



City of Culver City

Mike Balkman
Council Chambers
9770 Culver Blvd.
Culver City, CA 90232
(310) 253-5851

Staff Report

File #: 19-576, **Version:** 2

Item #: PH-2.

CC - PUBLIC HEARING - (1) Adoption of a Resolution Confirming the Business Improvement District Advisory Board's Annual Report and the Levy of the Downtown Culver City Business Improvement District Assessment for 2019; and (2) Appointment of Members to the Business Improvement District Advisory Board for Calendar Year 2019; and (3) Approve an Amendment to Extend the Management Agreement Through 2019/2020.

Meeting Date: December 10, 2018

Contact Person/Dept: Glenn Heald/ Community Development
Todd Tipton/Community Development

Phone Number: 310-253-5752
310-253-5783

Fiscal Impact: Yes ☐ No ☒

General Fund: Yes ☐ No ☒

Public Hearing: ☒ **Action Item:** ☐ **Attachments:** ☒

Commission Action Required: Yes ☐ No ☒ **Date:**

Public Notification: (E-Mail and Telephone) Downtown Business Association (08/30/18); (E-Mail) Meetings and Agendas - City Council (12/05/18); Published in Culver City News (11/22/18).

Department Approval: Sol Blumenfeld, Community Development Director (11/18/18)

RECOMMENDATION:

Staff recommends the City Council (1) adopt the proposed resolution confirming the Business Improvement District Advisory Board's Annual Report and the levy of assessments on the Downtown Culver City Business Improvement District ("BID") for 2019 (Attachment No. 1); and (2) appoint members to the BID Advisory Board; and (3) approve an amendment to extend the Management Agreement through 2019/2020.

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 November 22, 2018, 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. (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 resolution.

BACKGROUND/DISCUSSION

The BID renewal process is governed by the California Streets and Highways Code, Sections 36500-36551 (the Law). In accordance with the process prescribed therein, on November 12, 2018, the City Council approved the 2019 BID Annual Work Program and Budget (Attachment No. 5, i) and adopted a Resolution of Intention to conduct a public hearing on December 10, 2018 to consider continuation of the BID program and the levy of assessments on the District for calendar year 2019 (Attachment No. 5, ii). The proposed 2019 BID Annual Work Program includes:

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

BID assessments are collected by the City and disbursed to the Downtown Business Association ("DBA"), which manages the BID Work Program in accordance with the Management Agreement between the City and the DBA (Attachment No. 5, iii). The DBA's Quarterly Financial Statements and Accounts Payable Summary are attached (Attachment No. 2). The BID Advisory Board proposes modifying the Downtown BID boundaries to include all businesses at 10000 Washington Boulevard. The BID Advisory Board proposes no changes to the BID assessment rates for 2019.

Management Agreement

The BID is managed by the BID Advisory Board in accord 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 BID program (Attachment No. 5, IV). The current Management Agreement expires on December 31, 2018.

BID Advisory Board Membership

State law requires the City Council to appoint a BID 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 (Attachment No. 5, v).

The DBA recommends the following persons as BID Advisory Board Members for 2019:

- Eric Sims / Director of Theatre Operations, Kirk Douglas Theatre

- Kathryn Lundeen / Business Owner
- Karl Kuhn / Business Owner
- Darrel Menthe / Business Owner
- Debbie Weiss / Property and Business Owner

FISCAL ANALYSIS

There is no significant fiscal impact to the City by approving a one year continuation of the BID. Expenses to the City due to the collection and distribution of BID assessments and 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.

ATTACHMENTS

1. Proposed Resolution.
2. DBA Quarterly Financial Statements and Accounts Payable Summary.
3. Internal Revenue Service Tax-Exempt Certification.
4. DBA Certificate of General Liability Insurance.
5. Notes.

MOTION

That the City Council (Choose either Motions **1 and 2 and 3 or** Motion 4):

1. (Absent a majority protest) Adopt the proposed resolution confirming the Business Improvement District Advisory Board's Annual Report and the levy of the Downtown Culver City Business Improvement District Assessment for 2019;

AND

2. Appoint Eric Sims, Kathryn Lundeen, Karl Kuhn, Darrel Menthe and Debbie Weiss as members of the Business Improvement District Advisory Board.

AND

3. Approve an Amendment to Extend the Management Agreement through 2019/2020.

OR

4. (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 Downtown Culver City Business Improvement District shall be taken for a period of

one year from the date of this meeting.