

CITY OF LOS ANGELES  
CALIFORNIA

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Interim City Clerk



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MAYOR

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

February 21, 2014

To All Interested Parties:

**City Attorney (w/blue sheet)**

The City Council adopted the action(s), as attached, under Council File No. 14-0101,  
at its meeting held February 11, 2014.



City Clerk  
WRQ

TIME LIMIT FILES  
ORDINANCES

OFFICE OF THE MAYOR  
**Mayor's Time Stamp**  
 RECEIVED  
 2014 FEB 13 PM 1:10  
 CITY OF LOS ANGELES

RECEIVED  
**City Clerk's Time Stamp**  
 CITY CLERK'S OFFICE  
 2014 FEB 13 PM 1:10  
 CITY CLERK  
 BY \_\_\_\_\_  
 DEPUTY

COUNCIL FILE NUMBER 14-0101 COUNCIL DISTRICT \_\_\_\_\_

COUNCIL APPROVAL DATE FEBRUARY 11, 2014 LAST DAY FOR MAYOR TO ACT FEB 24 2014

ORDINANCE TYPE:  Ord of Intent  Zoning  Personnel  General

Improvement  LAMC  LAAC  CU or Var Appeals - CPC No. \_\_\_\_\_

SUBJECT MATTER: THE PROPOSED BYZANTINE LATINO QUARTER - PICO PROPERTY-BASED BUSINESS IMPROVEMENT DISTRICT

	APPROVED	DISAPPROVED	
PLANNING COMMISSION	_____	_____	RECEIVED CITY CLERK'S OFFICE 2014 FEB 20 AM 10:03 BY _____ CITY CLERK DEPUTY
DIRECTOR OF PLANNING	_____	_____	
CITY ATTORNEY	<u>X</u>	_____	
CITY ADMINISTRATIVE OFFICER	_____	_____	
OTHER	_____	_____	

FEB 19 2014

DATE OF MAYOR APPROVAL, DEEMED APPROVED OR \*VETO 2-20-14  
 (\*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 2-20-14 ORDINANCE NO. 182892

DATE PUBLISHED 2-24-14 DATE POSTED \_\_\_\_\_ EFFECTIVE DATE 3-27-14

ORD OF INTENT: HEARING DATE \_\_\_\_\_ ASSESSMENT CONFIRMATION \_\_\_\_\_

ORDINANCE FOR DISTRIBUTION: YES \_\_\_\_\_ NO \_\_\_\_\_

ECONOMIC DEVELOPMENT COMMITTEE and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to the proposed Byzantine Latino Quarter - Pico Property-Based Business Improvement District (BID).

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

1. PRESENT AND ADOPT the accompanying ORDINANCE OF INTENTION to establish the Byzantine Latino Quarter - Pico Property BID.
2. ADOPT the Preliminary Report of the City Clerk, attached to Council file No. 14-0101.
3. ADOPT the Management District Plan, attached to the Council file No. 14-0101.
4. ADOPT the Engineer's Report, attached to the Council file No. 14-0101.
5. FIND that:
  - a. The petitions submitted on behalf of the proponents of the proposed Byzantine Latino Quarter - Pico 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 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 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 Engineer's Report, the Engineer has separated the general from special benefits. The Engineer's Report identified general benefits in the amount of 5.00 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 Byzantine Latino Quarter - Pico Property BID. The general benefit cost for first year of operation is \$6,874.
  - e. In accordance with Article XIID of the California Constitution and based on the facts and conclusions contained in the Engineer's Report, no assessment imposed on any parcel exceeds the reasonable cost of the proportional special benefit conferred on that parcel.
  - f. 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. 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.
  - h. The proposed improvements and activities are completely separate from the day to day operations of the City of Los Angeles.
6. APPROVE Los Angeles Neighborhood Initiative, Inc. to serve as the Owners' Association to administer the Byzantine Latino Quarter - Pico Property BID if the District is renewed.
  7. AUTHORIZE the City Clerk, upon establishment of the District, to prepare, execute, and administer a contract between the City of Los Angeles and Los Angeles Neighborhood Initiative, Inc., a non-profit corporation, for the administration of the District's programs.
  8. AUTHORIZE the Byzantine Latino Quarter - Pico Property BID, upon establishment of the District, to reimburse Council District One for cleanup costs paid to Chrysalis from January 1, 2014 to the date of attestation of the contract between the City of Los Angeles and Los Angeles Neighborhood Initiative, Inc.
  9. 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.).
  10. REQUEST the City Attorney, with the assistance of the City Clerk, to prepare an Enabling Ordinance establishing the Byzantine Latino Quarter - Pico Property BID for Council consideration at the conclusion of the required public hearing.

Fiscal Impact Statement: The City Clerk reports that funding for assessments levied on the City-owned properties within the District were included in the General Fund allocation to the 2013-14 BID Trust Fund 659.

Proposition 218 requires the separation of general benefits from the special benefits. The general benefit portion for the Byzantine Latino Quarter - Pico Property BID is \$6,874 for the first year. Surplus funds may be available in the BID Trust Fund 659 for the first year of operation. However, funds other than assessment revenue must be budgeted annually for the general benefit expense for the remaining years of the BID's five-year term.

Community Impact Statement: None submitted.

## SUMMARY

At a regular meeting held on January 28, 2014, the Economic Development Committee considered a report from the City Clerk dated January 24, 2014 relative to the formation of the Byzantine Latino Quarter - Pico Property-Based BID for the area bounded by Pico Boulevard, between Western Avenue on the west, and the State 110 Freeway on the east.

After providing an opportunity for public comment, the Committee recommended approval of the recommendations in the City Clerk report. This matter is now forwarded to the Council for its consideration.

Respectfully Submitted,

ECONOMIC DEVELOPMENT COMMITTEE



<u>MEMBER</u>	<u>VOTE</u>
PRICE:	YES
KREKORIAN:	YES
HUIZAR:	YES
CEDILLO:	ABSENT
MARTINEZ:	YES

**ADOPTED**

FEB 11 2014

**LOS ANGELES CITY COUNCIL**

**-NOT OFFICIAL UNTIL COUNCIL ACTS-**