



CITY OF PACIFIC GROVE
300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council
FROM: Lori Frati, Finance Management Analyst
MEETING DATE: April 20, 2016
SUBJECT: Approval of the Downtown Business Improvement District (BID) program for Fiscal Year 2016-17
CEQA: Does not constitute a "Project" under California Environmental Quality Act (CEQA) Guidelines

RECOMMENDATION

1. Hold a public hearing to determine whether written protests to levying the proposed annual district assessment are received from the owners of businesses in the district that would be required to pay 50 percent or more of the assessments proposed to be levied or, if a majority protest is received, whether sufficient protests are withdrawn so as to reduce the protests to less than 50 percent.
2. If no majority protest is determined, adopt a resolution that
 - a. Approves the annual report
 - b. Levies the annual assessment for the district
 - c. Approves the recommended program for Fiscal Year 2016-17
 - d. Appoints the BID Advisory Board for Fiscal Year 2016-17
 - e. Authorizes the City Manager to execute an agreement with the Pacific Grove Chamber of Commerce to administer the approved BID budget

DISCUSSION

In 2000, the City established the Downtown Pacific Grove Business Improvement District (BID), appointed an advisory board, and levied assessments for the District. The assessments may be used only for the promotion, marketing and advertising of professional and retail businesses located in the district, and for general maintenance to benefit those businesses. All businesses located in the BID are assessed an amount equal to 35% of their business license tax. The assessment is collected together with the business license tax payment in July of each assessment year. Since its formation in 2000, the BID and assessments have been annually reauthorized.

At its April 6, 2016 meeting, the City Council approved a resolution of intent to levy the BID assessment for Fiscal Year (FY) 2016-17 and set a public hearing to consider the levy for April 20, 2016. California Streets and Highways Code Section 36525 provides that the District shall not be formed if written protests are received from the owners of businesses in the proposed area that will pay 50 percent or more of the assessments proposed to be levied. Staff advertised the public hearing pursuant to relevant State and Municipal Code sections. Staff has received no protest petitions as of this writing.

The District's annual report (Attachment 1) lists the results of the election of Board Members, details revenues and expenditures for FY 2015-16, proposes a budget for FY 2016-17, and requests the levy of an assessment for FY 2016-17. No changes to BID boundaries are recommended for FY 2016-17.

City Council Resolution 07-042 (Attachment 2) outlines the requirements for re-establishing the district. The terms of the Resolution have been met as indicated by the specific points of compliance set forth below:

- *Process for Advisory Board appointment:* Per the resolution, the Chamber of Commerce facilitated a noticing of all properties in the BID and a meeting of the BID Advisory Board to fill Advisory Board seats that will expire on June 30, 2016. Results of the election from the Chamber of Commerce are included in the report with the following recommended Advisory Board for next year:
 - Tom McMahon (Monterey Bay Laundry), term expires June 30, 2018
 - Marietta Bain (Fandango Restaurant), term expires June 30, 2018
 - Tony Campbell (Cottage Veterinary Care), term expires June 30, 2018
 - Tony Gamecho (Grand Avenue Flooring & Interiors), term expires June 30, 2018
 - Patrick Whitehurst (P.G. Museum of Natural History), term expires June 30, 2017
 - Matt Bosworth (Rabobank), term expires June 30, 2017
 - Ron Schenk (St. Vincent DePaul), term expires June 30, 2017
- *Contract with Chamber of Commerce for services:* The City contracted with the Chamber of Commerce to administer the BID program in compliance with the plan approved by the City Council. The attached report from the Chamber shows the expenditures for the FY 2015-16 budget.
- *Chamber of Commerce financial reporting:* The FY 2015-16 BID report from the Chamber includes BID expenditure activity for current fiscal year to date.

