

# Role of City Clerk, Neighborhood and Business Improvement District Division

Miranda Paster

## Improvement District Division

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- The role of the Office of the City Clerk, as the coordinating agency for the Citywide Business Improvement District Program and as directed and authorized by the Los Angeles City Council, can be defined in terms of five primary components:
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- 1. DISTRICT DEVELOPMENT ASSISTANCE
- 2. LEGISLATIVE ASSISTANCE
- 3. BILLING AND DISBURSEMENT ASSISTANCE
- 4. PUBLIC RELATIONS ASSISTANCE
- 5. CONTRACT COMPLIANCE ASSISTANCE
- 6. DISSOLUTION ASSISTANCE



# CALIFORNIA'S PROPOSITION 218

- After Management District Plan and Engineer's Report Approved.
- 50% Petition level pursuant to CA Sts. & Hwys Code
- Proposition 218 Ballot (weighted)



# Arts District Renewal

- Petition Process and Results
- Check to see if ownership matches County Records or a legal connection to sign the petition.
- Amount of assessment matches the database
- Petition is signed in appropriate places by the responsible persons
- Ballot Tabulation – Based on Weighted results of property owners returning the petition check if signed

# Sample Petition

PETITION TO ESTABLISH THE  
 (BID NAME)  
 BUSINESS IMPROVEMENT DISTRICT  
 PURSUANT TO SECTION 38000 ET SEQ OF THE  
 CALIFORNIA STREETS AND HIGHWAYS CODE

LEGAL OWNER: \_\_\_\_\_

APPLICABLE	SITE ADDRESS	ASSESSMENT AMOUNT	PERCENTAGE
TOTAL			

YES, I want my property(ies) to be included in this Business Improvement District.

Property Owner's Name  
 (Please Print or Type) \_\_\_\_\_

Property Owner's OR Duty Authorized Representative  
 Signature \_\_\_\_\_

Title \_\_\_\_\_  
 (Please Print or Type)

Date \_\_\_\_\_

**STATEMENT OF AUTHORITY FOR SIGNED BIDS PETITION - (must be completed by petitioner)**

I, \_\_\_\_\_ hereby certify (or decline) under penalty of perjury under the laws of the State of California that I am legally authorized as owner, or legal representative of owner, to execute the lay of here (assessment amount) on the property(ies) listed above. This statement is true, correct, and complete to the best of my knowledge as of \_\_\_\_\_.

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Petitioner Signature: \_\_\_\_\_

**NOTE: ALL FIELDS MUST BE COMPLETED. PETITIONS WITH EMPTY FIELDS WILL BE REJECTED.**

Please Return To: (BID NAME) Stakeholders  
 (Stakeholder Address)  
 (City, State Zip Code)



# Petition Results

- **PRELIMINARY PETITIONS**

- In order to proceed with the establishment process under the State Law, the proponent group needed to secure written support for the project in the form of petitions signed by property owners who will pay more than 50 percent of the assessments proposed to be levied. The consulting firm for the proposed District, Urban Place Consulting Group, Inc., has presented to the Office of the City Clerk a set of petitions that support the formation of the proposed District. This Office has verified the validity of the petitions using various City and County of Los Angeles sources. In addition, this Office has verified the accuracy of the assessment calculations.
- **The petitions received indicate affirmative financial support of the project in an amount equivalent to \$677,407.87. This represents 50.66 percent (50.66%) of the proposed District's projected first year revenue of \$1,337,165.15.**
- Because the more than 50 percent threshold of preliminary support has been achieved, the formal business improvement district establishment process, including a public hearing before the City Council, may be initiated.

# Sample Ballot.

PETITION TO ESTABLISH THE  
 (BID NAME)  
 BUSINESS IMPROVEMENT DISTRICT  
 PURSUANT TO SECTION 56000 ET SEQ OF THE  
 CALIFORNIA STREETS AND HIGHWAYS CODE

LEGAL OWNER: \_\_\_\_\_

APN NUMBER	SITE ADDRESS	ASSESSMENT AMOUNT	PERCENTAGE
TOTALS			

YES, I want my property(ies) to be included in this Business Improvement District.

