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May 10, 2023

**“REVISED”
BPW-2023-0266**

City Council
Room No. 395
City Hall

SUBJECT: ANNUAL ASSESSMENT FOR STREET LIGHTING MAINTENANCE AND OPERATION FOR 2022/23 *2023/24 - 1996/97 Z SERIES STREET LIGHTING MAINTENANCE ASSESSMENT DISTRICT (ASSESSMENT DISTRICTS OF 1996/97 ONLY, ASSESSMENTS AND DISTRICT FROZEN SINCE 1996)

As recommended in the accompanying report of the Director of the Bureau of Street Lighting, which this Board has adopted, the Board of Public Works recommend that your Honorable Body:

- 1 Council adopt this report and the Ordinance of Intention, under which individual maintenance assessments, the total amount assessed, and the boundaries of the districts will remain the same as they were in 1996/1997 and be exempt from the "procedures and approval process" (section 4 of Proposition 218) as allowed in section 5 of Proposition 218, for 2022/23 *2023/24. No assessments will be increased, and no properties will be added to these districts, therefore, no ballots will be required; and
2. Proceedings for the maintenance of 92 separate street lighting maintenance district for fiscal year 2023/24 be conducted in conformance with Division 6, Chapter 3, Article 1 of the Administrative Code, California Government Code Sections 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.

Fiscal Impact:

Approval will result in assessment revenue \$123,527 to the Street Lighting Maintenance Assessment Fund (SLMAF). A total of 1,673 parcels are included in this assessment district.

Sincerely,

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

FC:lc



DEPARTMENT OF PUBLIC WORKS
BUREAU OF STREET LIGHTING
REPORT NO. 2

"REVISED"

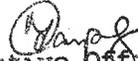
ADOPTED BY THE BOARD
PUBLIC WORKS OF THE CITY
of Los Angeles California

May 10, 2023

MAY 10 2023

C.D. All
Honorable Board of Public Works
of the City of Los Angeles

AND REFERRED TO THE CITY COUNCIL


Executive Officer
Board of Public Works

**ANNUAL ASSESSMENT FOR STREET LIGHTING MAINTENANCE AND OPERATION FOR
~~2022/23~~*2023/24 – 1996/97 Z SERIES STREET LIGHTING MAINTENANCE ASSESSMENT
DISTRICT (ASSESSMENT DISTRICTS OF 1996/97 ONLY, ASSESSMENTS AND DISTRICT
FROZEN SINCE
1996)**

Recommending 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 (Transmittal No. 1), under which individual maintenance assessments, the total amount assessed, and the boundaries of the districts will remain the same as they were in 1996/1997 and be exempt from the "procedures and approval process" (section 4 of Proposition 218) as allowed in section 5 of Proposition 218, for ~~2022/23~~ *2023/24. **No assessments will be increased, and no properties will be added to these districts, therefore, no ballots will be required; and**
 - b. Proceedings for the maintenance of 92 separate street lighting maintenance district for fiscal year **2023/24** be conducted in conformance with Division 6, Chapter 3, Article 1 of the Administrative Code, California Government Code Sections 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.**

FISCAL IMPACT STATEMENT

Approval will result in assessment revenue of **\$123,527** to the Street Lighting Maintenance Assessment Fund (SLMAF). A total of 1,673 parcels are included in this assessment district.

TRANSMITTALS

1. Draft of an Ordinance of Intention approved as to form and legality by the City Attorney.
2. Final cost estimate for operation of the 1996/97 Z-Series Street Lighting Maintenance Assessment District for **2023/24**.
3. Specifications for the operation of the street lighting systems processed as the Annual Assessment of the 1996/97 Z-Series Street Lighting Maintenance Assessment District **2023/24**.
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 92 districts of the 1996/97 Z-Series for 2023/24. The \$123,527 in annual assessments is the only source of revenue for the 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, 2023** to ensure that the information can be included on the tax bills.

These districts' assessments were most recently confirmed by Council and billed on the **2022/23** County Property Tax Bills. Prior to 1996/97, they would have been included in the Los Angeles City Street Lighting Maintenance Assessment District (LACLD) for an annual procedure and assessment. Since the approval of Proposition 218, and the processing of the LACLD as an exempt district which must be kept as it was in 1996/97, these districts must be kept separate from the LACLD. For administrative efficiency, they are being processed as one group, with one ordinance of intention and report, for a one year period.

THE BOUNDARIES OF THE DISTRICTS, AND INDIVIDUAL MAINTENANCE ASSESSMENTS FOR 2023/24 REMAIN THE SAME AS FOR 1996/97. THIS PROCEEDING IS EXEMPT FROM THE "PROCEDURES AND APPROVAL PROCESS" (SECTION 4 OF PROPOSITION 218) AS ALLOWED IN SECTION 5 OF PROPOSITION 218.

PROPOSITION 218 IMPACTS

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

1. These assessment districts can be renewed, a year at a time, and are exempt from the voting, mailed notices, general benefit determination, and other requirements of Proposition 218, Section 4, as long as the assessments and the composition of the Districts remain unchanged.
2. These 92 districts, although processed for varying periods of assessment from 12 to 36 months in their initial, or "Z-Series" stage, can be processed as exempt from the requirements of Proposition 218, for a one year period under the authority of a single ordinance of intention.
3. When an increase becomes necessary, a ballot and notice must be mailed to all property owners in the Districts, and if a weighted majority of the votes received are against the assessment, the increase cannot be levied.

PROCEDURES FOR CONFIRMING THE ASSESSMENTS

Upon approval of this report and adoption of the Ordinance of Intention by the Council, dates will be set for hearing appeals, first at the Board of Public Works, and then at the Council. After consideration of the appeals, Council may vote to confirm the assessments, and to adopt a Final Ordinance ordering the maintenance work to be done and the assessments to be levied. This must be completed in time (with Council confirmation by **July 31, 2023**) to submit the necessary information to the County Tax Collector for inclusion with the Property Tax Bills, to avoid a costly, separate City billing preparation, mailing and collection.

The assessment diagrams of land previously approved for assessments are available, and the roll of individual assessments proposed to be levied within the districts 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 has been approved as to form and legality by the City Attorney.

Prepared By:

Respectfully submitted,

Ruben Flamenco, Division Engineer
Street Lighting Assessment Division



Bureau of Street Lighting
Miguel Sangalang, Director