



## Council Action

The City Council ADOPTED the following recommendation(s), contained in a COMMUNICATION FROM THE CITY CLERK which were WAIVED, pursuant to Council Rule 17, by the Chair of the Economic Development Committee, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. FIND that:

- a. The petitions submitted on behalf of the proponents of the proposed Studio City Property BID are signed by property owners who will pay more than fifty (50) percent of the assessments proposed to be levied.
- b. All parcels included in the District will receive a special benefit from the improvements and activities that are to be provided.
- c. 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.
- d. In accordance with Article XIID of the California Constitution, all assessments are supported by the Engineer's Report, prepared by a registered professional engineer certified by the State of California.
- e. In accordance with Article XIID of the California Constitution and based on the facts and conclusions contained in the 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.
- f. In accordance with Article XIID of the California Constitution and based on the facts and conclusions contained in the Engineer's Report, the Engineer has separated the general from special benefits. The Engineer's Report identified general benefits in the amount of 6.53 percent to be separated from the special benefits conferred on parcels within the proposed District. The yearly general benefits cost must be paid from funds other than the assessments collected for the Studio City Property BID. The general benefit cost for first year of operation is \$29,411.08.
- g. No publicly owned parcel is exempt from assessment.

- h. The assessments for the proposed District are not taxes and that the District qualifies for exemption from Proposition 26 under exemption 7 of Article XIII C §1(e).
  - i. 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.
  - j. The proposed improvements and activities are completely separate from the day to day operations of the City of Los Angeles.
2. APPROVE Studio City Improvement Association to serve as the Owners' Association to administer the Studio City Property BID.
  3. ADOPT the Preliminary Report of the City Clerk, attached to Council file (C.F.) No. 12-1543.
  4. ADOPT the Management District Plan, attached to C.F. No. 12-1543.
  5. ADOPT the Engineer's Report, attached to C.F. No. 12-1543.
  6. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION to establish the Studio City Property BID.
  7. AUTHORIZE the City Clerk, upon establishment of the District, to prepare, execute and administer a contract between the City of Los Angeles and Studio City 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 Studio City Property BID for Council consideration at the conclusion of the required public hearing.

Council File No. 12-1543