Proposed FY 2016-17 BID Program. Based on estimated revenues and the FY 2015/16 expenditure information supplied by the Chamber, BID resources available for FY 2016-17 as indicated in the attached report. The City of Pacific Grove will be forwarding an estimated \$620.00 to the Chamber before June 30, 2016, representing BID funds received between October 2015 and June 30, 2016. In addition to this amount, the BID Advisory Board recommends the following allocation of BID assessment revenue for FY 2016-17, which is estimated to total \$40,000:

Proposed BID Expenditure Budget for FY 2016-17

Administration	\$1,600
Downtown Improvements	1,000
Advertising	7,800
Website	3,200
Feast of Lanterns	2,100
Marketing & Opportunities (\$5,000 carried over from prior fiscal year)	19,300
Coastal Access Project (carried over from prior year)	<u>5,000</u>
	\$40,000

FISCAL IMPACT

The assessed funds may only be used for BID purposes and not for any other City purpose.

ATTACHMENTS

1. FY 2015-16 annual report submitted by the Pacific Grove Chamber of Commerce on behalf of the BID Advisory Board
2. Resolution No. 7-042 (2007) Revising & Restating BID rules & procedures
3. Resolution to establish the Downtown Business Improvement District for FY 2016-17
4. Contract with Chamber of Commerce for services

RESPECTFULLY SUBMITTED:

Lori Frati

Lori Frati
Finance Management Analyst
/pm

REVIEWED BY:

Ben Harvey

Ben Harvey
Interim City Manager

February 29, 2016

To: Lori Frati - Finance Management Analyst
From: Moe Ammar
Subject: Downtown Business Improvement District (BID) Report

In accordance with the City's approval of the agreement with the Pacific Grove Chamber of Commerce (PGCC), I am submitting the BID annual report.

Election of Board Members

On Wednesday, February 3, 2016, a publicly noticed BID general membership meeting was held at City Hall. In addition, a notice of the meeting was mailed to every BID member. The BID advisory board voted that in the future the PGCC will email all the members the meeting agenda. The following four advisory board members were elected:

- A. Tom McMahon - Monterey Bay Laundry
- B. Marietta Bain - Fandango Restaurant
- C. Tony Campbell - Cottage Veterinary Care
- D. Tony Gamecho - Grand Avenue Flooring and Interiors

The term of the above four elected members is two years expiring on June 30, 2018. They join the following board members:

- Patrick Whitehurst - Pacific Grove Museum of Natural History
- Matthew Bosworth - Rabobank
- Ron Schenk - St. Vincent de Paul

Income/Beginning Balance

As of February 1, 2016, the BID income is \$29,119.40. We anticipate a payment before the end of the fiscal year of assessments collected in the next four months. The bank balance on July 1, 2015 was \$19,317.11

Expenditures Report

Last year, the BID proposed a balanced expenditure program. Attached is the profit and loss budget comparison.

Based on input from several business and economic enhancement leaders in the City, the BID approved investing \$5,000 in drawing up plans that would connect the recreation trail at Forest Avenue, and Ocean View Boulevard to downtown. The BID is requesting to carry over \$5,000 to the 2016-2017 budget. The BID hopes that this project, which has been funded by the City's Capital Improvement Plan, will be completed by 2017. The PGCC secured a \$20,000 grant from the Monterey Peninsula Park District to assist in funding the plans.

Below is a list of expenditure detail since July 1, 2015.

- Printed the downtown promotional brochure that was distributed at 220 locations in the County
- Supported the Feast of Lanterns in July 2015. Purchased lanterns and hired the Bridge Restoration Ministry team to hang the lanterns on Lighthouse Avenue.
- Advertised in the Concours Auto Rally event program
- Purchased pumpkins, corn stalks, and hay and decorated ten medians downtown
- Hosted two major promotions during Halloween and Thanksgiving week. The response was extremely positive.
- Partially funded the Treffen Car Show downtown that attracted hundreds of Volkswagon owners to Lighthouse Avenue in August.

Between now and the end of the year, we anticipate the below expenses:

Pacific Grove Pony Baseball promotion	\$3,000
Advertising campaign	5,000
Purchasing Lanterns for Feast	900
Donation to The Bridge Ministry to hang the lanterns	400
First Friday support	1,000

Direction

In 2016-2017 the BID direction will remain the same as last year. The main emphasis will be on completing the Coastal Access Project. Secondly, the BID will work closely with Monterey Capital Partners on celebrating the Holman project as well as additional developments such as the Miller property on Grand Avenue. The BID will also work on attracting new events to the district that will benefit the businesses in the area.

