

CITY OF LOS ANGELES
CALIFORNIA

JUNE LAGMAY
City Clerk

HOLLY L. WOLCOTT
Executive Officer

When making inquiries relative to
this matter, please refer to the
Council File No.



ANTONIO R. VILLARAIGOSA
MAYOR

Office of the
CITY CLERK

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SHANNON HOPPE
Council and Public Services
Division

www.cityclerk.lacity.org

October 16, 2012

To All Interested Parties:

The City Council adopted the action(s), as attached, under Council File No. 12-0600-S161, at its meeting held October 2, 2012.

A handwritten signature in cursive script that reads 'June Lagmay'.

City Clerk
vm

TIME LIMIT FILES
ORDINANCES

OFFICE OF THE MAYOR
RECEIVED
2012 OCT 11 AM 9:42
CITY OF LOS ANGELES

CITY CLERK'S OFFICE
City Clerk's Time Stamp
2012 OCT 11 AM 9:37
CITY CLERK
BY _____
DEPUTY

COUNCIL FILE NUMBER 12-0600-S161 COUNCIL DISTRICT _____

COUNCIL APPROVAL DATE October 2, 2012 LAST DAY FOR MAYOR TO ACT OCT 22 2012

ORDINANCE TYPE: Ord of Intent Zoning Personnel General

Improvement LAMC LAAC CU or Var Appeals - CPC No. _____

SUBJECT MATTER:

AMENDING THE LOS ANGELES MUNICIPAL CODE TO REQUIRE ALL AUTO PARK OPERATORS TO POST A BOND TO SECURE PAYMENT OF DELINQUENT PARKING OCCUPANCY TAXES

	APPROVED	DISAPPROVED
PLANNING COMMISSION	_____	_____
DIRECTOR OF PLANNING	_____	_____
CITY ATTORNEY	<u>X</u>	_____
CITY ADMINISTRATIVE OFFICER	<u>X</u>	_____
OTHER	_____	_____

RECEIVED
CITY CLERK'S OFFICE
2012 OCT 15 PM 3:38
CITY CLERK
BY _____
DEPUTY
OCT 15 2012

DATE OF MAYOR APPROVAL, DEEMED APPROVED OR *VETO OCT 15 2012
(*VETOED ORDINANCES MUST BE ACCOMPANIED WITH OBJECTIONS IN WRITING PURSUANT TO CHARTER SEC. 250(b) (c))

(CITY CLERK USE ONLY PLEASE DO NOT WRITE BELOW THIS LINE)

DATE RECEIVED FROM MAYOR OCT 15 2012 ORDINANCE NO. 182283
DATE PUBLISHED OCT 19 2012 DATE POSTED _____ EFFECTIVE DATE NOV 19 2012
ORD OF INTENT: HEARING DATE _____ ASSESSMENT CONFIRMATION _____
ORDINANCE FOR DISTRIBUTION: YES NO

TO THE COUNCIL OF THE
CITY OF LOS ANGELES

Your **BUDGET AND FINANCE** Committee

reports as follows:

BUDGET AND FINANCE COMMITTEE REPORT and ORDINANCE relative to amending the Los Angeles Municipal Code (LAMC) to require all auto park operators to post a bond to secure payment of delinquent parking occupancy taxes.

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

PRESENT and ADOPT the accompanying ORDINANCE relative to amending Section 21.15.6 of Chapter II, Article 1.15, Parking Occupancy Tax, of the LAMC to require all auto park operators to post a bond to secure payment of delinquent parking occupancy taxes, and amending Section 21.15.13 of Chapter II, Article 1.15 of the LAMC to allow the City to pursue all persons responsible for collecting and remitting the parking occupancy taxes to the City.

Fiscal Impact Statement: None submitted by the City Attorney. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

SUMMARY

At its meeting of September 10, 2012, the Budget and Finance Committee considered a City Attorney report and budget related Ordinance. The City Attorney reports that the accompanying Ordinance will require all auto park operators to post a bond to secure payment of delinquent parking occupancy taxes and allow the City to pursue all persons responsible for collecting and remitting the parking occupancy taxes to the City.

During Committee consideration, City Attorney and Office of Finance representatives provided an overview of the matter and responded to related questions from Committee members. After further consideration and having provided an opportunity for public comment, the Budget and Finance Committee recommended that Council adopt the accompanying Ordinance. This matter is now forwarded to the Council for its consideration.

