

CITY OF LOS ANGELES
CALIFORNIA

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

February 23, 2012

To All Interested Parties:

The City Council adopted the action(s), as attached, under Council File No. 12-0145,
at its meeting held February 15, 2012, to set a Public Hearing Date of April 18,
2012.

City Clerk
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TIME LIMIT FILES
ORDINANCES

Mayor's Time Stamp
OFFICE OF THE MAYOR OF
RECEIVED
2012 FEB 17 PM 3:26
CITY OF LOS ANGELES

City Clerk's Time Stamp
CITY CLERK'S OFFICE
2012 FEB 17 PM 3:28
CITY CLERK
BY _____
DEPUTY

COUNCIL FILE NUMBER 12-0145 COUNCIL DISTRICT 5

COUNCIL APPROVAL DATE February 15, 2012 LAST DAY FOR MAYOR TO ACT FEB 27 2012

ORDINANCE TYPE: Ord of Intent Zoning Personnel General

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

SUBJECT MATTER: **SETTING APRIL 18, 2012, AS THE HEARING DATE FOR THE MAINTENANCE OF THE RIVERSIDE DRIVE AND ATOLL AVENUE (RE-BALLOT) LIGHTING DISTRICT**

	APPROVED	DISAPPROVED	BY
BUREAU OF STREET LIGHTING	<u>X</u>	_____	CITY CLERK DEPUTY
BOARD OF PUBLIC WORKS	<u>X</u>	_____	
CITY ATTORNEY	<u>X</u>	_____	
CITY ADMINISTRATIVE OFFICER	_____	_____	
OTHER	_____	_____	

RECEIVED
CITY CLERK'S OFFICE
2012 FEB 22 PM 12:42

FEB 22 2012

DATE OF MAYOR APPROVAL, DEEMED APPROVED OR *VETO FEB 22 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 FEB 22 2012 ORDINANCE NO. 182051

DATE PUBLISHED _____ DATE POSTED FEB 23 2012 EFFECTIVE DATE MAR - 4 2012

ORD OF INTENT: HEARING DATE _____ ASSESSMENT CONFIRMATION _____

ORDINANCE FOR DISTRIBUTION: YES NO

36

**DEPARTMENT OF PUBLIC WORKS
BUREAU OF STREET LIGHTING**

DATE JAN 31 2012

C.D. 05

Honorable City Council
of the City of Los Angeles

**RIVERSIDE DR. & ATOLL AVE. (RE-BALLOT)
STREET LIGHTING MAINTENANCE ASSESSMENT DISTRICT**

This report submits the proposed Ordinance of Intention to institute maintenance assessment proceedings for the above Street Lighting District.

RECOMMENDATIONS

1. Council adopt this report and the Ordinance of Intention, and that the proceedings be conducted in accordance with Sections 6.95 - 6.127 of the Los Angeles Administrative Code, Section 53753 of the California Government Code, and Proposition 218 (Articles XIII C and XIII D of the California Constitution). This includes Council holding a Public Hearing for the proposed District Diagram with City page number 13885.
2. Upon Council adoption of the Ordinance of Intention, the Bureau of Street Lighting be instructed to: Mail notices of the assessment ballot proceedings, and Mail assessment ballots (as required by Prop. 218) to the property owners in the lighting district.
3. Upon completion of Item 2 above, the City Clerk be instructed to conduct the assessment ballot proceedings (i.e. count, certify, and report the results of the assessment ballot proceedings to the Council)
4. Following the conclusion of the final public hearing, if a project has weighted "YES" votes equal to, or in excess of weighted "NO" votes, the Council shall deny the appeals, confirm the maintenance assessments, and adopt the Final Ordinance levying the assessments. If the weighted "NO" votes are in excess of weighted "YES" votes, Council will abandon the lighting district and proceedings in accordance with Proposition 218; and the affected street lighting system shall be removed from service or not be constructed.
5. A copy of this report be provided to each affected Council office and the Mayor's Office of Economic Development.

The passage of Proposition 218 on November 5, 1996, requires a vote of the property owners prior to Council confirming and levying the assessments for maintenance. Upon adoption of the transmitted Ordinance of Intention, the Council shall set a date for hearing appeals and the last day to receive completed assessment ballots. A hearing to be held by the Board of Public Works will be scheduled at least one week prior to the date of the public hearing for the City Council to review and resolve any appeals concerning the proposed maintenance assessments – as specified in the Engineer's Report. If the assessment ballot proceeding as required by Proposition 218 approves these assessments, the City Council may confirm and levy the assessments. If levied, the administration of this district may be combined with that of another district or districts in the future as provided in the Ordinance of Intention. Protests that are received, as described in the Administrative Code, are for the consideration of the Council, but are not binding. Only a weighted majority vote against the assessment is binding.

In accordance with Council Policy adopted on December 11, 1998, the Bureau of Street Lighting will cast ballots in favor of the assessments for all Council controlled public properties in the district.

SUMMARY

TOTAL STREETLIGHTS:	1	
AFFECTED PARCELS:	5	
TOTAL ASSESSMENTS:	\$259.04	
TAX YEAR:	2012/2013	
TYPE OF PROJECT:	CONSTRUCTED PRIVATE DEVELOPMENT PROJECT	

Ord of Intent
ADOPTED

FEB 15 2012

LOS ANGELES CITY COUNCIL

SET FOR HEARING *April 18, 2012*

TRANSMITTALS

1. Ordinance of Intention, approved as to form and legality by the City Attorney, for the proposed assessment district.
2. Diagram delineating those lands proposed to be assessed.
3. Proposed assessment roll.
4. Engineer's report as required by Proposition 218.

Report prepared by:
 Community Services Division
 Prop. 218 Compliance Section
 Shan Yu, Street Lighting Engineer Associate II
 Ruben Flamenco, P.E., St. Lighting Division Mngr.

Respectfully submitted,

Ruben Flamenco FOR
 Ed Ebrahimian, Director
 Bureau of Street Lighting

(SY: L:\\$PROP218\Council Report\CR - Riverside & Atoll (re-ballot).doc)

MAYOR WITH FILE



ORDINANCE OF INTENTION

12-0145
CD 5

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Riverside Drive and Atoll Avenue (Re-Ballot) Lighting District.

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

1. ADOPT the report of the Director, Bureau of Street Lighting, dated January 31, 2012.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **APRIL 18, 2012** as the hearing date for the maintenance of the Riverside Drive and Atoll Avenue (Re-Ballot) Lighting District, in accordance with Proposition 218, Articles XIII C and XIII D of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$259.04 will be collected annually starting with tax year 2012-13 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: April 11, 2012)

(ord of intent in Ccl. on 02-15-12)

cc: City Engineer
Bureau of Street Lighting
Principal Clerk, City Clerk
Councilmember Koretz

ADOPTED

FEB 15 2012

LOS ANGELES CITY COUNCIL