A major concern in 2016-2017 is the potential impact of the construction of the roundabout at highway 1 and 68. Accessibility to downtown may be reduced due to the plans of the City of Monterey reconfiguration of Lighthouse Avenue. The BID proactively plans on minimizing the impact through public outreach to locals and visitors.

Thank you,



Moe Ammar
BID Administrator

Business Improvement District
Balance Sheet
As of July 1, 2015

	<u>Jul 1, 15</u>
ASSETS	
Current Assets	
Checking/Savings	
Monterey County Bank	239.41
Rabobank	<u>19,317.11</u>
Total Checking/Savings	<u>19,556.52</u>
Total Current Assets	<u>19,556.52</u>
TOTAL ASSETS	<u>19,556.52</u>
LIABILITIES & EQUITY	
Equity	
Opening Balance Equity	7,327.34
Unrestricted Net Assets	<u>12,229.18</u>
Total Equity	<u>19,556.52</u>
TOTAL LIABILITIES & EQUI...	<u>19,556.52</u>

**Business Improvement District
Balance Sheet
As of January 31, 2016**

	<u>Jan 31, 16</u>
ASSETS	
Current Assets	
Checking/Savings	32,626.62
Rabobank	32,626.62
Total Checking/Savings	<u>32,626.62</u>
Total Current Assets	<u>32,626.62</u>
TOTAL ASSETS	<u>32,626.62</u>
LIABILITIES & EQUITY	
Equity	
Opening Balance Equity	7,327.34
Unrestricted Net Assets	12,229.18
Net Income	13,070.10
Total Equity	<u>32,626.62</u>
TOTAL LIABILITIES & EQUITY	<u>32,626.62</u>

**Business Improvement District
Profit & Loss Budget vs. Actual
July 2015 through January 2016**

	Jul '15 - Jan 16	Budget	\$ Over Budget
Ordinary Income/Expense			
Income			
Program Income			
Carry Over from 2014-2015	0.00	5,000.00	-5,000.00
City Assessment	29,119.40	30,000.00	-880.60
Total Program Income	29,119.40	35,000.00	-5,880.60
Total Income	29,119.40	35,000.00	-5,880.60
Expense			
Administration			
Advertising	1,774.21	1,500.00	274.21
Downtown Brochures	2,299.33	2,300.00	-0.67
Print Advertising	0.00	2,000.00	-2,000.00
Tourist Guide Listing BID Mem...	0.00	3,500.00	-3,500.00
Total Advertising	2,299.33	7,800.00	-5,500.67
Coastal Access Project			
Downtown Improvements	0.00	5,000.00	-5,000.00
Feast of Lanterns	0.00	1,000.00	-1,000.00
Marketing Opportunities	354.28	2,000.00	-1,645.72
Operations	10,135.86	14,000.00	-3,864.14
Events/Promotions			
Fall Decorations	1,080.00	0.00	1,080.00
Events/Promotions - Other	405.62		
Total Events/Promotions	1,485.62	0.00	1,485.62
Total Operations	1,485.62	0.00	1,485.62
Replace BID Benches Jewell Pk	0.00	500.00	-500.00

**Business Improvement District
Profit & Loss Budget vs. Actual
July 2015 through January 2016**

	Jul '15 - Jan 16	Budget	\$ Over Budget
Website..			
Website Administration	0.00	500.00	-500.00
Website Hosting	0.00	2,700.00	-2,700.00
Total Website..	0.00	3,200.00	-3,200.00
Total Expense	16,049.30	35,000.00	-18,950.70
Net Ordinary Income	13,070.10	0.00	13,070.10
Net Income	13,070.10	0.00	13,070.10

**Business Improvement District
Profit & Loss YTD Comparison
January 2016**

	Jan 16	Jul '15 - Jan 16
Ordinary Income/Expense		
Income		
Program Income		
City Assessment	0.00	29,119.40
Total Program Income	0.00	29,119.40
Total Income		
Expense		
Administration		
Advertising	274.21	1,774.21
Downtown Brochures	0.00	2,299.33
Total Advertising	0.00	2,299.33
Business Expenses		
Miscellaneous	0.00	0.00
Total Business Expenses		
Feast of Lanterns	0.00	0.00
Marketing Opportunities	0.00	354.28
Operations	0.00	10,135.86
Events/Promotions		
Fall Decorations	0.00	1,080.00
Events/Promotions - Other	405.62	405.62
Total Events/Promotions	405.62	1,485.62
Total Operations		
Total Expense	405.62	1,485.62
Net Ordinary Income	679.83	16,049.30
	-679.83	13,070.10
Net Income	-679.83	13,070.10

