

Los Angeles Times

MEDIA GROUP

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* Agency Commission not included

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Preview

LEGAL

NOTICE OF ELECTION SECTION 21168.6.8 OF THE

DATE: Decem

Project Title: Inglewood Basketb

State Clearinghouse Number: 20

Zoning: Limited Manufacturing (

Location: Various parcels in the v
Public Resources Code

Proposed Project Lot Size: +/- 2/

Project Sponsor/Applicant: Mur

Lead Agency: City of Inglewood

City Contact: Mindy Wilcox, AIC

City of Inglewood

One West Manch

Inglewood, CA 9

E-Mail: ibecproject@cityofinglew

NOTICE IS

THE APPLICANT HAS ELECTED TO PROCEED UNDER SECTION 21168.6.8 OF THE PUBLIC RESOURCES CODE, WHICH PROVIDES, AMONG OTHER THINGS, THAT THE APPLICANT SHALL BE SUBJECT TO THE PROCEDURES SET FORTH IN SECTION 21186.6.8 OF THE PUBLIC RESOURCES CODE. A COPY OF SECTION 21168.6.8 OF THE PUBLIC RESOURCES CODE IS ATTACHED TO THIS NOTICE.

California Public Resources Code, § 21168.6.8. City of Inglewood Sp

(a) For the purposes of this section, the following definitions apply:

(1) "Applicant" means a private or public entity or its affiliates that proposes to implement and operate all or any portion of the project and its sub

(2) "Arena" means an 18,000 to 20,000 seat arena built as part of the project for National Basketball Association (NBA) basketball games and other

(3) "Project" means a project located within the project area consisting of the arena plus practice and athletic training facility, and related parking; approximately 30,000 square feet of sports medicine clinic space up to approximately 70,000 square feet of ancillary retail, restaurant, community

(A) Receives Leadership in Energy and Environmental Design (LEED) gold certification for new construction within one year of the completion of

(B) (i) Requires a transportation demand management program that, upon full implementation, will achieve and maintain a 15-percent reduction in transportation demand management program.

(ii) To accelerate and maximize vehicle trip reduction, each measure in the transportation demand management program shall be implemented during which an NBA team has played at the arena.

(iii) A 15-percent reduction in vehicle trips shall be achieved and maintained as soon as feasible, but not later than January 1, 2030. The applicant

(iv) If the applicant fails to verify achievement of the reduction required by clause (iii), the lead agency shall impose additional feasible measures to meet the 2035.

(C) Is located on an infill site.

(D) Is consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in either a subsequent paragraph (2) of subdivision (b) of Section 65080 of the Government Code, has accepted a metropolitan planning organization's determination of transportation demand management reduction targets.

(4) "Project approval" means any action, activity, ordinance, resolution, agreement, approval, determination, finding, or decision taken, adopted,

(5) "Project area" means real property in the City of Inglewood consisting of approximately 35 acres, including without limitation areas generally

(A) Assessor identification numbers 4032-001-005, 4032-001-006, 4032-001-033, 4032-001-035, 4032-001-039, 4032-001-048, 4032-001-049, 4032-004-914, 4032-007-035, 4032-007-900 to 4032-007-905, inclusive, 4032-008-001, 4032-008-002, 4032-008-006, 4032-008-034, 4032-008-035, 4032-

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NOTICE

TO PROCEED UNDER PUBLIC RESOURCES CODE

Number 18, 2019

Arts and Entertainment Center (AEC)

18021056

M-1L, Airport Commercial [C-2A], Parking [P-1], Residential Limited Multifamily [R-2], and Residential Multiple Family [R-3].

vicinity of the intersection of West Century Boulevard and South Prairie Avenue in the City of Inglewood, all within the "project area" as defined in Section 21168.6.8(a)(5).

3 acres

Phy's Bowl LLC

P, Planning Manager

, Planning Division

ester Boulevard, 4th Floor

0301

od.org

HEREBY GIVEN:

INGS, THAT ANY JUDICIAL ACTION CHALLENGING THE CERTIFICATION OF THE EIR OR THE APPROVAL OF THE PROJECT DESCRIBED IN THE EIR IS
C RESOURCES CODE IS INCLUDED BELOW.

Arts and Entertainment project, procedures; expedited judicial review

ccessors, heirs, and assignees.

r spectator events.

g and access, infrastructure construction or relocation, and landscaping, up to approximately 75,000 square feet of associated office space, up to
y space, and similar uses, and a hotel, provided that the project meets all of the following:

the first NBA season.

