

**COMMUNICATION**

**TO: LOS ANGELES CITY COUNCIL**

**FILE NO. 08-0644**

**FROM: COUNCILMEMBER HERB WESSON, CHAIR  
HOUSING, COMMUNITY, AND ECONOMIC DEVELOPMENT COMMITTEE**

COMMUNICATION FROM CHAIR and MEMBER, HOUSING, COMMUNITY, AND ECONOMIC DEVELOPMENT COMMITTEE, and ORDINANCE relative to establishing a fee for appealing a determination regarding the status of a unit in a Residential Hotel as Residential or Transient.

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

1. FIND that the adoption of the accompanying Ordinance is exempt from the provisions of the California Environmental Quality Act (CEQA) under Article 18, Section 15060 (c)(2) of the California CEQA Guidelines and Article II, Section 2(m) of the City CEQA Guidelines.
2. ADOPT the accompanying Ordinance amending Section 47.76 of the Los Angeles Municipal Code (LAMC) to establish a fee for appealing a determination regarding the status of a unit in a Residential Hotel as Residential or Transient.

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

Community Impact Statement: None submitted.

Summary:

In its transmittal dated June 15, 2009, the City Attorney submits the accompanying Ordinance, approved as to form and legality, establishing a fee for appealing a determination regarding the status of a unit in a Residential Hotel as Residential or Transient. The City Attorney reports that, regarding a finding pursuant to the CEQA, the Los Angeles Housing Department recommends that Council find that the adoption of this Ordinance is exempt from the provisions of CEQA under Article 18, Section 15060 (c)(2) of the State CEQA Guidelines and Article II, Section 2(m) of the City CEQA Guidelines.

The City Attorney notes that because the Ordinance would impose a new fee, notice of its proposed adoption should be given in accordance with the provisions of California Government Code sections 66018 and 6062a. Those sections of State law require that prior to adoption of a new or increased fee, a public hearing be held and notice of that hearing be published in a newspaper with two publications at least five days apart over a ten-day period.

At its regular meeting held July 15, 2009, the Housing, Community, and Economic Development Committee Chair and Member discussed this matter with City staff, received public testimony opposing the proposal, and, subsequently, recommended that Council adopt the subject Ordinance.

Respectfully submitted,

HOUSING, COMMUNITY, AND ECONOMIC DEVELOPMENT COMMITTEE

**Herb Wesson, Chair**

**Eric Garcetti, Member**

MEMBER	VOTE
WESSON	YES
REYES	ABSENT
GARCETTI	YES
CARDENAS	ABSENT
PERRY	ABSENT

**-Not Official Until Council Acts-**

