

Los Angeles City Council, **Journal/Council Proceedings**

Friday, **June 8, 2012**

Van Nuys City Hall, 14410 Sylvan Street, Van Nuys, CA 91401 - 10 am

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

ROLL CALL - Members present: Alarcón, Buscaino, Englander, Garcetti, Huizar, Koretz, Krekorian, Parks, Reyes, Zine and President Wesson (11); Absent: Cárdenas, LaBonge, Perry and Rosendahl (4)

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
JUNE 5, 2012

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - NONE

PUBLIC TESTIMONY ON NON-AGENDA ITEMS AT THE CALL OF THE CHAIR -

An opportunity for public testimony was provided.

Item Noticed for Public Hearing - Item 1

ITEM NO. (1) - CONTINUED TO JUNE 12, 2012

Adopted to Continue, Unanimous Vote (11); Absent: Cárdenas, LaBonge, Perry and Rosendahl (4)

[12-0356](#)

CD 10

CONTINUED CONSIDERATION OF HEARING COMMENTS relative to application for determination of "Public Convenience or Necessity" for alcohol sales for off-site consumption at Vena Market located at 8905 Venice Boulevard, Nos. 108 and 109, Los Angeles, 90034.

Application filed by: Vena Market c/o Rupinder Kaur (Wil Nieves, representative)

TIME LIMIT FILE - JUNE 11, 2012

(LAST DAY FOR COUNCIL ACTION - JUNE 8, 2012)

(Findings and Council recommendations required relative to the above application)

(Continued from Council meeting of April 27, 2012)

Items for Which Public Hearings Have Been Held - Items 2-3

Adopted, Ayes (11); Absent: Cárdenas, LaBonge, Perry and Rosendahl (4)
(Item Nos. 2-3)

ITEM NO. (2) - ADOPTED - TO THE MAYOR FORTHWITH

[12-0782](#)

CD 5

ORDINANCE SECOND CONSIDERATION relative to renewal of the Century City Business Improvement District.

(Communication from the City Clerk adopted on June 1, 2012)

ITEM NO. (3) - ADOPTED

[12-0600-S151](#)

BUDGET AND FINANCE COMMITTEE REPORT and RESOLUTION relative to the 2012 Tax and Revenue anticipation Notes (2012 TRAN) for Fiscal Year 2012-13.

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

ADOPT the accompanying authorizing RESOLUTION, and related documents, authorizing the issuance of the 2012 TRAN in an amount not to exceed \$1.3 billion.

Fiscal Impact Statement: The City Administrative Officer (CAO) reports that the proposed 2012 TRAN financing would result in estimated net savings of \$19.1 million to the City's General Fund. The estimated total debt service cost is \$1.26 billion and will be repaid on each maturity date from collected General Fund revenues and taxes, and interest earnings from the investment of proceeds and revenues and taxes set-aside during the fiscal year. These recommendations are in compliance with the City's Financial Policies.

Debt Impact Statement: The CAO reports there is no impact to the City's debt capacity as this transaction represents a short-term borrowing to be repaid within the same fiscal year.

Community Impact Statement: None submitted.

Items for Which Public Hearings Have Not Been Held - Items 4-15

(10 Votes Required for Consideration)

ITEM NO. (4) - ADOPTED

Adopted, Ayes (11); Absent: Cárdenas, LaBonge, Perry and Rosendahl (4)
(Item Nos. 4a-4j)

[12-0005-S296](#)

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 June 1, 2012:

[12-0005-S296](#)

CD 4

- a. Property at 1532 North Commonwealth Avenue (Case No. 89949).
Assessor I.D. No. 5542-008-007

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 26, 2007)

[12-0005-S297](#)

CD 7

- b. Property at 8527 North Cedros Avenue (Case No. 320130).
Assessor I.D. No. 2653-016-017

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 24, 2011)

[12-0005-S298](#)

CD 7

- c. Property at 8527 North Cedros Avenue (Case No. 352093).
Assessor I.D. No. 2653-016-017

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on November 9, 2011)

[12-0005-S299](#)

CD 9

- d. Property at 137 East 47th Street (Case No. 342660).
Assessor I.D. No. 5109-002-047

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on October 20, 2011)

[12-0005-S300](#)

CD 10

- e. Property at 2181 West 26th Place (Case No. 334846).
Assessor I.D. No. 5052-031-010