1 in the number of vehicle trips, collectively, by attendees, employees, visitors, and customers as compared to operations absent the

d as soon as feasible, so that no less than a 7.5-percent reduction in vehicle trips is achieved and maintained by the end of the first NBA season

shall verify achievement to the lead agency and the Office of Planning and Research.

to reduce vehicle trips by 17 percent, or, if there is a rail transit line with a stop within one-quarter mile of the arena, 20 percent, by January 1,

ainable communities strategy or an alternative planning strategy for which the State Air Resources Board, pursuant to subparagraph (H) of
hat the sustainable communities strategy or the alternative planning strategy would, if implemented, achieve the greenhouse gas emission

or approved by the lead agency required to allow the applicant to commence the construction of the project, as determined by the lead agency.
described as follows:

!-001-900 to 4032-001-913, inclusive, 4032-002-913 to 4032-002-917, inclusive, 4032-003-912, 4032-003-914, 4032-003-915, 4032-004-913, 4032-
!-008-900 to 4032-008-905, inclusive, 4032-008-907, 4032-008-908, 4034-004-026, 4034-004-900 to 4034-004-913, inclusive, and 4034-005-900 to

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4034-005-912, inclusive.

(B) West 101st Street from its intersection with South Prairie Avenue westerly to a line approximately 488 feet west of the western boundary of South Prairie Avenue.

(C) Adjacent areas or air space to be used for access.

(6) "Transportation demand management program" means a specific program of strategies, incentives, and tools to be implemented, with special event attendees and employees to choose sustainable travel options such as transit, bicycle riding, or walking. A specific program of strategies, incentives, and tools to be implemented, with special event attendees and employees to choose sustainable travel options such as transit, bicycle riding, or walking. A specific program of strategies, incentives, and tools to be implemented, with special event attendees and employees to choose sustainable travel options such as transit, bicycle riding, or walking.

(A) Provision of shuttles, charter buses, or similar services from a major transit stop to serve arena events.

(B) Provision of onsite electric vehicle charging stations in excess of applicable requirements.

(C) Provision of dedicated parking for car-share or zero-emission vehicles, or both types of vehicle, in excess of applicable requirements.

(D) Provision of bicycle parking in excess of applicable requirements.

(E) Inclusion of a transit facility with area dedicated to shuttle bus staging, ride share, bicycle parking, and other modalities intended to reduce the number of single-occupancy vehicles.

(b) The Governor may certify the project for streamlining pursuant to this section if all the following conditions are met:

(1) The project will result in a minimum investment of one hundred million dollars (\$100,000,000) in California upon completion of construction.

(2) (A) (i) The project creates high-wage, highly skilled jobs that pay prevailing wages and living wages, employs a skilled and trained workforce, helps reduce unemployment. For purposes of this subdivision, "jobs that pay prevailing wages" means that all construction workers employed in the project are paid at least the prevailing wage for their occupation, as determined by the Director of Industrial Relations pursuant to Sections 1773 and 1773.9 of the Labor Code, if the project is certified for streamlining pursuant to this section.

(ii) Clause (i) does not apply to a contractor or subcontractor performing the work on the project that is subject to a project labor agreement that requires payment of wages through an arbitration procedure. For purposes of this clause, "project labor agreement" has the same meaning as set forth in paragraph (3).

(B) (i) If the project is certified pursuant to this subdivision, contractors and subcontractors shall pay to all construction workers employed in the project the prevailing wage for their occupation, as determined by the Director of Industrial Relations pursuant to Sections 1773 and 1773.9 of the Labor Code, which may be reviewed pursuant to Section 1742 of the Labor Code, within 18 months after the completion of the project, or by an underwriter and surety on a bond or bonds issued to secure the payment of wages covered by the assessment shall be liable for liquidated damages pursuant to paragraph (3).

(ii) Except as provided in clause (iii), the obligation of the contractors and subcontractors to pay prevailing wages pursuant to subparagraph (A) shall be enforceable by the lead agency or another agency designated by the lead agency, in the case of an environmental impact report, or by the lead agency or another agency designated by the lead agency, in the case of an environmental impact statement.

(iii) Clause (ii) does not apply if all contractors and subcontractors performing work on the project are subject to a project labor agreement that requires payment of wages through an arbitration procedure. For purposes of this subparagraph, "project labor agreement" has the same meaning as set forth in paragraph (3).

