

Los Angeles City Council, Continuation Agenda
Wednesday, December 17, 2003
John Ferraro Council Chamber, Room 340, City Hall - 10 am

CONTINUED FROM: TUESDAY, DECEMBER 16, 2003

Item for Which Public Hearing Has Been Held - Item 65

ITEM NO. (65)

03-2546 - CONTINUED CONSIDERATION OF HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT
CD 11 COMMITTEE REPORT, RESOLUTION and ORDINANCE FIRST CONSIDERATION relative to the issuance of tax-exempt certificates of participation, in an aggregate principal amount not to exceed \$10,000,000, for the acquisition, construction, and rehabilitation of the Village School, Inc., at 15236 La Cruz Drive.

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

1. AUTHORIZE the General Manager, Community Development Department (CDD), or designee, to negotiate and execute all documents and agreements relative to the execution and delivery of tax-exempt certificates of participation, in an aggregate principal amount not to exceed \$10,000,000, for the acquisition, construction, and rehabilitation of the Village School, Inc., at 15236 La Cruz Drive, subject to the approval of the City Attorney as to form and legality.
2. FIND that the proposed project is necessary and appropriate to accomplish the City's community and economic development objectives.
3. AUTHORIZE the General Manager, CDD or designee, to prepare the following documents:
 - a. Installment Purchase Agreement.
 - b. Installment Sale Agreement.
 - c. Trust Agreement.
 - d. Purchase Contract.
 - e. Tax Regulatory Agreement.
 - f. Official Statement.
 - g. Any other documents, agreements or certificates necessary for the execution and delivery of the certificates of participation.

4. ADOPT the accompanying RESOLUTION (attached to the Council file) relative to the authorization, execution, and delivery of tax-exempt certificates of participation and approving the execution and delivery of the installment purchase agreement for purposes of Section 147(f) of the Internal Revenue Code of 1986.
5. PRESENT and ADOPT the accompanying ORDINANCE approving an Installment Purchase Agreement and an Installment Sale Agreement and approving the purchase and sale of real property, all for the purpose of assisting the Village School, Inc. In financing and refinancing the acquisition, construction, renovation and equipping of educational facilities located at 15236 La Cruz Drive and 780 North Swarthmore Avenue, Pacific Palisades, California 90272.

Fiscal Impact Statement: The CDD reports that this action will not impact the General Fund. Proceeds derived from the Certificates of Participation are generated from private investor capital and require no pledge of public funds for their backing or security. The primary source of repayment will be the operating activities of the borrower. The City provides no funds in this transaction and does not incur any responsibility for repayment or ensuring repayment of the referenced debt. Under the structure and terms of this financing, the City will not bear any financial responsibility for repayment of the Certificates of Participation under any circumstances.

Item for Which Public Hearing Has Not Been Held - Item 66

(10 Votes Required for Consideration)

ITEM NO. (66) - Motion Required

03-1190 - CONTINUED CONSIDERATION OF COMMUNICATIONS FROM THE BOARD OF WATER AND POWER COMMISSIONERS and the CITY ADMINISTRATIVE OFFICER (CAO) relative to Agreement No. 47304-4 between the Department of Water and Power (DWP) and Phoenix Decorating Company, Incorporated (Phoenix) for expenses incurred to design, build and decorate a Rose Parade Float.

Recommendation for Council action:

CONCUR with the Board of Water and Power Commissioners' action on November 18, 2003, Resolution No. 004-117, which authorizes the execution of Agreement No. 47304-4 with Phoenix for expenses not to exceed \$175,000 to design, build, decorate and enter a float on behalf of DWP in the Pasadena Tournament of Roses Parade to be held January 1, 2004.

Fiscal Impact Statement: The CAO reports that approval of this agreement will have no impact on the General Fund. The Agreement is limited to \$175,000 and will be paid out of the DWP's Power Revenue Fund.

TIME LIMIT FILE - JANUARY 23, 2004

(LAST DAY FOR COUNCIL ACTION - JANUARY 23, 2004)

(Commerce, Energy and Natural Resources Committee waived consideration of the above matter)

Closed Sessions - Items 67-68

ITEM NO. (67)

03-2502 - The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to settlement in the case entitled John Burton, Karl Manheim, Sarah Myers, Reuben Rivas, David Saldana, Carol Sobel v. City of Los Angeles, et al., United States District Court Case No. CV 01-07007. (This case arises out of the August 14, 2000, events during the time that the Democratic National Convention was held in Los Angeles.)

(Budget and Finance Committee considered the above matter in Closed Session on November 25, 2003)

ITEM NO. (68)

03-2594 - The City Council shall recess to Closed Session, pursuant to government Code Section 54956.9(a), to confer with its legal counsel relative to settlement in the case entitled Warren Brooks v. City of Los Angeles, United States District Court (USDC) Case No. CV 02-7192 FMC (Ctx); Warren Brooks v. City of Los Angeles, Workers' Compensation Appeals Board (WCAB) Case No. VEN 188194; Barry Brooks v. City of Los Angeles, USDC Case No. CV 02-7432 FMC (Ctx); Craig Crosby v. City of Los Angeles, USDC Case No. CV 02-6417 FMC (Ctx); Chris Dunn v. City of Los Angeles, USDC Case No. CV 02-6421 FMC (Ctx); Nicole Garner v. City of Los Angeles, USDC Case No. CV 02-6423 FMC (Ctx); John Goines v. City of Los Angeles, WCAB Case Nos. VNO 413379, 474672 and 0329072; John Goines v. City of Los Angeles, USDC Case No. CV 02-6419 FMC (Ctx); Lillian Johnson v. City of Los Angeles, USDC Case No. CV 02-6407 FMC (Ctx); Johnneen Jones v. City of Los Angeles, USDC Case No. CV 02-6417 FMC (Ctx); and, Dana Walker v. City of Los Angeles, USDC Case No. CV 02-7193 FMC (Ctx). (These cases grew out of the Jones v. City of Los Angeles class action filed in August of 2000 which alleged that the Los Angeles Police Department engages in various forms of employment discrimination and unlawful retaliation.)

(Budget and Finance Committee considered the above matter in Closed Session on December 2, 2003)