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DR. FERNANDO CAMPOS
EXECUTIVE OFFICER

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<http://bpw.lacity.org>

June 15, 2022

Council File No. 22-0593
Council Hearing – 06/21/2022
BPW-2022-0394

The Honorable City Council
Room 395
City Hall.

Honorable Members:

Inasmuch as no one protested the assessments pursuant to the hearing scheduled this date, in connection with the maintenance for the Annual Assessment for Street Lighting Maintenance for 2022/23 – Los Angeles City Lighting District (Assessments and District Frozen Since 1996), the Board of Public Works recommends that the assessments therefore be confirmed.

The Bureau of Street Lighting has indicated that the final Ordinance for said Council Hearing will be submitted via separate cover to the Office of the City Clerk for City Council consideration.

Respectfully submitted,

DR. FERNANDO CAMPOS,
Executive Officer, Board of Public Works

FC:ch/lc

Cc: Director of Street Lighting
City Engineer



DEPARTMENT OF PUBLIC WORKS
BUREAU OF STREET LIGHTING
REPORT NO. 1

May 18, 2022

C.D. All

Honorable Board of Public Works
of the City of Los Angeles

**ANNUAL ASSESSMENT FOR STREET LIGHTING MAINTENANCE AND OPERATION FOR
2022/23 – LOS ANGELES CITY LIGHTING DISTRICT (ASSESSMENTS AND DISTRICT
FROZEN SINCE 1996)**

RECOMMENDATION(S)

Request the Board:

1. ADOPT and FORWARD this report and transmittals to the City Clerk and City Council in accordance with Section 6.98 of the Administrative Code of the City of Los Angeles, with the recommendations that:
 - a. Council adopt this Report and the Ordinance of Intention for the Los Angeles City Street Lighting Maintenance Assessment District (LACLD), under which individual maintenance assessments, and the composition of the district will remain substantially the same as in **2021/22**, and therefore assessments will be exempt from the "procedures and approval process" (section 4 of Proposition 218) as allowed in section 5 of Proposition 218. **No assessments will be increased and no properties will be added to this district, therefore, no ballots will be required.**
 - b. Proceedings for the maintenance of the LACLD for fiscal year **2022/23** be conducted in conformance with Division 6, Chapter 3, Article 1 of the Los Angeles Administrative Code, California Government Code Section 53753.5 and Proposition 218 (Articles XIII C and XIII D of the California State Constitution). **At the conclusion of the Council Public Hearing, assessments be confirmed and an ordinance levying the assessments be adopted.** Confirmation of the assessments by **July 31, 2022** is necessary to meet the County deadline for inclusion of the assessments on the **2022/23** Property Tax Bills.

FISCAL IMPACT STATEMENT

Approval will result in assessment revenue of about **\$44,782,135** to the Street Lighting Assessment Fund (SLMAF) for **2022/23** street lighting operations, slightly **more** than in 2021/22. An amount of **\$2,600,000** is budgeted from the Water and Electricity Fund for the City's share of the Public Property assessments. About 510,000 parcels are included in this assessment district.

TRANSMITTALS

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2. Final Cost Estimate for Operation of the Street Lighting in the LACLD for **2022/23**.

3. Specifications for the Operation of the Los Angeles City Street Lighting Maintenance Assessment District for 2022/23.
4. Proposed assessment roll.

SUMMARY DISCUSSION

Approval of this report, adoption of the Ordinance of Intention, holding of the public hearings, and adoption of the Final Ordinance by Council, with approval by the Mayor, is required under Sections 6.95 to 6.127 of the Los Angeles Administrative Code to levy the assessments needed to operate the Los Angeles City Street Lighting Maintenance Assessment District (LACLD) for 2022/23. The \$44,782,135 in annual assessments is the primary source of revenue for the Bureau of Street Lighting's operating budget and other street lighting expenses. The assessments are collected through the County Property Tax Bills, and therefore the assessments must be confirmed by the Council by July 31, 2022 to ensure that the information can be included on the tax bills.

