



City of Culver City

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Staff Report Details (With Text)

File #: 16-588 **Version:** 1 **Name:**
Type: Minute Order **Status:** Public Hearing
File created: 1/27/2017 **In control:** City Council Meeting Agenda
On agenda: 2/13/2017 **Final action:**
Title: CC - (1) Adoption of a Resolution Confirming the 2017 Annual Work Plan and Levy of Assessments for the Culver City Arts District Business Improvement District; (2) Appointment of Members to the Culver City Arts District Business Improvement Advisory Board for 2017; and (3) Approval of a Management Agreement with the Culver City Arts District Business Improvement District.

Sponsors:

Indexes:

Code sections:

Attachments: 1. ATT 1 - Proposed Resolution, 2. ATT 2 - CCAD 2017 Work Plan

Date	Ver.	Action By	Action	Result
2/13/2017	1	City Council Meeting Agenda		
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CC - (1) Adoption of a Resolution Confirming the 2017 Annual Work Plan and Levy of Assessments for the Culver City Arts District Business Improvement District; (2) Appointment of Members to the Culver City Arts District Business Improvement Advisory Board for 2017; and (3) Approval of a Management Agreement with the Culver City Arts District Business Improvement District.

Meeting Date: February 13, 2017

Contact Person/Dept: Elaine Warner/Community Development Dept.
Todd Tipton/Community Development Dept.

Phone Number: (310) 253-5777
(310) 253-5783

Fiscal Impact: Yes ☐ No ☒

General Fund: Yes ☐ No ☒

Public Hearing: ☒ **Action Item:** ☐

Attachments: Yes ☒ No ☐

Commission Action Required: Yes ☐ No ☒

Commission Name:

Public Notification: (E-Mail) Meetings and Agendas - City Council (02/07/17); Mailing to Business

Owners and Property Owners (01/31/17); Publication of Resolution of Intention in the Culver City News (2/2/17).

Department Approval: Sol Blumenfeld, Community Development Director (02/06/17)

RECOMMENDATION

Staff recommends the City Council (1) adopt the proposed resolution (Attachment No. 1) confirming the Culver City Arts District 2017 Work Program (Work Plan) and the levy of assessments for the Culver City Arts District Business Improvement District (BID); (2) appoint members to the BID Advisory Board; and (3) approve a management agreement with the BID.

PROCEDURE:

1. The Mayor announces that this is the time and place for the hearing of protests or objections to the continuation of the BID.
2. The City Clerk announces that the Resolution of Intention, which included notice of this public hearing, was published in the Culver City News on February 2, 2017, and 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. The Mayor seeks a motion to overrule and deny all protests. (Absent a majority protest)
8. The Mayor seeks a motion to adopt the proposed resolution. (Absent a majority protest)

BACKGROUND/DISCUSSION

The BID renewal process is governed by the California Streets and Highways Code, Sections 36500-36551. In accordance with the process prescribed therein, on January 23, 2017 the City Council approved the 2017 BID Annual Work Plan and Budget (Attachment No. 2) and adopted a Resolution of Intention to conduct a public hearing on February 13, 2017 to consider continuation of the BID program and the levy of assessments on the Culver City Arts District for calendar year 2017.

The BID Advisory Board proposes no change to the BID boundaries and no increase in assessment rates for 2017. Annual assessments are collected by the City and may only be spent on programs/activities that are benefit the BID. The 2017 Work Plan includes activities related to:

maintenance and beautification; marketing and promotion; and, advocacy and administration.

If there is a majority protest present during the public hearing which represents 50 percent or more of the assessment proposed to be levied, the City Council is requested to adopt a motion stating a majority protest exists. No further proceedings to create the BID shall be taken for a period of one year.

Advisory Board

The BID is managed by the BID Advisory Board, which is appointed by the City Council. The BID recommends the following individuals be appointed to the 2017 BID Advisory Board:

Member 1 - Art Gallery Owner/Operator - Josetta Sbeglia

Member 2 - Creative Services Professional/Design - Chris Pagani

Member 3 - Restaurant/Food Services/Retail - Angela Anthony

Member 4 - Consultant/Professional Services - Dr. Dean Gebroe

Member 5 - Commercial Sublease/Property Owner - Noah Baylin

Member 6 - Service/Other - Janiece Russell

Member 7 - At-large representative - Kai Telles

Management Agreement

Per the 2016 Work Plan, the Culver City Arts District (CCAD) has incorporated as a non-profit mutual benefit corporation in the State of California and is currently filing for exemption status with the Internal Revenue Service. As such, the CCAD may now enter into a management agreement with the City to oversee the BID's administration and receive disbursements from the City in order to implement the BID's Work Plan. Staff recommends the City Council approve such management agreement, to be prepared by the City Attorney's Office in a form, term and scope similar to that the City enters into with the Downtown Business Association.

FISCAL ANALYSIS

There is no fiscal impact to the City by approving an annual renewal of the BID. Expenses to the City due to the collection and distribution of BID assessments, and staff time spent preparing and presenting reports are offset by the City's two percent (2%) administrative fee included in the 2017 Work Plan and budget.

ATTACHMENTS

1. Proposed Resolution
2. CCAD 2017 Work Plan

RECOMMENDED MOTION(S)

That the City Council:

- 1A. (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 represent 50 percent or more of the assessment proposed to be levied, and no further proceedings to continue the Culver City Arts District Business Improvement District shall be taken for a period of one year from the date of this meeting.

OR

- 1B. (Absent a majority protest) Adopt the proposed resolution confirming the Business Improvement District Advisory Board's Annual Report and the levy of the Culver City Arts District Business Improvement District Assessment for Calendar Year 2017;

AND

2. Appoint the 2017 Advisory Board as recommended by the Culver City Arts District Business Improvement District; and
3. Approve a management agreement with the Culver City Arts District Business Improvement District for ongoing administration of the District similar in form, term and scope to the existing Downtown Business Association Management Agreement; and
3. Direct the City Attorney to review/prepare the necessary documents; and
4. Authorize the City Manager to execute such documents on behalf of the City.