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ORDINANCE NO. \_\_\_\_\_

An ordinance calling special community facilities district election for City of Los Angeles Community Facilities District No. 9. (Downtown Streetcar).

**WHEREAS**, the Council (City Council) of the City of Los Angeles (City), pursuant to the Mello-Roos Community Facilities Act of 1982 (Act), has adopted an ordinance of formation of City of Los Angeles Community Facilities District No. 9 (Downtown Streetcar), authorizing the levy of a special tax within the district, and establishing an appropriations limit for the district (Ordinance of Formation), establishing City of Los Angeles Community Facilities District No. 9 (Downtown Streetcar) (Community Facilities District), authorizing the levy of a special tax within the Community Facilities District and establishing an appropriations limit for the Community Facilities District;

**WHEREAS**, the City Council has also adopted an ordinance deeming it necessary to incur bonded indebtedness within City of Los Angeles Community Facilities District No. 9 (Downtown Streetcar), (Ordinance to Incur) deeming it necessary to incur bonded indebtedness in the maximum amount of \$85,000,000;

**WHEREAS**, pursuant to the provisions of said ordinances, the propositions to incur bonded indebtedness, to levy a special tax within the Community Facilities District and to establish an appropriations limit for the Community Facilities District are to be submitted to the qualified electors of the Community Facilities District as required by the Act;

**WHEREAS**, the special community facilities district election at which such propositions are to be voted on is to be held on Monday, December 3, 2012;

**WHEREAS**, the City Council desires to designate the City Clerk of the City (City Clerk) as the election official for the special community facilities district election provided for herein;

**WHEREAS**, the City Clerk has concurred in the holding of said special community facilities district election less than 125 days following the adoption of the Ordinance of Formation; and

**WHEREAS**, the City is authorized to undertake all of the above pursuant to its Charter and the Constitution and other applicable laws of the State of California;

**NOW, THEREFORE,**

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

Section 1. The foregoing recitals are true and correct and the City Council so finds.

Sec. 2. Pursuant to Sections 53351, 53326 and 53325.7 of the Act, the propositions to incur bonded indebtedness, to levy a special tax within the Community Facilities District and to establish an appropriations limit for the Community Facilities District shall be submitted to the qualified electors of the Community Facilities District at an election called therefor as provided in this Ordinance.

Sec. 3. Pursuant to Section 53326 of the Act, the City Council hereby calls a special community facilities district election to be held within the boundaries of the Community Facilities District on December 3, 2012, for the purpose of submitting to the qualified electors of the Community Facilities District the propositions to incur bonded indebtedness, to levy a special tax within the Community Facilities District and to establish an appropriations limit for the Community Facilities District.

Sec. 4. The City Clerk is hereby designated as the official to conduct said election in the manner provided by law for conducting the election, including the Act, applicable provisions of the California Elections Code and as further provided by the City Clerk.

Sec. 5. As authorized by Section 53353.5 of the Act, the propositions to incur bonded indebtedness, to levy a special tax within the Community Facilities District and to establish an appropriations limit for the Community Facilities District shall be combined into one ballot proposition.

Sec. 6. The exact form of the proposition to be voted upon at such election, as the same is to appear on the ballot, is as set forth below:

**DOWNTOWN STREETCAR COMMUNITY FACILITIES DISTRICT**

Shall City of Los Angeles Community Facilities District No. 9 (Downtown Streetcar) be authorized to incur bonded indebtedness in a maximum amount of not to exceed \$85,000,000 and levy a special tax in order to finance certain downtown Los Angeles streetcar system facilities and shall the annual appropriations limit of said Community Facilities District be established in the amount of \$85,000,000, all as specified in Ordinance No. \_\_\_\_ [Insert No. of Ordinance of Formation] and Ordinance No. \_\_\_\_ [Insert No. of Ordinance to Incur]?

The City Clerk, as the election official conducting said election, may assign a measure number or letter to such proposition.

Pursuant to Section 53328 of the Act, the above proposition shall become effective upon the affirmative vote of two-thirds of the votes cast upon the proposition.

Sec. 7. Twelve or more persons have been registered to vote within the territory of the Community Facilities District for each of the 90 days preceding the close of the public hearings heretofore held by the City Council on the establishment of the Community Facilities District and the proposed debt issue for the Community Facilities District. Accordingly, pursuant to Section 53326 of the Act, the vote shall be by the registered voters of the proposed Community Facilities District, with each voter having one vote.

