



MICHAEL N. FEUER
CITY ATTORNEY

REPORT NO. R16-0203

JUN 22 2016

REPORT RE:

DRAFT ORDINANCE AMENDING SECTIONS 5.500 AND 7.33.1 OF THE LOS ANGELES ADMINISTRATIVE CODE TO PROVIDE THAT PROCEEDS FROM THE SALE OF ANY SURPLUS PROPERTIES APPROVED BY CITY COUNCIL FOR USE IN SUPPORT OF THE CITY'S "USING PUBLIC LAND FOR AFFORDABLE AND HOMELESS HOUSING STRATEGY" SOLD DURING FISCAL YEAR 2016-2017 BE DEPOSITED INTO THE AFFORDABLE HOUSING TRUST FUND

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. 16-0600

Honorable Members:

This Office has prepared and now transmits for your action the enclosed draft ordinance, approved to form and legality. The draft ordinance provides that the proceeds from the sale during Fiscal Year 2016-2017, of any surplus properties approved by City Council for use in support of the City's "Using Public Land for Affordable and Homeless Housing" strategy, be deposited into the Affordable Housing Trust Fund.

Background and Summary of Ordinance Provisions

Existing law provides that 50% of the proceeds from the sale of City surplus property (except for property located in the Venice area and except for sales of property specifically addressed by separate Sections of this Code, including, but not limited to, Sections 5.121.1, 5.121.2 and 5.547) shall be deposited into Fund for the Council District in which the property is located, and 50% shall be deposited into the General Fund. As a part of your May 24, 2016, adoption of the Budget Resolution for Fiscal

Year 2016-2017, you requested this Office to prepare an ordinance to place all proceeds from the sale of any surplus properties approved by City Council for use in support of the City's Using Public Land for Affordable and Homeless Housing Strategy," sold during Fiscal Year 2016-2017, be deposited into the Affordable Housing Trust Fund, but that such a provision would sunset at the conclusion of Fiscal Year 2016-2017. The draft ordinance accomplishes Council's request.

CEQA Findings

We recommend that City Council find that adoption of this ordinance is exempt from the California Environmental Quality Act (CEQA) through a General Exemption under Article 19, Categorical Exemption Section 15312 of the State CEQA Guidelines and Article II, Class 12 of the City CEQA Guidelines. If you concur, you should adopt this finding prior, to or concurrent with, taking action on this ordinance.

Council Rule 38 Referral

Pursuant to Council Rule 38, a copy of the draft ordinance was sent to the Office of the Mayor, the Department of General Services, the City Administrative Officer and the Los Angeles Department of Housing and Community Investment, all of which were requested to make any comments directly to City Council when this matter is considered.

If you have any questions regarding this matter, please contact Deputy City Attorney Mei-Mei Cheng at (213) 978-0055. She or another member of this Office will be present when you consider this matter to answer any questions you may have.

Very truly yours,

MICHAEL N. FEUER, City Attorney

By 
DAVID MICHAELSON
Chief Assistant City Attorney

DM:MMC:pj
Transmittal