ORDINANCE NO. 171692

An Ordinance of the City of Los Angeles establishing a Property and Business Improvement District to be known as the Figueroa Corridor Business Improvement District.

WHEREAS, the Property and Business Improvement District Law of 1994 (California Streets and Highways Code sections 36600 et seq.) authorizes cities to establish property and business improvement districts for the purpose of levying special assessments on real property for certain purposes; and

WHEREAS, a petition has been filed by property owners who will pay more than 50 percent of the total amount of assessments to be levied, requesting the City Council to establish such a district; and

WHEREAS, after a public hearing the City Council on June 10, 1997 adopted a Resolution of Intention to establish a property and business improvement district to be known as the Figueroa Corridor Business Improvement District; and

WHEREAS, the tabulation of ballots received as required pursuant to California Constitution Article XIIID has not resulted in a majority protest,

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

Section 1. Pursuant to the provision of Section 36600 et seq. of the California Streets and Highways Code (the "Act"), the City Council hereby establishes a property and business improvement district to be named the Figueroa Corridor Business Improvement District (the "District").

Section 2. The Management District Plan, which is attached hereto and incorporated by reference as though fully set forth herein, contains the following information as required by the Act:

(a) A map of the district in sufficient detail to locate each parcel of property within the district.
(b) The name of the proposed district.
(c) A description of the boundaries of the district, including the boundaries of any benefit zones, proposed for establishment or extension in a manner sufficient to identify the lands included.
(d) The improvements and activities proposed for each year of operation of the district and the maximum cost thereof.
(e) The total annual amount proposed to be expended for improvements, maintenance and operations in each year of operation of the district.
(f) The proposed source or sources of financing including the proposed method and basis of levying the assessment in sufficient detail to allow each property owner to calculate the amount of the assessment to be levied against his or her property.
(g) The time and manner of collecting the assessments.
(h) The specific number of years in which assessments will be levied.
(i) The proposed time for implementation and completion of the management district plan.

(j) Any proposed rules and regulations to be applicable to the district.

(k) A list, by assessor's parcel number, of the properties to be benefited, and a statement of the method or methods by which the expenses of the district will be imposed upon benefited real property, in proportion to the benefit received by the property, to defray the cost thereof, including operation and maintenance.

Section 3. It is the intent of the Council that the level of services presently being provided by the City in the area within the proposed district ("baseline service level") will not be affected by the creation of the district or the levying of the proposed assessments.

Section 4. A public hearing was conducted before the City Council on June 10, 1997 in the Council Chambers in Room 340 at City Hall, 200 North Spring Street, Los Angeles, California 90012, at which time the City Council adopted a Resolution of Intention to establish the District.

Section 5. A public meeting was conducted before the City Council on July 1, 1997 in the Council Chambers in Room 340 at City Hall, 200 North Spring Street, Los Angeles, California 90012, at which time the City Council allowed public testimony and comments regarding the proposed special assessment.

Section 6. A public hearing was conducted before the City Council on August 5, 1997 in the Council Chambers in Room 340 at City Hall, 200 North Spring Street, Los Angeles, California 90012, at which time the City Council heard all interested persons for or against the establishment of the District, the extent of the District, and the furnishing of specified types of improvements or activities.

Section 7. Written protests against formation of the District were not received from the owners of real property which would pay fifty percent or more of the proposed assessment. In addition, ballots submitted in opposition to the District did not exceed ballots submitted in favor of the District. In tabulating the ballots received, the ballots were weighted according to the proportional financial obligation of the affected property.

Section 8. The properties in the District, as established by this Ordinance, shall be subject to any amendments of the applicable State code.

Section 9. The improvements and activities to be provided in the District will be funded by the levy of a special assessment. Revenue generated within the District by the assessment shall not be used to provide improvements or activities outside of the District, or for any purpose other than the purposes specified in the Resolution of Intention, as adopted by the City Council at the hearing concerning establishment of the District.

Section 10. The City Council hereby finds that the property within the District will be benefited by the improvements and activities to be funded by the levy of the special assessment.

Section 11. The assessment authorized by the adoption of this Ordinance shall be collected and placed in a Special Fund to be established and to be known as the Figueroa Corridor Business Improvement District Fund. All interest and other earnings attributable to assessments, contributions and other revenue deposited in the Special Fund shall be credited to the Fund.

Section 12. The City Clerk shall certify the passage of this Ordinance and shall cause the same to be published in some daily newspaper printed and published in the City of Los Angeles.

I certify that the foregoing Ordinance was introduced at a meeting of the City Council of the City of Los Angeles and was adopted at its meeting of: AUG 05 1997

J. MICHAEL CAREY, City Clerk

By _____

Approved as to Form and Legality

Aug 4, 1997

JAMES K. HAHN, City Attorney

By _____
KENNETH H. CIRLIN
Assistant City Attorney

RICHARD J. RIORDAN, Mayor

Date

Council File No. 96-0827

MW\BID\FIG97\ORD

Said Ordinance was presented to the Mayor on August 7, 1997; the Mayor returned said Ordinance to the City Clerk on August 15, 1997, pursuant to City Attorney ruling (Opinion No. 97:2) that the Mayor was disqualified from acting on the matter. The Ordinance was transferred to the Board of Referred Powers which failed to act within the 10 days (August 18, 1997), provided by Sections 28.1 and 30 of the City Charter, and said Ordinance shall become effective and be as valid as if the Board had approved and signed it.