In summary, the total estimated cost of LACLD street lighting operations for 2022/23 is \$74,269,492 of which \$44,782,135 is proposed to be assessed to benefiting properties, including City-owned properties, in accordance with established Council policy. The remaining \$29,487,357 (\$4,704,892.88 carry over from previous fiscal year) in costs are funded from other sources of revenue, including miscellaneous receipts, reimbursements from other agencies, and collections for damage claims, permits & fees, and maintenance agreement receipts. An appropriation of \$2,600,000 from the Water & Electricity Fund is budgeted for the public property street lighting maintenance assessments.

SINCE INDIVIDUAL MAINTENANCE ASSESSMENTS, AND THE COMPOSITION OF THE DISTRICT WILL REMAIN SUBSTANTIALLY THE SAME AS IN 2021/22, THEY ARE EXEMPT FROM THE "PROCEDURES AND APPROVAL PROCESS" (SECTION 4 OF PROPOSITION 218) AS ALLOWED IN SECTION 5 OF PROPOSITION 218. NO ASSESSMENTS WILL BE INCREASED AND NO PROPERTIES WILL BE ADDED TO THIS DISTRICT.

SIGNIFICANT ITEMS AFFECTING THE ESTIMATE

REVENUES

- **STREET LIGHTING MAINTENANCE ASSESSMENTS** – The Bureau collects 98% of all assessments levied against benefiting property owners.
- **ACCELERATED HIGH VOLTAGE CONVERSION PROGRAM (MICLA)** – The Bureau will be converting the remaining 2,000 high voltage streetlights to energy efficient low voltage LED streetlights next fiscal year.

EXPENDITURES

- **ELECTRIC RATES** – The annual bills for electricity for the LACLD are estimated to total \$14,628,000 for 2022/23.
- **STREET LIGHTING MAINTENANCE ASSESSMENT FUND (SLMAF)** – The SLMAF covers design, operation, and maintenance of the street lighting system (220,000 streetlights).

OTHER SIGNIFICANT ITEMS

- **REVIEW OF ASSESSMENT FUND REVENUES** – In fiscal year 2022-23 the Bureau will be reviewing the assessment fund to ensure that all assessments are accurate and being properly collected.
- **CITYWIDE ASSESSMENT BALLOT** – In fiscal year 2016-2017, the Bureau worked with a consultant to establish a detailed plan for a Citywide LACLD ballot proceeding. The consultant concluded its study and recommendation in fiscal year 2017-18 to move forward with the LACLD ballot. The CAO's Needs Analysis Report contract was completed in FY 2019-20. The Bureau awarded a personal service contract in 2021 to NBS Government Finance, Inc. for a database software that will calculate street lighting maintenance assessments for over 550,000 parcels. The Bureau expects to execute a Supplemental Agreement with NBS to extend the Contract end date of December 10, 2021 by nine (9) months to September 7, 2022. This increase in contract duration is based on the anticipated time to perform polling and public outreach services and complete a Citywide Street Lighting Maintenance Assessment Ballot process in the Summer of 2022.
- **WIRE THEFT** – The City of Los Angeles has over 220,000 streetlights that are supported by a vast underground network of approximately 9,000 miles of conduit filled with 27,000 miles of copper wire that connect to 12,000 DWP service points. The City first saw a sharp uptick in thefts damaging the lighting system between FY 06/07 (incidents) to FY 07/08 (443 incidents) – well over a 40-fold increase. Levels remained fairly consistent with an average of 500 incidents per year until FY 17/18. Within two years the number of incidents grew 4-fold and has consistently been above 2,500 incidents since FY 19/20. To date, there are over 2,800 theft and vandalism incidents putting this fiscal year on a course to be the all-time high. Though we do not yet have enough data to show a consistent trend, it is the Bureau's assessment that there is, at best, a new plateau for copper wire theft and vandalism in the City. The use of high strength, composite, lockable pullboxes along with increased awareness by the LAPD and the public have been instrumental in confronting copper wire theft.
- **EV CHARGING STATIONS** - Innovative curbside Streetlight EV Charging Stations attach to the streetlight and utilize the existing circuitry, making them extremely cost-effective. Our first Infrastructure as a Service solution is expanding to meet the mandate set by the Mayor's Sustainable plan to increase EV adoption 25%, adding 100,000 new electric vehicles in the City by 2025.

