

MOTION

Section 91.107.4.6 of the Los Angeles Municipal Code relative to the Arts Development Fee (ADF) requires owners of private development projects for commercial or industrial buildings to pay an arts fee as part of the approval process for the projects.

The ADF is collected by the Department of Building and Safety (DBS) when the developer applies for a building permit for the project, and the fee is subsequently deposited in Department of Cultural Affairs Fund No. 516.

On March 14, 2018, Kilroy Realty Corporation, formerly known as KR Academy LLC, entered into an Agreement with the Department of Cultural Affairs (DCA) to fulfill their ADF requirement for a development located at 1375 N. Vine Street. On January 2, 2019, it was determined that the DBS assessment of a new development in a shared vicinity located at 6930 W. Delongpre Avenue captured an additional ADF fee of \$99,955.48 in error.

The new ADF fee associated with the 6390 W. Delongpre Avenue development was deposited into the ADF Trust Fund, and the Department of Cultural Affairs has held on to the fee as financial collateral for the project associated with 1375 N. Vine Street and 6390 W. Delongpre Avenue. The terms of the Agreement are now satisfied, and the Department of Cultural Affairs is supportive of the refund claim in the amount of \$99,955.48.

I THEREFORE MOVE that the Department of Cultural Affairs be instructed and authorized to process Claim #147709 for the refund of an Arts Development Fee in the amount of \$99,955.48 which was paid by Kilroy Realty Corporation, under circumstances described in the text of this Motion.

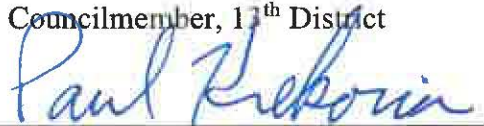
I FURTHER MOVE that the Controller be authorized to make payment to Kilroy Realty Corporation, in the amount of \$99,955.48 from the Arts Development Trust Fund 516 for the above purpose.

I FURTHER MOVE that the Department of Cultural Affairs be authorized to make any technical corrections or clarifications to the above financial transaction instructions in order to effectuate the intent of this Motion.

PRESENTED BY:


MITCH O'FARRELL
Councilmember, 1th District

SECONDED BY:



JUN 24 2022

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ORIGINAL