

MEMORANDUM OF UNDERSTANDING
Between
THE LOS ANGELES DEPARTMENT OF WATER AND POWER
AND
THE LOS ANGELES CITY CLERK
2014-2015

A. BACKGROUND

The purpose of this memorandum of Understanding (MOU) is to establish a framework of cooperation and funding between The Los Angeles Department of Water and Power (LADWP), a Proprietary Department of the City of Los Angeles, and the Los Angeles Office of City Clerk (City Clerk), a City of Los Angeles Department.

This framework is an agreement between LADWP's Economic Development Group (EDG) and the City Clerk's Neighborhood and Business Improvement District Division (N&BID) to coordinate LADWP's Economic Development Initiatives through the Business Improvement Districts (BID).

The N&BID is the coordinating agency responsible for the administration of the BID program which currently includes 40 business improvements districts throughout the City of Los Angeles. The N&BID administers the BID program and the BID Trust Fund for the City through the collection and processing of assessments amounting to more than \$45 million annually. The \$45 million in assessments are for services not provided for under standard property taxes such as those designed to increase commerce in specific business areas. These services include trash removal, security, entertainment, marketing, and capital improvements activities designed to attract customers and improve economic vitality of an area.

The LADWP's EDG's goals include identifying and implementing initiatives that will attract, retain and expand environmentally and economically sustainable and resource efficient businesses within the LADWP's service territory and assisting the City in job creation.

B. INITIATIVES

The LADWP EDG's and N&BID's common initiatives include but are not limited to:

1. Conduct specialized market outreach and needs assessment surveys to ensure maximum participation in LADWP programs by BID members
2. Coordinate events and programs to focus on sustainable growth
3. Consolidate and rebuild top quality digital communication tools.
 - Enhance and expand the new "BID Consortium" website
 - Update videos that tell the BID stories, and explore new media marketing means.
4. Promote and Market BID events, projects, and programs

- Update the "State of the BID" and assist the various BIDs with marketing their projects and programs.
 - Develop media plan for promoting BID.
5. Creating events/programs that focuses on sustainability and economic development
 6. Maximizing LADWP real estate assets within BID areas
 7. Overlay of BID in the LocatELA website
 8. Other mutually agreed upon efforts

C. LADWP BENEFITS

EDG is focused on delivering programs that meet at least one of the three "Es" - Environmental, Equity, or Economy while supporting LADWP's electrification, energy, or water sustainability

LADWP benefits from the listed initiatives above because LADWP will have an opportunity to better promote its economic development, efficiency and sustainability programs and services to businesses in the BIDs in support of LADWP's sustainability goals. These initiatives would place greater emphasis on customer-facing program communications, marketing, and outreach thereby increasing customer satisfaction and participation.

D. BIDS BENEFITS

The BIDs will significantly benefit from this agreement because it will enable them to continue and expand core services. BIDs will also be better able to collect data as well as establish metrics and measure progress which will be reported to the City in a regular manner.

E. CITY CLERK'S RESPONSIBILITIES

The City Clerk through its N&BID shall partner with LADWP to ensure BID participation in the Initiatives set forth above in this MOU

F. FINANCIAL SUPPORT

LADWP shall provide the N&BID funding in the amount not to exceed the amount of \$140,000 for the fiscal year of July 1, 2014 to June 30, 2015

G. INDEMNIFICATION

Pursuant to Section 895.2 of the Government Code of State of California imposing certain tort liability jointly upon entities solely by reason of such entities being parties to an agreement as defined by Section 895 of said code, the parties hereto, as between themselves, pursuant to the authorization contained in Section 895.4 and 895.6 of said Code, will each assume the full liability imposed upon it, or any of its officers, agents, employees by law for injury caused by negligent or wrongful act or omission occurring in the performance of this Agreement to the same extent that such liability would be

CITY OF LOS ANGELES

CALIFORNIA



ERIC GARCETTI
MAYOR

HOLLY L. WOLCOTT
City Clerk

GREGORY R. ALLISON
Executive Office

When making inquiries relative to
this matter, please refer to the
Council File No.

Office of the
CITY CLERK

Council and Public Services
Room 395, City Hall
Los Angeles, CA 90012
General Information - (213) 978-1133
Fax: (213) 978-1040

SHANNON HOPPE
Division Manager

www.cityclerk.lacity.org

November 21, 2014

To All Interested Parties:

The City Council adopted the action(s), as attached, under Council File No. 14-1482, at its meeting held November 12, 2014.

City Clerk
wrq

Mayor's Time Stamp
OFFICE OF THE MAYOR
RECEIVED
2014 NOV 13 PM 12:47
CITY OF LOS ANGELES

City Clerk's Time Stamp
2014 NOV 13 PM 12:43
CITY CLERK
BY _____
DEPUTY

FORTHWITH

SUBJECT TO THE MAYOR'S APPROVAL

COUNCIL FILE NO. 14-1482

COUNCIL DISTRICT _____

COUNCIL APPROVAL DATE November 12, 2014

RE: MEMORANDUM OF UNDERSTANDING WITH THE LOS ANGELES DEPARTMENT OF WATER AND POWER FOR THE ACCEPTANCE OF FUNDS FOR ECONOMIC DEVELOPMENT EFFORTS WITH THE BUSINESS IMPROVEMENT DISTRICTS

LAST DAY FOR MAYOR TO ACT NOV 24 2014
(10 Day Charter requirement as per Charter Section 341)

DO NOT WRITE BELOW THIS LINE - FOR MAYOR USE ONLY

APPROVED

✓

*DISAPPROVED

*Transmit objections in writing pursuant to Charter Section 341

DATE OF MAYOR APPROVAL OR DISAPPROVAL NOV 21 2014


MAYOR

BY _____
CITY CLERK
2014 NOV 21 PM 12:18
DEPUTY



Council Action

The City Council ADOPTED the following recommendation(s), contained in a COMMUNICATION FROM THE CITY CLERK which was WAIVED, pursuant to Council Rule 17, by the Chair of the Economic Development Committee, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. AUTHORIZE the City Clerk to enter into an Memorandum of Understanding (MOU) with the Department of Water and Power (LADWP) to establish a cooperation agreement for contributions to the City's BIDs (Business Improvement District) for a period of three years with two one-year extensions.
2. AUTHORIZE the City Clerk to accept \$140,000, and other amounts as funds become available in future years, on behalf of the City's BIDs.
3. AUTHORIZE the City Clerk to distribute \$140,000, and other amounts if funds become available for this purpose, via interoffice transfers in amounts not to exceed \$35,000 from the BID Trust Fund Account to the individual BID fund accounts as approved by the BID Working Group.
4. RECOGNIZE that the BID Working Group is comprised of the LA BID Consortium Chair or a representative, an LADWP representative of its Economic Development Group, and the City's Director of BIDs or a representative; and, AUTHORIZE the City Clerk to pay those funds to the BIDs pursuant to the established contracts.
5. AUTHORIZE the Controller to establish a separate account in the BID Trust Fund 659 for the allocation of the \$140,000, or any other amounts if provided, from the LADWP to the BIDs pursuant to the MOU agreement to be filed in the Office of the City Clerk upon execution.
6. AUTHORIZE the City Clerk through the BID Program to provide the approval of expenditures from the fund upon the authority of the BID Working Group for the MOU provided by a signed memo from the Group.
7. AUTHORIZE the City Clerk to make technical corrections as necessary to effectuate the intent of this action.

Council File No. 14-1482

ADOPTED

NOV 12 2014

LOS ANGELES CITY COUNCIL

TO THE MAYOR FORTHWITH

imposed in the absence of Section 895.2 of said Code. To achieve the above stated purpose, each party indemnifies and holds harmless the other party for any loss, costs, or expenses that may be imposed upon such other party solely by virtue of said Section 895.2 or said Code. The provisions of Section 2778 of California Civil Code are made a part hereof as if fully set forth herein

H. TERM OF AGREEMENT

The term of this MOU will commence upon November 1st, 2014 and terminate on June 30, 2015.



By: Holly L. Wolcott
City Clerk



By: Marcie L. Edwards
General Manager

Signed this day of November 17, 2014

APPROVED AS TO FORM AND LEGALITY
MICHAEL N. FEUER, CITY ATTORNEY

SEP 25 2014

BY 
TIMOTHY J. CHUNG
DEPUTY CITY ATTORNEY