FROM THE CITY CLERK and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to the proposed Downtown Center Property-Based Business Improvement District (BID).

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

1. FIND that the petitions submitted on behalf of the proponents of the Downtown Center Business Improvement District are signed by property owners who will pay more than 50 percent of the assessments proposed to be levied.
2. FIND that all parcels that will have a special benefit conferred upon them and upon which an assessment would be imposed are those identified in the Management District Plan.
3. FIND that in accordance with Article XIIID of the California Constitution and based on the facts and conclusions contained in the attached Engineer's Report, the assessment levied on each parcel within the proposed District is proportionate to the special benefit derived from the improvements and activities that are to be provided.
4. FIND that in accordance with Article XIIID of the California Constitution and based on the facts and conclusions contained in the attached Engineer's Report, there are no general benefits to be separated from the special benefits conferred on each parcel within the proposed District.
5. FIND that in accordance with Article XIIID of the California Constitution and based on the facts and conclusions contained in the attached Engineer's Report, no assessment imposed on any parcel exceeds the reasonable cost of the proportional special benefit conferred on that parcel.
6. FIND that the assessments for the proposed District are not taxes and that the District qualifies for exemption from Proposition 26 under exemption 7 of Article XIIIC §1(e).
7. FIND that the services to be provided by the Owners' Association are in the nature of professional, expert, technical or other special services, that the services are of a temporary and occasional character, and that the use of competitive bidding would be impractical, not advantageous, undesirable or where the common law otherwise excuses compliance with competitive bidding requirements.

8. APPROVE the ~~Central City Association~~ ***Downtown Business Improvement District Management Corporation** to serve as the Owners' Association to administer the Downtown Center Business Improvement District
9. ADOPT the Preliminary Report of the City Clerk.
10. ADOPT the attached Management District Plan.
11. ADOPT the attached Engineer's Report.
12. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION to establish the Downtown Center Business Improvement District.
13. AUTHORIZE the City Clerk, upon establishment of the District, to prepare, execute and administer a contract between the City of Los Angeles and the ~~Central City Association~~ ***Downtown Business Improvement District Management Corporation**, a nonprofit corporation for the administration of the District's programs upon adoption of the ordinance establishing the District.
14. DIRECT the City Clerk to comply with the notice, protest, and hearing procedures prescribed in the Proposition 218 Omnibus Implementation Act (California Government Code, Section 53750 et seq.).
15. REQUEST the City Attorney, with the assistance of the City Clerk, to prepare an enabling Ordinance establishing the Downtown Center Business Improvement District for City Council consideration at the conclusion of the required public hearing.

Fiscal Impact Statement: The City Clerk reports that assessments levied on the 11 City-owned properties within the District to be paid from the General Fund total \$163,535.24 for the first year of the District. Funding is available in the Business Improvement District Trust Fund 659 to pay the General Fund share of assessments for the first operating year. Assessments levied on the Department of Water and Power property within the District will not be paid from the General Fund.

Community Impact Statement: None submitted.

(Jobs and Business Development Committee waived consideration of the above matter)

ITEM NO. (3) - ADOPTED

Adopted, Ayes (15)

[10-2440-S2](#)

COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER (CAO) relative to approval of contractors selected through a Request for Proposals (RFP) and authority to negotiate and execute contracts for the Handyworker Program.

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

1. APPROVE the results of the Handyworker Program RFP and the list of recommended Contractors, identified in Attachment B of the CAO report dated March 30, 2012 (CAO Report) contained in Council file (C.F.) No. 10-2440-S2.
2. AUTHORIZE the General Manager, Los Angeles Housing Department (LAHD), or designee, to negotiate and execute Professional Services Agreements with the Contractors listed in Attachment B of the CAO report to perform services related to the Handyworker Program for an amount not to exceed \$2.5 million for the period of performance, effective from April 1, 2012 through March 31, 2013, with two one-year renewal options, in substantial conformance with the pro forma Professional Services Agreements included as Attachment No. 3 of the LAHD transmittal dated January 27, 2012 (C.F. No. 10-2440-S2), based on a fixed rate fee for service schedule as verified by the LAHD and subject to the following: availability of funds; contractor performance; 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.
3. AUTHORIZE the Controller to expend funds from Fund No. 424, Community Development Trust, Department 22, from Account No, J208, Handyworker Program, for the amount of \$2,929,610 upon proper written demand of the General Manager, LAHD, or designee.
4. AUTHORIZE the General Manager, LAHD, or designee, to prepare Controller instructions for any necessary technical adjustments 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 impact to the General Fund. Approval of these recommendations would authorize the LAHD to execute Professional Services Agreements with service providers selected through the Handyworker Program Request for Proposals utilizing \$2.5 million in Community Development Block Grant funds allocated for this purpose through the 38th Program Year (2012-13) Housing and Community Development Consolidated Plan for a one-year period. The recommendations of this report are in compliance with City Financial Policies in that the full cost of these services will be paid through available grant sources. Any subsequent funding awards and term extensions will be contingent on the availability of continuation funding.

Community Impact Statement: None submitted.