(3) The project does not result in any net additional emission of greenhouse gases, including greenhouse gas emissions from employee transportation. The State Air Resources Board is encouraged to make its determination no later than 120 calendar days after receiving an application for review.

(4) The project applicant demonstrates compliance with the requirements of Chapters 12.8 (commencing with Section 42649) and 12.9 (commencing with Section 42650) of the Public Resources Code.

(5) The project applicant has entered into a binding and enforceable agreement that all mitigation measures required pursuant to this division shall be fully enforceable by the lead agency or another agency designated by the lead agency. In the case of an environmental impact report, those measures will be monitored and enforced by the lead agency for the life of the obligation. The project applicant shall submit to the lead agency a monitoring and enforcement plan.

(6) The project applicant agrees to pay any additional costs incurred by the courts in hearing and deciding any case subject to this section, as provided in the Rules of Court adopted by the Judicial Council.

(7) The project applicant agrees to pay the costs of preparing the record of proceedings for the project concurrent with review and consideration of the project.

(c) (1) The Governor may certify the project for streamlining pursuant to this section if it complies with the conditions specified in subdivision (b).

(2) (A) Prior to certifying the project, the Governor shall make a determination that each of the conditions specified in subdivision (b) has been met.

(B) (i) If the Governor determines that the project is eligible for streamlining pursuant to this section, he or she shall submit that determination, along with a copy of the project application, to the Joint Legislative Budget Committee.

(ii) Within 30 days of receiving the determination, the Joint Legislative Budget Committee shall concur or nonconcur in writing on the determination.

(iii) If the Joint Legislative Budget Committee fails to concur or nonconcur on a determination by the Governor within 30 days of the submission of the determination, the project shall be deemed to have been certified for streamlining pursuant to this section.

(3) The guidelines issued pursuant to Chapter 6.5 (commencing with Section 21178) apply for the implementation of this section to the extent that they are not inconsistent with the provisions of this section.

(d) (1) Within 10 days of the Governor certifying the project pursuant to this section, the lead agency shall, at the applicant's expense, issue a public notice.

***THE APPLICANT HAS ELECTED TO PROCEED UNDER SECTION 21168.6.8 OF THE PUBLIC RESOURCES CODE, WHICH PROVIDES, AMONG OTHER THINGS, THAT THE PROJECT DESCRIBED IN THE EIR IS SUBJECT TO THE PROCEDURES SET FORTH IN SECTION 21186.6.8 OF THE PUBLIC RESOURCES CODE.**

(2) The public notice shall be distributed by the lead agency as required for public notices issued pursuant to paragraph (3) of subdivision (b) of Section 21186.6.8 of the Public Resources Code.

(e) Notwithstanding any other law, the procedures set forth in subdivision (f) shall apply to any action or proceeding brought to attack, review, set aside, or annul any project approval.

(f) Rules 3.2220 to 3.2237, inclusive, of the California Rules of Court, as may be amended by the Judicial Council, shall apply to any action or proceeding brought to attack, review, set aside, or annul any project approval to require the actions or proceeding, including any potential appeals therefrom, to be resolved, to the extent feasible, within 270 days of the filing of the petition or motion, or such longer period as the Rules of Court, as necessary, to implement this subdivision.

(g) Notwithstanding any other law, the preparation and certification of the record of proceedings for the certified project shall be performed in accordance with the provisions of this section.

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South Prairie Avenue, and West 102nd Street from its intersection with South Prairie Avenue easterly to a line approximately 883 feet east of the

public annual status reporting obligations in accordance with paragraph (5) of subdivision (b), to reduce vehicle trips by providing opportunities for incentives, and tools includes, but is not limited to, the following:

the use of single occupant vehicles.

as defined in subdivision (d) of Section 2601 of the Public Contract Code, provides construction jobs and permanent jobs for Californians, and the execution of the project will receive at least the general prevailing rate of per diem wages for the type of work and geographic area, as

including, the project applicant shall include this requirement in all contracts for the performance of the work.

including the payment of prevailing wages to all construction workers employed in the execution of the project and providing for enforcement of

paragraph (1) of subdivision (b) of Section 2500 of the Public Contract Code.

execution of the project at least the general prevailing rate of per diem wages.