**Business Improvement District
Profit & Loss Budget Overview**
July 2016 through June 2017

	<u>Jul '16 - Jun 17</u>
Ordinary Income/Expense	
Income	
Program Income	
Carry Over, Prior Year, Coastal	5,000.00
Carry Over, Prior Year, Mktg	5,000.00
City Assessment	30,000.00
Total Program Income	<u>40,000.00</u>
Total Income	40,000.00
Expense	
Administration	1,600.00
Advertising	
Downtown Brochure	2,300.00
Other Print Advertising	2,000.00
Tourist Guide Listing BID Mem...	3,500.00
Total Advertising	<u>7,800.00</u>
Coastal Access Project	5,000.00
Downtown Improvements	1,000.00
Feast of Lanterns	
Donation to Feast of Lanterns	1,000.00
Installation	500.00
New Lanterns	600.00
Total Feast of Lanterns	<u>2,100.00</u>
Marketing Opportunities	19,300.00
Website..	
Website Administration	500.00
Website Hosting	2,700.00
Total Website..	<u>3,200.00</u>
Total Expense	<u>40,000.00</u>
Net Ordinary Income	<u>0.00</u>
Net Income	<u><u>0.00</u></u>

RESOLUTION NO. 7-042

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE REVISING AND RESTATING THE RULES AND PROCEDURES FOR THE DOWNTOWN PACIFIC GROVE BUSINESS IMPROVEMENT DISTRICT

THE COUNCIL OF THE CITY OF PACIFIC GROVE DOES RESOLVE AS FOLLOWS:

SECTION 1. The City formed a parking and business improvement district pursuant to California Streets and Highways Code 36500, et seq. with Resolution No. 0-007, which was passed and adopted by the Pacific Grove City Council on February 9, 2000.

SECTION 2. The name of the parking and business improvement district is the "Downtown Pacific Grove Business Improvement District."

SECTION 3. The boundaries of the Downtown Pacific Grove Business Improvement District are as shown on the map referred to as "Boundaries of the Downtown Pacific Grove Business Improvement District," on file with the City Clerk, and as specified herein including both sides of every street except for Pine Avenue:

Central Avenue from 505 Central to 530 Central up to Caledonia Park and the back of the Post Office

Lighthouse Avenue from 472 Lighthouse and 477 Lighthouse to 728 Lighthouse and 721 Lighthouse

Laurel Avenue from 521 Laurel to 631 Laurel at the corner of 18th and Laurel

Pine Avenue only on the north side (Police/Fire Dept. Side) from 546 Pine to 644 Pine

15th Street from 135 15th Street to 223 15th Street

Fountain Avenue from 156 Fountain and 157 Fountain to 314 Fountain

Grand Avenue from 157 Grand and the backside of the Pacific Grove Museum of Natural History to 315 Grand and 318 Grand

Forest Avenue from 154 Forest and 164 Forest to 264 Forest and 311 Forest

16th Street from 172 16th Street to 207 16th Street

17th Street from 153 17th Street to 231 17th and 232 17th Street

18th Street from Central Avenue which includes 160 18th Street to Laurel Avenue

19th Street and Congress between Central Avenue and Lighthouse Avenue

SECTION 4. The activities to be funded by the assessments levied under the Downtown Pacific Grove Business Improvement District are promotion, marketing and advertising of professional and retail businesses in downtown Pacific Grove.

SECTION 5. The proposed improvements and activities of the Downtown Pacific Grove Business Improvement District shall be funded by annual assessments on business owners in the district.

SECTION 6. The method and basis for the annual levy of assessments are as follows:

The City shall collect the annual assessment from the business owners when the business license tax is paid, in July of each year. Excepting service stations and catalogue sales establishments, each business in the district shall pay an annual assessment equal to 35% of its business license tax.