- **FIRST 5G CITY IN THE NATION** - Technology continues to evolve such that access and connectivity to our street lighting poles is in high demand. As the use of smartphones, live-streaming, and other communication devices increases, the demand for, and proliferation of, additional antennas and communication cabinets increases. The City took an innovative approach to reduce the installation of cabinets or additional antenna poles on our sidewalks and decided to combine the needed equipment with existing streetlight poles, hence Co-Location. The Co-Location Program facilitates this effort through the installation of communication devices/ antennas to be attached to or placed within the City's existing streetlight poles. This work includes the replacement of poles, installing larger, stronger foundations, and, when required, rewiring of circuits. Street Lighting coordinates with telecommunication companies, provides designs, coordinates with City crews, and performs administration duties. There are currently over 3500 Co-Location poles citywide. The Bureau's rigorous engineering and design standards are resulting in more innovative streetlight designs, and sleeker integrated poles. These more advanced, aesthetically pleasing poles will strengthen the City's cellular coverage for constituents, businesses, and visitors. We developed a brochure detailing the function of 5G and integrated small cells, safety, and benefits to keep the community informed on small cell attachments.
- **REMOTE MONITORING CONTROLS ON STREET LIGHTING POLES** - The Bureau will continue to install remote monitoring controls on street lighting fixtures as well as monitor energy use and the status of each light. The streetlights can identify themselves to the network instantly using mobile technology embedded into each fixture. This smart plug-and-play approach not only reduces the cost of installing each fixture, but it also reduces the time of commissioning and eliminates on-site commissioning completely. Additionally, the entire system will be securely controlled and managed remotely through a web browser. We envision this will provide infrastructure for future Smart City applications.
- **VISION ZERO** - Vision Zero Los Angeles is premised on the fundamental principle that loss of life by traffic collision is unacceptable. The goal of Vision Zero is to target all traffic fatalities with an emphasis on the most vulnerable users of our streets; people who walk and bicycle. Our Bureau has developed a list of prioritized lighting projects to improve safety on the High Injury Network which identifies streets with a high concentration of traffic collisions that result in severe injuries and deaths. We will continue to incorporate strategies into intersections and crosswalks at mid-blocks to improve safety.

PROPOSITION 218

Shortly after approval of Proposition 218 on November 5, 1996, we conferred with experts in assessments in the private sector, in other cities, and within the City, including the City Attorney, CAO, CLA, City Clerk and others to ascertain and deal with the impacts on assessments, particularly for this District. Our conclusions, concurred in by the City Attorney, are:

1. This assessment district can be renewed, a year at a time, and is exempt from the voting, mailed notices and other requirements of Proposition 218, Section 4, as long as the assessments and the composition of the District are not increased or added to from the previous year.

2. When an increase becomes necessary, a ballot and notice must be mailed to all property owners in the District; if a weighted majority of the votes received are against the increased assessment, it cannot be levied.

STREET LIGHTING MAINTENANCE ASSESSMENTS – FINAL ESTIMATE

Transmittal No. 2 is the FINAL ESTIMATE of expenditures and revenues for the 2022/23 LACLD. It also provides a description of the cost and revenue elements of the estimate, and the basis for the street lighting maintenance assessments that are levied by City Council.

The assessments to about 510,000 individual properties (about 2/3 of the City) will remain the same as in 2021/22. Properties without streetlights (about 1/3 of the City) are not assessed. A typical R-1 property with a 50-foot frontage which was assessed \$53.07 in 2021/22 will be assessed the same amount in 2022/23.

