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REPORT NO. R 18 - 0095
APR 09 2018

REPORT RE:

**DRAFT ORDINANCE AMENDING SECTION 19.144 OF THE
LOS ANGELES ADMINISTRATIVE CODE TO REMOVE PREVIOUS REFERENCES
TO MILLS ACT FEES AND TO CROSS-REFERENCE RECENTLY ADOPTED MILLS
ACT FEES INCLUDED IN SECTION 19.01F OF THE MUNICIPAL CODE**

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

Council File No. 09-0969-S2

Honorable Members:

This Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality. The draft ordinance amends Section 19.144 of the Los Angeles Administrative Code (LAAC) to remove previous references to Mills Act fees and to cross-reference recently adopted Mills Act fees included in Section 19.01F of the Los Angeles Municipal Code (LAMC).

Background and Summary of Ordinance

On February 14, 2018, the City Council approved an ordinance updating fees ("fee ordinance") related to Planning Department applications and entitlements, which amended Sections 19.00 through 19.10 of the LAMC. (Council File No. 09-0969). Among other things, the fee ordinance updated fees associated with the City's Mills Act Historical Property Contract Program and located these new fees at LAMC Section

19.01F. However, the fee ordinance did not remove the older fees listed in LAAC Section 19.144.

At its meeting on March 20, 2018, the Planning and Land Use Management (PLUM) Committee considered a motion (Huizar-Ryu) recommending the City Council request the City Attorney's Office to prepare a draft ordinance to remove existing Mills Act fee amounts contained in LAAC Section 19.144 and to cross-reference the newly adopted fees included as part of Section 19.01.F of the LAMC. On March 27, 2018, the City Council adopted the PLUM Committee report and recommendation.

The enclosed draft ordinance incorporates the proposed amendments requested by the PLUM Committee, removes all previous existing fee amounts in LAAC Section 19.144 and cross-references the applicable Mills Act fees listed in LAMC Section 19.01.F.

CEQA Determination

The provisions of this draft ordinance do not constitute a project under Section 15378 of the California Environmental Quality Act (CEQA) Guidelines. Pursuant to CEQA Guidelines Section 15378(b)(5), a project does not include "[o]rganizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment." The draft ordinance makes technical corrections to LAAC Section 19.144 by cross-referencing newly adopted fees included in LAMC Section 19.01.F. As such, there are no reasonably foreseeable direct or indirect physical changes on the environment caused by the draft ordinance.

If the City Council concurs, it should adopt this finding prior to or concurrent with its action on the ordinance.

Council Rule 38 Referral

A copy of the draft ordinance was sent, pursuant to Council Rule 38, to the Department of Building and Safety and the Department of City Planning with a request that all comments, if any, be presented directly to the City Council when this matter is considered.

If you have any questions regarding this matter, please contact Deputy City Attorney Oscar Medellin at (213) 978-8068. He or another member of this Office will be present when you consider this matter to answer questions you may have.

Very truly yours,

MICHAEL N. FEUER, City Attorney

By



DAVID MICHAELSON
Chief Assistant City Attorney

DM:OM:amg
Transmittal