

ECONOMIC DEVELOPMENT COMMITTEE REPORT and ORDINANCE OF INTENTION
FIRST CONSIDERATION relative to the reconfirmation and assessment increase for the
Wilshire Center Merchant-Based Business Improvement District (BID) for 2017.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. FIND that:

- a. The assessments imposed by the Wilshire Center BID for 2017 provide services that directly benefit each of the businesses which pay the assessments.
- b. The services funded by the assessments are provided only to each of the assessed businesses within the boundaries of the BID.
- c. The assessment imposed does not exceed the reasonable cost of conferring the benefits.
- d. The proposed improvements and activities are completely separate from the day to day operations of the City of Los Angeles.
- e. The assessments for the proposed business-based BID are not taxes and that the BID qualifies for exemption from Proposition 26 under exemption 1 of Article XIII C Section 1(e)(1).
- f. The services to be provided by the owners' association are in the nature of professional, expert, technical or other special services, that the services are of a temporary and occasional character, and that the use of competitive bidding would be impractical, not advantageous, undesirable or where the common law otherwise excuses compliance with competitive bidding requirements.

2. PRESENT and ADOPT the accompanying Ordinance of Intention dated September 27, 2016 confirming the Wilshire Center BID's Annual Report and levying an annual assessment for the Wilshire Center BID's 22nd operating year, January 1, 2017 to December 31, 2017.
3. DIRECT the City Clerk to schedule, prepare, publish, and mail the joint notice of public meeting and public hearing, as required by the provisions of Section 36500 et seq. of the California Streets and Highways Code.
4. INSTRUCT the City Clerk, subject to the approval of the City Attorney as to form and legality, to prepare and present an enabling Ordinance levying the special assessment for the Wilshire Center BID's 22nd operating period beginning January 1, 2017 to December 31, 2017.
5. APPROVE the Wilshire Center BID, Inc., a California non-profit mutual benefit corporation, to administer the proposed services of the Wilshire Center BID pursuant to Section 36500 et seq. of the California Streets and Highways Code and City regulations.

6. AUTHORIZE the City Clerk, subject to City Attorney approval, to prepare, execute, and administer a contract between the City of Los Angeles and the Wilshire Center BID Corporation to administer the Wilshire Center BID, if the Ordinance reconfirming the BID is adopted.
7. APPOINT the Wilshire Center BID Advisory Board Members as listed in the Wilshire Center BID 2017 Annual Report, attached to the November 8, 2016 City Clerk report and the Council File.

Fiscal Impact Statement: The City Clerk reports that this is a merchant-based BID and there are no assessments for City-owned properties within the BID, therefore there is no impact on the General Fund.

Community Impact Statement: None submitted.

Summary:

On November 8, 2016, your Committee considered October 11, 2016 and November 8, 2016 City Clerk reports and Ordinances relative to the reconfirmation and assessment increase for the Wilshire Center Merchant-Based BID for 2017. The November 8, 2016 report was submitted to the City Clerk after the agenda was released and was presented in Committee and as such, it makes several corrections to the report. According to the City Clerk, on October 31, 1995, Council adopted Ordinance 170755, which established the Wilshire Center BID, located in Council Districts One, Four and Ten (Council File Nos. 94-1949, 99-2168, 04-2480, 06-2513, 09-2715 and 12-1696).

The City is required to conduct reconfirmation proceedings in order to levy a special assessment, which supports each year of District operations. The Wilshire Center BID will complete its 21st operating year on December 31, 2016. The Wilshire Center BID Advisory Board has approved and submitted an Annual Report and is ready to proceed with the reconfirmation of the Wilshire Center BID. The Annual Report for the BID's 22nd operating year, beginning January 1, 2017 through December 31, 2017, is presented as an attachment to the October 11, 2016 and November 8, 2016 City Clerk reports and is designated as Attachment 1.

The reconfirmation process consists of the adoption of an Ordinance of Intention, the approval of the Annual Report from the District's management entity and a public meeting and a public hearing prior to the adoption of an Ordinance, which would authorize the special assessment to fund operations for the next year of the program. The City Clerk has received and reviewed the Annual Report as submitted by the Wilshire Center BID Advisory Board and as required by Section 36533 of the California Streets and Highways Code. The report includes the various programs and activities, which would be supported by assessment revenue and interest earnings.

After consideration and having provided an opportunity for public comment, the Committee moved to recommend approval of the recommendations as contained in the November 8, 2016 City Clerk report and detailed in the above recommendations. This matter is now submitted to Council for its consideration.

Respectfully Submitted,

ECONOMIC DEVELOPMENT COMMITTEE



<u>MEMBER</u>	<u>VOTE</u>
PRICE:	YES
CEDILLO:	ABSENT
HARRIS-DAWSON:	YES
KREKORIAN:	YES
O'FARRELL:	YES

ARL
11/8/16

-NOT OFFICIAL UNTIL COUNCIL ACTS-