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on February 9, 2012)

[12-0005-S301](#)

CD 13

- f. Property at 248 South Alexandria Avenue (Case No. 310149).
Assessor I.D. No. 5518-014-021

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on March 3, 2011)

[12-0005-S302](#)

CD 13

- g. Property at 4114 West Monroe Street (Case No. 329039).
Assessor I.D. No. 5539-017-004

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on July 21, 2011)

[12-0005-S303](#)

CD 15

- h. Property at 1519 East 110th Street (Case No. 165282).
Assessor I.D. No. 6070-004-010

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on August 7, 2008)

[12-0005-S304](#)

CD 15

- i. Property at 1519 East 110th Street (Case No. 244389).
Assessor I.D. No. 6070-004-010

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on April 22, 2010)

[12-0005-S305](#)

CD 15

- j. Property at 1519 East 110th Street (Case No. 332843).
Assessor I.D. No. 6070-004-010

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on May 26, 2011)

ITEM NO. (5) - CONTINUED TO JUNE 12, 2012

Adopted to Continue, Unanimous Vote (11); Absent: Cárdenas, LaBonge, Perry and Rosendahl (4)

[12-0171-S1](#)

CDs 1, 9 & 10

CONSIDERATION OF MOTION (CÁRDENAS - REYES) and RESOLUTION relative to the issuance of tax-exempt bonds for the acquisition and rehabilitation of the Columbia Apartments.

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

1. WAIVE the Council approved Los Angeles Housing Department (LAHD) Multifamily Bond Policy relative to the issuance of tax-exempt bonds by California Statewide Communities Development Authority, a statewide issuer relative to the Columbia Apartments ("Project") 415 East Adams Boulevard, Los Angeles, CA 90011, 1034 South Catalina Street, Los Angeles, CA 90006, 1043 South Kingsley Drive, Los Angeles, CA 90006, 1137 South Bronson Avenue, Los Angeles, CA 90019, 1147 South Bronson Avenue, Los Angeles, CA 90019 and 1522 West 11th Place, Los Angeles, CA 90015, based on a) Los Angeles City subsidies will not be used or directed to the Project, b) Preservation of at-risk units, and c) Financial feasibility could not be achieved without the bond requirements.
2. INSTRUCT the City Clerk to:
 - a. Schedule a Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) hearing on the agenda for the City Council meeting to be held on **FRIDAY, JUNE 15, 2012** located at 200 North Spring Street, Room 340, Los Angeles, CA 90012.
 - b. Place on the agenda for the City Council Meeting to be held on **FRIDAY, JUNE 15, 2012** consideration of the TEFRA hearing results and adoption of the TEFRA hearing Resolution to follow the conduct of the public hearing.
3. REQUIRE the developer, Intercontinental Affordable Housing, Inc. (IAHI), as General Partner of Columbia One, LP, to comply with payment of prevailing wages for the project labor, occupancy compliance requirements to be monitored by the LAHD with monitoring costs to be reimbursed by IAHI, and payment of a minimum of \$3,000 for TEFRA notice publication and hearing fee, or an amount as appropriate.
4. AUTHORIZE Kutak Rock, the developer's bond counsel, to publish the required public hearing notice in a CDLAC approved local newspaper or periodical, on behalf of the City Council, with publication cost to be reimbursed by IAHI.

Community Impact Statement: None submitted.

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

ITEM NO. (6) - SUBSTITUTE MOTION ADOPTED IN LIEU OF ORIGINAL - FORTHWITH - SEE FOLLOWING

Substitute Motion adopted, Ayes (11); Absent: Cárdenas, LaBonge, Perry and Rosendahl (4)

[12-0815](#)

CD 1

CONSIDERATION OF MOTION (REYES - KREKORIAN) relative to actions relating to the Byzantine Latino Quarter Community Center at 2755 West 15th Street.