Property Owner's Name  
(Please Print or Type)

Property Owner OR Duty Authorized Representative's  
Signature

Title  
(Please Print or Type)

Date

**STATEMENT OF AUTHORITY TO SIGN THIS PETITION. (Must be completed by qualified signers)**

I, \_\_\_\_\_ hereby certify (or declare) under penalty of perjury under the laws of the State of California that I am legally authorized as owner, or legal representative of owner, to accept the levy of fees (assessment amount) on the property(ies) listed above. This statement is true, correct, and conforms to the best of my knowledge as of \_\_\_\_\_, 20\_\_\_\_. Petitioner Signature: \_\_\_\_\_

**NOTE: ALL FIELDS MUST BE COMPLETED. PETITIONS WITH EMPTY FIELDS WILL BE REJECTED.**

Please Return To: (BID NAME) Stakeholders  
(Stakeholder Address)  
(City, State, Zip Code)

# Ballot Results

COLLEEN WOLCOTT  
Interim City Clerk

CITY OF LOS ANGELES  
CALIFORNIA



ERIC CARCETTI  
Mayor

OFFICE OF  
NEIGHBORHOOD AND BUSINESS  
IMPROVEMENT DISTRICT DIVISION  
1000 WEST 12TH STREET, SUITE 1000  
LOS ANGELES, CALIFORNIA 90017  
FAC: (213) 592-1131  
TDD/TTY: (213) 592-1103  
MIRANDA MASTER  
Acting Director

**BALLOT TABULATION RESULTS FOR THE ESTABLISHMENT OF THE  
ARTS DISTRICT LOS ANGELES BUSINESS IMPROVEMENT DISTRICT (CF NO. 13-1628)**

**SECTION 1.** Results of the Proposition 218 ballot tabulation, pursuant to Article XIII D of the California Constitution, Section 36600 et seq. of the California Streets and Highways Code, and Section 53753 of the California Government Code:

	Ballots Cast	Weighted Value	Percent of Ballots Cast
Supporting ("Yes") ballots:	172	\$383,509.04	80.34%
Opposing ("No") ballots:	33	\$80,888.09	19.16%

[NOTE: Eleven (11) ballots received were unsigned and could not be counted. See final page of attached ballot tabulation spreadsheet for breakdown of total assessment value, total property owners, total parcels and weighted value of each parcel.]

The weighted value of the supporting ballots exceeds the weighted value of the opposing ballots.

**SECTION 2.** Protests received, pursuant to Section 53753(d) of the California Government Code:

Valid Written Protests Received: 0

One (1) speaker card was received from the public.

**CONCLUSION:** The tabulated value of the opposing ballots cast does not exceed the tabulated value of the supporting ballots cast. A majority protest, pursuant to Section 4(e) of Article XIII D of the California Constitution, Section 36823 of the California Streets and Highways Code, and Section 53753(e)(2) of the California Government Code, is not found to exist and the proposed establishment may be authorized by the City Council at this time.

BY: \_\_\_\_\_ APPROVED: \_\_\_\_\_

Deputy City Clerk

HOLLY L. WOLCOTT  
Interim City Clerk

2/25/14  
Date

2/25/2014  
Date





# Special Vs General Benefits

- Case law (San Diego) Arts District
- **GOLDEN HILL NEIGHBORHOOD ASSOCIATION, INC., et al., Plaintiffs and Appellants, v. CITY OF SAN DIEGO, Defendant and Appellant.**
- Didn't Separate General Benefit
- Economic Development = General Benefit



# Arts District – Final Ruling



# Arts District Final Death

- *May 10, 2013*





# Final Death

- Dissolution of Assets
- Refund of Assessments



# Bring Back Blue



# Arts District LA

- Establishment Process
  - Management District Plan and Engineer's Report Approved September 2013
  - Petition Process percentage (7 weeks)
- The petitions received indicate affirmative financial support of the project in an amount equivalent to \$602,794.97 This represents 54.38% percent of the proposed District's projected first year assessment revenue of \$1,108,392.07.