File #: 21-218, **Version:** 1 **Item #:** PH-1.

CC - (1) PUBLIC HEARING: Adoption of a Resolution 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 2021; (2) Appointment of Members to the Business Improvement District Advisory Board for Calendar Year 2021; and (3) Approval of an Amendment to the Management Agreement between the City and the Culver City Downtown Business Association extending Management of the BID through December 31, 2022.

Meeting Date: November 9, 2020

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

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

Fiscal Impact: Yes [] No [X] **General Fund:** Yes [] No [X]

Public Hearing: [X] **Action Item:** [] **Attachments:** [X]

Commission Action Required: Yes [] No [X] **Date:**

Public Notification: (E-Mail and Telephone) Downtown Business Association (08/21/2020); (E-Mail) Meetings and Agendas - City Council (11/04/2020); Published in Culver City News (10/01/2020 and 10/15/2020).

Department Approval: Sol Blumenfeld, Community Development Director (10/05/2020)

RECOMMENDATION:

Staff recommends the City Council (1) adopt the proposed resolution confirming the Downtown Culver City Business Improvement District Advisory Board's Annual Report and the levy of assessments for the 2021 Downtown Culver City Business Improvement District ("DCCBID") (Attachment No. 1); (2) appoint members to the DCCBID Advisory Board; and (3) approve an amendment to the Management Agreement between the City and the Culver City Downtown Business Association extending Management of the DCCBID through December 31, 2022.

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 published in the Culver City News on October 1, 2020 and October 15, 2020, 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 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 12, 2020, the City Council approved the 2021 DCCBID Annual Work Program and Budget (Attachment No. 5, i) and adopted a Resolution of Intention to conduct a public hearing on November 9, 2020 to consider continuation of the DCCBID program and the levy of assessments on the DCCBID for calendar year 2021 (Attachment No. 5, ii). The proposed 2021 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 (Attachment No. 5, iii). The DCCBID Advisory Board proposes adjusting the thresholds for certain categories (square footage or seating capacity) for 2021.

Management Agreement

The DCCBID is managed by the DCCBID 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 DCCBID program. The current Management Agreement expires on December 31, 2020.

BID Advisory Board Membership

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

The DBA recommends the following persons as DCCBID Advisory Board Members for 2021:

- Eric Sims / Director of Theatre Operations, Kirk Douglas Theatre
- Kathryn Lundeen / Business Owner
- Karl Kuhn / Business Owner
- Ken Kaufman / Business Owner

FISCAL ANALYSIS

There is no significant fiscal impact to the City by approving a one-year continuation of the DCCBID. Expenses to the City due to the collection and distribution of DCCBID 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, including DCCBID Boundary Map with Address Ranges.
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

(Note: Absent a majority protest choose Motion 1*. In the event a majority protest is received choose* Motion 2*)*

That the City Council:

1. Adopt the proposed resolution 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 2021; and, appoint Eric Sims, Kathryn Lundeen, Karl Kuhn, and Ken Kaufman as members of the Downtown Culver City Business Improvement District Advisory Board; and, approve an amendment to the Management Agreement between the City and the Culver City Downtown Business Association extending management of the DCCBID for the period of January 1, 2021 through December 31, 2022.

   OR

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2. Adopt a motion recognizing that protests have been received from the owners of businesses in the proposed district which represent fifty percent (50%) 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.