Recommendations for Council action:

1. APPROVE the assignment of Agreement No. 104452 with the Byzantine Latino Quarter Foundation (BLQF) relating to the Byzantine Latino Quarter Community Center Project (Loan Agreement) to Fifteenth and Ardmore LLC, on the condition that the assignee be responsible for all of the duties and obligations contained in the agreement, including, but not limited to the service obligation, except as provided hereby.
2. AUTHORIZE the General Manager, Community Development Department to:
 - a. Negotiate and enter into a second amendment to the Loan Agreement which includes consent for the conveyance of the property located at 2755 West 15th Street, Los Angeles, by Grant Deed from BLQF to assignee, subject to the City's deed of trust thereon to the date five years following the completion of renovations to the property.
 - b. Enter into a subordination agreement thereby subordinating the City's deed of trust in the principal amount of \$185,000 to a lien securing new project financing in the amount of approximately \$6,564,500.
 - c. Take any actions as may be necessary to effectuate the assignment of the Loan Agreement to assignee, the amendment of the Loan Agreement and the subordination of the City's deed of trust on the property to security for new project financing.

Community Impact Statement: None submitted.

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

ADOPTED

SUBSTITUTE MOTION (REYES - GARCETTI)

Recommendations for Council action:

1. **APPROVE the assignment of Agreement No. 104452 with the Byzantine Latino Quarter Foundation (BLQF) relating to the Byzantine Latino Quarter Community Center Project (Loan Agreement) to Fifteenth and Ardmore LLC, on the condition that the assignee be responsible for all of the duties and obligations contained in the agreement, including, but not limited to the service obligation, except as provided hereby.**

2. AUTHORIZE the General Manager, Community Development Department to:

- a. **Negotiate and enter into a second amendment to the Loan Agreement which includes consent for the conveyance of the property located at 2755 West 15th Street, Los Angeles, by Grant Deed from BLQF to assignee, subject to the City's deed of trust thereon to the date five years following the completion of renovations to the property.**
- b. **Enter into a subordination agreement thereby subordinating the City's deed of trust in the principal amount of \$185,000 to a lien securing new project financing in the amount of approximately \$6,564,500.**
- c. **Enter into an assumption agreement which obligates Fifteenth and Ardmore and/or CNCA to assume and perform all of the duties and obligations contained in the agreement.**
- d. **Take any actions as may be necessary to effectuate the assignment of the Loan Agreement to assignee, the amendment of the Loan Agreement and the subordination of the City's deed of trust on the property to security for new project financing.**

ITEM NO. (7) - CONTINUED TO JUNE 29, 2012

Adopted to Continue, Unanimous Vote (11); Absent: Cárdenas, LaBonge, Perry and Rosendahl (4)

[11-1718](#)
CD 9

MOTION (PERRY - REYES) relative to amending prior Council action of December 13, 2011, regarding the release of a Request for Proposals (RFP) for the potential sale and development of City-owned parcels on the corner of Figueroa Street and Pico Boulevard.

Recommendation for Council action:

AMEND prior Council action of December 13, 2011 (Council file No. 11-1718) relative to the release of a RFP for the potential sale and development of City-owned parcels on the corner of Figueroa Street and Pico Boulevard to ADOPT the following additional recommendations:

- a. Declare the properties located at 621 West Pico Boulevard and 1256/1258 South Figueroa Street (APN: 5138025900) as surplus.
- b. Direct the Department of General Services (GSD), Real Estate Division, to complete the surplus property process and conduct a Class "A" appraisal to determine the fair market value.
- c. Request the City Attorney, with the assistance of GSD, to prepare and present the necessary ordinances to effectuate the direct sale of the property located at 621 West Pico Boulevard and 1256/1258 South Figueroa Street.

- d. Authorize the Chief Legislative Analyst to make any technical adjustments that may be required and are consistent with this action.

**Adopted, Ayes (11); Absent: Cárdenas, LaBonge, Perry and Rosendahl (4)
(Item Nos. 8-11)**

ITEM NO. (8) - ADOPTED

[12-0678](#)

CD 5

MOTION (KORETZ - BUSCAINO) relative to rescinding prior Council action of May 23, 2012 regarding the Ordinance of Intention for the Exposition Light Rail Transit (LRT) Project - Phase 2 Street Lighting Maintenance Assessment District.

Recommendation for Council action:

RESCIND prior Council action of May 23, 2012 (Council file No. 12-0678) relative to the Ordinance of Intention for the Exposition LRT Project - Phase 2 Street Lighting Maintenance Assessment District and that the matter be referred to the Bureau of Street Lighting for further review.

ITEM NO. (9) - ADOPTED

[11-1431](#)

CD 11

MOTION (ROSENDAHL - ZINE) relative to amending prior Council action of September 30, 2011, regarding the 12100 West Olympic Boulevard / Westside Media Center / Neighborhood Traffic Protection Plan.

