

# CITY OF LOS ANGELES

CALIFORNIA



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MAYOR

Office of the  
CITY CLERK

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Executive Officer

When making inquiries relative to  
this matter, please refer to the  
Council File No.

February 25, 2015

To All Interested Parties:

The City Council adopted the action(s), as attached, under Council File No. 15-0108, at its meeting held February 18, 2015, to set a **Public Hearing Date of April 22, 2015**.

City Clerk  
wrq

TIME LIMIT FILES  
ORDINANCES

Mayor's Time Stamp  
OFFICE OF THE MAYOR  
RECEIVED  
2015 FEB 20 PM 12:52  
CITY OF LOS ANGELES

City Clerk's Time Stamp  
CITY CLERK'S OFFICE  
2015 FEB 20 PM 12:43  
CITY CLERK  
BY \_\_\_\_\_  
DEPUTY

COUNCIL FILE NUMBER 15-0108 COUNCIL DISTRICT 4  
COUNCIL APPROVAL DATE February 18, 2015 LAST DAY FOR MAYOR TO ACT MAR 02 2015  
ORDINANCE TYPE:  Ord of Intent  Zoning  Personnel  General  
 Improvement  LAMC  LAAC  CU or Var Appeals - CPC No. \_\_\_\_\_

SUBJECT MATTER: SETTING **APRIL 22, 2015** AS THE HEARING DATE FOR THE MAINTENANCE OF THE HAWTHORN AVENUE AND POINSETTIA PLACE STREET LIGHTING DISTRICT

	APPROVED	DISAPPROVED	BY	RECEIVED
BUREAU OF STREET LIGHTING	<u>X</u>	_____	CITY CLERK DEPUTY	2015 FEB 24 AM 8:49 CITY CLERK'S OFFICE
BOARD OF PUBLIC WORKS	<u>X</u>	_____		
CITY ATTORNEY	<u>X</u>	_____		
CITY ADMINISTRATIVE OFFICER	_____	_____		
OTHER	_____	_____		

DATE OF MAYOR APPROVAL, DEEMED APPROVED OR \*VETO FEB 20 2015  
(\*VETOED ORDINANCES MUST BE ACCOMPANIED WITH OBJECTIONS IN WRITING PURSUANT TO CHARTER SEC. 250(b) (c))

**(CITY CLERK USE ONLY PLEASE DO NOT WRITE BELOW THIS LINE)**

DATE RECEIVED FROM MAYOR FEB 24 2015 ORDINANCE NO. 183431  
DATE PUBLISHED \_\_\_\_\_ DATE POSTED FEB 24 2015 EFFECTIVE DATE MAR - 5 2015  
ORD OF INTENT: HEARING DATE \_\_\_\_\_ ASSESSMENT CONFIRMATION \_\_\_\_\_  
ORDINANCE FOR DISTRIBUTION: YES  NO

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**DEPARTMENT OF PUBLIC WORKS  
BUREAU OF STREET LIGHTING**

**DATE** JAN 28 2015

**C.D. 4**

Honorable City Council  
of the City of Los Angeles

**HAWTHORN AVENUE AND POINSETTIA PLACE  
STREET LIGHTING MAINTENANCE ASSESSMENT DISTRICT**

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This report submits the proposed Ordinance of Intention to institute maintenance assessment proceedings for the above street lighting project.

