



## Legislation Text

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**File #:** RES 18-0006, **Version:** 1

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**TO:**

Honorable Mayor and Members of the City Council

**THROUGH:**

Bruce Moe, City Manager

**FROM:**

Steve S. Charelian, Acting Finance Director

**SUBJECT:**

Conduct Public Hearing Adopting Resolution No. 18-0006 for the Renewal of the North Manhattan Beach Business Improvement District and Approval of the Annual Collection of Assessments for Fiscal Year 2018-2019 (Acting Finance Director Charelian).

**a) CONDUCT PUBLIC HEARING**

**b) ADOPT RESOLUTION NO. 18-0006**

**c) RATIFY 2018 BUSINESS IMPROVEMENT DISTRICT ADVISORY BOARD MEMBERS**

**d) CONSIDER THE PROPOSED 2018 ACTIVITY PLAN**

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**RECOMMENDATION:**

Staff recommends that the City Council:

- a) Conduct a Public Hearing regarding the proposed assessment;
- b) Adopt Resolution No. 18-0006, renewing the district and authorizing the collection of the assessment to provide services of the North Manhattan Beach Business Improvement District (NMB-BID);
- c) Ratify the Business Improvement District Advisory Board Members for 2018; and
- d) Review and approve the Proposed 2018 Activity Plan.

**FISCAL IMPLICATIONS:**

The North Manhattan Beach Business Improvement District (NMB-BID) is funded through an 80% surcharge to the business license tax paid by those businesses located within the district (Attachment 4), not to exceed \$500 annually. Collections for this fiscal year are estimated to be \$29,000. NMB-BID has approximately \$550,000 in reserve for projects and activities. This includes a balance of \$50,871 in appropriated funds for beautification projects originally budgeted in 2007 (original project cost was \$370,000).

**BACKGROUND:**

In January 2004, the City Council dissolved the North End Business Improvement District formed in 1969 under the State's Parking and Business Improvement District Act of 1965. The BID was limited in scope and was mainly responsible for addressing parking acquisition and construction. Because opportunity for acquiring additional parking in the North End is limited, business district members wanted to use the funds for other types of activities, such as physical improvements, beautification,

signage, marketing, and promotion. To accommodate this request, City Council dissolved the 1969 Business Improvement District and created the current Business Improvement District using the broader 1989 Business Improvement District Act.

## **DISCUSSION:**

### *Assessments*

The North Manhattan Beach Business Improvement District (NMB-BID) and its associated assessments must be renewed annually. In conformance with applicable law, the City Council adopted Resolution 18-0005 on January 16, 2018 declaring its intention to authorize the collection of assessments to provide services in accordance with the 2018 Activity Plan and Annual Budget. Tonight's public hearing to allow testimony both in support of and against the proposed assessments was established at that meeting and has been properly noticed in accordance with State law.

The Resolution of Intention was circulated to all current North Manhattan Beach business members and was published in The Beach Reporter. If adopted, Resolution No. 18-0006 (Attachment 1) will be effective immediately and will set the assessment at 80% surcharge on the business license tax not to exceed \$500 annually for NMB-BID member businesses. This assessment remains unchanged from last fiscal year and will be in effect for the next assessment cycle, which coincides with the fiscal year 2018-2019 business license period (March 1, 2018 - Feb 28, 2019).

### *Advisory Board*

The 1989 Business Improvement District Act requires that the City Council select a BID Advisory Board. Advisory Board duties include recommendations to the City Council on expenditure of revenues derived from the assessments, as well as the method and basis of levying the assessments. The following is a list of the 2018 Advisory Board selected by the NMB-BID, and their affiliation with the district:

- Chairperson - James McCleary, Sea View Inn
- Vice Chairperson - Harry Ashikian, Salvatore's Shoe Repair
- Recording Secretary - Janice Davenport, Pancho's Restaurant
- Advisory Board Member - Peter Kim, Sloopy's
- Advisory Board Member - Anthony Sulaiman, Baja Sharkeez
- Advisory Board Member - Megan Richardson, Sand Spa
- Advisory Board Member - Gretchen Tiernan, Polish Nail Salon

This board was elected by the membership at the December 2017 NMB-BID Advisory Board meeting through a nomination and balloting process. Since the District is an advisory board to the City Council, the City Council has the discretionary authority to approve the Board.

### *Annual Budget and Activity Plan 2018*

The Business Improvement District Advisory Board reviews and approves the operating plan for the District. The Annual Budget and Activity Plan 2018 (Attachment 2) contains all information relative to projected revenues and expenses, and outlines the services and programs to be funded by the Business Improvement District. This year, the operating plan identifies the following programs:

- Focus on social media opportunities for branding and marketing.

- Look to beautify the NMB-BID with updated landscaping, trees and tree grates.
- Install lighted crosswalk treatments and unique lighting where appropriate.
- Explore new events, such as Wellness & Healing, Summer Stroll and Art Walk.
- Develop a BID website survey and update NMB business emails for better communication.
- Refresh and maintain the current NMB-BID website, [www.northmb.info](http://www.northmb.info) <<http://www.northmb.info>>.
- Develop consistent branding throughout the NMB-BID.
- Uniform decorating strategies to better promote the annual Winter Holiday Walkabout.
- Look to expand parking opportunities to accommodate visitors.

In past years, the City Council approved several improvements, including new graphical maps for the directories, social media opportunities, curb extensions, landscaping, trees, an entry monument, branding signage and business directories for marketing/advertising. The Business Improvement District will approach the City Council with future requests as they are identified.

#### *By-Laws*

The NMB-BID recently adopted by-laws (Attachment 3). These by-laws provide the NMB-BID governance articles and scope along with a mission statement, election procedures, annual reporting requirements and a code of conduct. The by-laws were developed using sample documents from other cities with BID Advisory Boards and were reviewed by the City's legal team.

#### **PUBLIC OUTREACH/INTEREST:**

In compliance with State law, copies of the Resolution of Intention adopted on January 16, 2018 were mailed to all current North MB BID members on January 18, 2018. A Public Notice was placed in the February 1, 2018 Beach Reporter publication

#### **LEGAL REVIEW**

The City Attorney has reviewed this report and determined that no additional legal analysis is necessary.

#### **CONCLUSION:**

If there is not a majority protest of the assessment payers, staff recommends that the City Council:

- a) Adopt Resolution No. 18-0006 renewing the district and authorizing the collection of the assessment to provide services of the North Manhattan Beach Business Improvement District;
- b) Ratify the Business Improvement District Advisory Board Members for 2018; and
- c) Review and approve the Proposed 2018 Activity Plan.

#### **Attachments:**

1. Resolution No. 18-0006
2. Annual Budget and Activity Plan 2018
3. Bylaws for North Manhattan Beach Business Improvement District Advisory Board
4. North Manhattan Beach BID Map