SECTION 7. New businesses in the district shall be subject to the annual levy of assessment.

SECTION 8. Pursuant to Streets and Highways Code sections 36524 and 36525, the following rules and procedures regarding the filing of protests and a majority protest shall apply to the scheduled public hearing:

a. At the annual public hearing to hear such protests, testimony of all interested persons for or against the establishment of the district, the extent of the district, or the furnishing of specified types of improvements or activities shall be heard. A protest may be made in writing or orally by any interested person. Any protest pertaining to the regularity or sufficiency of the proceeding shall be in writing and shall clearly set forth the irregularity or defect to which the objection is made.

b. Every written protest must be filed with the City Clerk on or before the public hearing date. The City Council may waive any irregularity in the form or content of any written protest, and at the public hearing may correct minor defects in the proceedings. A written protest may be withdrawn in writing at any time before the conclusion of the public hearing.

c. Each written protest must contain a description of the business in which the person subscribing the protest is interested sufficient to identify the business and, if a person subscribing is not shown on the official records of the City as the owner of the business, the protest shall contain or be accompanied by written evidence that the person

subscribing is the owner of the business. A written protest which does not comply with this requirement shall not be counted in determining a majority protest.

d. If written protests are received from the owners of businesses in the proposed district which will pay 50% or more of the assessments proposed to be levied and protests are not withdrawn so as to reduce the protests to less than 50%, no further proceedings to create the Pacific Grove Downtown Business Improvement District or to levy the proposed assessment, as contained in this resolution of intention, shall be taken for a period of one year from the date of the finding of a majority protest by the City Council. If the majority protest is only against the furnishing of a specified type or types of improvements or activities within the area, these types of improvements or activities shall be eliminated.

SECTION 9. The Business Improvement District Advisory Board for FY 2007/08 shall be comprised of the following members:

- Bill Valuch, Board Chair (Miss Trawick's Garden Shop), one-year term expiring June 30, 2008
- Terry Clements, Board Vice-Chair (The Clothing Store), two-year term expiring June 30, 2009
- Susan Anderson (Futons & Such), two-year term expiring June 30, 2009
- Jeanne Byrne (Jeanne C. Byrne, Architect), two-year term expiring June 30, 2009
- Robert Lewis (Robert Lewis Gallery), one-year term expiring June 30, 2008
- Henry Nigos (Edward Jones Investments), one-year term expiring June 30, 2008
- Ron Schenk (St. Vincent DePaul Thrift Shop), one-year term expiring June 30, 2008

SECTION 10. Each advisory Board seated on or after July 1, 2008 shall be appointed by the following process:

a. In February of each year, the Pacific Grove Chamber of Commerce shall mail a letter to all owners of businesses located in the BID. The letter shall include an announcement of a meeting to be held at City Hall for the purpose of holding open elections for BID advisory board seats that are vacant or are scheduled to become vacant as of July 1 of the same year.

b. Membership on the Advisory Board is eligible to representatives of business owners within the BID area who have fully paid their BID assessment at the time of appointment, and remain fully paid during the term of their membership on the Board.

c. At the noticed meeting, the Chamber of Commerce shall facilitate a nomination process whereby any business owners meeting the qualification established in (b) above may be nominated for a seat on the board.

d. At the same meeting, the Chamber of Commerce shall facilitate an election by secret written ballot received, mailed or cast at that meeting. All BID members in attendance at the meeting shall be eligible to vote. If a BID member is unable to attend a proxy with a signed statement from the member shall be allowed to participate on the member's behalf.

e. The nominees receiving the most votes shall be deemed to have won the election. The election winners' names shall be forwarded to the City Clerk no later than April 30th of the same year as a recommendation to the City Council for filling board vacancies.

f. The City Council shall appoint the seven (7) member BID Advisory Board. The BID Advisory Board shall meeting quarterly or more frequently. Each meeting shall comply with the Brown Act. The Council may remove members of the BID Advisory Board for cause.

If the City Clerk does not receive said recommendation by April 30th of each year, the Business Improvement District Advisory Board shall be appointed by the process set forth for appointing boards and commissions in Chapter 3.04 of the Municipal Code.

