

ECONOMIC DEVELOPMENT AND JOBS COMMITTEE REPORT and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to the renewal of the Century City (Property-Based) Business Improvement District (BID).

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

1. FIND that:

- a. The petitions submitted on behalf of the proponents of the proposed Century City BID are signed by property owners who will pay more than 50 percent of the assessments proposed to be levied.
- b. All parcels included in the BID will receive a special benefit from the improvements and activities that are to be provided.
- c. All parcels as identified in the Management District Plan will have a special benefit conferred upon them and upon which an assessment would be imposed.
- d. In accordance with Article XIIID of the California Constitution all assessments engineer certified by the State of California.
- e. In accordance with Article XIIID of the California Constitution and based on 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.
- f. In in accordance with Article XIIID of the California Constitution and based on the facts and conclusions contained in the Engineer's Report, attached to the Council File, the Engineer has separated the general from special benefits that said Engineer's Report has identified general benefits in the amount of 2.89 percent to be separated from the special benefits conferred on parcels within the proposed District and that the yearly general benefits cost must be paid from funds other than the assessments collected for the Century City BID; and that the general benefit cost for first year of operation is \$41,127.20.
- g. No publicly owned parcel is exempt from assessment.
- h. The assessments from the proposed BID are not taxes and that the BID qualifies for exemption from Proposition 26 under exemption 7 of Article XIIIC Section 1(e). 9. 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.

- i. The proposed improvements and activities are completely separate from the day-to-day operations of the City of Los Angeles.
2. APPROVE the Century City Property Owners Association to administer the Century City BID if the BID is renewed.
 3. ADOPT the:
 - a. March 3, 2022 City Clerk report, attached to the Council File.
 - b. Management District Plan, attached to the Council File.
 4. PRESENT and ADOPT the ORDINANCE OF INTENTION dated March 8, 2022 to establish the Century City BID.
 5. AUTHORIZE the City Clerk, upon establishment of the BID, to prepare, execute and administer a contract between the City of Los Angeles and the Century City Property Owners Association, a non-profit corporation, for the administration of the BID programs.
 6. 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.).
 7. REQUEST the City Attorney, with the assistance of the City Clerk, to prepare an enabling Ordinance establishing the Century City BID for City Council consideration at the conclusion of the required public hearing.

Fiscal Impact Statement: The City Clerk reports that the assessment levied on two City-owned properties within the BID to be paid from the General Fund total \$3,297.38 for the first year of the BID. Funding is available in the Business Improvement District Trust Fund 659 to p first operating year. Proposition 218 requires the separation of general benefits from the special benefits. The general benefit portion for the Century City BID is \$41,127.20 for the first year. However, funds other than assessment revenue must be budgeted annually for the general benefit expense for the remaining years of the BID's five-year term.

Community Impact Statement: None submitted.

Summary:

On March 22, 2021, your Committee considered a March 4, 2022 City Clerk report relative to the renewal of the Century City (Property-Based) BID. According to the City Clerk, The District was originally established through adoption of City Ordinance 180319 on October

22, 2008; its second operational term began on January 1, 2013 and is set to expire on December 31, 2022. The proponents propose to renew the District for a 5-year term beginning January 1, 2023 and ending December 31, 2027.

The Property and Business Improvement District Law of 1994 (Section 36600 et seq., Streets districts to renew by completing the same formation steps as the original establishment. This BID is being reestablished in accordance with the provisions of State Law, which allows for the establishment of a BID in which operations would be supported by revenue collected from property owners in the district.

In order to proceed with the establishment process under the State Law, the proponent group needed to secure written support for the project in the form of petitions signed by property owners who will pay more than 50 percent of the assessments proposed to be levied. The proponent group for the proposed District, the Century City Property Owners Association, has presented to the City Clerk a set of petitions that support the formation of the proposed BID. The City Clerk has verified the validity of the petitions using various City and County of Los Angeles sources. In addition, the accuracy of the assessment has been verified. The petitions received indicate affirmative financial support of the project in an amount equivalent to \$774,696.98. This represents 56.01 percent of the proposed BID's projected first year assessment revenue of \$1,383,065.23. Because the more than 50 percent threshold of preliminary support has been achieved, the formal BID establishment process, including a public hearing before the City Council, may be initiated. After consideration and having provided an opportunity for public comment, the Committee moved to recommend approval of the recommendations contained in the City Clerk report. This matter is now submitted to Council for its consideration.

Respectfully Submitted,

Economic Development and Jobs Committee



COUNCILMEMBER	VOTE
PRICE:	YES
KREKORIAN:	ABSENT
BLUMENFIELD:	YES
RAMAN:	YES
HARRIS-DAWSON:	YES

ARL
3/22/22
CD 5

-NOT OFFICIAL UNTIL COUNCIL ACTS-