ORDINANCE NO. 187570

An ordinance establishing the Greater South Park Business Improvement District (District) and levying assessments, 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).

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, petitions were filed by property owners in the South Park business community who would pay more than 50 percent of the total amount of assessments to be levied, requesting that the City Council establish the Greater South Park 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 the City Clerk.

WHEREAS, the City Council, on Tuesday, May 10, 2022 adopted Ordinance No. 187489 declaring its intention to establish the Greater South Park Business Improvement District and levy assessments;

WHEREAS, the City Clerk gave notice, in the manner specified in Government Code Section 53753, to the record owner of each parcel subject to the levy of an assessment that a public hearing would be held on Wednesday, July 27, 2022 concerning establishment of the District; and

WHEREAS, the City Council held a public hearing concerning establishment of the District shortly after 10:00 a.m. on July 27, 2022 in the John Ferraro Council Chamber, Room 340, City Hall, 200 North Spring Street, Los Angeles, California; and

WHEREAS, the City Council has heard all testimony and received all evidence concerning the establishment of the District and desires to establish the District.

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

Section 1. ESTABLISHMENT OF DISTRICT AND LEVY OF ASSESSMENTS. The City Council hereby establishes the Greater South Park Business Improvement District and levies an assessment on each property within the District for each fiscal year referred to in the Management District Plan.

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Sec. 2. MAJORITY PROTEST. The City Council hereby finds that there was no majority protest against the establishment of the District and levy of assessments.

Sec. 3. ADOPTION OF ENGINEER'S REPORT AND MANAGEMENT DISTRICT PLAN. The City Council hereby reaffirms its adoption, approval, and confirmation of the Engineer's Report and the Management District Plan included in Council File No. 22-0310.

Sec. 4. BENEFIT TO PARCELS WITHIN THE DISTRICT. The City Council finds and declares that the properties within the District will receive a special benefit from the improvements and activities funded by the assessments to be levied.

Sec. 5. PROPORTIONAL BENEFIT. The City Council hereby reaffirms that the assessment imposed on each parcel does not exceed the reasonable cost of the proportional benefit conferred on that parcel.

Sec. 6. ASSESSMENTS SUPPORTED BY ENGINEER'S REPORT. The City Council hereby reaffirms that all assessments are supported by a detailed Engineer's Report prepared by a registered professional engineer certified by the State of California and reviewed and approved by the Office of the City Clerk.

Sec. 7. DISTRICT BOUNDARIES. The City Council hereby declares that the boundaries of the proposed District are as detailed in the Management District Plan. The proposed Greater South Park Business Improvement District is generally described as follows: The District is bounded by three other existing Business Improvement Districts, the Downtown Center BID and the Historic Downtown Los Angeles BID on the north, and the Los Angeles Fashion District BID on the east. Approximately 78 blocks roughly bounded by James M. Wood Boulevard/9th Street/Olympic Boulevard, Broadway, 10 Freeway/17th Street and 110 Freeway. All property within the approximate boundaries described above are included in the proposed District.

Sec. 8. THE DISTRICT'S ASSESSMENT. The City Council hereby reaffirms that the District's total assessment for seven (7) years is estimated to be $30,383,932.14. The District's total annual assessment for the first year is estimated to be $3,685,181.07.

Sec. 9. IMPROVEMENTS AND ACTIVITIES. The City Council hereby reaffirms that the District's activities and improvements are detailed in the Management District Plan and include, but are not limited to: Clean & Safe Programs, Marketing & District Identity, and Administration & Management.

Sec. 10. FUNDING OF IMPROVEMENTS AND ACTIVITIES. The City Council declares that the improvements and activities to be provided in the District will be funded by the levy of assessments on properties within the District. The revenue from the levy of assessments within the District shall not be used to provide improvements

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and activities outside the District or for any purpose other than the purposes specified in Ordinance No. 187489. The District will not issue bonds.

Sec. 11. AMENDMENT TO ENABLING STATUTE. The properties and businesses within the District established by this Ordinance shall be subject to any amendments to the Property and Business Improvement District Law of 1994 (Division 18, Part 7, Streets and Highways Code, State of California.)

Sec. 12. DISTRICT OPERATIONAL PERIOD. The District's operational period shall begin on January 1, 2023 and end on December 31, 2029.

Sec. 13. PERIOD TO REQUEST DISESTABLISHMENT. There shall be a 30-day period in each year of the District's operation during which property owners may request disestablishment of the District. The first period shall begin one year after the effective date of this ordinance and shall continue for 30 days. The next 30-day period shall begin two years after the effective date of this ordinance and continue for 30 days. For each successive year of the District's operation, the 30-day period shall begin on the anniversary of the effective date of this ordinance and continue for 30 days.

Sec 14. SPECIAL FUND ESTABLISHMENT. The revenue from the assessment shall be collected and placed in the Special Trust Fund to be established and to be known as the Greater South Park Business Improvement District Fund (Fund). All interest and other earnings attributable to assessments, contributions and other revenue deposited in the Special Fund shall be credited to the Fund.

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Sec. 15. 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.

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

Signed with ClerkSign

By Dan Whitley

Jul 15, 2022 2:48PM

DANIEL WHITLEY
Deputy City Attorney

Date 07/15/2022

File No. 22-0310

CNH:CG:yr

The Clerk of the City of Los Angeles hereby certifies that the foregoing ordinance was passed by the Council of the City of Los Angeles.

CITY CLERK

MAYOR

Ordinance Passed August 3, 2022

Approved 08/09/2022

Ordinance Published: 08/12/2022
Ordinance Effective Date: 09/12/2022

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