

**City of West Hollywood
Santa Monica Boulevard Maintenance District
Notice of Public Hearing**

NOTICE IS HEREBY GIVEN that on **JUNE 26, 2023 at 6:00 P.M.**, or as soon thereafter as the matter may be heard, the City Council of the City of West Hollywood will hold its regularly scheduled meeting at West Hollywood Park Public Meeting Room Council Chambers, 625 N. San Vicente Boulevard, West Hollywood, CA 90069, to solicit input on the levy of an assessment for the Santa Monica Boulevard Maintenance District for fiscal year 2023-2024. The following resolution was adopted by the City Council of the City of West Hollywood on May 15, 2023.

RESOLUTION NO. 23-044

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF WEST HOLLYWOOD APPROVING THE
REPORT OF THE ENGINEER, DECLARING ITS
INTENTION TO LEVY AND COLLECT
ASSESSMENTS WITHIN THE SANTA MONICA
BOULEVARD MAINTENANCE DISTRICT FOR THE
2023-2024 FISCAL YEAR, AND SETTING A TIME
AND PLACE FOR PUBLIC HEARING

THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DOES
HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The Landscaping and Lighting Act of 1972 (the "Act"), Part 2 of Division 15 of the California Streets and Highways Code (commencing with Section 22500), authorizes the City Council to levy an assessment against assessable lots and parcels of property to finance certain improvements.

SECTION 2. In 1998, the City Council adopted Resolution 98-1927 establishing the "Santa Monica Boulevard Maintenance District" (the "District").

SECTION 3. The boundaries of the District include properties fronting both sides of Santa Monica Boulevard from North Doheny Drive to Croft Avenue (Zone 1); Croft Avenue to Crescent Heights Boulevard (Zone 2); and from Crescent Heights Boulevard to the West Hollywood City limit east of North La Brea Avenue (Zone 3). The boundaries of the District and the zones therein are shown on a map entitled "Assessment Diagram, Santa Monica Boulevard Maintenance District, City of West Hollywood," which is on file with the City Clerk and the Department of Public Works, City Engineer, and open to public inspection.

SECTION 4. In accordance with Streets and Highways Code Section 22565, the City Engineer, a registered professional engineer certified by the State of California, has prepared and filed with the City Clerk a report in connection with the District for fiscal year 2023-2024 consistent with Section 4 of Article XIID of the California Constitution and with the Act (the "Report"). The Report does not propose new improvements or substantial changes in existing improvements.

SECTION 5. Upon consideration by the City Council, the Report is hereby approved as filed.

SECTION 6. Having approved the Report as filed, the City Council hereby declares its intention to levy and collect an assessment against assessable lots and parcels of property within the District for fiscal year 2023-2024, in the same manner and amount as collected during fiscal year 2022-2023 ("Assessment").

SECTION 7. The proposed improvements shall generally include the installation, maintenance, operation, and servicing of ornamental structures, including holiday decorations, banners, flags, lights in street trees and appurtenances, and the installation, maintenance, and operation of sidewalks, bus benches, and trash receptacles located in medians and parkways in Santa Monica Boulevard between North Doheny Drive and the West Hollywood city limit east of North La Brea Avenue. The proposed improvements are the same for all three (3) zones. There will be no new improvements or substantial changes to existing improvements for fiscal year 2023-2024.

SECTION 8. Reference is hereby made to the Report, which is on file with the City Clerk and open to public inspection, for a full and detailed description of the improvements, the boundaries of the District and zones contained therein, and the Assessment.

SECTION 9. Parcels within the District that are owned or used by any county, city, city and county, special district or any other local governmental entity, the State of California, or the United States shall be assessed unless clear and convincing evidence demonstrates that such lots or parcels receive no special benefit from the proposed improvements. Plummer Park does not receive special benefits because, as a park, it is one of the amenities (infrastructure) provided by the City to the community. Additionally, Plummer Park does not front onto Santa Monica Boulevard the way the other parcels subject to the assessment do and thus, this parcel does not receive the same benefit as those parcels. Plummer Park has an ingress and egress on Santa Monica Boulevard, however the park activities are inside the park and do not face or utilize Santa Monica Boulevard. By analogy, it would have to be determined that the streets receive a special benefit from the improvements in order to find that a park receives a special benefit. The funds raised by the assessment will not contribute to ornamental structures, holiday decorations,

banners, flags, and lights in Plummer Park because the ingress and egress to Plummer Park and side of building that fronts Santa Monica Boulevard is only a driveway and is also very narrow. The funds raised by the assessment will not contribute to sidewalks, bus benches, and trash receptacles in Plummer Park because the ingress and egress to Plummer Park and side of building that fronts Santa Monica Boulevard is only a driveway and is also very narrow. Therefore, the government owned parcels listed above, with the exception of the park, will be assessed.

SECTION 10. A public hearing on the proposed levy of an assessment against the lots and parcels within the District for fiscal year 2023-2024 as set forth in the Report shall be held as follows:

TIME: 6:00 p.m.

DATE: Monday, June 26, 2023

PLACE: West Hollywood Park Public Meeting Room – Council Chambers
625 N. San Vicente Boulevard
West Hollywood, California 60069

At the public hearing, the testimony of all interested persons regarding the levy of an assessment against the lots and parcels within the District for fiscal year 2023-2024 shall be heard. A protest may be made orally or in writing by any interested person.

SECTION 11. The City Clerk is hereby directed to provide notice of the public hearing in accordance with law.

AFFIDAVIT OF POSTING

State of California)
County of Los Angeles)
City of West Hollywood)

I declare under penalty of perjury that I am employed by the City of West Hollywood in the Office of the City Clerk, and that this document was posted on:

Date: June 15, 2023
Signature: \\Alyssa T. Poblador\
Office of the City Clerk