This estimate has been prepared consistent with Council Policy in Administrative Code Sections 6.95-6.127, and on the basis of maintaining the Street Lighting Maintenance Assessment Fund in a solvent condition throughout the next fiscal year. The major portion of the revenue to this Fund is planned to be secured from the annual assessment to benefiting properties, which comprise the LACLD. The Bureau of Street Lighting (BSL) budget is also financed from the SLMAF. Therefore, we depend on reimbursement of design fees and other charges to the SLMAF from other funds and agencies.

PROCEDURES FOR CONFIRMING THE ASSESSMENTS

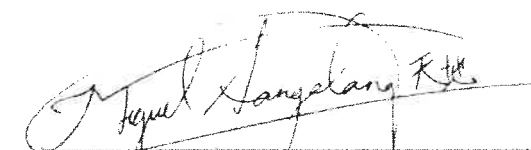
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The assessment diagrams of lands previously approved for assessments, except for assessments first confirmed in 1996/97 and thereafter, are available, and the roll of individual assessments proposed to be levied within the district is being prepared by our assessment engineering staff. These documents will be available prior to the publication of the Notice of Public Hearing. The Ordinance of Intention for the LACLD has been approved as to form by the City Attorney.

Report Prepared By:

Ruben Flamenco, Division Engineer
Street Lighting Assessment Division

Respectfully submitted,



Bureau of Street Lighting
Miguel Sangalang, Director

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PROCEDURES FOR CONFIRMING THE ASSESSMENTS

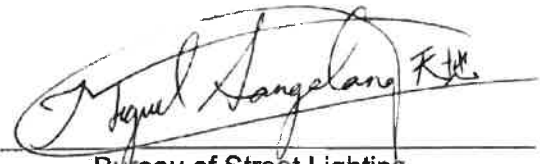
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Report Prepared By:

Ruben Flamenco, Division Engineer
Street Lighting Assessment Division

Respectfully submitted,



Bureau of Street Lighting
Miguel Sangalang, Director

ORDINANCE NO. _____

An Ordinance pursuant to the provisions of Section 6.95 - 6.127 of the Los Angeles Administrative Code, Sections 53753.5 of the California Government Code, and Proposition 218 (Articles XIII C and XIII D of the California Constitution) declaring the intention of the Council of the City of Los Angeles to order the necessary street lighting systems to be operated, maintained and repaired, including furnishing electric energy, for a period of one year ending June 30, 2023 for the lighting of that certain district designated as the **LOS ANGELES CITY STREET LIGHTING MAINTENANCE ASSESSMENT DISTRICT** ("MASTER DISTRICT") in the City of Los Angeles. The "MASTER DISTRICT" was created for administrative convenience and is comprised of individual "COMPONENT DISTRICTS" created prior to the effective date of Proposition 218 to fund street lighting related services and/or activities.

The boundaries of the COMPONENT DISTRICTS and the individual assessments for each property within the COMPONENT DISTRICTS remain unchanged from the assessment year preceding the effective date of Proposition 218. No assessments will increase and no new properties will be added to the involved COMPONENT DISTRICTS. The city may from time to time delete all or a portion of COMPONENT DISTRICT from the MASTER DISTRICT but only if such change will not increase any individual COMPONENT DISTRICT assessment amounts beyond the last pre-Proposition 218 assessment amount. Such COMPONENT DISTRICTS are therefore exempt under section 5 of Proposition 218 from the procedures and approval process set forth in section 4 of Proposition 218.

**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, to wit:

That the necessary street lighting systems be operated, maintained and repaired, including the furnishing of electric energy, for the period of one year ending June 30, 2023 for the lighting of:

All those streets, alleys, and other public places within the boundaries of the City of Los Angeles that have heretofore been assessed for such services for the period of one year ending June 30, 2022, except all those COMPONENT DISTRICTS assessed for the first time in 1996/97 and thereafter. The COMPONENT DISTRICTS to be assessed to pay the costs and expenses of this improvement shall collectively be known as the **"LOS ANGELES CITY STREET LIGHTING MAINTENANCE ASSESSMENT DISTRICT"** ("MASTER DISTRICT"). The lighting districts in such MASTER DISTRICT can also be described as those lighting districts with assessment diagram numbers 1

through 11161, not including assessment diagram numbers 9953, 10803, 11136, 11138 and 11140 through 11153, as more fully described in sections 2 and 4 herein.

