

Los Angeles City Council, Journal/Council Proceedings
Wednesday, June 9, 2004
John Ferraro Council Chamber, Room 340, City Hall - 10:30 am

- - - SPECIAL COUNCIL MEETING - - -

10:30 A.M. OR AS SOON THEREAFTER
AS COUNCIL RECESSES ITS REGULAR MEETING

ROLL CALL - Members present: Cardenas, Garcetti, Greuel, Hahn, LaBonge, Ludlow, Parks, Reyes, Smith, Villaraigosa, Zine and President Padilla (12); Absent: Miscikowski, Perry and Weiss (3).

ROLL CALL NUMBER (#) - INDICATES THE ORDER IN WHICH THE ITEMS WERE ACTED UPON DURING THE COUNCIL MEETING

Item for Which Public Hearing Has Been Held - Item 1

ITEM NO. (1) - ADOPTED - TO THE MAYOR FORTHWITH

Roll Call #1 - Motion (Reyes - Garcetti) Adopted, Ayes (12); Absent: Miscikowski, Perry and Weiss (3)

04-0002 - ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT and RESOLUTIONS relative to supporting legislation which would amend provisions of the California Business and Professions Code to protect consumers from unscrupulous immigration consultants.

Recommendation for Council action, SUBJECT TO THE CONCURRENCE OF THE MAYOR:

ADOPT the accompanying RESOLUTIONS (Padilla - Reyes) to establish positions of SUPPORT in the City's 2003-04 Legislative Program for Assembly Bill (AB) 2516 (Vargas) and AB 2691 (Correa) which would amend provisions of the California Business and Professions Code to protect consumers from unscrupulous immigration consultants.

Fiscal Impact Statement: The Chief Legislative Analyst reports that there is no impact on the General Fund.

(Public Safety Committee waived consideration of the above matter)

Items for Which Public Hearings Have Not Been Held - Items 2-4

(10 Votes Required for Consideration)

ITEM NO. (2) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - TO THE MAYOR FORTHWITH

Roll Call #2 - Motion (Garcetti - LaBonge) Adopted, Ayes (12); Absent: Miscikowski, Perry and Weiss (3)

00-1904 - COMMUNICATION FROM THE CITY CLERK and ORDINANCE FIRST CONSIDERATION relative to renewing the Toy District Business Improvement District (BID).

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

1. FIND that the petitions submitted on behalf of the proponents of the proposed Toy District BID are signed by property owners who will pay more than 30 percent of the assessments proposed to be levied.
2. ADOPT the Preliminary Report of the City Clerk, Management District Plan, and Engineer's Report (attached to the Council file).
3. FIND that all parcels that will have a special benefit conferred upon them and upon which an assessment would be imposed are those identified in the Management District Plan.
4. FIND that in accordance with Article XIID of the California Constitution and based on the facts and conclusions contained in the attached Engineer's Report that:
 - a. The assessment levied on each parcel within the proposed BID is proportionate to the special benefit derived from the improvements and activities that are to be provided.
 - b. There are no general benefits to be separated from the special benefits conferred on each parcel within the proposed BID.
 - c. No assessment imposed on any parcel exceeds the reasonable cost of the proportional special benefit conferred on that parcel.
5. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION to establish the Toy District BID.
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 Toy District BID for Council consideration at the conclusion of the required public hearing.

Fiscal Impact Statement: The City Clerk reports that assessments levied on the City-owned properties within the BID to be paid from the General Fund total \$2,015.30 for the first year of the BID. Funding is available in the Business Improvement District Trust Fund 659 to pay the General Fund share of assessments.

City Clerk administrative expenses will be charged to the proposed BID and will be recovered from assessments collected. The amount of recoverable costs for the first year of the proposed BID's operations is estimated to be \$10,766.46 or two percent of the proposed BID's estimated first-year assessment revenue.

(Housing, Community and Economic Development Committee waived consideration of the above matter)

ITEM NO. (3) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - TO THE MAYOR FORTHWITH

Roll Call #3 - Motion (Garcetti - Ludlow) Adopted, Ayes (12); Absent: Miscikowski, Perry and Weiss (3)

03-0178 - COMMUNICATION FROM THE CITY CLERK and ORDINANCE FIRST CONSIDERATION
CDs 4, 5 relative to renewing the Hollywood Media District Property-Based Business Improvement
& 13 District (BID).

