187484

ORDINANCE NO. _____

An Ordinance of Intention to order the necessary street lighting systems to be operated, maintained, and repaired, including furnishing electric energy, for the Fiscal Year of 2022-2023, for the lighting of that district designated as the **SHELDON STREET AND SHARP AVENUE NO. 1 LIGHTING DISTRICT** pursuant to the provisions of 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).

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

Section 1. The public interest and convenience require, and it is the intention of the Council of the City of Los Angeles to order the following improvement to be made:

That the necessary street lighting equipment be operated, maintained and repaired and that electric energy be furnished for the Fiscal Year of 2022-2023, for the lighting of:

SHELDON STREET,

From the intersection of the Hollywood (Route 170) Freeway at Arleta Avenue to the intersection of Sharp Avenue,

SHARP AVENUE,

From the intersection with Sheldon Street to the intersection of Wicks Street,

WICKS STREET,

From the intersection with Arleta Avenue to the intersection of Sharp Avenue,

in the City of Los Angeles (see Plan for details). The street or portions of streets to be improved, and the district to be assessed to pay the costs and expenses of the improvement, shall be known for all proceedings hereunder as:

SHELDON STREET AND SHARP AVENUE NO. 1 LIGHTING DISTRICT

Sec. 2. All of this work shall be done in accordance with the report of the Director of the Bureau of Street Lighting adopted by the Board of Public Works, approved by the City Council and on file in the office of the City Clerk. Reference to the report is hereby made for a full and detailed description of the proposed improvement and of the assessments to be levied.

Sec. 3. The Council hereby makes all the costs and expenses of the improvements, chargeable upon the district to be benefited, with no additional portion of the costs to be paid out of the City Treasury. District parcels shall be assessed pursuant to the Engineer's Report prepared and approved by the Bureau of Street Lighting.

Sec. 4. The Council hereby determines and declares that the district, which receives special benefit from the improvements, and is to be assessed to pay the costs and expenses of the improvements, is described by the diagram with City page number 15668 - 15669 and accompanying assessment roll included by reference in the report of the Director of the Bureau of Street Lighting adopted by the Board of Public Works, which diagram indicates by a boundary line the extent of the territory included within the assessment district. Reference is hereby made to the report and diagram for a full and complete description of the district, which diagram shall govern for all details as to its extent.

Sec. 5. That the proceedings for the improvements shall 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).

Sec. 6. The Board of Public Works shall prepare and mail notices and ballots of the improvements to each property owner affected by the assessment, and have the notices to be published in newspapers of general circulation published and distributed in the several areas of the City in the manner and form and within the time required by law.

Sec. 7. The City Clerk shall conduct an assessment ballot proceeding for this lighting district, as required by Proposition 218 (Article XIII D of the California Constitution). The Clerk shall count, certify, and report the results to the Council. In tabulating the ballots, the ballots shall be weighted according to the proportional financial obligation of the affected property due to the improvement. If the count of the weighted "yes" votes is equal to or greater than the "no" votes, the Council shall impose the proposed assessment, contingent upon the construction of the specified lighting system. If the count of the weighted "no" votes are greater than the "yes" votes, the Council shall not impose the proposed assessment and the specified lighting system shall be removed from service or not constructed.

Sec. 8. The proposed street lighting maintenance assessments referenced here are intended to be in addition to or in replacement of the existing assessment, as specified in the Engineer's Report. Where the proposed assessment is to be in addition to the existing assessment, whether the proposed assessment is levied or abandoned, the existing assessment shall not be affected. Where the proposed assessment is to be in replacement of the existing assessment, if the proposed assessment is not levied, the existing assessment shall not be affected.

Sec. 9. For each year following the first year of the assessment, the amounts of the assessments designated in the assessment roll may be increased annually, without further notice or ballot, by no more than the annual Consumer Price Index (CPI) for the Los Angeles area, provided by the U.S. Dept. of Labor (Bureau of Labor Statistics). The annual Consumer Price Index (CPI) will be calculated from the calendar year (January 1- December 31) just prior to the assessment period affected (July 1-June 30).

Sec. 10. The administration of this district may be combined, without further notice or ballot, with the administration of any other district or districts, for which authority for the administrative combination is provided in the establishing ordinance. These combined districts, for all administrative purposes including but not limited to, assessment, diagram, revenue and expenditures, notice and balloting, may be treated as a single district.

Sec. 11. Notwithstanding that the assessments specified in the assessment roll are imposed for the 2022/23 fiscal year, only if the street lighting system is energized on or before July 1, 2022, shall those assessments be transferred to the 2022/23 property tax rolls and collected. If the system is not energized on or before that date, the assessments approved here, may be levied in the fiscal year following the year in which the system is energized, without further notice or ballot.

Sec. 12. The City Council shall hold a public hearing on August 2, 2022 at 10:00 a.m. in the Council Chamber on the third floor of City Hall on the proposed improvement and assessment. Any person objecting to their assessment may file a written protest or appeal with the City Clerk at any time prior to the hearing by the City Council. Any person may also present written or oral comments at the City Council hearing on this matter. The protest must contain a description of the property in which each signer owns an interest, sufficient to identify the property, and be delivered to the City Clerk, and no other protests than those presented within the time specified will be considered.

Ballots are due to the City Clerk at any time prior to the close of the public hearing on the proposed improvement and assessment. The City Clerk shall prepare a report of the assessment ballot proceeding results to the City Council.

Sec. 13. 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

By _____
CHRISTY NUMANO-HIURA
Deputy City Attorney

Date 3-19-22

File No. 22-0900-S28

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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 May 10, 2022

Approved 05/12/2022

Published Date: 05-17-2022
Ordinance Effective Date: 05-17-2022