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

Sec. 3. The said Council hereby makes all the costs and expenses of said improvement, including incidental expenses, chargeable upon the COMPONENT DISTRICTS to be benefited thereby, with no additional portion of the costs to be paid out of the City Treasury.

Sec. 4. The Council hereby determines and declares that the COMPONENT DISTRICTS which receive special benefit from said improvement and are to be assessed to pay the costs and expenses thereof, are described by the diagram included by reference in the said 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 each said COMPONENT DISTRICT. Reference is hereby made to said report and diagram for a full and complete description of said COMPONENT DISTRICTS, which diagram shall govern for all details as to the extent thereof. Diagrams showing the territory of the COMPONENT DISTRICTS are on file in the office of the Bureau of Street Lighting, 1149 S. Broadway, 2nd Floor, Los Angeles, California, 90015. All public streets and alleys or portions thereof are hereby excepted therefrom.

Sec. 5. That the proceedings for the said improvement shall be had and taken under and in accordance with Section 6.95 - 6.127 of the Los Angeles Administrative Code, Sections 53753.5 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 cause notices of said improvement 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. That _____ at the hour of 10 o'clock a.m. is the time, and the Council Chamber on the third floor of City Hall in the City of Los Angeles is the place, when and where a public hearing on the proposed improvement and assessment will be held by the City Council. Any person objecting to their assessment may file a written protest or appeal with the City Clerk at any time prior to this confirmation hearing by the City Council. Any person may also present written or oral comments at the City Council testimony meeting on this matter. Such protest must contain a description of the property in which each signer thereof 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.

Sec. 8. 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 4-26-22

File No. _____

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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 _____

Approved _____

**FINAL COST ESTIMATE FOR OPERATION OF THE LOS ANGELES CITY STREET
LIGHTING MAINTENANCE ASSESSMENT DISTRICT (LACLD) FOR THE 2022/23 FISCAL YEAR**

	FINAL ESTIMATE FOR 2022/23
<u>REVENUE</u>	
Balance Available July 1	\$4,704,893
Receipts:	
Damage Claims	\$322,000
Maintenance Agreement Receipts	\$225,400
Permit Fees	\$0
Permits and Fees	\$0
Reimbursement from Other Agencies	\$2,022,584
Reimbursement from Other Funds	\$41,400
Sale of Salvage Property	\$0
Assessmnets	\$44,782,135
Other Financing Sources	\$1,536,400
Other Receipts	\$322,000
	\$49,251,919
Total Revenue	\$53,956,812
<u>EXPENDITURES</u>	
Finance	\$34,310
General Services	\$1,032,953
Information Technology Agency	\$39,034
Personel	\$113,211
Public Works:	\$0
A) Board of Public Works	\$220,710
B) Contract Administration	\$55,801
C) Engineering	\$70,509
D) Street Lighting	\$28,327,404
E) Street Services	\$0
Capital Finance Administration	\$10,325,567
Special Purpose Fund Appropriations:	\$0
CTIEP Physical Plant	\$0
Energy	\$14,628,000
Energy Conservation Assistance Loan Repayment	\$445,530
Engineering Special Service Fund	\$0
Enhanced MTA Bus Stop Security Lighting	\$0
Fleet Replacement	\$0
Graffiti Removal	\$303,600
LED Fixtures	\$0
NASA Grant Predicting What We Breathe	\$0
Official Notices	\$9,200
Pole Painting	\$0
Smart Nodes	\$0
Street Lighting Improvements and Supplies	\$4,122,721
Tree Trimming	\$0
Reimbursement of General Fund Costs	\$14,540,943
Total Appropriations	\$74,269,492

