

**MICHAEL N. FEUER**  
CITY ATTORNEY

REPORT NO. R 18 - 0 1 3 8

MAY 1 5 2018

**REPORT RE:**

**REVISED DRAFT ORDINANCE ADDING SECTION 62.177 TO THE LOS ANGELES MUNICIPAL CODE ESTABLISHING AN IN LIEU FEE TO ALLOW THE CITY TO PLANT REPLACEMENT TREES IN THE PUBLIC RIGHT-OF-WAY WHEN A PROPERTY OWNER IS UNABLE TO PLANT ON-SITE THE REQUISITE NUMBER OF TREES REQUIRED BY THE CITY'S TREE PLANING REQUIREMENTS**

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. 16-0461

Honorable Members:

Pursuant to amending motion 7-B adopted at the May 15, 2018 Council meeting, this Office has prepared and now transmits a revised draft ordinance, approved as to form and Legality, adding Section 62.177 to the Los Angeles Municipal Code (LAMC) to establish a tree replacement and planting in-lieu fee.


On March 15, 2018, this Office transmitted for your consideration a draft ordinance adding LAMC 62.177. The in-lieu fee established in the draft ordinance would be collected by the Department of Public Works and used solely to procure, plant and provide water and maintenance for the required trees. Pursuant to the draft ordinance, the location of trees planted using the in-lieu fee would be selected by the Board of Public Works (Board).

At its meeting on May 15, 2018, amending motion 7-B was adopted requesting the March 15, 2018, draft ordinance be amended to require Council approval of Board determinations of the locations for trees planted using the in-lieu fees collected by the Department of Public Works. The enclosed revised draft ordinance includes amended language in subsection (f) of LAMC 62.177 requiring Council approval of Board determinations of locations for trees planted using the in-lieu fees.

If you have any questions regarding this matter, please contact Assistant City Attorney Edward Jordan at (213) 978-8199. 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:EMJ:ac  
Transmittal