

ORDINANCE NO. 184082

An Ordinance of Intention to establish a Property and Business Improvement District to be known as the "Encino Commons 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 Encino Commons 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 Encino Commons 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 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 Encino Commons Business Improvement District (District) for the 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. 14-0995.

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 Encino Commons area consists of: Parcels fronting Ventura Boulevard between White Oak Avenue on the west and Balboa Boulevard on the east. All property within the approximate boundaries described above are included in the proposed District.

There are 73 parcels owned by 62 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, Marketing, Streetscape Services/Improvements, Program Management and Operating Expenses.

Sec. 6. ANNUAL ASSESSMENTS AND DURATION. The District's total assessment for five (5) years is estimated to be \$686,714. The District's total annual assessment for the first year is estimated to be \$124,278. 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 Highway Code and in the Proposition 218 Omnibus Implementation Act (California Government Code, Section 53750 *et seq.*)

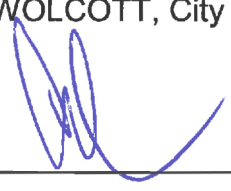
Sec. 9. PUBLIC HEARING. The City Council will hold a public hearing to determine whether to establish the District and levy assessments on April 12, 2016 at 10:00 a.m., or as soon thereafter as City Council business permits, and on any hours and days for continued hearing as ordered by the City Council, 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 13<sup>th</sup>, 2016 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.

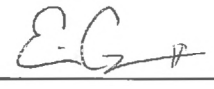
Sec. 11. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board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

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of FEB 17 2016.

HOLLY L. WOLCOTT, City Clerk

By  Deputy

Approved 2/17/16

  
Mayor

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By   
CHRISTY NUMANO-HIURA  
Deputy City Attorney

Date 1-5-16

File No. CF 14-0995