**SPECIFICATIONS FOR THE OPERATION OF THE
LOS ANGELES CITY STREET LIGHTING MAINTENANCE ASSESSMENT DISTRICT
IN THE CITY OF LOS ANGELES
FOR 2022-23**

WORK TO BE DONE. The work and improvement to be done shall be the operation, including furnishing electric energy and timing/switching; maintenance, including lamp changing, emergency services, pole painting, fixture cleaning and glassware replacement, and rehabilitation, which includes modernization and replacement of systems; repairs, including poles, conduit, wiring and fusing, and fixtures repair and replacement; management of the funds, records, engineering, equipment approval and testing, administration and assessments, buildings, vehicles, equipment and materials; and related activities for the street lighting system designated as the LOS ANGELES CITY STREET LIGHTING MAINTENANCE ASSESSMENT DISTRICT (LACLD), for the period of one year ending June 30, 2023, in accordance with the report of the Board of Public Works therefore, on file in the office of the City Clerk.

AUTHORITY. The said work and improvement is to be made under and is to be governed in all particulars by the Charter of the City of Los Angeles, Article V section 580 and other sections; the Los Angeles Administrative Code, Sections 6.95-6.127; Proposition 218 (Articles XIII C and XIII D of the California Constitution), the Report adopted by The Board of Public Works, and the Ordinance of Intention to be hereafter adopted therefore.

LIGHTING SYSTEM. The street lighting system consists of electroliers, luminaires, and lamps, together with the necessary conduits, cables, wires, and other appurtenances. Plans showing the location and description of said equipment are on file in the office of the Bureau of Street Lighting and are hereby referred to and made a part of these specifications. The properties to be benefited by the work and improvement are designated in the assessment diagrams on file in the office of the Bureau of Street Lighting, Assessment Engineering Division, and are hereby referred to and made a part of the specifications.

OPERATION SCHEDULES. The lighting system shall be lighted in accordance with the All Night and 1:00 a.m. schedules of operation, and minor exceptions, as agreed upon by the Department of Public Works and the Department of Water and Power, or other utility suppliers.

ELECTRIC ENERGY. It is contemplated that the City of Los Angeles, through its Department of Public Works, will purchase electric energy for the LACLD as it may deem necessary from the Department of Water and Power, or other utility suppliers, in accordance with the terms, conditions, and rates prescribed for in such services as have been agreed upon by the Board of Public Works and the utility supplier, and approved by the City Council.

MAINTENANCE. The Department of Public Works through its Bureau of Street Lighting will itself perform the work, or will contract for certain work with the Department of Water and Power, or private companies, in providing normal maintenance for the LACLD in accordance with the terms, and conditions as have been agreed upon by the Board of Public Works and the supplier, and approved by the City Council.

REPAIRS. The Department of Public Works will itself perform the repair work, or will contract for certain work with private companies, provide the materials, equipment and expense, appliances, other appurtenances and appurtenant work necessary to repair the street lighting system. This may also require approval by the City Council.

**LOS ANGELES CITY STREET LIGHTING MAINTENANCE ASSESSMENT DISTRICT
(LACLD)**

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4/22/2022

CITY OF LOS ANGELES
LIGHTING MAINTENANCE ASSESSMENT ROLL
 (Under Secs. 6.95-6.127 of the Los Angeles Administrative Code)

For the Maintenance and the Furnishing of Electric Energy for the Lighting of

LOS ANGELES CITY STREET LIGHTING MAINTENANCE
ASSESSMENT DISTRICT

as shown on the assessment diagram recorded in the Bureau of Street Lighting in Assessment Map Book 1--21

Page 1 thru 161, for a period of 12 months, ending June 30, 2023
 accordance with Ordinance of Intention No. _____

ESTIMATE COST

Electric Energy

Maintenance

Incidentals

Total

Less Unexpended Balance & Other Revenues

Balance

AMOUNT ASSESSED TO PROPERTY OWNERS

Dollars	Cents
\$11,883,119	00
\$43,076,305	00
\$19,310,068	00
\$74,269,492	00
\$29,487,357	00
\$44,782,135	00
\$44,782,135	00