

# CITY OF LOS ANGELES

CALIFORNIA



ERIC GARCETTI  
MAYOR

JUNE LAGMAY  
City Clerk

HOLLY L. WOLCOTT  
Executive Officer

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

Office of the  
CITY CLERK

Council and Public Services  
Room 395, City Hall  
Los Angeles, CA 90012  
General Information - (213) 978-1133  
Fax: (213) 978-1040

SHANNON HOPPES  
Council and Public Services  
Division

[www.cityclerk.lacity.org](http://www.cityclerk.lacity.org)

August 1, 2013

To All Interested Parties:

The City Council adopted the action(s), as attached, under Council File No. 13-0641,  
at its meeting held July 24, 2013.

City Clerk  
io

TIME LIMIT FILES  
ORDINANCES

Mayor's Time Stamp  
OFFICE RECEIVED  
2013 JUL 29 AM 11:51  
CITY OF LOS ANGELES

City Clerk's Time Stamp  
CITY CLERK'S OFFICE  
2013 JUL 29 AM 11:38  
CITY CLERK  
BY \_\_\_\_\_  
DEPUTY

COUNCIL FILE NUMBER 13-0641 COUNCIL DISTRICT \_\_\_\_\_

COUNCIL APPROVAL DATE July 24, 2013 LAST DAY FOR MAYOR TO ACT AUG 08 2013

ORDINANCE TYPE:  Ord of Intent  Zoning  Personnel  General  
 Improvement  LAMC  LAAC  CU or Var Appeals - CPC No. \_\_\_\_\_

SUBJECT MATTER:  
ESTABLISHMENT OF THE FASHION DISTRICT PROPERTY AND BUSINESS IMPROVEMENT DISTRICT, PURSUANT TO SECTION 53753 OF THE CALIFORNIA GOVERNMENT CODE, SECTION 36600 ET SEQ. OF THE CALIFORNIA STREETS AND HIGHWAYS CODE AND ARTICLE XIII D OF THE CALIFORNIA CONSTITUTION

	APPROVED	DISAPPROVED	
PLANNING COMMISSION	_____	_____	BY _____ CITY CLERK DEPUTY 2013 JUL 31 PM 3:28 RECEIVED CITY CLERK'S OFFICE JUL 31 2013
DIRECTOR OF PLANNING	_____	_____	
CITY ATTORNEY	X _____	_____	
CITY ADMINISTRATIVE OFFICER	_____	_____	
OTHER	_____	_____	
	_____	_____	

DATE OF MAYOR APPROVAL DEEMED APPROVED OR \*VETO \_\_\_\_\_  
(\*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 JUL 31 2013 ORDINANCE NO. 182651  
DATE PUBLISHED AUG - 2 2013 DATE POSTED \_\_\_\_\_ EFFECTIVE DATE SEP - 2 2013  
ORD OF INTENT: HEARING DATE \_\_\_\_\_ ASSESSMENT CONFIRMATION \_\_\_\_\_  
ORDINANCE FOR DISTRIBUTION: YES  NO



## 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 Jobs and Business Development Committee, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. FIND that the petitions submitted on behalf of the proponents of the proposed Fashion District BID are signed by property owners who will pay more than 50 percent of the assessments proposed to be levied.
2. FIND that 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.
3. FIND in accordance with Article XIID of the California Constitution and based on the facts and conclusions contained in the Engineer's Report attached to the Council file, that:
  - a. 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.
  - b. The Engineer has separated the general from special benefits. The Engineer's Report identified general benefits in the amount of 2.42 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 Fashion District BID. The general benefit cost for first year of operation is \$88,991.
  - c. No assessment imposed on any parcel exceeds the reasonable cost of the proportional special benefit conferred on that parcel.
4. FIND 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).
5. FIND that the services 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. FIND that the proposed improvements and activities are completely separate from the day to day operations of the City of Los Angeles.
7. APPROVE the Downtown Los Angeles Property Owners' Association to serve as the Owners' Association to administer the Fashion District BID.
8. ADOPT the Preliminary Report of the City Clerk.
9. ADOPT the Management District Plan, attached to the Council file.
10. ADOPT the Engineer's Report, attached to the Council file.
11. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION to establish the Fashion District BID.
12. AUTHORIZE the City Clerk, upon establishment of the District, to prepare, execute and administer a contract between the City of Los Angeles and the Downtown Los Angeles Property Owners' Association, a nonprofit corporation, for the administration of the District's programs upon adoption of the ordinance establishing the District.
13. 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).
14. REQUEST the City Attorney, with the assistance of the City Clerk, to prepare an enabling Ordinance establishing the Fashion District BID for City Council consideration at the conclusion of the required public hearing.

JUL 23 2013 PUBLIC HEARING CLOSED

*Ballot tabulation on July 24, 2013*

**FORTHWITH**

*ORD*  
**ADOPTED**

JUL 24 2013

LOS ANGELES CITY COUNCIL

PUBLIC HEARING CLOSED

*Reconsidered &*  
**Re-ADOPTED**

JUN 4 2013

LOS ANGELES CITY COUNCIL

Council File No. 13-0641

*Report*  
**ADOPTED**

MAY 31 2013

LOS ANGELES CITY COUNCIL

ORDINANCE OVER TO June 7, 2013

**MAYOR WITH FILE**