

14-0002-557

RESOLUTION

APR 29 2014

RULES, ELECTIONS & INTERGOVERNMENTAL RELATIONS

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies, proposed to or pending before a local, state or federal government body or agency, must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, the California Property and Business Improvement District Law of 1994 (PBID) authorizes cities to form property and business improvement districts that may levy assessments within a district for the purpose making improvements and promoting activities of benefit to the properties and businesses within the district; and requires management district plans to include, among other things, the name of the proposed district, a description of the boundaries of the district, and the total annual amount proposed to be expended for improvements, maintenance and operations, and debt service in each year of operation of the district; and

WHEREAS, on February 21, 2014, Assemblyman John Perez introduced Assembly Bill (AB) 2618 to clarify requirement for the formation of property and business improvement districts in California; and

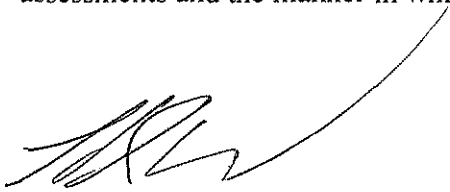
WHEREAS, the lack of legislative guidance has resulted in inconsistent application of the PBID law, which discourages the use of assessments to fund needed improvements, maintenance, and activities in property-based districts; and

WHEREAS, AB 2618 includes the following new provisions which:

- Require that the management district plan include the proportionate special benefit derived by each identified parcel, the total amount of all special benefits conferred on the properties located within the district, the total amount of any general benefit, and an engineer report;
- Define the phrase "Special Benefit"- a distinct benefit over and above a general benefit;
- Require that the City Council adopt a resolution of formation containing, among other things, a statement that the improvements and activities to be provided in the district, be funded by the levy of the assessments;
- Authorize City Council to levy assessments on businesses or on property owners;
- Stipulate that any property-based assessment be proportional to the special benefit conferred on the assessed property; and

WHEREAS, the City has established nearly 40 business improvement districts, and legislative guidance and clarity will assist with the implementation of the City's Business Improvement District Program which helps eliminate blight and enhance business promotion and public safety;


NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by adoption of this Resolution, the City of Los Angeles, hereby includes in its 2013-2014 State Legislative Program, SUPPORT of Assembly Bill 2618 (Perez) which amends the California Property and Business Improvement District Law of 1994 to provide business improvement districts and the courts with clarity regarding property-based assessments and the manner in which special benefits should be determined.



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PRESENTED BY   
JOSE HUIZAR  
Councilmember, 14<sup>th</sup> District

SECONDED BY 

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