**RECOMMENDATIONS**

1. Council adopt this report and the Ordinance of Intention, and that the proceedings be conducted in accordance with Sections 6.95 - 6.127 of the Los Angeles Administrative Code, Section 53753 of the California Government Code, and Proposition 218 (Articles XIII C and XIII D of the California Constitution). This includes Council holding a Public Hearing for the proposed District Diagram with City page number 14272.
2. Upon Council adoption of the Ordinance of Intention, the Bureau of Street Lighting be instructed to: Mail notices of the assessment ballot proceedings, and Mail assessment ballots (as required by Prop. 218) to the property owners in the lighting district.
3. Upon completion of Item 2 above, the City Clerk be instructed to conduct the assessment ballot proceedings (i.e. count, certify, and report the results of the assessment ballot proceedings to the Council).
4. Following the conclusion of the final public hearing, if a project has weighted "YES" votes equal to, or in excess of weighted "NO" votes, the Council shall deny the appeals, confirm the maintenance assessments, and adopt the Final Ordinance levying the assessments. If the weighted "NO" votes are in excess of weighted "YES" votes, Council will abandon the lighting district and proceedings in accordance with Proposition 218; and the affected street lighting system shall be removed from service or not be constructed.
5. A copy of this report be provided to each affected Council office and the Mayor's Office of Economic Development.

The passage of Proposition 218 on November 5, 1996, requires a vote of the property owners prior to Council confirming and levying the assessments for maintenance. Upon adoption of the transmitted Ordinance of Intention, the Council shall set a date for hearing appeals and the last day to receive completed assessment ballots. A hearing to be held by the Board of Public Works will be scheduled at least one week prior to the date of the public hearing for the City Council to review and resolve any appeals concerning the proposed maintenance assessments – as specified in the Engineer's Report. If the assessment ballot proceeding as required by Proposition 218 approves these assessments, the City Council may confirm and levy the assessments. If levied, the administration of this district may be combined with that of another district or districts in the future as provided in the Ordinance of Intention. Protests that are received, as described in the Administrative Code, are for the consideration of the Council, but are not binding. Only a weighted majority vote against the assessment is binding.

The assessments to be levied to pay for the cost and expenses of the work or improvements in the proposed HAWTHORN AVENUE AND POINSETTIA PLACE Street Lighting Maintenance Assessment District (or Sidewalk Maintenance Assessment District) fall within the (e)7 exemption of Prop 26. As set forth in the accompanying Ordinance of Intention, said assessments will be imposed in accordance with the provisions of Article XIID of the California Constitution.

In accordance with Council Policy adopted on December 11, 1998, the Bureau of Street Lighting will cast ballots in favor of the assessments for all Council controlled public properties in the district.

**SUMMARY**

TOTAL STREETLIGHTS:	1
AFFECTED PARCELS:	1
TOTAL ASSESSMENTS:	\$ 362.09
TAX YEAR:	2014/2015
TYPE OF PROJECT:	PROPOSED PRIVATE DEVELOPMENT PROJECT

*Ord of Intent*  
**ADOPTED**

FEB 18 2015

LOS ANGELES CITY COUNCIL

SET FOR HEARING *April 22, 2015*

**TRANSMITTALS**

1. Ordinance of Intention, approved as to form and legality by the City Attorney, for the proposed assessment district.
2. Diagram delineating those lands proposed to be assessed.
3. Proposed assessment roll.
4. Engineer's Report as required by Proposition 218.

Report prepared by:  
Assessment Engineering Division  
Proposition 218 Compliance Section  
C. Enriquez, Street Lighting Engineering Associate III  
Ruben Flamenco, P.E., Division Manager

Respectfully submitted,

*Ruben Flamenco* For  
Ed Ebrahiman, Director  
Bureau of Street Lighting



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# ORDINANCE OF INTENTION

15-0108  
CD 4

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Hawthorn Avenue and Poinsettia Place Street Lighting District.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. ADOPT the report of the Director, Bureau of Street Lighting, dated January 28, 2015.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **APRIL 22, 2015** as the hearing date for the maintenance of the Hawthorn Avenue and Poinsettia Place Street Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$362.09 will be collected annually starting with tax year 2014-15 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: April 15, 2015)

(ord of intent in Ccl. on 2-18-15)

cc: City Engineer  
Bureau of Street Lighting  
Principal Clerk, City Clerk  
Councilmember LaBonge

**ADOPTED**

FEB 18 2015

LOS ANGELES CITY COUNCIL