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

ITEM NO. (4) - ADOPTED

Adopted, Ayes (15)

[10-0364](#)

CDs 9 & 14

COMMUNICATION FROM THE CITY CLERK relative to Fiscal Year 2011 and 2012 Annual Planning Report for the Fashion District Business Improvement District (BID).

Recommendations for Council action:

1. FIND that the attached Annual Planning Report for the Fashion District BID's 2011 and 2012 fiscal years comply with the requirements of the State Law.
2. FIND that the adjustments in the 2011 and 2012 budgets concur with the intentions of the Fashion District BID's Management District Plan and do not adversely impact the benefits received by the assessed property owners.
3. ADOPT the attached Annual Planning Report for Fashion District BID's 2011 and 2012 fiscal years, pursuant to the State Law.

Fiscal Impact Statement: The City Clerk reports that there is no impact to the General Fund associated with this action.

Community Impact Statement: None submitted.

(Jobs and Business Development Committee waived consideration of the above matter)

ITEM NO. (5) - ADOPTED

Adopted, Ayes (15)

[12-0170-S1](#)

CONSIDERATION OF MOTION (PERRY - PARKS) and RESOLUTION relative to proposed sole-source contract with the Trust for Public Land in connection with the implementation of the South Los Angeles Green Alley Master Plan.

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

1. AUTHORIZE the Department of Public Works, Bureau of Sanitation, subject to the approval of the City Attorney as to form and legality, to execute a sole source contract with the Trust for Public Land relative to the implementation of the South Los Angeles Green Alley Master Plan.
2. ADOPT the accompanying RESOLUTION, as required by the State of California, appointing the Director of the Bureau of Sanitation, or designee to accept grant funding; to conduct all negotiations; to provide additional information; and to execute and submit all documents including, but not limited to, applications, agreements, or amendments, subject to the approval of the City Attorney as to form and legality, which may be necessary for the completion of the South Los Angeles Green Alley Master Plan.

Community Impact Statement: None submitted.

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

ITEM NO. (6) - ADOPTED

Adopted, Ayes (13); Absent: Perry and Reyes (2)

[12-0393](#)

CONSIDERATION OF MOTION (PERRY - PARKS) relative to the reallocation of \$691,071 in U. S. Department of Housing and Urban Development (HUD) Homelessness Prevention and Rapid Re-Housing Program (HPRP) grant funds, and related actions.

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

1. APPROVE retroactively to January 1, 2012 the re-allocation of \$638,284 in City HPRP funds from the Homeless Prevention component and \$52,787 from the Data Collection/Evaluation component to the Homeless Assistance/Rapid Re-housing component of the City's HPRP (Attachment No. 1 to the Motion contained in Council file No. 12-0393).
2. AUTHORIZE the Controller to transfer appropriations within ARRA/HPRP Fund 51P/43, as follows:

From:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
F821	HPRP Prevention Financial Assistance	\$407,660
F822	HPRP Prevention-Housing Relocation/Stabilization	\$230,624
F826	HPRP Data Collection/Evaluation	<u>\$52,787</u>
	Sub-Total:	\$691,071

To:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
F823	HPRP Homeless Assistance/Rapid Re-housing	\$338,013
F824	HPRP Homeless Assist/Relocation & Stabilization	<u>\$353,058</u>
	Sub-Total:	\$691,071

3. AUTHORIZE the Controller to expend funds in an amount not to exceed \$691,071 from the above fund and accounts upon the proper written demand of the General Manager, Los Angeles Housing Department (LAHD), or designee, on an as needed basis.
4. APPROVE retroactively all eligible HPRP expenses incurred by the Housing Authority of the City of Los Angeles from January 1, 2012.
5. AUTHORIZE the LAHD to prepare Controller instructions, as appropriate, and make any technical adjustments and corrections necessary to implement the above actions, subject to the approval of the City Administrative Officer, and AUTHORIZE the Controller to implement the instructions.
6. AUTHORIZE the General Manager, LAHD, to make any necessary revisions to line item budget amounts within the HPRP budget, not to exceed 10 percent within any line item, to ensure that all HPRP funds are spent by the grant expiration date of August 26, 2012.

Community Impact Statement: None submitted.

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

ITEM NO. (7) - ADOPTED - TO THE MAYOR FORTHWITH

Adopted, Ayes (13); Absent: Perry and Reyes (2)

[12-0002-S21](#)

CONSIDERATION OF RESOLUTION (KREKORIAN - HUIZAR) relative to the City's position on Assembly Bill (AB) 1648 (Brownley), the California DISCLOSE Act, which will require disclosure of the largest funders of political ads in a clear and obvious fashion.

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

ADOPT the accompanying RESOLUTION to include in the City's 2011-12 State Legislative Program, SUPPORT for AB 1648 (Brownley), which would require full disclosure, in the ads themselves, of the largest major funders of all political television, radio, print, mass mailing, and online advertising for and against ballot measures and for independent expenditures for and against candidates.

Community Impact Statement: None submitted.