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

AMEND prior Council action of September 30, 2011 (Council file No. 11-1431) relative to the 12100 West Olympic Boulevard / Westside Media Center / Neighborhood Traffic Protection Plan to TRANSFER / APPROPRIATE an additional amount of \$3,500 from the Neighborhood Traffic Management Fund No. 47H, Westside Media NTM Project Account, to the Council District 11 portion of the Council Fund No. 100/28, Account No. 3040 (Contractual Services) for continued services of an independent traffic engineering consultant to study other traffic calming measures.

ITEM NO. (10) - ADOPTED

[12-0798](#)

CD 8

MOTION (LABONGE for PARKS - BUSCAINO) relative to funding for various community charter bus services in Council District Eight.

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

1. APPROPRIATE \$1,285.50 from the Unappropriated Balance Bund No. 100/58 to the Transportation Fund No. 385/94, Account No. H226 for various community charter bus services. Said funds to be reimbursed to the General Fund by various community organizations.
2. AUTHORIZE the Los Angeles Department of Transportation to make any technical corrections or clarifications to the above fund transfer instructions in order to effectuate the intent of this Motion.

ITEM NO. (11) - ADOPTED

[11-1050-S1](#)

CD 8

MOTION (LABONGE for PARKS - BUSCAINO) relative to funding for the 22nd Annual Theatre Awards and Festival weekend in Los Angeles in August 2012.

Recommendation for Council action:

INSTRUCT the City Clerk to place on the Council Agenda on **JULY 1, 2012**, or soon as possible thereafter, the following:

- a. Authorize \$50,000 in the Council's portion of the Heritage Month Celebration & Special Events line item in the General City Purposes Fund No. 100/56 to be utilized to fund any aspect of the 22nd Annual Theater Festival.
- b. Direct the City Clerk to prepare and process the necessary document(s) and/or payment(s) in the above amount, for the above purpose, with the appropriate agency or organization, subject to the approval of the City Attorney as to form, if needed, and, authorize the City Clerk to execute any such documents on behalf of the City.
- c. Authorize the City Clerk to make any technical corrections or clarifications to the above instructions in order to effectuate the intent of this Motion.

ITEM NO. (12) - ADOPTED

Adopted, Ayes (11); Absent: Cárdenas, LaBonge, Perry and Rosendahl (4)

[12-0808](#)

CD 7

MOTION (ALARCON - ZINE) relative to funding for improvements at the Sylmar Flight Park in Council District Seven.

Recommendations for Council action:

1. ALLOCATE \$50,000 in the Lopez Canyon Landfill Community Amenities Trust Fund No. 531/14, Account No. L302 to the Sylmar Hang Gliding Association for improvements at the Sylmar Flight Park.

2. DIRECT the City Clerk to prepare the necessary document(s) and/or agreement(s) with the Sylmar Hang Gliding Association or any other agency or organization, as appropriate, in the above amount, for the above purpose, subject to the approval of the City Attorney as to form and legality, if needed, and, AUTHORIZE the Councilmember of the District to execute such agreement or other document(s) on behalf of the City.
3. AUTHORIZE the City Clerk to make any technical corrections or clarifications to the above instructions in order to effectuate the intent of this Motion.

**Adopted, Ayes (11); Absent: Cárdenas, LaBonge, Perry and Rosendahl (4)
(Item Nos. 13-15)**

ITEM NO. (13) - ADOPTED

[08-0010-S16](#)

MOTION (KORETZ - BUSCAINO) relative to reinstating the reward offer in the death of Katan Khaimov 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 Katan Khaimov (Council action of March 9, 2008, Council file No. 08-0010-S16) 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 NO. (14) - ADOPTED

[11-1178-S1](#)

CD 9

MOTION (PERRY - LABONGE) relative to installing street banners announcing the WWE Summer Slam at the Staples Center on August 17-19, 2012.

Recommendations for Council action:

1. APPROVE the street banner program coordinated by the Los Angeles Tourism and Convention Board for the WWE Summer Slam at the STAPLES Center, as a City of Los Angeles Event Street Banner Program for the period of August 7, 2012 through August 21, 2012.
2. APPROVE the content of the street banner, attached to the Council file.

