

**TO THE COUNCIL OF THE
CITY OF LOS ANGELES**

Your JOBS AND BUSINESS DEVELOPMENT COMMITTEE

reports as follows:

JOBS AND BUSINESS DEVELOPMENT COMMITTEE REPORT and ORDINANCE relative to the proposed Westchester Town Center (Property-Based) Business Improvement District.

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

1. PRESENT and ADOPT the accompanying Ordinance of Intention to establish the Westchester Town Center Business Improvement District.
2. ADOPT the Preliminary Report of the City Clerk.
3. ADOPT the attached Management District Plan.
4. ADOPT the attached Engineer's Report.
5. FIND that:
 - a. The petitions submitted on behalf of the proponents of the proposed Westchester Town Center Business Improvement District are signed by property owners who will pay more than fifty (50) percent of the assessments proposed to be levied.
 - b. All parcels that will have a special benefit conferred upon them and upon which an assessment would be imposed are those as identified in the Management District Plan.
 - c. In accordance with Article XIID of the California Constitution and based on the facts and conclusions contained in the attached Engineer's Report, the assessment levied on each parcel within the proposed District is proportionate to the special benefit derived from the improvements and activities that are to be provided.
 - d. In accordance with Article XIID of the California Constitution and based on the facts and conclusions contained in the attached Engineer's Report, there are no general benefits to be separated from the special benefits conferred on each parcel within the proposed District.
 - e. In accordance with Article XIID of the California Constitution and based on the facts and conclusions contained in the attached Engineer's Report, no assessment imposed on any parcel exceeds the reasonable cost of the proportional special benefit conferred on that parcel.
 - f. That the assessments for the proposed District are not taxes and that the District qualifies for exemption from Proposition 26 under exemption 7 of Article XIIC §1(e).
 - g. That the services to be provided by the Owners' Association are in the nature of professional, expert, technical or other special services, that the services are of a temporary and occasional character, and that the use of competitive bidding would be impractical, not advantageous, undesirable or where the common law otherwise excuses compliance with competitive bidding requirements.

6. APPROVE the Westchester Business Improvement Association to serve as the Owners' Association to administer the Westchester Town Center Business Improvement District.
7. AUTHORIZE the City Clerk, upon establishment of the District, to prepare, execute and administer a contract between the City of Los Angeles and the Westchester Business Improvement Association, a non-profit corporation, for the administration of the District's programs.
8. DIRECT the City Clerk to comply with the notice, protest, and hearing procedures prescribed in the Proposition 218 Omnibus Implementation Act (California Government Code, Section 53750 et seq.).
9. REQUEST the City Attorney, with the assistance of the City Clerk, to prepare an enabling Ordinance establishing the Westchester Town Center Business Improvement District for City Council consideration at the conclusion of the required public hearing.

Fiscal Impact Statement: The City Clerk reports that assessments levied on the Los Angeles World Airport properties within the District will not be paid from the General Fund.

Community Impact Statement: None submitted.

SUMMARY

In its transmittal dated June 9, 2011, the City Clerk reports that it has received materials relative to the formation of a proposed property and business improvement district to be called Westchester Town Center Business Improvement District. It would be formed pursuant to the provisions of the Property and Business Improvement District law of 1994 (Section 36600 et seq., Streets and Highways Code, State of California (State Law)) which allows for the establishment of a district in which operations would be supported by revenue collected from property owners in the district. The proposed Arts District Business Improvement District programs include, but are not limited to the following: Ambassador Services, Landscape Maintenance and Beautification, Marketing and Promotions, New Business Attraction, Reserve and Delinquency and Administration.

At a meeting held June 14, 2011, the Jobs and Business Development Committee considered this matter and recommended that Council approve the recommendations of the City Clerk, as submitted in its report. This matter is now submitted to Council for its consideration.

Respectfully submitted,

JOBS AND BUSINESS DEVELOPMENT COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
ALARCON:	YES
KREKORIAN:	YES
PARKS:	YES

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- Not Official Until Council Acts -