(Rules, Elections and Intergovernmental Relations Committee waived consideration of the above matter)

ITEM NO. (8) - ADOPTED

Adopted, Ayes (13); Absent: Perry and Reyes (2)

[12-0490](#)

CD 1

MOTION (ROSENDAHL for REYES - PERRY) relative to funding for the Plaza Morazan Beautification Project.

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

1. TRANSFER / APPROPRIATE \$103,385 in the AB1290 Fund No. 53P, Account No. 281201 (CD 1 Redevelopment Projects - Services) to the Board of Public Works Fund No. 100/74, Account No. 3040 (Contractual Services) for the Plaza Morazan Beautification Project, with the understanding that \$3,385 of that amount shall be paid to the Los Angeles Department of Water and Power to cover the cost to install a 1-inch regular water meter and service lateral at the address of 1507 West Eighth Street (if payment is by IDO the relevant numbers are: Department 98, Fund 705, Account 0000, Revenue Source 5166).
2. AUTHORIZE the Board of Public Works to make any technical corrections or clarifications to the above instructions in order to effectuate the intent of this Motion.

ITEM NO. (9) - RECEIVED AND FILED

Adopted to Receive and File, Ayes (13); Absent: Perry and Reyes (2)

[12-0491](#)

MOTION (BUSCAINO - LABONGE) relative to the Harbor Department requesting City Council to approve travel, under the special circumstances provisions, to the State of Arizona on April 12, 2012, to attend a meeting at the headquarters of American Presidents Line (APL).

Recommendations for Council action:

1. AUTHORIZE the travel of Michael Christensen, Deputy Executive Director for Development and Kathryn McDermott, Deputy Executive Director for Business Development on April 12, 2012 to the State of Arizona under the special circumstances provision of Council file No. 10-0002-S36, to attend a meeting at the headquarters of APL to discuss the Port's \$200 million project.
2. AUTHORIZE future travel to APL headquarters having to do with the terminal expansion project at Pier 300.

**Adopted, Ayes (13); Absent: Perry and Reyes (2)
(Item Nos. 10a-10b)**

ITEM NO. (10) - MAPS APPROVED - CITY ENGINEER REPORTS ADOPTED

[12-0486](#)

et al. FINAL MAPS in the various Council Districts.

Recommendation for Council action:

APPROVE the Final Maps and ADOPT the City Engineer Reports as detailed in the various listed Council files, including bonds, agreements, contracts and other related issues as specified:

[12-0486](#)

CD 11

- a. FINAL MAP OF TRACT NO. 66901 for property located at 8558 East Manitoba Street, lying easterly of Pershing Drive.
(Bond No. C-120186)
Applicants: Playa Investment Group LLC
Tala Associates

[10-0931-S1](#)

CD 7

- b. FINAL MAP OF TRACT NO. 52964 for property located at 13455 Bradley Avenue, lying westerly of Olden Street.
(Bond No. C-120187)
(Quimby Fee: \$7,570)
Applicants: Bradley Avenue Investors, LLC
Saul Wechter

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

11-1324-S1

MOTION (WESSON - KORETZ) relative to funding for services provided by Pacific Graffiti Solutions for graffiti removal efforts in the Palms area.

11-1324-S2

MOTION (WESSON - KORETZ) relative to funding for services provided by Chrysalis for neighborhood clean-up activities in the Palms area.

12-0533

MOTION (GARCETTI - LABONGE) relative to funding for the North Atwater Bridge Project in Council District 13.

12-0532

MOTION (BUSCAINO - KORETZ) relative to a personal services contract with Gloria Lockhart to provide services to the Fifteenth Council District.

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon his request, and without objections, Councilmember LaBonge was excused from Council Session of Friday, April 20, 2012 due to City Business.

Upon his request, and without objections, Council President Wesson was excused from Council Sessions of Friday, April 27, 2012 due to City Business and Tuesday, June 12, 2012 due to personal business.

Upon her request, and without objections, Councilmember Perry was excused from Council Session of Wednesday, May 16, 2012 due to City Business.

Upon his request, and without objections, Councilmember Buscaino was excused to leave at 11:00 a.m. from Council Session of Wednesday, April 18, 2012 due to City Business and was excused from Council Session of Tuesday, May 22, 2012 due to personal business.

Upon his request, and without objections, Councilmember Cárdenas was excused from Council Sessions of Friday, June 1, 2012, Friday, June 8, 2012 and Friday, June 15, 2012 all due to City Business.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

12-0004-S1 - Police Officer II Vincent Pileggi

LaBonge - Zine - All Councilmembers

Detective II Walt Hampton

LaBonge - Zine - All Councilmembers

Richard H. McClure

Zine - Perry - All Councilmembers

Lieutenant Vincent Neglia

Zine - Perry - All Councilmembers

Michael Chugg
Los Tigres Del Norte

Garcetti - LaBonge
Garcetti - LaBonge

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

[12-0003-S1](#) - Mike Wallace

LaBonge - All Councilmembers

Edward J. Savko

Zine

Alarcón, Buscaino, Cárdenas, Englander, Garcetti, Huizar, Koretz, Krekorian, LaBonge, Parks, Rosendahl, Zine and President Wesson (13); Absent: Perry and Reyes (2)

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL