

ECONOMIC DEVELOPMENT AND JOBS COMMITTEE REPORT and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to the reconfirmation of the Wilshire Center Merchant-Based Business Improvement District (BID).

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

1. FIND that:

- a. The assessments imposed by the Wilshire Center BID for the 2023 Fiscal Year (FY) provide services that directly benefit each of the businesses that 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, Wilshire Center Business Improvement Corporation, 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 October 31, 2022 confirming the Wilshire Center BID's Annual Report and levying an annual assessment for the Wilshire Center BID's 28th operating year, January 1, 2023 to December 31, 2023.
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 approval by the City Attorney as to form and legality, to prepare an enabling Ordinance levying the special assessment for the Wilshire Center Business Improvement District's 28th operating period beginning January 1, 2023 to December 31, 2023.

5. APPROVE the Wilshire Center Business Improvement Corporation, 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 and the Wilshire Center Business Improvement Corporation to administer the Wilshire Center BID, if the Ordinance reconfirming the Business Improvement District is adopted.
7. APPOINT the Advisory Board listed in the 2023 Annual Report, attached to the Council File.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

Summary:

On November 22, 2022, your Committee considered an October 5, 2022 City Clerk report relative to the reconfirmation of the Wilshire Center Merchant-Based BID. According to the City Clerk, on October 31, 1995, Council adopted Ordinance 170755, which established the Wilshire Center Business Improvement District, located in Council Districts One, Four and Ten (Council File Nos. 94-1949, 99-2168, 04-2480, 06-2513, 09-2715, 12-1696, 21-1108, and 21-1108-S1). The City is required to conduct reconfirmation proceedings in order to levy a special assessment, which supports each year of BID operations. The Wilshire Center Business Improvement District will complete its 27th operating year on December 31, 2022.

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 Business Improvement District. The Annual Report for the Business Improvement District's 28th operating year, beginning January 1, 2023 through December 31, 2023, is presented with this Report for Council consideration (Attachment 1 of the City Clerk report).

The reconfirmation process consists of the adoption of an Ordinance of Intention, the approval of the Annual Report from the BID'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 law (Section 36533, California Streets and Highways Code). After consideration and having provided an opportunity for public comment, the Committee moved to recommend approval of the recommendations contained in the City Clerk report. This matter is now submitted to Council for its consideration.

Respectfully Submitted,

Economic Development and Jobs Committee



COUNCILMEMBER	VOTE
PRICE:	YES
KREKORIAN:	ABSENT
BLUMENFIELD:	YES
RAMAN:	ABSENT
HARRIS-DAWSON:	YES

ARL
11/22/22
CDs 1, 4, 10

-NOT OFFICIAL UNTIL COUNCIL ACTS-