ITEM NO. (15) - ADOPTED

[11-1048-S1](#)

CD 6

MOTION (CÁRDENAS - ENGLANDER) relative to lease approval for the Sun Valley Area Neighborhood Council for office space at 9040 Sunland Boulevard, Sun Valley, CA 91352.

Recommendation for Council action:

APPROVE the executed Neighborhood Council Lease Agreement between the City of Los Angeles, through the Department of Neighborhood Empowerment (on behalf of the Sun Valley Area Neighborhood Council), and Sun Valley Care Development Inc., for office space at 9040 Sunland Boulevard, Sun Valley, CA 91352, under the terms and conditions outlined in the Neighborhood Council Lease Agreement dated May 15, 2012, attached to the Council file.

Item for Which Public Hearing Has Not Been Held - Item 16

(10 Votes Required for Consideration)

ITEM NO. (16) - ADOPTED

Adopted, Ayes (11); Absent: Cárdenas, LaBonge, Perry and Rosendahl (4)

[12-0452](#)

CONTINUED CONSIDERATION OF COMMUNICATION FROM THE MAYOR relative to the reappointment of Mr. Gregory Lippe to the Board of Fire and Police Pension Commissioners.

Recommendation for Council action:

RESOLVE that the Mayor's reappointment of Mr. Gregory Lippe to the Board of Fire and Police Pension Commissioners for the term ending June 30, 2017 is APPROVED and CONFIRMED. Mr. Lippe resides in Council District Three. (Current Board gender composition: M=4; F=0).

Ethics Commission Review: Complete.

Background Check Review: Complete.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JUNE 8, 2012

(LAST DAY FOR COUNCIL ACTION - JUNE 8, 2012)

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

MOTION ADOPTED UPON FINDINGS BY COUNCIL THAT THE NEED TO TAKE ACTION AROSE SUBSEQUENT TO THE POSTING OF THE COUNCIL AGENDA FOR FRIDAY, JUNE 8, 2012, PURSUANT TO GOVERNMENT CODE SECTION 54954.2(b)(2) AND COUNCIL RULE 23

ADOPTED - FORTHWITH

Findings on Need to Act - Adopted, Ayes (11); Absent: Cárdenas, LaBonge, Perry and Rosendahl (4)

Motion Adopted, Ayes (11); Absent: Cárdenas, LaBonge, Perry and Rosendahl (4)

11-0997-S3

MOTION (KREKORIAN - GARCETTI) relative to the having sufficient funds to issue paychecks on Wednesday, June 13, 2012.

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

- 1. TRANSFER \$250,000 from Fund 100/48 Account No. 008140 - Early Retirement Incentive Program.**
- 2. TRANSFER \$250,000 to Fund 100/48, Account No. 001070 - Salaries as Needed.**

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

12-0010-S20

MOTION (ZINE for ROSENDAHL - WESSON) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Oscan Duncan on June 4, 2012.

12-0858

MOTION (KREKORIAN - KORETZ) relative to installing street banners identifying the Neighborhood Council Valley Village.

12-0860

MOTION (BUSCAINO - PARKS) relative to initiating street vacation proceedings to vacate a portion of Grand Avenue, and limited airspace above Grand Avenue and Eighth Street.

12-0856

MOTION (ALARCON for ROSENDAHL - BUSCAINO) relative to the temporary installation of a "zipline" attraction at Venice Beach this summer.

[12-0861](#)

MOTION (PARKS - HUIZAR) and RESOLUTION relative to authorizing the Bureau of Sanitation to enter into an agreement with the State of California, to accept grant funding for the University Park Neighborhood Rain Gardens project.

[12-0859](#)

MOTION (BUSCAINO - ZINE) relative to asserting jurisdiction over the Board of Airport Commissioners action on June 4, 2012.

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

[12-0002-S59](#)

RESOLUTION (ALARCON - HUIZAR) relative to the City's position in connection with the 2012 Farm Bill re-authorization.

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

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

(Wesson)

Jack Zipperman

(Zine - Buscaino - Englander)

Suzan Davis

(Huizar - All Councilmembers)

George Glen Buchanon

(Alarcon - All Councilmembers)

Alarcón, Buscaino, Englander, Garcetti, Huizar, Koretz, Krekorian, Parks, Reyes, Zine and President Wesson (11); Absent: Cárdenas, LaBonge, Perry and Rosendahl (4)

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL