

## **RESOLUTION NO. 14-043**

### **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE 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 2014/15**

#### **FINDINGS**

1. The Council conducted a public hearing to consider the levy of the proposed Fiscal Year 2014/15 assessment for the Pacific Grove Downtown Business Improvement District on June 18, 2014 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 May 21, 2014, 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 2014/15 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 may 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 2014/15 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 Council approves the Downtown Business Improvement District program for FY 2014/15, as follows:

**Proposed BID Expenditure for FY 2014/15**

Business Expenses	\$ 4,700
Downtown Improvements	1,000
Advertising	7,800
Marketing & Feast of Lanterns	11,000
Coastal Access Project & Jewell Park Benches	<u>5,500</u>
Total	\$30,000

6. The City Manager is authorized to approve an agreement with the Pacific Grove Chamber of Commerce to administer the program for FY 2014/15.
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, 2016
  - Marrieta Bain (Fandango Restaurant), term expires June 30, 2016
  - Adrienne Jonson (Artisana Gallery), term expires June 30, 2016
  - Tony Campbell (Cottage Veterinary Care), term expires June 30, 2016
  - Lori Mannell (Museum of Natural History), term expires June 30, 2015
  - Bill Valuch (Carried Away), term expires June 30, 2015
  - Ron Schenk (St. Vincent DePaul), term expires June 30, 2015
9. Meetings of the advisory board hereby appointed are subject to the provisions of the Ralph M. Brown Act, and the board is hereby 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 18th day of June, 2014, by the following vote:

AYES: Mayor Kampe, Councilmembers Cohen, Cuneo, Fischer, Huitt, Lucius, Miller

NOES: None

ABSENT: None

APPROVED:

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BILL KAMPE, Mayor

ATTEST:

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ANN CAMEL, Interim City Clerk

APPROVED AS TO FORM:

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DAVID C. LAREDO, City Attorney