

MOTION

Moved by Council Member Najarian, seconded by Council Member Devine, that the City Council has reviewed the Greater Downtown Glendale Community Benefit District petition results and the June 12, 2018, staff report from the Director of Community Development concerning the Petition Phase for the proposed expansion and renewal of the Greater Downtown Glendale Community Benefit District, and hereby directs staff to note and file same.

Vote as follows:


Ayes: Agajanian, Devine, Gharpetian, Najarian, Sinanyan

Noes: None

Absent: None

Abstain: None

THE MOTION WAS ADOPTED AT THE SPECIAL CITY COUNCIL MEETING OF: Tuesday, June 12, 2018.

APPROVED AS TO FORM

CHIEF ASSISTANT CITY ATTORNEY
DATED 6/17/18

Adopted
06/12/18
Najarian/Devine
All Ayes

RESOLUTION NO. 18-94

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GLENDALE STATING ITS INTENTION TO ESTABLISH THE GREATER DOWNTOWN GLENDALE COMMUNITY BENEFIT DISTRICT OF 2018 AND TO LEVY AND COLLECT ASSESSMENTS WITHIN SUCH DISTRICT PURSUANT TO CITY OF GLENDALE ORDINANCE NO. 5771 RELATING TO THE ESTABLISHMENT OF COMMUNITY BENEFIT DISTRICTS, AND APPOINTING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO

WHEREAS, the City of Glendale's Community Benefit District Ordinance No. 5771 (the "Ordinance") authorizes the City to establish Community Benefit Districts ("CBDs") for up to 20 years to promote the economic revitalization and physical maintenance of business districts, and mixed use communities in the City; and

WHEREAS, the Ordinance authorizes the City to levy and collect assessments on real property within such districts for the purpose of providing improvements and promoting activities that specially benefit real property within such districts; and

WHEREAS, the Ordinance authorizes the City to use the procedures set forth in the Property and Business Improvement District Law of 1994 (Streets & Highways Code §§36600 et sec. (the "PBID Law") as modified by the Ordinance for purposes of forming an assessment district; and

WHEREAS, Articles XIIC and XIID of the California Constitution and §53753 of the California Government Code (Proposition 218 Omnibus Implementation Act) also imposes certain procedural and substantive requirements relating to the notice, protests and hearing requirements pertaining to new or increased assessments; and

WHEREAS, on July 31, 2012, the City Council adopted Resolution No. 12-117 creating the Downtown Glendale Community Benefit District of 2012 (the "2012 District") for seven (7), and on December 28, 2012, the City Council approved the Management and Disbursement Agreement with the Downtown Glendale Association ("DGA") to implement the District Management Plan for the 2012 District; and

WHEREAS, in January 2013 the DGA commenced providing special benefit services to the 2012 District and in subsequent years property owners outside the 2012 District requested the 2012 District be expanded so that their properties could also receive special benefits and services from the DGA; and

WHEREAS, pursuant property owner requests to expand the 2012 District, the DGA proposed to renew the 2012 District one year early and expand it to include additional properties requesting special benefits, and create a new district called the Greater Downtown Glendale Community Benefit District of 2018 (the "2018 District"); and

WHEREAS, the DGA prepared a Management District Plan entitled "The Greater Downtown Glendale Community Benefit District 2018 Management District Plan" dated May 24, 2018 (the "Plan") for the proposed 2018 District, which Plan contains all of the information required by the Ordinance, including, but not limited to, a description of the boundaries of the proposed 2018 District,

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a description of the special benefits and activities proposed for the 2018 District, and the cost of such special benefit improvements and activities (the Plan is attached here to as Exhibit "1"). The Plan also includes the proposed boundaries of the 2018 District, which boundary map is attached to this Resolution as Exhibit "2"; and

WHEREAS, in response to property owners requests to be included within the 2018 District, the DGA provided property owners with a petition containing a summary of the proposed 2018 District Plan, a map showing the boundaries of the 2018 District, information specifying where the complete Management District Plan can be obtained, and information specifying that the complete Management District Plan shall be furnished upon request have submitted written petitions have been submitted to request; and

WHEREAS, petitions signed by property owners in the proposed 2018 District who will pay more than thirty percent (30%) of the assessments proposed to be levied were submitted to the City requesting the City Council initiate proceedings pursuant to the Ordinance to establish the 2018 District for a period of ten (10) years.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GLENDALE AS FOLLOWS:

Section 1. Pursuant to Glendale Ordinance No. 5771, the City Council declares its intention to establish the Greater Downtown Glendale Community Benefit District of 2018 ("2018 District") for a period of ten (10) years, and to levy and collect assessments against lots and parcels of real property within the 2018 District commencing in fiscal year 2018-19.

