



**Corona del Mar Business Improvement District
Board Meeting Minutes
April 25, 2013
CdM Chamber of Commerce Offices**

Board Members Present:

Bernie Svalstad, Scott Laidlaw, Jim Walker, Tom Nicholson, Ali Zadeh and Keith Dawson

Board Members Absent:

Tina Hoover

Ex Officio:

None

Guest(s):

Nancy Gardner / Ed Selich / Ron Yeo / Linda Leonhard / Jim Mosher / Jessica Prause (New Port Theater) / Scott Palmer / Amy Senk / Tara Finnigan (BID Manager, City of Newport Beach), Matt Lenton (Whittaker & Co.), Michael Torres, Esq. (Assistant City Attorney, City of Newport Beach) and Janice Fuchs, Rosse Coyle and Blake Windal (Irvine Company)

1. Call to Order at 7:32 AM

2. Roll Call

The Chairman called the roll and determined that a quorum was in place. Those present introduced themselves.

3. Public Comments

None.

4. Approval of Minutes

MOTION:

Scott Laidlaw moved to approve the Minutes of the March 28, 2013 meeting as written. Tom Nicholson seconded and the Motion was approved by unanimous vote.

///

5. Current Business

A. City Council Report

Pocket Park. Ed Selich reported that a City Council study session is scheduled for May 14th to consider the pocket park. He added that Gary Brown of Coastkeeper had provided the names of landscape architects for landscaping plans who are familiar with water-friendly plant species .

Ed reported that three presentations for the development of the old City Hall site, including two hotel proposals and one residential use proposal, had been made to the City. Ed indicated that City staff would be analyzing the financial and design aspects of the three proposals and would report to the City Council in 8 weeks.

Nancy Gardner reported that she and Ed Selich met with City staff to investigate what happened to the BID's recommendation regarding the removal/replacement of the tree in front of The New Port Theater. Ed will be meeting with Mark Harmon to look at new locations for a replacement tree in front of the theater. Nancy reported that every policy was followed but commented that "this entity" referring to the BID Board has "no standing". She added that City staff has a degree of flexibility in interpreting the City's tree policy and there was concern that a replacement tree would block the theater's marquis. Nancy reported that three trees would replace the one that was removed and City staff is looking for other locations. Nancy added that the City's tree policy was scheduled for review in June. Jessica Prause (The New Port Theater) stated her preference that the tree not be replaced and claimed that there was an agreement that the removed tree would not be replaced . Jim Mosher read from the PB&R report referring to City Policy G-1 requiring a petition to the BID for reforestation and for the BID to issue its recommendation which was done as documented in the Minutes of the meeting when the issue was considered.

Ed reported that the CDM Entry project was included on the agenda for the upcoming study session.

B. Administration & Financial Report

Assessment Accounts Receivable. Bernie reported that the accounts receivable was being updated and would be ready for the BID Board's review at the next meeting. Michael Torres (City Attorney's Office) described the options available for collection of delinquent assessments, including a "carrot and stick" approach which would involve rewards for the payment of delinquent assessments in the form of waiving accrued penalties and interest and an interest/penalties amnesty. Jim Walker suggested reinstating any waived interest/penalties if accounts are not kept current. Mr. Torres indicated that delinquent accounts could be referred to a collection company which would have adverse credit implications. He added that when the City adopted the BID assessment ordinance, it included a provision allowing for the revocation or non-renewal of business licenses if assessments are not paid. Mr. Torres

noted, however, that the revocation/non-renewal provision was removed by a past City Council, but that the removal of the provision may have been a scribe's error. He indicated that he would look into whether or not the revocation/non-renewal provision was intentionally removed from the ordinance and would report back.

BID Accounting Report. Matt Lenton circulated a copy of the Financial Report dated as of March 31, 2013 and reported that the BID has \$118,000 cash on hand with \$109,000 in accounts receivable. He indicated that the BID has total income of \$169,000 which is \$40,000 over the income budgeted for the period year-to-date. A request was made that the BID's annual budget be printed on 1 page for ease of review.

MOTION:

Tim Nicholson moved to approve the financial report. Scott Laidlaw seconded and the Motion was approved by unanimous vote.

Scott Laidlaw reported that DC Drains had submitted an invoice for \$2975.00 for irrigation backflow inspections and repair. He noted that \$2,000 was budgeted for this maintenance line item and suggested that \$975.00 be reallocated from the street furniture line item to pay the invoice.

MOTION:

Tom Nicholson moved to approve payment of the DC Drains invoice for backflow inspections and repair in the amount of \$2,975 with \$2,000 having been budgeted for this maintenance line item and that \$975 be reallocated from the street furniture line item to make up the difference. Scott Laidlaw seconded and the Motion was approved by unanimous vote.

C. Village Maintenance Items.

Sidewalk Power/Steam Cleaning – Award of BID Proposal. Scott Laidlaw presented three proposals for one-time sidewalk power washing/steam cleaning on both sides of PCH from Avocado to Poppy. The three proposals were:

| | |
|------------------------|----------|
| Alert Power Washing: | \$12,985 |
| WashCo: | \$14,500 |
| Bonanza Steam Cleaning | \$4,300 |

MOTION:

Jim Walker moved to accept the proposal from Bonanza Steam Cleaning in the amount of \$4,300 . Scott Laidlaw seconded. No vote taken.