SECTION 11. Board members seated beginning in FY 2007/08, members shall serve two-year terms, with appointments staggered at one-year intervals.

SECTION 12. The Pacific Grove Chamber of Commerce shall be authorized by contract to spend BID assessment revenues on behalf of the City, in accordance with the BID program and budget approved by the City Council, and in compliance with all City purchasing regulations, or as otherwise set by ordinance.

SECTION 13. California Streets and Highways Code section 36533 requires the Advisory Board to prepare and file with the City an annual report regarding the BID. The report, among other things, is required to itemize improvements and activities in the fiscal year, the cost of those activities, the amount of surplus or deficit revenues carried over from a previous fiscal year, and contributions other than assessments. The City Council shall approve the report as filed or modify any portion and approve it as modified.

SECTION 14. After approving the annual report, the City must adopt an annual resolution of intention to levy the assessment for that fiscal year, publish a notice and hold a public hearing on the assessment. Following the hearing, the City Council may establish the district by ordinance.

SECTION 15. This Resolution is exempt from provisions of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines, Section 15320, in that it causes a modification of the rules and procedures for an established subsidiary district within the Pacific Grove city boundaries.

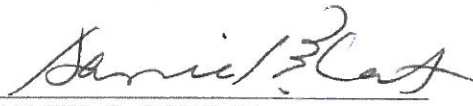
PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE this 19th day of September, 2007, by the following vote:

AYES: Bennett, Cohen, Cort, Davis, Nilmeier, Stillwell

NOES: None


ABSENT: None

APPROVED:



DANIEL E. CORT, Mayor

ATTEST:



CHARLENE WISEMAN, City Clerk

APPROVED AS TO FORM:



DAVID LAREDO, City Attorney

RESOLUTION NO. 16-xxx

**APPROVING THE ANNUAL REPORT, APPROVING THE PROGRAM OF
EXPENDITURES, ASSESSING THE LEVY, AND APPOINTING AN ADVISORY
BOARD FOR THE DOWNTOWN BUSINESS IMPROVEMENT DISTRICT FOR
FISCAL YEAR 2016-17**

FINDINGS

1. The Council conducted a public hearing to consider the levy of the proposed Fiscal Year (FY) 2016-17 assessment for the Pacific Grove Downtown Business Improvement District on April 20, 2016 at 6:00 pm; and
2. The City Clerk gave notice of the public hearing by causing the resolution of intention, adopted by the City Council on April 6, 2016, to be published in a newspaper of general circulation at least seven days before the public hearing; and
3. At the public hearing, the City Council heard and considered all protests against the fiscal year 2016-17 levy of assessments for the Downtown Pacific Grove Business Improvement District, and the rules and procedures used in receiving and considering protests complied with those set forth in Streets and Highways Code sections 36524, 36525 and 36534; and
4. Said Improvement Area Law provides, at California Street and Highways Code Section 36530, that the City Council shall appoint an advisory board to make recommendations to the City Council regarding expenditure of revenues collected from District business owners, and to make recommendations regarding the method and basis of assessment levy; and
5. Council has requested the Pacific Grove Chamber of Commerce to recommend membership for the advisory board by process of the public nomination and election, and the Chamber has made recommendations that this council desires to follow;

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
PACIFIC GROVE:**

1. The Council determines that each of the Findings set forth above is true and correct and by this reference incorporates those Findings as an integral part of this Resolution
2. The City hereby levies and shall collect assessments for the Fiscal Year 2016-17 within the Downtown Pacific Grove Business Improvement District (BID), as described in Section 6.50.010 of the Pacific Grove Municipal Code
3. There is no change in the boundaries of the district as established in the prior year and set forth in Section 6.50.020 of the Pacific Grove Municipal Code.