Section 2. The City Council hereby approves the Management District Plan for the proposed 2018 District, which Management District Plan is on file in the office of the City Clerk, and is attached hereto as Exhibit "1".

Section 3. The City Clerk shall make the Management District Plan and other documents related thereto the available to the public for review during normal business hours.

Section 4. The proposed activities as set forth in the Management District Plan include beautification, marketing, district identity, tourism promotion, security, administration/corporate operations, and maintenance of an appropriate contingency/reserve. All proposed services and improvements will provide a special benefit to businesses and real property located in the 2018 District.

Section 5. The total assessment proposed to be levied and collected within the proposed 2018 District for fiscal year 2018-19 is \$1,461,630.00. Section 7 of the Management District Plan attached hereto as Exhibit "1" sets forth the proposed Downtown Glendale CBD annual assessment amount by Assessor parcel number. The amount to be levied and collected for subsequent years may be increased by an amount not to exceed five percent (5%) per year in accordance with increases in the Consumer Price Index for the Los Angeles County area.

Section 6. NOTICE IS HEREBY GIVEN that the City Council shall conduct a public hearing to establish the 2018 District, and to levy and collect assessments for fiscal year 2018-19 on **July 31, 2018 at 6:00 p.m.** or as soon thereafter as the matter may be heard, in the City Council Chambers located at 613 E. Broadway, 2nd Floor, Glendale, California 91206.

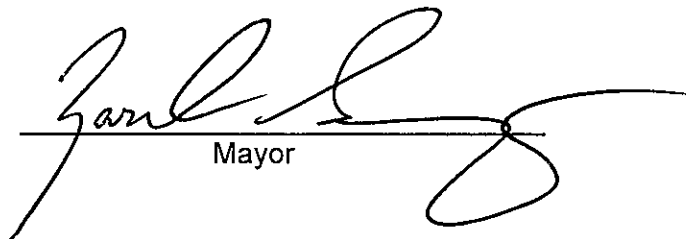
At the public hearing, the City Council will consider all objections or protests, if any, to the proposed establishment of the 2018 District, and all objections to the proposed assessment.

Every written protest shall be filed with the clerk at or before the time fixed for the public hearing by either delivery in person or by mail to the City Clerk's office at City Hall, 613 E. Broadway, Suite 110, Glendale, CA 91206, or personally by submitting the protest at or before the public hearing. A written protest may be withdrawn in writing at any time before the conclusion of the public hearing.

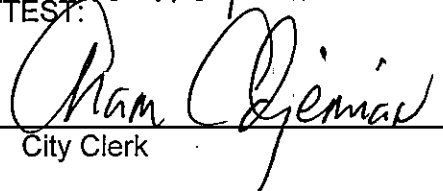
At the conclusion of the public hearing, the City Clerk shall open and tabulate all ballots received and ballots that have not been withdrawn at that time. Results of the ballot procedure will be announced; and provided a weighted majority in opposition to the formation of the 2018 District does not occur, the City Council may then establish the 2018 District by adopting a resolution to that effect.

Section 7. The City Clerk is hereby authorized and directed to give notice of the public hearing as provided in Government Code §53753 and in Article XIID, Section 4 of the California Constitution.

Adopted this 12th day of June, 2018.



Mayor

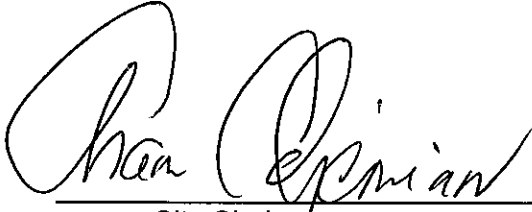
ATTEST: For: Ardy Kassakhian


City Clerk

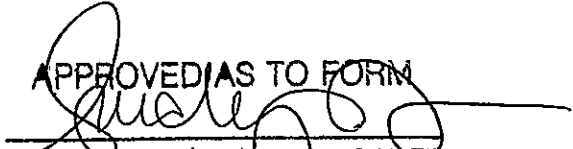
STATE OF CALIFORNIA)
)
COUNTY OF LOS ANGELES) SS

I, ARDASHES KASSAHKIAN, City Clerk of the City of Glendale, certify that the foregoing Resolution was adopted by the City Council of the City of Glendale, California, at a regular meeting held on the 12th day of June, 2018, and that same was adopted by the following vote:

- Ayes: Agajanian, Devine, Gharpetian, Najarian, Sinanyan
- Noes: None
- Absent: None
- Abstain: None



City Clerk

APPROVED AS TO FORM


CHIEF ASSISTANT CITY ATTORNEY
DATED 6/7/18