



MICHAEL N. FEUER
CITY ATTORNEY

REPORT NO. R 18 - 0155
MAY 25 2018

REPORT RE:

**DRAFT ORDINANCE AMENDING TABLE 9708.2 OF SECTION 91.9708,
DIVISION 97, ARTICLE 1, CHAPTER IX OF THE LOS ANGELES MUNICIPAL
CODE TO CORRECT ADMINISTRATIVE DATES**

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. 10-2335-S1

Honorable Members:

Pursuant to your request, this Office has prepared and now transmits for your consideration, approved as to form and legality, the enclosed draft ordinance that would amend administrative dates for the Existing Building Water and Efficiency Program in Los Angeles Municipal Code (LAMC) Table 9708.2, and includes an urgency clause in order to provide building owners with adequate notification time under LAMC Subsection 91.9708.4.

Through a separate report, this Office also concurrently transmits a related revised draft ordinance without an urgency clause that would amend specified portions of Chapter IX of the LAMC.

Background and Summary of Ordinance Provisions

On January 10, 2018 and May 25, 2018, Council requested the City Attorney to prepare and present an ordinance amending selected portions of Chapter IX of the LAMC as specified in September 14, 2017 and May 17, 2018, reports to Council from the Los Angeles Department of Building and Safety (DBS).

The enclosed draft ordinance amends administrative dates for the Existing Building Water and Efficiency Program in LAMC Table 9708.2 and includes an urgency clause. The other amendments requested by Council do not require an urgency clause and are transmitted concurrently through a separate report and revised draft ordinance.

Charter Findings

The draft ordinance relates to regulations and activities already within the authority of DBS, does not enact a new fee, and is not a land use ordinance. For this reason, the draft ordinance is not subject to approval by the City Planning Commission pursuant to Charter Section 558.

CEQA Determination

The California Environmental Quality Act (CEQA) does not apply to continuing administrative activities or organizational activities of government that will not result in specific direct or indirect physical changes in the environment, or to the creation of government funding mechanisms or other governmental fiscal activities that do not commit to any specific project that may result in potentially significant environmental impacts. Public Resources Code Section 21065 and State CEQA Guideline Sections 15378(b)(2) and (b)(5). The draft ordinance makes extends reporting dates. On that basis, the proposed ordinance is not subject to CEQA.

Council Rule 38 Referral

The draft ordinance was sent, pursuant to Council Rule 38, to DBS with a request that all comments, if any, be directed to the City Council at the time this matter is considered.

If you have any questions regarding this matter, please contact Deputy City Attorney Donna Wong at (213) 978-8064. She or another member of this Office will be present when you consider this matter to answer questions you may have.

Sincerely,

MICHAEL N. FEUER, City Attorney

By


DAVID MICHAELSON
Chief Assistant City Attorney

by RAS

DM:DW:mgm
Transmittal