may be enforced by the Labor Commissioner through the issuance of a civil wage and penalty assessment pursuant to Section 1741 of the Labor

said worker through an administrative complaint or civil action. If a civil wage and penalty assessment is issued, the contractor, subcontractor,

to Section 1742.1 of the Labor Code.

requires the payment of prevailing wages to all construction workers employed in the execution of the project and provides for enforcement of

in paragraph (1) of subdivision (b) of Section 2500 of the Public Contract Code.

ration, as determined by the State Air Resources Board pursuant to Division 25.5 (commencing with Section 38500) of the Health and Safety

view of the methodology and calculations of the project's greenhouse gas emissions.

including with Section 42649.8) of Part 3 of Division 30, as applicable.

and any other environmental measures required by this section to certify the project under this section shall be conditions of approval of the

environmental mitigation measures and any other environmental measures required by this section, the applicant agrees, as an ongoing obligation,

to file with the lead agency an annual status report on the implementation of the environmental mitigation measures and any other environmental measures

including, including payment of the costs for the appointment of a special master if deemed appropriate by the court, in a form and manner specified

in the terms and conditions of the project pursuant to this division, in a form and manner specified by the lead agency for the project.

and any other findings. These findings are not subject to judicial review.

and any supporting information, to the Joint Legislative Budget Committee for review and concurrence or nonconcurrence.

certification.

and any other findings. If the project is deemed to be certified.

and any other findings. If the guidelines are applicable and do not conflict with specific requirements of this section, including the transportation demand management

public notice in no less than 12-point type stating the following:

NOTING OTHER THINGS, THAT ANY JUDICIAL ACTION CHALLENGING THE CERTIFICATION OF THE EIR OR THE APPROVAL OF THE PROJECT RESOURCES CODE. A COPY OF SECTION 21168.6.8 OF THE PUBLIC RESOURCES CODE IS INCLUDED BELOW

Section 21092.

and any other findings. If the project is set aside, void, or annul the certification of any environmental impact report for the project that is certified pursuant to this section or the

and any other findings. If the project is set aside, void, or annul the certification of any environmental impact report for the project or granting of any

70 days of the filing of the certified record of proceedings with the court. On or before July 1, 2019, the Judicial Council shall amend the California

in the following manner:

