

City of Culver City, California
Office of the City Clerk
Courtesy Notice of Public Hearing Continuation
Proposed Culver City Arts District Business Improvement District

On October 26, 2015, the City Council adopted a Resolution of Intention to establish the Culver City Arts District Business Improvement District (CCAD BID) and to levy an assessment on certain businesses within the CCAD BID. A public notice was issued on October 29, 2015 to the affected businesses that provided information regarding a Public Meeting and Public Hearing to hear testimony on the proposed CCAD BID formation. The public notice was also posted on the City's Public Notification website. However, despite the City's best efforts, it was discovered that a small number of businesses were not provided the public notice due to a data coding error. A copy of the public notice is attached.

Because the City wants to ensure all businesses which are proposed to be included in the CCAD BID have an opportunity to provide the City Council with comments, a second Public Meeting will be held on January 4, 2016 at 7:00 PM at Culver City Council Chambers, City Hall, 9770 Culver Boulevard, Culver City. In addition, the required Public Hearing has been continued to Monday, February 8, 2016 at 7:00 PM (or as soon thereafter as this matter may be heard).

Please see the attached original public notice for important information about the proposed CCAD BID. Should you have any questions, or would like additional information, please contact: Elaine Warner at 310-253-5777 or at elaine.warner@culvercity.org.

City of Culver City, California
Office of the City Clerk
Official Notice of Public Meeting and Public Hearing
Proposed Culver City Arts District Business Improvement District

**NOTICE OF PUBLIC MEETING AND PUBLIC HEARING CONCERNING THE ESTABLISHMENT OF
THE CULVER CITY ARTS DISTRICT BUSINESS IMPROVEMENT DISTRICT AND TO LEVY AN
ASSESSMENT ON CERTAIN BUSINESSES WITHIN THE DISTRICT**

NOTICE IS HEREBY GIVEN that on October 26, 2015, the City Council of the City of Culver City ("City") adopted a Resolution of Intention to establish the Culver City Arts District Business Improvement District ("CCAD BID") and to levy an assessment on certain businesses within the CCAD BID as set forth in the attached Resolution of Intention.

NOTICE IS HEREBY FURTHER GIVEN that at 7:00 pm, or as soon thereafter as the matter may be heard, on Monday, November 9, 2015, in the Culver City Council Chambers, City Hall, 9770 Culver Blvd., Culver City, California, a public meeting shall be held pursuant to Government Code section 54954.6 to allow public testimony regarding the establishment of the CCAD BID and the levy of assessments therein as set forth in the enclosed Resolution of Intention and pursuant to Government Code section 54954.6.

NOTICE IS HEREBY FURTHER GIVEN that at 7:00 pm, or as soon thereafter as the matter may be heard, on Monday, December 14, 2015, in the Culver City Council Chambers, City Hall, 9770 Culver Blvd., Culver City, California, has been set as the time and place for a public hearing at which time the City Council proposes to establish the CCAD BID and to levy the proposed assessment as set forth in the Resolution of Intention.

Boundaries: The CCAD BID will include all current and future businesses within the boundaries of the CCAD BID. Such boundaries are described as: The CCAD BID is primarily located along Washington Boulevard between Helms Avenue and Fairfax Boulevard and along La Cienega Boulevard from Washington Boulevard to Blackwelder Street. In addition, the CCAD BID encompasses a portion of Fairfax Avenue from Washington Boulevard to La Cienega Boulevard and Adams Street from Washington Boulevard to Fairfax Avenue. It also includes all of Perry Street, Smiley Drive, Blackwelder Street and Hines Avenue. Please see Exhibit A of the Resolution of Intention, attached.

Assessments: The proposed Assessment Schedule is based on both the City's business license activity codes relative to arts and creative enterprise as well as the physical location of the businesses within the CCAD BID. The annual CCAD BID assessment rate ranges from \$75 – \$300, depending on location and business activity code commencing January 1, 2016. A detailed listing of business activity codes and the proposed rates for each is provided in Exhibit B of the Resolution of Intention, attached. If the CCAD BID is formed, the annual assessments levied are subject to a majority protest process each year (see below for more information about a majority protest process).

Budget: The total CCAD BID annual budget for calendar year 2016 is anticipated to be approximately \$64,875.

