



REPORT OF GENERAL MANAGER

NO. 16-056

DATE February 17, 2016

C.D. 13

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: REFUND OF QUIMBY FEES IN THE AMOUNT OF \$53,340 FOR RESIDENTIAL DEVELOPMENT PROJECT LOCATED AT 6201 AND 6202 WEST HOLLYWOOD BOULEVARD, LOS ANGELES, CA 90028

<i>for</i> R. Barajas	<u>CSD</u>	K. Regan	_____
H. Fujita	_____	N. Williams	_____
V. Israel	_____		

Ramon Barajas for

General Manager

Approved ✓ Disapproved _____ Withdrawn _____

RECOMMENDATIONS

That the Board:

1. Approve the refund claim filed by Blvd 6200 Owner, LLC (Developer) for a refund of Quimby fees in the amount of Fifty-Three Thousand, Three Hundred Forty Dollars (\$53,340.00), subject to the approval of the City Council;
2. Direct the Department of Recreation and Parks' (RAP) Chief Accounting Employee to, upon receipt of the necessary approvals, identify the appropriate fund and account from which to issue the refunds; and,
3. Authorize the RAP's Chief Accounting Employee to make technical corrections as necessary to carry out the intent of this Report.

SUMMARY:

RAP is in receipt of a request for a refund of park acquisition and development fees paid to RAP pursuant to Los Angeles Municipal Code (LAMC) Section 17.12.

On April 27, 2011, the Department of City Planning determined that a fee in the amount of Two Million, Two Hundred Eighty-Three Thousand, Nine Hundred Fifteen Dollars (\$2,283,915.00) be paid or guaranteed to RAP prior to the recordation of the final tract

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map TT-67429 for the residential development project located at 6201 and 6202 West Hollywood Boulevard. RAP determined that, pursuant to LAMC 17.12 F.1, the various private recreational improvements that [Blvd_[PLI] 6200 Owner, LLC (Developer) proposed to install as a part of the development would be eligible for a credit in the amount of Fifty Three Thousand, Three Hundred Forty Dollars (\$53,340.00) towards the total Quimby fee. On October 12, 2011, the Developer recorded a Covenant and Agreement against the property with the promise to install the identified private recreational improvements on the property. On November 4, 2011, the Developer paid the determined fee amount to RAP but did not deduct from that payment the agreed upon credit of Fifty Three Thousand, Three Hundred Forty Dollars (\$53,340.00).

Due to this overpayment of fees, the Developer has submitted a request for refund claim (Claim No. 116554) for a refund of Fifty Three Thousand, Three Hundred Forty Dollars (\$53,340.00) of the Quimby fees paid to RAP.

The City's general refund provisions and procedures are found in LAMC Sections 22.12 and 22.13. LAMC Sections 22.12(a) and 22.13(a) authorize the head of the Department to approve refunds of tax, license fee, permit fee, or application fee without the prior approval of the City Council, if such refund does not exceed a certain monetary limit. That monetary limit is subject to adjustment at the beginning of each fiscal year and the amount of the adjustment is calculated by the City Controller. The current limit of RAP head refund authority is \$46,464. All refunds request over that limit are subject to the prior approval of the City Council.

ENVIRONMENTAL IMPACT STATEMENT:

Staff has determined that this action is not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15060(c), as it is an activity that will not result in a direct or reasonably foreseeable indirect physical change in the environment and is not a project under CEQA Guidelines Section 15378. Therefore, no CEQA documentation is required.

FISCAL IMPACT STATEMENT:

The approval of this report will have a negative fiscal impact on RAP.

This Report was prepared by Darryl Ford, Principal Project Coordinator, Planning, Construction, and Maintenance Branch.