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- (2) All documents and other materials placed in the record or proceedings shall be posted on, and be downloadable from, an internet web site n
- (3) The lead agency shall make available to the public in a readily accessible electronic format the draft environmental impact report and all othe
- (4) A document prepared by the lead agency or submitted by the applicant after the date of the release of the draft environmental impact report days after the document is released or received by the lead agency.
- (5) The lead agency shall encourage written comments on the project to be submitted in a readily accessible electronic format, and shall make ar
- (6) Within 14 business days after the receipt of any comment that is not in an electronic format, the lead agency shall convert that comment into
- (7) Notwithstanding paragraphs (2) to (6), inclusive, documents submitted to or relied on by the lead agency that were not prepared specifically documents, the lead agency shall make an index of these documents available in an electronic format no later than the date of the release of the the draft environmental impact report. The index shall specify the libraries or lead agency offices in which hardcopies of the copyrighted materia
- (8) The lead agency shall certify the final record of proceedings within five days after the filing of the notice required by subdivision (a) of Section
- (9) Any dispute arising from the record of proceedings shall be resolved by the superior court. Unless the superior court directs otherwise, a party
- (10) The contents of the record of proceedings shall be as set forth in subdivision (e) of Section 21167.6.
- (h) The provisions of this section are severable. If any provision of this section or its application is held invalid, that invalidity shall not affect other
- (i) (1) If the lead agency fails to certify an environmental impact report for the project before January 1, 2025, this section shall become inoperativ
- (2) The lead agency shall notify the Secretary of State if it fails to certified the environmental impact report for the project before January 1, 2025.
- (j) (1) As a condition of approval of the project, the lead agency shall require the applicant, with respect to any measures specific to the operation first NBA regular season, whichever is later, during which an NBA team has played at the arena.
- (2) To maximize public health, environmental, and employment benefits, the lead agency shall require measures that will reduce the emissions o
- (3) Not less than 50 percent of the greenhouse gas emissions reductions necessary to achieve the requirement of paragraph (3) of subdivision (b
- (A) Project design features or onsite reduction measures, or both design features and onsite reduction measures, that include, but are not limited
- (i) Implementing project design features that enable the arena to exceed the building energy efficiency standards set forth in Part 6 of Title 24 of gold certification requirement.
- (ii) Requiring a transportation demand management program to reduce single-occupancy vehicular travel and vehicle miles traveled.
- (iii) Providing onsite renewable energy generation, including a solar roof on the arena with a minimum peak generation capacity of 500 kilowatt
- (iv) Providing solar-ready roofs.
- (v) Providing cool roofs and "cool parking" promoting cool surface treatment for new parking facilities.
- (B) Off-site reduction measures in the neighboring communities, including, but not limited to, any of the following:
- (i) Temporarily expanding the capacity of a public transit line, as appropriate, to serve arena events.
- (ii) Paying its fair share of the cost of measures that expand the capacity of public transit, if appropriate, that is used by spectators attending aren
- (iii) Providing funding to an off-site mitigation project consisting of replacing buses, trolleys, or other transit vehicles with zero-emission vehicles
- (iv) Providing off-site safety or other improvements for bicycles, pedestrians, and transit connections.
- (v) Providing zero-emission transit buses to serve arena events and to meet other local transit needs, including senior and public school transpor
- (vi) Undertaking or funding building retrofits to improve the energy efficiency of existing buildings.
- (4) The applicant may obtain offset credits for up to 50 percent of the greenhouse gas emissions reductions necessary to achieve the requiremen produce emission reductions within the City of Inglewood or the boundaries of the South Coast Air Quality Management District. Any offset cred States shall not be used pursuant to this paragraph.
- (k) As a condition of approval of the project, the lead agency shall require the applicant, in consultation with the South Coast Air Quality Manager reductions required by other laws or regulations in communities surrounding the project consistent with emission reduction measures that may
- (1) At a minimum, these measures shall achieve reductions of a minimum of 400 tons of oxides of nitrogen and 10 tons of PM2.5, as defined in Se reductions of a minimum of 130 tons of oxides of nitrogen and 3 tons of PM2.5 shall be achieved within the first year following commencement c laws.
- 2) If the project applicant can demonstrate and verify to the South Coast Air Quality Management District that it has invested at least thirty million half of the reductions set forth in paragraph (1) are met.
- (3) Greenhouse gas emissions reductions achieved pursuant to this subdivision shall count toward the applicant's obligations under paragraph (1
- (l) This section does not apply to a project that proposes the construction of a new gambling establishment, as defined in Section 19805 of the Bu
- Si no entiende esta noticia o si necesita mas informacion, favor de llamar onu este numero (310) 412-5230.**

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maintained by the lead agency commencing with the date of the release of the draft environmental impact report.
documents submitted to, or relied on by, the lead agency in the preparation of the draft environmental impact report.
that is a part of the record of the proceedings shall be made available to the public in a readily accessible electronic format within five business

comment available to the public in a readily accessible electronic format within five days of its receipt.
a readily accessible electronic format and make it available to the public in that format.
for the project and are copyright protected are not required to be made readily accessible in an electronic format. For those copyright-protected
draft environmental impact report, or within five business days if the document is received or relied on by the lead agency after the release of
is available for public review.

21152.
disputing the content of the record shall file a motion to augment the record at the time it files its initial brief.

provisions or applications that can be given effect without the invalid provision or application.
and is repealed as of that date.

of the arena, to implement measures that will meet the requirements of this division by the end of the first NBA regular season or June of the

of greenhouse gases in the project area and in the neighboring communities of the arena.
shall be from local, direct greenhouse gas emissions reduction measures, including, but not limited to, any of the following:
to, any of the following:

the California Code of Regulations, except for 50 percent of emissions reductions attributable to design features necessary to meet the LEED

s.

ia events.

tation services.

ts of paragraph (3) of subdivision (b). The applicant shall, to the extent feasible, place the highest priority on the purchase of offset credits that
its shall be verified by a third party accredited by the State Air Resources Board. Offset credits generated by a project located outside the United

ment District, to implement measures that will achieve criteria pollutant and toxic air contaminant reductions over and above any emission
be identified for those communities pursuant to Section 44391.2 of the Health and Safety Code.
ction 39047.2 of the Health and Safety Code, over 10 years following the commencement of construction of the project. Of these amounts,
if construction of the project. The reductions required pursuant to this paragraph are in addition to any other requirements imposed by other

n dollars (\$30,000,000) to achieve the requirements of this subdivision, the requirements of this subdivision shall be deemed met, so long as one-

of subdivision (j).
Business and Professions Code or Section 337 of the Penal Code.