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# CITY OF LOS ANGELES

CALIFORNIA



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BOARD OF PUBLIC WORKS**

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August 19, 2019

**Council Hearing – 8/20/2019  
Council File No. 19-0900-S59**

City Council  
Room No. 395  
City Hall

Honorable Members:

## **ASSESSMENT HEARING # 3 – LINDLEY AVENUE AND ERWIN STREET**

Inasmuch as no one protested the assessments pursuant to the hearing scheduled this date, in connection with the maintenance for Lindley Avenue and Erwin Street - Street Lighting Maintenance Assessment District, the Board of Public Works recommends that the assessments therefore be confirmed.

Sincerely,

**DR. FERNANDO CAMPOS,**  
Executive Officer, Board of Public Works

FC:ch

CC: Director, Bureau of Street Lighting



DATE MAY 22 2019

C.D. 5

Honorable City Council  
of the City of Los Angeles

**LINDLEY AVENUE AND ERWIN STREET  
STREET LIGHTING MAINTENANCE ASSESSMENT DISTRICT**

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This report submits the proposed Ordinance of Intention to institute maintenance assessment proceedings for the above street lighting project.

**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 **15279**.
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.

The assessments to be levied to pay for the cost and expenses of the work or improvements in the proposed **LINDLEY AVENUE AND ERWIN STREET** Street Lighting Maintenance Assessment District (or Sidewalk Maintenance Assessment District) fall within the (e)7 exemption of Prop 26. As set forth in the accompanying Ordinance of Intention, said assessments will be imposed in accordance with the provisions of Article XIID of the California Constitution.

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:	<b>2</b>
AFFECTED PARCELS:	<b>3</b>
TOTAL ASSESSMENTS:	<b>\$328.45</b>
TAX YEAR:	<b>2019/2020</b>
TYPE OF PROJECT:	<b>PROPOSED PRIVATE DEVELOPMENT PROJECT</b>

### **TRANSMITTALS**

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

Report prepared by:  
Assessment Engineering Division  
Proposition 218 Compliance Section  
Mark Sibley, Improvement Assessor  
Ruben Flamenco, P.E., Division Manager

Respectfully submitted,

*Ruben Flamenco for*  
Norma Isahakian, Executive Director  
Bureau of Street Lighting