Purpose: The CCAD BID assessment revenue will provide a necessary and dedicated funding source to provide maintenance/beautification, advocacy and administration and marketing and promotion for the entire Culver City Arts District. A detailed listing of proposed improvements and activities is provided in Exhibit B of the Resolution of Intention, attached.

Collection: Businesses will remit CCAD BID assessments to the City of Culver City. Any annual assessments are proposed to be collected as part of the annual business tax certificate process and are NOT part of the property tax billing system.

Majority
Protest
Process:

Any owner of a business within the proposed CCAD BID that will be subject to the assessment may protest the establishment of the CCAD BID. If written protests are received from the owners of businesses in the proposed CCAD BID, who represent 50 percent or more of the estimated annual assessment to be levied, such majority protest will cause the assessment to be abandoned, the CCAD BID shall not be established, and the CCAD BID assessment shall not be imposed.

You may mail a written protest to:

Martin R. Cole, City Clerk
City of Culver City
9770 Culver Blvd.
Culver City, CA 90232

You may also appear at the public hearing and submit an oral or written protest at that time.

Pursuant to Section 36525 of the Streets and Highways Code, if written protests are received from the owners of businesses in the proposed area which will pay 50 percent or more of the assessments proposed to be levied and protests are not withdrawn so as to reduce the protests to less than that 50 percent, no further proceedings to create the specified business improvement district or to levy the proposed assessment, as contained in the resolution of intention, shall be taken for a period of one year from the date of the finding of a majority protest by the City Council.

Pursuant to Section 36524 of the Streets and Highways Code, every written protest shall be filed with the clerk at or before the time fixed for the public hearing. Additionally, each written protest shall contain a description of the business in which the person subscribing the protest is interested sufficient to identify the business and, if a person subscribing is not shown on the official records of the city as the owner of the business, the protest shall contain or be accompanied by written evidence that the person subscribing is the owner of the business. A written protest which does not comply with these requirements shall not be counted in determining a majority protest.

Potential for
Multiple
Notices:

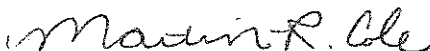
To meet the notice requirements of the law, the City is required to send multiple notices to the same address. In accordance with the enclosed Resolution of Intention, multiple businesses under the same ownership which are located at the same address will be assessed ONE assessment based upon the single highest category.

Information:

Should you desire additional information about the proposed CCAD BID or the assessment, contact:

Elaine Warner
Community Development Department – Economic Development Division
9770 Culver Blvd.
Culver City, CA 90230
Phone: 310-253-5777
E-mail: elaine.warner@culvercity.org

BY:


Martin R. Cole
City Clerk

Mailing Date: October 29, 2015

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1 7) All of Blackwelder Street;

2 8) All of Hines Avenue.

3 WHEREAS, the name of the proposed parking and business improvement
4 area is proposed to be the Culver City Arts District Business Improvement District (the
5 "District"); and,

6 WHEREAS, the assessments to be levied on businesses in the proposed
7 District will fund various activities including, but not be limited to:

- 8
- 9 1) General promotion of business activities within the District;
 - 10 2) Marketing, promotion and special events benefiting businesses within
the District;
 - 11 3) Enhancement or decoration of public places within the District; and,
 - 12 4) Construction, installation or maintenance of improvements identified in
Section 36510 of the Act.

13 The various activities to be funded by assessments are more fully described in the
14 "Goals/Expenses" section of the CCAD District Work Plan (the "Work Plan"), which is
15 attached hereto as Exhibit B; and,

16 WHEREAS, an assessment will be levied annually to pay for all
17 improvements and activities within the District, except where funds are otherwise available;
18 and,

19

20 WHEREAS, the proposed method and basis of levying the assessment is
21 included in the "Proposed 2015 Assessment Schedule" section of the Work Plan; and,

22 WHEREAS, new businesses established during 2016 will not be exempt from
23 this assessment but shall be assessed the amounts listed in the "Proposed 2015
24 Assessment Schedule" section of the Work Plan in a prorated manner, based upon the
25 number of whole months remaining in the 2016 year.
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27
28

