

HOLLY L. WOLCOTT  
CITY CLERK

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# City of Los Angeles CALIFORNIA



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April 12, 2024

The Los Angeles City Council  
City Hall, Los Angeles, California

REGARDING: ASSESSMENT BALLOT PROCEEDING FOR  
PENMAR AVENUE AND PALMS BOULEVARD NO. 2 LIGHTING DISTRICT  
COUNCIL FILE NUMBER 23-0900-S79

Honorable Councilmembers:

In accordance with Proposition 218, the City of Los Angeles provided notice to the property owners of the parcels in the proposed Penmar Avenue and Palms Boulevard No. 2 Lighting District, as specified in the subject Council File. Along with that notice, each property owner received an assessment ballot weighted by the amount of the parcel's proposed assessment. I have tabulated the assessment ballots delivered to my office by the final hearing date of April 9, 2024.

The proposed assessment district failed because it received a weighted majority of "no" ballots as defined in Article XIII D (Proposition 218) of the State Constitution. As a result, the City may not impose an assessment for the improvement and maintenance of lighting in the proposed district. The certified results of the tabulations are attached. I have also forwarded a copy of these results to the Department of Public Works, Bureau of Street Lighting, for their information.

## RECOMMENDATIONS FOR COUNCIL ACTION:

In accordance with Council policy adopted on December 19, 1997 (CF 97-0843) and the report of the Board of Public Works adopted by the Council on May 9, 1998:

1. FIND that a majority protest exists in the Street Lighting Maintenance Assessment District and therefore the proposed assessment cannot be enacted.
2. ADOPT the abandoning Ordinance attached to the Council File.
3. INSTRUCT the Director, Bureau of Street Lighting, to assure that the streetlights are not installed or are removed from service if previously installed, in accordance with Council policy.

Sincerely,

For  
HOLLY L. WOLCOTT  
City Clerk

Attachments

cc: Department of Public Works, Bureau of Street Lighting

AN EQUAL EMPLOYMENT OPPORTUNITY EMPLOYER

STATE OF CALIFORNIA            )  
  ) SS  
COUNTY OF LOS ANGELES        )

I, HOLLY L. WOLCOTT, City Clerk of the City of Los Angeles, hereby certify to the City Council that three ballots were submitted on or before April 9, 2024, in connection with the assessment ballot proceeding for the proposed Penmar Avenue and Palms Boulevard No. 2 Lighting Maintenance Assessment District, as specified in Council File Number 23-0900-S79. I further certify the attached report to be a true, correct and complete tabulation of the returns of that assessment ballot proceeding.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this 12<sup>th</sup> day of April 2024.

Sincerely,

A handwritten signature in black ink, appearing to read 'H. Wolcott', with a stylized flourish at the end.

For  
HOLLY L. WOLCOTT  
City Clerk

Proposition 218 Assessment Ballot Tabulation for  
 Penmar Avenue and Palms Boulevard No. 2 Lighting District

Final Public Hearing April 9, 2024
 Election # 5553  
 Council File # 23-0900-S79

Ballot Tally

Assmnt No.	County APN	Owner	Assessment Weight	Ballot Vote Y/N	Weighted Vote		No Vote/Challenged
					Yes	No	
1	4244-027-024	FRAGOLA LLC	\$104.57		Not Cast	Not Cast	
2	4244-027-023	BARNES,JOHN F AND GENEVIEVE D	\$95.06	Y	\$ 95.06		
3	4244-027-022	MACLENNAN,IVA S TR IVA MACLENNAN TRUST	\$95.06	Y	\$ 95.06		
4	4244-027-021	FEDERICO P MENDOZA	\$95.06		Not Cast	Not Cast	
5	4243-002-065	1169 PALMS LLC C/O C/O STEVEN H SCHWARTZ	\$356.48	N		\$ 356.48	
		TOTAL	\$746.23		\$ 190.12	\$ 356.48	
5							
		TOTAL VOTES		3	2	1	0

**Proposition 218 Assessment Ballot Tabulation for**  
**Penmar Avenue and Palms Boulevard No. 2 Lighting District**

**Final Public Hearing April 9, 2024**

**Election # 5553**  
**Council File # 23-0900-S79**

Voting/Ballot Summary			
Vote	Weighted Total	Assessment Percent of Votes Cast	Number of Ballots
Yes	\$190.12	34.78%	2
No	\$356.48	65.22%	1
No Vote			0
Challenged			0

Assessment District Summary			
	Total	Voted	Percent
Parcels	5	3	60%
Assessment	\$746.23	\$546.60	73%