



City of Culver City

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

Staff Report

File #: 23-192, 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 2023; (2) Appointment of the 2023 Advisory Board as recommended by the Downtown Culver City Business Improvement District; 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, 2024.

Meeting Date: November 14, 2022

Contact Person/Dept: Todd Tipton / Office of Economic and Cultural Development

Phone Number: (310) 253-5783

Fiscal Impact: Yes No

General Fund: Yes No

Attachments: Yes No

Commission Action Required: Yes No

Public Notification: (E-Mail) Meetings and Agendas - City Council (11/09/2022); (Mail) Downtown Culver City Business Improvement District members (11/09/2022)

Department Approval: Jesse Mays, Assistant City Manager (11/02/22)

RECOMMENDATION:

Staff recommends the City Council (1) adopt the proposed resolution (Attachment 1) confirming the Downtown Culver City Business Improvement District (DCCBID) Advisory Board's Annual Report and the levy of assessments on the DCCBID for calendar year 2023 (Attachment 2); (2) appoint the 2023 Advisory Board as recommended by the Downtown Culver City Business Improvement District; and (3) approve an amendment to the Management Agreement between the City and the Culver City Downtown Business Association (DBA) extending Management of the DCCBID through December 31, 2024 (Attachment 2).

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 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 24, 2022, the City Council approved the 2023 DCCBID Annual Work Program and Budget (Attachment 3) and adopted a Resolution of Intent to conduct a public hearing on November 14, 2022, to consider continuation of the DCCBID program and to levy assessments on the DCCBID for calendar year 2023. The proposed 2023 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 DBA, which manages the DCCBID Work Program in accordance with the Management Agreement between the City and the DBA. The DCCBID Advisory Board proposes no adjustment to the existing assessment for 2023.

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. The current Management Agreement expires on December 31, 2022, and staff is recommending the agreement be extended until December 31, 2024.

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. The DBA recommends no change to the DCCBID Advisory Board Members for 2023 (as identified in the DCCBID Annual Report).

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 confirming the DCCBID Advisory Board's Annual Report and the levy of assessments for the 2023 DCCBID
2. Proposed Management Agreement
3. 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 represent 50 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; **OR**
2. (Absent a majority protest) 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 Calendar Year 2023; **AND**
3. Appoint the 2023 Advisory Board as recommended by the Downtown Culver City Business Improvement District; **AND**
4. Approve an extension of the existing Management Agreement through December 31, 2024; **AND**
5. Authorize the City Attorney to review/prepare the necessary documents; **AND**
6. Authorize City Manager to execute such documents on behalf of the City.