1 NOW, THEREFORE, the City Council of the City of Culver City, California,
2 DOES HEREBY RESOLVE as follows:

3 1. Consistent with the requirements of the Act, as well as Section
4 54954.6 of the Government Code, the City Council hereby sets November 9, 2015 at 7:00
5 p.m. for a public meeting and December 14, 2015 at 7:00 p.m. for a public hearing (both of
6 which are to be held in the Mike Balkman Council Chambers), on the establishment of the
7 Culver City Arts District Business Improvement District and the levy of the related
8 assessments;
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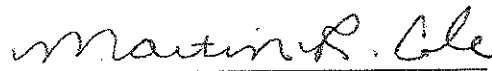
10 2. At the public meeting and public hearing, the testimony of all interested
11 persons for or against the establishment of the Culver City Arts District Business
12 Improvement District, the extent of this district or the furnishing of specified types of
13 improvements or activities will be heard;
14

15 3. If written protests are received from the owners of businesses in the
16 proposed District which will pay 50 percent or more of the assessments proposed to be
17 levied, no further proceedings to create the District or to levy the proposed assessment
18 shall be taken for a period of one year from the date of the finding of a majority protest by
19 the City Council.
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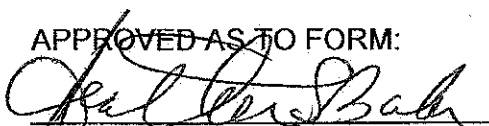
21 APPROVED and ADOPTED this 26 day of October 2015.

22 
23 MICHEAL O'LEARY, MAYOR
24 City of Culver City, California

25 ATTEST:

26 
27 MARTIN COLE, City Clerk
28 A15-00803

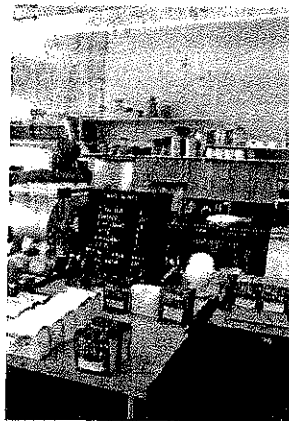
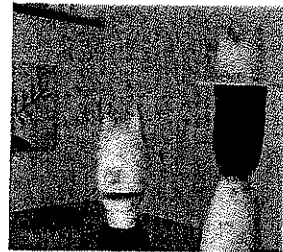
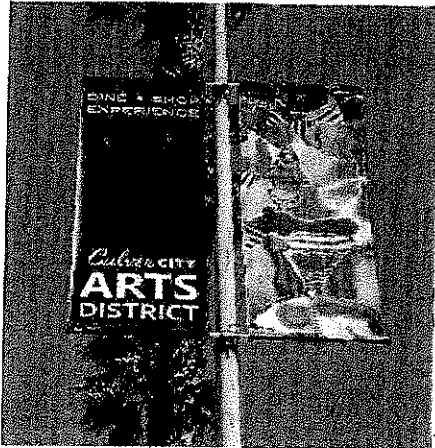
APPROVED AS TO FORM:

29 
30 CAROL A. SCHWAB, City Attorney
for

PROPOSED CULVER CITY ARTS DISTRICT BOUNDARIES



CULVER CITY ARTS DISTRICT BID
BEAUTIFY PROMOTE ADVOCATE
TOGETHER



Proposed 2016 Work Plan

Introduction

The Culver City Arts District is comprised of numerous art galleries, architecture firms, creative businesses, specialty retail, restaurants, professional services and design/wholesale firms located on the east side of Culver City. Recognized by the City Council in September 2013 as a “city organization” the district has worked to encourage engagement among the business community and create/promote a brand and identity for the area. Accomplishments to date include the installation of 32 streetscape banners, the execution of summer crawls and art walks and the development of a district website and social media presence. The current objective of the district is now to form Business Improvement District to further the goals of maintenance/beautification of the area, advocacy and promotion of this dynamic area.

A BID will provide businesses in the area the resources necessary to develop marketing campaigns, increase awareness and enhance public improvement projects in partnership with the City. By pooling resources, business owners in BID's can collectively pay for activities which they may not be able to afford individually. An active BID may also help in reducing vacancies and continue to revitalize and strengthen the Culver City Arts District.

Boundaries

The Arts District is located on the east side of Culver City (Exhibit 1). The district is primarily located along Washington Boulevard between Helms Avenue and Fairfax Boulevard and along La Cienega Boulevard from Washington Boulevard to Blackwelder Street. In addition, the district encompasses a portion of Fairfax Avenue from Washington Boulevard to La Cienega Boulevard and Adams Street from Washington Boulevard to Fairfax Avenue. It also includes all of Perry Street, Smiley Drive, Blackwelder Street and Hines Avenue.

Proposed Improvements and Activities for 2016

The activities proposed for the 2016 CCAD BID are focused in three areas: maintenance/beautification, advocacy and administration and marketing and promotion.

Maintenance/Beautification

- Elevate street maintenance beyond the city standard to improve appearance, walkability and safety.
- Install decorative lights to visually connect all areas of the district. Small white lights may be installed in center median tree canopies or wrapped around palm trees per City requirements.
- Complete street banner program along La Cienega Boulevard to visually extend the district brand south to Blackwelder Street.
- Explore re-painting/re-branding the “film” tree surrounds to promote the Culver City Arts District.
- Develop and design “Welcome to Culver City” signs to identify the City’s gateway at Fairfax Avenue and Blackwelder Street.
- Collaborate with City to implement landscaping improvements in the streetscape medians throughout the district.
- Partner with City to abate graffiti and enhance the neighborhood watch for the area.

Advocacy/Administration

- Within 12 months of the formation of the District, establish a 501 (c)(3) or other non-profit entity to handle the administrative functions of the District including, but not limited to, collecting assessments, pursuing grant opportunities and contracting with consultants and vendors. (During the first 12 months, or until such time as a nonprofit entity is established, whichever is sooner, the administration of the District will be managed by the City, subject to a 5% administrative fee as discussed in the 2016 Proposed Budget section of this Work Plan.)
- Work together to address the City Council and the community with one voice and to strengthen partnerships.
- Collaborate with City to study pedestrian and bike circulation throughout the district to increase pedestrian/bike mobility including additional crosswalks.
- Develop Active Member Directory
- Establish a reserve fund for contingencies.

Marketing/Promotion

- Engage a part-time consultant to develop a comprehensive marketing plan including interactive website design, updated district wide map, social media, collateral materials, blogs/newsletters and develop/maintain relationships with businesses located within the district.
- Implement a causal, low-cost First Thursday or First Friday program for the district to promote the area's assets and encourage visitation to the district in the evening. Coordinate with Yelp, Uber or other third party to develop a cross promotional event.

Assessment Schedule and Collection

The CCAD BID is an annually renewable, "pay as you go" program. Funding to implement the annual work plan is collected via assessments to businesses during the business license renewal process. Funds collected may only be used on the approved programs within the CCAD BID.

The proposed Assessment Schedule is based on both the City's business license activity codes relative to arts and creative enterprise as well as the physical location of the businesses within the district.

Business Activity

Those businesses that have business activity codes that reflect "creative" or artistic enterprise, support artistic or creative enterprise in the arts (art, architecture, marketing, entertainment, production, design services, culinary, etc.) or directly benefit from these enterprises (retail, restaurant, etc.) are identified as primary beneficiaries. Those businesses whose activity may not be directly related to the arts but that support the arts/creative businesses or its employees and/or receive some benefit by being part of an "arts" or organized district are classified as secondary beneficiaries. All other businesses in the CCAD will be classified as tertiary. Tertiary beneficiaries, similar to primary and secondary businesses, will derive benefits from the maintenance, beautification and business promotion services provided by the CCAD.

Location

Most of the businesses within the Arts District are located on the Washington Blvd. and La Cienega Blvd. commercial corridors.

For businesses along Washington Blvd. and La Cienega Blvd, the levels are as follows:

Primary - \$300 annually

Secondary - \$200 annually

Tertiary- \$100 annually

For those businesses along Smiley Dr., Blackwelder Street, Adams Street or Perry Drive, a 25% reduced assessment is proposed for the first few years until/when the district can integrate the Arts District brand more fully throughout these areas via banners, lighting and pedestrian improvements.