4. The Council approves the annual report prepared by the Advisory Board of the Downtown Pacific Grove Business Improvement District.
5. The City Council approves the Downtown Business Improvement District program for FY 2016-17, as follows:

Proposed BID Expenditure for FY 2016-17

Administration	\$ 1,600
Downtown Improvements	1,000
Advertising	7,800
Website	3,200
Feast of Lanterns	2,100
Marketing & Opportunities	19,300
Coastal Access Project (carried over from 15-16)	<u>5,000</u>
Total	\$40,000

6. The City Manager is authorized to approve an agreement with the Pacific Grove Chamber of Commerce to administer the program for FY 2016-17.
7. The City Manager is authorized to approve mid-year amendments to the program and agreement with the Pacific Grove Chamber of Commerce within the total amount approved for the year.
8. Pursuant to California Streets and Highways Code Section 26530, the City Council hereby appoints the following (named with their business affiliations) as the advisory board for and on behalf of the Downtown Business Improvement District:
 - Tom McMahon (Monterey Bay Laundry), term expires June 30, 2018
 - Marrieta Bain (Fandango Restaurant), term expires June 30, 2018
 - Tony Campbell (Cottage Veterinary Care), term expires June 30, 2018
 - Tony Gamecho (Grand Avenue Flooring & Interiors), term expires June 30, 2018
 - Patrick Whitehurst (P.G. Museum of Natural History), term expires June 30, 2017
 - Matt Bosworth (Rabobank), term expires June 30, 2017
 - Ron Schenk (St. Vincent De Paul), term expires June 30, 2017
9. The advisory board hereby appointed is subject to all provisions of the Ralph M. Brown Act, and the board hereby is directed to comply therewith.
10. This Resolution shall become effective immediately following passage and adoption thereof.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE
this 20th day of April, 2016, by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

BILL KAMPE, Mayor

ATTEST:

SANDRA KANDELL, Deputy City Clerk

APPROVED AS TO FORM:

DAVID C. LAREDO, City Attorney



CITY OF PACIFIC GROVE

300 FOREST AVENUE
PACIFIC GROVE, CALIFORNIA 93950
TELEPHONE (831) 648-3100 • FAX (831) 375-9863

July 1, 2016

Mr. Moe Ammar, President
Pacific Grove Chamber of Commerce
584 Central Avenue
Pacific Grove, CA 93950

Dear Mr. Ammar,

This letter, once signed by both parties, is intended to serve as the agreement between the City of Pacific Grove and the Pacific Grove Chamber of Commerce regarding the expenditure of Downtown Business Improvement District (BID) revenues for Fiscal Year (FY) 2016-17.

On April 20, 2016, the BID Advisory Board recommended and the City Council approved a program and budget of \$40,000 for FY 2016-17 BID activities. This agreement reflects the approved activities.

Agreement:

1. The City of Pacific Grove will remit the revenues resulting from BID assessments during FY 2016-17 in two installments, with the first to occur on or about September 1, 2016 and the second to occur on or about May 1, 2017. Any BID assessment revenues received after May 1st will be remitted as part of the following year's revenues.
2. The Pacific Grove Chamber of Commerce will spend the transferred BID proceeds exclusively in the manner specified below:

BID Expenditure Budget for FY 2016-17

Administration	\$1,600
Downtown Improvements	1,000
Advertising	7,800
Website	3,200
Feast of Lanterns	2,100
Marketing & Opportunities (\$5,000 carried over from prior fiscal year)	19,300
Coastal Access Project (carried over from prior year)	<u>5,000</u>
	\$40,000

3. The Pacific Grove Chamber of Commerce will prepare an annual report for the BID to be submitted along with the recommended program and budget for the following fiscal year. The report shall include, but not be restricted to, the following information:
- Proposed changes to district boundaries
 - A report of all expenditures from the current year (amount and purpose of expenditure transaction and the budgeted activity to which the expenditure is attributable)
 - A statement reconciling the balances of all bank accounts holding BID revenues to the aforementioned expenditure report.
 - The amount of surplus or deficit revenues projected to be carried over from a previous fiscal year.
 - The amount of any contributions to be made from sources other than district assessments.
 - The activities and/or improvements, along with estimated costs, to be provided for the coming fiscal year.
4. Modifications to the spending plan reflected herein may only occur with the written approval of the Pacific Grove City Manager.

Signed:

Ben Harvey, Interim City Manager
City of Pacific Grove

Moe Ammar, President
Pacific Grove Chamber of Commerce

Date

Date