



# City of Culver City

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## Staff Report Details (With Text)

**File #:** 24-489      **Version:** 1      **Name:**

**Type:** Public Hearing      **Status:** Public Hearing

**File created:** 11/14/2023      **In control:** City Council Meeting Agenda

**On agenda:** 12/11/2023      **Final action:**

**Title:** CC - PUBLIC HEARING: (1) Adoption of an Ordinance Confirming the Downtown Culver City Business Improvement District Advisory Board's (DCCBID) 2024 Annual Report and Levy of Assessments; and (2) Appointment of Members to the DCCBID's 2024 Advisory Board for Calendar Year 2024.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ATT2\_12.11.2023.CCBID Work Plan, Budget and Assessments 2024.pdf, 2. ATT1\_12.11.2023.Ordinance.pdf

Date	Ver.	Action By	Action	Result
12/11/2023	1	City Council Meeting Agenda		
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**CC - PUBLIC HEARING: (1) Adoption of an Ordinance Confirming the Downtown Culver City Business Improvement District Advisory Board's (DCCBID) 2024 Annual Report and Levy of Assessments; and (2) Appointment of Members to the DCCBID's 2024 Advisory Board for Calendar Year 2024.**

**Meeting Date:** December 11, 2023

**Contact Person/Dept:** Elizabeth Garcia / Office of Economic and Cultural Development

**Phone Number:** (310) 253-5708

**Fiscal Impact:** Yes  No       **General Fund:** Yes  No

**Public Hearing:**       **Action Item:**       **Attachments:**

**Public Notification:** (E-Mail) Meetings and Agendas - City Council (12/05/2023);

**Department Approval:** Jesse Mays, Assistant City Manager (11/27/2023)

### RECOMMENDATION

Staff recommends the City Council (1) adopt the proposed ordinance (Attachment No. 1) confirming the Culver City Downtown Culver City Business Improvement District's (DCCBID) 2024 Annual Report and the levy of assessments; and (2) appoint members to the DCCBID Advisory Board for calendar year 2024.

### **PROCEDURE:**

1. The Mayor announces that this is the time and place for the hearing of protests or objections to the continuation of the DCCBID.
2. The City Clerk announces that the Resolution of Intention, which included notice of this public hearing, was mailed to all affected businesses.
3. The Mayor requests a staff report (if desired).
4. The Mayor seeks a motion to open the public hearing.
5. After receiving all public comments, the Mayor requests the City Clerk to report on any protests received and announce whether a majority protest exists.
6. The Mayor seeks a motion to close the public hearing.
7. (Absent a majority protest) The mayor seeks a motion to overrule and deny all protests.
8. (Absent a majority protest) The Mayor seeks a motion to adopt the proposed ordinance.

### **BACKGROUND/DISCUSSION**

The DCCBID renewal process is governed by the California Streets and Highways Code, Sections 36500-36551 (the Law). In accordance with the process prescribed therein, on October 23, 2023, the City Council approved the 2024 DCCBID Annual Report and Budget (Attachment 2) and adopted a Resolution of Intent to conduct a public hearing to consider continuation of the DCCBID program and to allow public testimony regarding the proposed increased assessments on the DCCBID for calendar year 2024.

The proposed 2024 DCCBID Annual Work Program includes:

- Marketing and promotional activities;
- Decoration and beautification; and,
- Supplemental maintenance of the BID area in accordance with the Law.

DCCBID assessments are collected by the City and disbursed to the Downtown Business Association (DBA), which manages the DCCBID Work Program in accordance with the Management Agreement between the City and the DBA. This year, the DCCBID Advisory Board proposes an increase of 4% to the existing assessments for 2024.

### **Proposed Ordinance**

Pursuant to California Streets and Highways Code Section 36541, an increased assessment requires the adoption of an ordinance after holding a public hearing. In accordance with subsection (b) of City Charter Section 619, the proposed Ordinance will become effective immediately upon adoption.

### **Management Agreement**

The DCCBID is managed by the DCCBID Advisory Board in accordance with the Management Agreement between the City and the DBA, which defines and denotes the responsibilities and duties

of the City and the DBA regarding administration of the DCCBID. The current Management Agreement expires on December 31, 2024.

### BID Advisory Board Membership

State law requires the City Council appoint a DCCBID Advisory Board, which submits the Annual Report. The City Council may appoint the persons recommended by the DBA or choose other individuals for appointment to the Board. The DBA recommends that the existing Advisory Board, appointed for 2023, be re-appointed for 2024.

### FISCAL ANALYSIS

There is no fiscal impact to the City relative to the approval of the DCCBID Report or the levy of assessments. City expenses attributable to the collection and distribution of DCCBID assessments and to staff time spent preparing and presenting the two required staff reports are offset by the City's two percent (2%) administrative fee included in the Management Agreement between the City and the DBA.

### ATTACHMENT

1. Proposed ordinance confirming the DCCBID Advisory Board's Annual Report and the levy of assessments for the 2024
2. DCCBID Annual Report (Work Plan and Budget)

### MOTION

That the City Council:

1. (In the event a majority protest is received) Adopt a motion recognizing that protests have been received from the owners of businesses in the proposed district which will pay 50 percent (50%) or more of the assessments proposed to be levied, and no further proceedings to continue the Downtown Culver City Business Improvement District shall be taken for a period of one year from the date of this meeting; OR
2. (Absent a majority protest) Adopt the proposed Ordinance confirming the Downtown Culver City Business Improvement District Advisory Board's Annual Report and the levy of the Downtown Culver City Business Improvement District Assessment for Calendar Year 2024; AND
3. Appoint the 2024 Advisory Board as recommended by the Downtown Culver City Business

Improvement District; AND

4. Authorize the City Attorney to review/prepare the necessary documents; AND
  
5. Authorize City Manager to execute such documents on behalf of the City.