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

1. FIND that the petitions submitted on behalf of the proponents of the proposed Hollywood Media District BID are signed by property owners who will pay more than 50 percent of the assessments proposed to be levied.
2. ADOPT the Preliminary Report of the City Clerk, the Management District Plan, and Engineer's Report (attached to the Council file).
3. FIND that all parcels that will have a special benefit conferred upon them and upon which an assessment would be imposed are those as identified in the Management District Plan.
4. FIND that in accordance with Article XIID of the California Constitution and based on the facts and conclusions contained in the attached Engineer's Report, that:
 - a. The assessment levied on each parcel within the proposed BID is proportionate to the special benefit derived from the improvements and activities that are to be provided.
 - b. There are no general benefits to be separated from the special benefits conferred on each parcel within the proposed BID.
 - c. No assessment imposed on any parcel exceeds the reasonable cost of the proportional special benefit conferred on that parcel.

5. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION to establish the Hollywood Media District BID.
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 Hollywood Media District BID for Council consideration at the conclusion of the required public hearing.
8. DIRECT the City Clerk to mail notice to each property owner of record within the proposed District indicating the material changes made to the Management District Plan and Engineer's Report.

Fiscal Impact Statement: The City Clerk reports that assessments levied on the City-owned properties within the BID to be paid from the General Fund total \$12,214.74 for the first year of the District. Funding is available in the Business Improvement District Trust Fund 659 to pay the General Fund share of assessments.

City Clerk administrative expenses will be charged to the proposed BID and will be recovered from assessments collected. The amount of recoverable costs for the first year of the proposed BID's operations is estimated to be \$20,000 or two percent of the proposed BID's estimated first-year assessment revenue.

(Housing, Community and Economic Development Committee waived consideration of the above matter)

ITEM NO. (4) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION - TO THE MAYOR FORTHWITH

Roll Call #2 - Motion (Garcetti - LaBonge) Adopted, Ayes (12); Absent: Miscikowski, Perry and Weiss (3)

04-1056 - COMMUNICATION FROM THE L.A. FOR KIDS STEERING COMMITTEE (LAKSC) relative to the Northridge Park Pool and Bathhouse Project.

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

APPROVE the Northridge Park Pool and Bathhouse Project with total funding (in the amount of \$4,853,294), including the allocation of Council District 12 Proposition 40 funds and Seismic Bond funds, as follows:

- a. General Fund (as approved by Council, Council file No. 02-0600-S51) - \$300,000
- b. Per Capita 1/3 funds - \$372,089
- c. Roberti-Z'Berg-Harris 1/3 funds - \$373,381

- d. Sites and Facilities funds (\$500,000 provided in the 2004-05 budget; \$157,824 subject to approval in the 2005-06 budget) - \$657,824
- e. Quimby funds (subject to approval by the Board of Recreation and Park Commissioners) - \$150,000
- f. Proposition K funds (subject to Council approval of the Assessment) - \$500,000
- g. Seismic Bond funds (Proposition G) - \$2,500,000

Fiscal Impact Statement: The LAKSC reports that there will be no additional impact to the General Fund once design is complete. Funding to complete the Northridge Park Pool and Bathhouse Project is being provided by a variety of other funding sources: State Proposition 40 (1/3 allocations for Per Capita and Roberti-Z'berg-Harris funds), Sites and Facilities, Quimby, Proposition K, and Seismic Bond. Approval of the LAKSC report will fully allocate Council District 12's Proposition 40 discretionary funding to one of the highest priority projects in the district.

(Arts, Parks, Health and Aging Committee waived consideration of the above matter)

Councilmember LaBonge moved, seconded by Councilmember Hahn, that the Special Council meeting adjourn.

Ayes, Cardenas, Garcetti, Greuel, Hahn, LaBonge, Ludlow, Parks, Reyes, Smith, Villaraigosa, Zine and President Padilla (12); Absent: Miscikowski, Perry and Weiss (3).

Whereupon the Special Council meeting did adjourn.

ATTEST: J. Michael Carey, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL