



## Council Action

The City Council ADOPTED the following recommendation(s), contained in a COMMUNICATION FROM THE CITY CLERK which were WAIVED, pursuant to Council Rule 17, by the Chair of the Economic Development Committee, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. FIND that:

- a. The petitions submitted on behalf of the proponents of the proposed Village at Sherman Oaks BID are signed by property owners who will pay more than fifty (50) percent of the assessments proposed to be levied.
- b. All parcels that will have a special benefit conferred upon them and upon which an assessment would be imposed are those as identified in the Management District Plan.
- c. In accordance with Article XIID of the California Constitution and based on the facts and conclusions contained in the attached Engineer's Report, the assessment levied on each parcel within the proposed District is proportionate to the special benefit derived from the improvements and activities that are to be provided.
- d. In accordance with Article XIID of the California Constitution and based on the facts and conclusions contained in the attached Engineer's Report, the Engineer has separated the general from special benefits. The Engineer's Report identified general benefits in the amount of 2.82 percent to be separated from the special benefits conferred on parcels within the proposed District. The yearly general benefits cost must be paid from funds other than the assessments collected for the Village at Sherman Oaks BID. The general benefit cost for first year of operation is \$3,224.50.
- e. In accordance with Article XIID of the California Constitution and based on the facts and conclusions contained in the attached Engineer's Report, no assessment imposed on any parcel exceeds the reasonable cost of the proportional special benefit conferred on that parcel.
- f. The assessments for the proposed District are not taxes and that the District qualifies for exemption from Proposition 26 under exemption 7 of Article XIIC §1 (e).
- g. That the services to be provided by the Owners' Association are in the nature of professional, expert, technical or other special services, that the services are of a temporary and occasional character, and that the use of competitive bidding

would be impractical, not advantageous, undesirable or where the common law otherwise excuses compliance with competitive bidding requirements.

- h. The proposed improvements and activities are completely separate from the day-to-day operations of the City of Los Angeles.
2. APPROVE the Village at Sherman Oaks, Incorporated to serve as the Owners' Association to administer the Village at Sherman Oaks BID.
3. ADOPT the Preliminary Report of the City Clerk, attached to Council file (C.F.) No. 12-1042.
4. ADOPT the attached Management District Plan, attached to C.F. No. 12-1042.
5. ADOPT the attached Engineer's Report, attached to C.F. No. 12-1042.
6. PRESENT and ADOPT the attached ORDINANCE OF INTENTION to establish the Village at Sherman Oaks BID.
7. AUTHORIZE the City Clerk, upon establishment of the District, to prepare, execute and administer a contract between the City of Los Angeles and the Village at Sherman Oaks, Incorporated, a non-profit corporation, for the administration of the District's programs upon adoption of the Ordinance establishing the District.
8. DIRECT the City Clerk to comply with the notice, protest, and hearing procedures prescribed in the Proposition 218 Omnibus Implementation Act (California Government Code, Section 53750 et seq.).
9. REQUEST the City Attorney, with the assistance of the City Clerk, to prepare an enabling Ordinance establishing the Village at Sherman Oaks BID for City Council consideration at the conclusion of the required public hearing.

Council File No. 14-1311