Primary - \$225 annually

Secondary - \$150 annually

Tertiary - \$75 annually

Proposed 2015 Assessment Schedule

A detailed listing of Business Activity Code and Benefit Level is noted below:

Primary Benefit – Annual Fee = \$300 (located on Washington Blvd. or La Cienega Blvd.)/
\$225 located along Smiley Dr., Blackwelder Street, Adams Street, Hines Avenue or Perry Drive

Business Activity

Code	Activity
144	misc retail
152	graphic arts
157	art galleries
168	interior decoration
186	advertising/promotion
205	Talent modeling agency
225	public relations
294	architect
390	restaurant no alcohol
396	food retail

399	liquor
410	school
488-490	entertainment industry
540	clothing-retail
666-678, 690	restaurant serving alcohol
828	Rentals - back drops/cameras

Secondary Benefit – Annual Fee = \$200 (located on Washington Blvd. or La Cienega Blvd.)/ \$150 located along Smiley Dr., Blackwelder Street. Adams Street, Hines Avenue or Perry Drive

Business Activity

Code	Activity
138	wall paper/paint retail
160	sale of real property
162	tailor/alteration
180	misc. trade/service
198	consultant misc.
200	computer services
222	property management
255	woodworking/Cabinetry
276	beauty shop
288	accountant cpa
300	attorney
306	dentist
312	therapist/doctor
314	chiropractic
339	professional services
336-37	real estate brokers
339	Professional services
348	Travel agency
384	newspaper/publications
402	pharmacy/drugs
414	apartment rentals
432	Commercial property sublease
474	manufacturing/retail/wholesale
552	wholesale

558	telephone service
774	health/spa fitness
822	rentals - motor
894	animal hospital

Tertiary Benefit - Annual Fee = \$100 (located on Washington Blvd. or La Cienega Blvd.)/
\$75 located along Smiley Dr., Blackwelder Street, Adams Street, Hines Avenue or Perry
Drive

Business Activity

Code	Activity
102	Lumber/building supplies
108	Mail order/retail
192	business office service
200	Computer services
204	staffing employment
208	insurance
227	coach/teacher
354	Contractor in city
420	autos/auto repairs
438	laundry/dry cleaning
444	gasoline
505	Computer repair services
510	Repair services misc.
528	warehouse < 5,000'
534	Warehouse < 10,000'
552	wholesale
784	Export/import
786	impound yard
862	used car sales
864	towing
882	Used motor vehicle sales

Notes:

1. Fee for individual business owners with multiple business licenses/operations at the same address will be based on the single highest category.

2. *Business Owners with multiple business locations within the BID area will be assessed separately at each location.*
3. *Commercial rentals will be assessed for each building location, not each tenant space*
4. *Multiple independent business owners at the same address will be assessed separately at their respective rates.*

The above codes represent known business activity currently within the district. New businesses that are within the district will be assessed on a pro-rata basis. If a business code is not listed above, beneficiary level will be determined by the advisory board or default to a tertiary level until the work plan can be updated.

2016 Proposed Budget

Anticipated Gross Revenue: \$64,875

Anticipated Receivable Revenue: \$39,000

The CCAD will work with the City to develop an appropriate collection schedule to encourage full payment and receipt of the assessment fees as businesses adjust to this new program. However, based on previous experiences with other BID's, the CCAD recognizes that it may not receive the full assessment and has developed its budget accordingly. If additional funds are received beyond the anticipated revenues above, it is proposed that they be allocated to the Maintenance/Beautification line item.

Proposed Expenses:

Maintenance/Beautification:	\$20,000
Advocacy/Administration:	\$1,756
City Administrative Fee*	\$3,244
Marketing/Promotion	\$10,500
<u>Reserve Development:</u>	<u>\$3,500</u>
Total	\$39,000

* During the first 12 months after the formation of the District, or until such time as a nonprofit entity is established, whichever is sooner, the administration of the District will be managed by the City. In order to cover City expenses related to administration of the District, prior to disbursement of any funds to the District, the City shall retain an administrative fee in an amount equal to five percent (5%) of the total annual assessment.

Advisory Board

It is proposed that the Advisory Board for the Arts District hold regular monthly meetings to progress the annual work plan. The Advisory Board shall be appointed by the City Council. It is proposed that the Advisory Board reflect the composition of the businesses in the Arts District based on business type and benefit in order to represent varying issues and objectives from all members. For the first year, it is recommended that the board be kept small to facilitate meetings, discussion and consensus-building.

The proposed composition of the Board is as follows:

Member 1 – Art Gallery Owner/Operator (Primary)

Member 2 – Creative Services Professional/Design (Primary)

Member 3 – Restaurant/Food Services/Retail (Primary)

Member 4 – Consultant/Professional Services (Secondary)

Member 5 – Commercial Sublease/Property Owner (Secondary)

Member 6 – Service/Other (Tertiary)

Member 7 – At-large representative