ORDINANCE NO. _____

An Ordinance of Intention to establish a Property and Business Improvement District to be known as the "Lincoln Heights Industrial Zone Property and Business Improvement District" pursuant to the Provisions of the Property and Business Improvement District Law of 1994 (Division 18, Part 7, Streets and Highways Code, State of California) and to levy assessments.

WHEREAS, the Property and Business Improvement District Law of 1994 authorizes cities to establish Property and Business Improvement Districts for the purpose of levying assessments on real property for certain purposes; and

WHEREAS, property owners in the Lincoln Heights Industrial Zone business community who will pay more than 50 percent of the total amount of assessments to be levied, have filed written petitions requesting that the City Council establish a district to be named the Lincoln Heights Industrial Zone Property and Business Improvement District.

WHEREAS, the Management District Plan and Engineer's Report supporting the establishment of the proposed Business Improvement District have been reviewed and approved by the Office of the City Clerk.

NOW THEREFORE,

THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:

Section 1. DECLARATION. Pursuant to the provisions of Property and Business Improvement District Law of 1994, Section 36600 *et seq.*, of the Streets and Highways Code (Act), the City Council declares its intention to consider the establishment of a Property and Business Improvement District to be named the Lincoln Heights Industrial Zone Property and Business Improvement District (District) for the of levy assessments on property.

Sec. 2. ADOPTION OF ENGINEER'S REPORT AND MANAGEMENT DISTRICT PLAN. The City Council hereby adopts, approves and confirms the Engineer's Report and the Management District Plan included in Council File No. 19-1237.

Sec. 3. BENEFIT TO PARCELS WITHIN THE DISTRICT. The City Council hereby affirms its finding that all parcels within the District will receive a special benefit from the improvements and activities funded by the assessments to be levied.

Sec. 4. DISTRICT BOUNDARIES. The City Council hereby declares that the boundaries of the proposed District are as detailed in the Management District Plan. The proposed Lincoln Heights Industrial Zone Property and Business Improvement District consists of approximately 13 blocks of primarily commercial property located in the northeastern area of Los Angeles. The District creates a triangle-shape and is bound on the south by the 5 Freeway, between Barranca and the 110 freeway. The eastern boundary is one-parcel deep along Humboldt between Avenue 26 and Avenue 33 and by Pasadena Avenue, between Avenue 33 and the north end of Arroyo Seco Parkway. The north/northwest boundary runs along the Arroyo Seco Parkway and the 110 Freeway, between Pasadena Avenue and the 5 Freeway. All property within the approximate boundaries described above is included in the proposed District.

There are 250 parcels owned by 216 stakeholders in the proposed District. The map included in the District's Management District Plan gives sufficient detail to locate each parcel of property within the proposed District.

Sec. 5. IMPROVEMENTS AND ACTIVITIES. The City Council hereby declares that the proposed activities and improvements to be funded by the levy of assessments on property within the District are detailed in the Management District Plan. They include, but are not limited to Sidewalk Operations, District Identity and Administrative Services.

Sec. 6. ANNUAL ASSESSMENTS AND DURATION. The District's total assessment for five (5) years is estimated to be $707,776. The District's total annual assessment for the first year is estimated to be $125,527.75. Annual assessments for subsequent years may be adjusted by a percentage rate not to exceed a maximum of five percent (5%) to be determined by the Owners' Association. It is proposed that the District be established for a five (5) year period. The District will not issue bonds.

Sec. 7. COLLECTION OF ASSESSMENTS. The City Council hereby declares that to the extent possible, assessments shall be collected at the same time and in the same manner as County ad valorem property taxes and shall be subject to all laws providing for the collection and enforcement of assessments. For properties that do not appear on the County tax rolls or for assessments for any years in which the City is unable to transmit the assessment information to the County in sufficient time for the County to collect the assessments with the County ad valorem property taxes, the City Clerk may bill and collect the assessments by mailing assessment notices (Statement of Assessment Due) to each property owner within the District at the address shown on City records. Assessments billed by the City Clerk are due 45 calendar days after the Statement of Assessment Due.

Sec. 8. NOTICE, PROTESTS AND HEARING PROCEDURES. The City Clerk shall follow the notice, protest, and hearing procedures prescribed in Section 36623 of the California Streets and Highways code and the Proposition 218 Omnibus Implementation Act (California Government Code, Section 53750 *et seq.*).

Sec. 9. PUBLIC HEARING. The City Council will hold a public hearing to determine whether to establish the District and levy assessments on April 28, 2020 at 10:00 a.m., or as soon thereafter as City Council business permits, and on any hours and days for continued hearing as ordered by the City Council, in the John Ferraro Council Chamber, Room 340, City Hall, 200 North Spring Street, Los Angeles, California 90012. At the hearing, all interested persons will be permitted to present written or oral testimony, and the City Council will consider all objections or protests to the proposed assessment.

Sec. 10. TABULATION OF ASSESSMENT BALLOTS. At the conclusion of the public hearing, the City Clerk shall tabulate all assessment ballots that have been submitted and not withdrawn. To be included in the tabulation, assessment ballots must be received by the City Clerk either at the address indicated in the notice required by Government Code Section 53753 or at the site of the public hearing prior to the conclusion of the public hearing. The City Clerk will certify the results of the tabulation to the City Council during its meeting on April 29, 2020 at 10:00 a.m., or as soon thereafter as City Council business permits, in the John Ferraro Council Chamber, Room 340, City Hall, 200 North Spring Street, Los Angeles, California 90012.

Sec. 11. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By _____
CHRISTY NUMANO-HIURA
Deputy City Attorney

Date 2-21-20

File No. _____

The Clerk of the City of Los Angeles hereby certifies that the foregoing ordinance was passed by the Council of the City of Los Angeles.

CITY CLERK

MAYOR

_____

_____

Ordinance Passed_____

Approved _____