

ECONOMIC DEVELOPMENT COMMITTEE REPORT and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to the Wilmington Commercial District Business Improvement District (BID) reconfirmation procedure.

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

1. FIND that the:

- a. Assessments imposed by the Wilmington Commercial District BID for the Fiscal Year 2018 provide services that directly benefit each of the businesses which pay the assessments.
- b. Services funded by the assessments are provided only to each of the assessed businesses within the boundaries of the district.
- c. Assessment imposed does not exceed the reasonable cost of conferring the benefits.
- d. Proposed improvements and activities are completely separate from the day to day operations of the City of Los Angeles.
- e. Assessments for the proposed business based district are not taxes and that the district qualifies for exemption from Proposition 26 under exemption 1 of Article XIII C Section 1(e)(1).
- f. Services to be provided by the Owners' Association, Wilmington Chamber of Commerce, 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. ADOPT the accompanying ORDINANCE OF INTENTION dated February 21, 2018 confirming the Wilmington Commercial District BID Annual Report and levying an annual assessment for the Wilmington Commercial District BID's 18th operating year, January 1, 2018 to December 31, 2018.

3. INSTRUCT the City Clerk to:

- a. 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.
- b. Prepare, subject to approval by the City Attorney as to form and legality, an enabling Ordinance levying the special assessment for the Wilmington Commercial District BID's 16th operating period beginning January 1, 2018 to December 31, 2018.

4. APPROVE the Wilmington Chamber of Commerce, a California non-profit mutual benefit corporation, to administer the proposed services of the Wilmington Commercial District BID pursuant to Section 36500 et seq. of the California Streets and Highways Code and City regulations.
5. AUTHORIZE the City Clerk, subject to City Attorney approval, to prepare, execute, and administer a contract between the City and the Wilmington Chamber of Commerce to administer the Wilmington Commercial District BID, if the Ordinance reconfirming the BID is adopted.
6. APPOINT the Advisory Board, referenced in the City Clerk report dated February 21, 2018, attached to 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 February 27, 2018, your Committee considered a February 21, 2018 City Clerk report and Ordinance dated February 21, 2018, relative to the reconfirmation of the Wilmington Commercial District (Merchant-Based) BID. According to the City Clerk, on August 8, 2000, Council adopted Ordinance No. 173472, which established the Wilmington Commercial District BID (Council File No. 14-0880). The City is required to conduct reconfirmation proceedings in order to levy a special assessment, which supports each year of the BID's operations. The BID has completed its 17th operating year on December 31, 2017. The BID Advisory Board has approved and submitted an Annual Report and is ready to proceed with the reconfirmation of the BID.

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 hearing prior to the adoption of an Ordinance, which would authorize the special assessment to fund operations for the next year of the program. We have received and reviewed the Annual Report as submitted by the Wilmington Commercial District BID Advisory Board and as required by law (Section 36533, California Streets and Highways Code). The City Clerk 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 recommended that Council approve recommendations as contained in the February 21, 2018 City Clerk report and detailed in the above recommendations. This matter is now forwarded to the Council for its consideration.

Respectfully Submitted,

ECONOMIC DEVELOPMENT COMMITTEE



**MEMBER VOTE**

PRICE: YES

BUSCAINO: YES

HUIZAR: ABSENT

ARL

2/27/18

**-NOT OFFICIAL UNTIL COUNCIL ACTS-**