Sec. 8. Pursuant to Sections 53326, 53327 and 53327.5 of the Act and Section 4108 of the California Elections Code, the election shall be conducted by mail ballot pursuant to Section 4000 of the California Elections Code and applicable provisions of the City Election Code. The City Clerk, as the election official conducting said election, shall provide ballots and election materials pursuant to subdivision (d) of Section 53326, 53327 and 53327.5 of the Act, together with all supplies and instructions necessary for the use and return of the ballot.

The voted ballots shall be returned to the City Clerk, Elections Division, 555 Ramirez Street, Space 300, Los Angeles, CA 90012, not later than 8:00 p.m. on December 3, 2012; provided, however, that if all of the qualified electors have voted prior to such time, the election may be closed with the concurrence of the City Clerk.

Sec. 9. Except as otherwise provided in the Act, the provisions of law regulating elections of the City, including provisions of the City Election Code, insofar as they may be applicable, shall govern said special community facilities district election. As provided in Section 53327 of the Act, there shall be prepared and included in the ballot material provided to each voter an impartial analysis pursuant to Section 9280 of the California Elections Code and arguments and rebuttals, if any, pursuant to Sections 9281 to 9287, inclusive, Section 9295 of the California Elections Code, and the applicable provisions of the City Election Code.

Sec. 10. The City Council hereby requests the City Clerk, as the official designated to conduct the special community facilities district election provided for herein, to provide such services as may be necessary to properly and lawfully hold and conduct said election in the manner provided by law for conducting the election, including Sections 53326 and 53327 of the Act.

Sec. 11. Pursuant to Section 9280 of the California Elections Code, the City Attorney is hereby authorized and directed to prepare an impartial analysis of the measure specified herein showing the effect of the measure on the existing law and the operation of the measure, said analysis to be submitted by the City Attorney to the City Clerk for printing before the arguments for and against the measure. The analysis shall not exceed 500 words in length and shall otherwise comply in all respects with the applicable provisions of the California Elections Code.

Sec. 12. The City Council shall provide, or caused to be provided, to the City Clerk, as the official conducting said election, the Ordinance of Formation, the Ordinance to Incur, a certified map of sufficient scale and clarity to show the boundaries of the Community Facilities District, and a sufficient description to allow the City Clerk to determine the boundaries of the Community Facilities District, within three business days of the adoption of the Ordinance of Formation.

Sec. 13. This Ordinance shall constitute the notice of the special community facilities district election provided for herein and this Ordinance shall be published in a newspaper of general circulation within the area of the Community Facilities District.

Sec. 14. The specific purposes of the bonded indebtedness proposed to be incurred is the financing of the Facilities (as defined in the Ordinance of Formation), including all costs and estimated costs incidental to, or connected with, the accomplishment of such purpose, and the proceeds of such bonded indebtedness shall be applied only to such specific purposes.

Upon approval of the proposition to incur bonded indebtedness, and the sale of any bonds evidencing such indebtedness, the City Council shall take such action as may be necessary to cause to be established an account for deposit of the proceeds of sale of the bonds. For so long as any proceeds of the bonds remain unexpended, the City Administrative Officer of the City shall cause to be filed with the City Council, no later than January 1 of each year, a report stating (a) the amount of bond proceeds received and expended during the preceding year, and (b) the status of any project funded or to be funded from bond proceeds. Said report may relate to the calendar year, fiscal year, or other appropriate annual period, as the City Administrative Officer of the City shall determine, and may be incorporated into the annual budget, audit, or other appropriate routine report to the City Council.

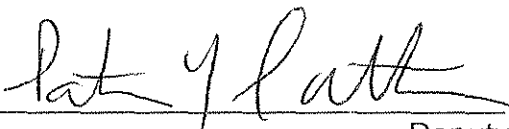
Sec. 15. The officers, employees and agents of the City are hereby authorized and directed to take all actions and do all things which they, or any of them, may deem necessary or desirable to accomplish the purposes of this Ordinance and not inconsistent with the provisions hereof.

Sec. 16. Election voting precincts, polling places and officers of election, if any, shall be set forth in the document that will be prepared and approved by the City Clerk, and filed in the City Clerk's Office not later than November 2, 2012, and, if any are so set forth, are established as the election voting precincts, polling places and officers of election. That document is, by reference, hereby approved, incorporated into and made part of this Ordinance. That document will be available for review in the City Clerk's Election Division office.

Sec. 17. 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.

I hereby certify that the foregoing Ordinance was adopted by the Council of the City of Los Angeles at its meeting on July 31, 2012.

JUNE LAGMAY, City Clerk

By   
Deputy

Approved AUG 01 2012

  
Mayor

Approved as to Form and Legality

CARMEN A. TRUTANICH, City Attorney

By   
MARILYN L. GARCIA  
Assistant City Attorney

Date July 23, 2012

File No. 11-0329-56