Respectfully submitted,

BUDGET AND FINANCE COMMITTEE



ADOPTED
As Amended
OCT 02 2012
see Attached motions
LOS ANGELES CITY COUNCIL

MEMBER	VOTE
KREKORIAN:	YES
ENGLANDER:	ABSENT
CARDENAS:	YES
ROSENDAHL:	ABSENT
KORETZ:	YES

SEP 18 2012 - Continued to Oct 2, 2012

ep
12-0600-S161_rpt_bfc_8-17-12

-Not Official Until Council Acts-

MAYOR WITH FILE

MOTION

I MOVE in the matter of the CONTINUED CONSIDERATION OF BUDGET AND FINANCE COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to amending the Los Angeles Municipal Code (LAMC) to require all auto park operators to post a bond to secure payment of delinquent parking occupancy taxes, Item No. 6 on today's Council Agenda (CF 12-0600-S161) **BE AMENDED** as follows:

- 1. As part of the ordinance amending Section 21.15.6 (d) 1 of the Municipal Code, substitute the Bond Requirement Chart (Attachment A) for the chart presently included in the City Attorney's proposed ordinance; and
- 2. Add a section to the ordinance that would provide an incentive to operators who attain a preferred operator status. The preferred status would be achieved by remitting the appropriate amount of taxes over at least three years.

Preferred Operator Status Incentive

Reduce the required bond values for those operators who, for three consecutive years, remit the appropriate amount of Parking Occupancy Tax to the City. After three years the mandated bond value to be reduced from 100% to 75%. If appropriate remittance occurs for an additional two years (a total of five consecutive years) the bond amount shall be reduced to 50%. The bond amount shall remain at 50% as long as the operator continues to report timely and accurately. If at any time the operator remits payments delinquent, the bond value will revert to the 100% requirement until a new three year reporting record is achieved.

I FURTHER MOVE that Official Police Garages be exempt from the bond requirement.

I FURTHER MOVE that the Office of Finance, with the assistance of the City Attorney, be instructed report to Council relative to the following:

- 1. The feasibility of allowing parking lot operators to submit a Letter of Credit in lieu of securing a bond; and
- 2. Implementing a Master Bond Policy wherein the parking operator can schedule multiple parking lots and bond values.

[Signature]
OCT 2 2012

PRESENTED BY: *[Signature]*
DENNIS ZINE
Councilmember, 3rd District

SECONDED BY: *[Signature]*

ADOPTED
As Amended
OCT 02 2012
See Attached Motion
LOS ANGELES CITY COUNCIL

ORIGINAL

Attachment A

Bond Requirement Chart

<u>Annual Revenue</u>	<u>Bond</u>
Less than \$50,000	\$ 5,000
\$50,000 - \$100,000	\$ 10,000
\$100,000 - \$150,000	\$ 15,000
\$150,000-\$200,000	\$ 20,000
\$200,000-\$250,000	\$ 25,000
\$250,000-\$300,000	\$ 30,000
\$300,000-\$350,000	\$ 35,000
\$350,000-\$400,000	\$ 40,000
\$400,000-\$450,000	\$ 45,000
\$450,000-\$500,000	\$ 50,000
\$500,000-\$600,000	\$ 60,000
\$600,000-\$700,000	\$ 70,000
\$700,000-\$800,000	\$ 80,000
\$800,000-\$900,000	\$ 90,000
\$900,000-\$1,000,000	\$ 100,000
\$1,000,000-\$1,250,000	\$ 125,000
\$1,250,000-\$1,500,000	\$ 150,000
\$1,500,000-\$1,750,000	\$ 175,000
\$1,750,000-\$2,000,000	\$ 200,000
\$2,000,000-\$2,250,000	\$ 225,000
\$2,250,000-\$2,500,000	\$ 250,000
\$2,500,000-\$3,000,000	\$ 300,000
\$3,000,000-\$3,500,000	\$ 350,000
\$3,500,000-\$4,000,000	\$ 400,000
\$4,000,000-\$4,500,000	\$ 450,000
\$4,500,000-\$5,000,000	\$ 500,000
\$5,000,000-\$6,000,000	\$ 600,000
Greater Than \$6,000,000	\$ 700,000

MOTION

I HEREBY MOVE that Council AMEND Motion 6A (Zine – Krekorian) as follows:

1. STRIKE Recommendation No. 2 relative to adding a section in the ordinance that would provide an incentive to operators who attain a preferred operator status.
2. INSTRUCT the Office of Finance, with the assistance of the City Attorney, to report to Council relative to the feasibility of providing incentives to operators who attain good operator status and remit the appropriate amount of Parking Occupancy Tax to the City.

PRESENTED BY _____
DENNIS P. ZINE
Councilmember, 3rd District

SECONDED BY _____
PAUL KREKORIAN
Councilmember, 2nd District

October 2, 2012

CF 12-0600-s161

ADOPTED

OCT. 02 2012

LOS ANGELES CITY COUNCIL