



Mike Feuer <mike.feuer@lacity.org>

Proposed Alpha BID in the Arts District


Steven Shapiro <steven@stevenshapirolaw.com>

Thu, Nov 14, 2013 at 11:19 AM

To: mike.feuer@lacity.org

Cc: jose.huizar@lacity.org, tanner.blackman@lacity.org, Miguel.Vargas@lacity.org

Dear Mr. Feuer, please find letter correspondence attached. Regards, Steven Shapiro

 **letter to city attorney.pdf**
569K

November 14, 2013

The Office of the City Attorney
Attn: Mike Feuer
800 City Hall East
200 N. Main Street
Los Angeles, CA 90012

Re: Proposed Alpha BID in the Arts District

Dear Mr. Feuer,

I am writing this letter to you on behalf of my clients who own substantial properties within the Arts District. We are aware that two BID plans have been presented to you, one a traditional plan which has already received 50% of the property owners vote and second plan which is attempting to be formed under the Alpha BD ordinance.

The proposed Arts District Alpha BID is not located in an area in which an Alpha BID may be formed under the Alpha BID law of the City of Los Angeles (the "City"). Pursuant to the Los Angeles Administrative Code, Alpha BIDs can only be formed within "special economic incentive zones," which are defined as Los Angeles Neighborhood Initiative ("LANI") neighborhoods (low to middle-income neighborhoods that the City is targeting for community-driven revitalization), Targeted Neighborhood Initiative ("TNI") neighborhoods (blighted neighborhoods that the City is targeting for revitalization through community involvement and receipt of Community Development Block Grant dollars), transit-oriented districts, or commercial or industrial census tracts with a poverty level of 20% or higher. (L.A. Admin. Code Secs. 6.600, 6.601.)

The proponents of the proposed Arts District Alpha BID claim that the proposed Arts District Alpha BID will be located in a transit oriented district; however, the majority of the proposed BID is not within such a district. Although the term "transit oriented district" is not defined in the City's Administrative Code, it is defined by municipal agencies in related contexts. For example, the Los Angeles County Metropolitan Transportation Agency considers the term "transit-proximity: to apply to the area within a quarter-mile of a station and the Los Angeles Department of City Planning (the "Planning Department") defines a transit-oriented district as being within a half-mile radius of a transit corridor and within a 15 minute walk of a transit station. (<http://www.latnp.org/about-the-project/>.)

The Office of the City Attorney

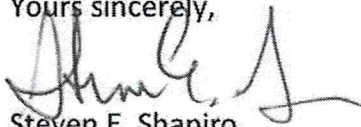
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As shown on the attached map, only a small portion of the proposed BID's area is within a half-mile from the 1st and Alameda subway station; the remaining portion of the district is too far from the station to fall into the Planning Department's accepted definition of a transit oriented district. Because the entire proposed Arts District Alpha BID is not "within" any special economic incentive zone, the proposed BID is not permitted by the City's Alpha BID ordinance.

On behalf of my clients, we request that you do not permit the proposed Alpha BID to move forward.

Yours sincerely,



Steven E. Shapiro

Enclosure

Cc: jose.huizar@lacity.org; tanner.blackman@lacity.org; Miguel.Vargas@lacity.org