Tara Finnigan (BID Manager) inquired if the proposed contract with Bonanza Steam Cleaning could be cancelled and, if so, on what terms. Scott replied that the proposal was for one cleaning so cancellation of continuing services was not an issue. Jim Mosher made inquiry into which sidewalks in the City are steam cleaned and paid for out of the General Fund. Ed Selich responded that the City pays to steam clean sidewalks in the City that are high traffic, tourist areas. Bernie recommended that a letter be sent to the merchants advising them of the sidewalk steam cleaning project and including vendor contact information so that merchants could arrange for periodic sidewalk steam cleaning on their own. A brief discussion of potential liability for water damage to businesses resulting from steam cleaning followed. Although the potential for minor water damage to businesses was deemed to be minimal, it was noted that City vendors are required to carry liability insurance and that Bonanza Steam Cleaning is an approved City vendor.

AMENDED MOTION:

Jim Walker amended his motion to accept the sidewalk steam cleaning proposal submitted by Bonanza Steam Cleaning and that the CDM merchants be notified that the steam cleaning project will be taking place. Scott Laidlaw seconded and the Amended Motion was approved by unanimous vote.

Street Furniture. Scott Laidlaw reported that the bench and trash can enclosure to be installed in front of The New Port Theater had been received and was ready for installation. He restated his professional opinion that nothing should be installed in front of the theater if the tree that was removed will not be replaced. Jessica Prause of The New Port Theater then read a prepared statement that Scott Laidlaw should resign from the BID Board or recuse himself from voting on issues pertaining to The New Port Theater because of an alleged conflict of interest. Ron Yeo and Tom Nicholson expressed their gratitude for Scott's service on the BID Board and to the CDM BID. Without acquiescing to the alleged conflict of interest, Scott agreed to recuse himself from issues pertaining The New Port Theater.

Ron Yeo reported that there are 64 newspaper racks in CDM and that 15% are in serious disrepair and another 15% are empty. Ron recommended that research into the City's rules/regulations regarding newspaper racks should be conducted and that attractive groupings of newspaper racks are available such as those on Balboa Island that are situated just off of Marine Avenue. Ed Selich added that 8-gang newspaper racks cost approximately \$2500.00. Ron volunteered to chair the newspaper rack project. Bernie commented that the trash can enclosures and benches are in need of refurbishment and suggested that the newspaper rack project and the refurbishment of the street furniture should be combined in one project.

Jim Mosher commented that reports to the BID should be posted on the BID's website so they are available to the public. He also suggested that the BID's financial statements should be posted on the website for the public to view.

D. Revitalization /Vision Report

PCH/Entry Project Discussion. Jim Walker distributed four drawings depicting possible configurations of the Entry Project. He commented that a traffic study should be conducted to determine the impact of making Carnation a 1-way street. He added that the drawing no. 3 offered a good compromise of landscaping and some outside dining. He further commented that the loss of 8 parking spaces on PCH was inevitable but that 5 parking spaces could be added on Carnation plus 3 on Dahlia to recapture the lost spaces on PCH. Nancy asked if the proposed designs include a CDM entry sign and she indicated that there could be a compromise to eliminating all 8 spaces on PCH. She added that business owners in the affected area should be advised of the upcoming study session and encouraged to attend to express their views. Ron Yeo stated that increasing pedestrian circulation and upgrading the entry to CDM should remain the goal of Entry Project.

Linda Leonhard reported that according to Dave Webb, the City will be looking at replacing the traffic signals in CDM and there is concern that the décor of the new signals may not match the existing décor. Bernie suggested that topic be placed on the agenda for further consideration.

E. Parking Sub-Committee Report.

Parking Study Discussion. Jim Walker reported that the Parking Subcommittee will be participating in a conference call with representatives of Nelson/Nygaard to explore ways to reduce the cost and modify the scope of the Nelson/Nygaard proposal. Specifically, Jim indicated the need for a study of how many patrons walk rather than drive to CDM businesses. He added that the study should look at partnerships between the City and private property owners whereby private parking lots in CDM can be utilized for public use. Jim indicated that he hoped to have a revised proposal for the BID Board's consideration at the next meeting. Bernie raised the issue of the cost split between the BID and the City to pay for the Nelson/Nygaard study and suggested a 20 BID – 80 City split. Nancy Gardner commented that the City paid the entire cost of the Balboa traffic study. Ed Selich indicated that he would support the City paying for the entire cost of the Nelson/Nygaard study to be included in the City's capital improvement budget. Nancy suggested that the BID Board send an e-mail requesting that the Nelson/Nygaard proposal/study be included in the City's budget. Scott Laidlaw suggested that Nelson/Nygaard be asked to submit a revised proposal before May 14th so that it can be considered during the May 14th study session.

F. Marketing / Administration Report . Linda Leonhard reported that the BID board member election process begins in May. Bernie noted that BID board members interested in serving on the BID must notify the City by May 20th. Tara Finnigan asked that the date for submitting applications to serve on the BID Board be moved up to May 17th. Linda

asked if the notification of the BID Board elections could be included with the mailing to the BID membership regarding the sidewalk steam cleaning project. Since the steam cleaning project is not yet scheduled, it was agreed that a postcard notification of the deadline for submitting applications to serve on the BID Board would go out next week.

Linda reported that the cost of the Annual Town Meeting was on budget. She added that the marketing budget for next year needs to be considered. Bernie commented that he needs suggestions for the BID's marketing effort so the cost can be included in the BID's budget to be presented to the City. Linda reported that the website upgrade project that was tabled pending BID administration decisions needs to be revisited and recommended a meeting of the marketing committee. Scott Laidlaw suggested working with the Irvine Company for marketing ideas used in conjunction with Corona Del Mar Plaza and other Irvine Company projects. Janice Fuchs of the Irvine Company agreed to share the Irvine Company's marketing ideas with the CDM BID marketing committee with an eye to coordinating the BID's and the Irvine Company's marketing efforts.

Linda indicated that the supply of BID membership decals is running low and the 2013-2014 labels will need to be ordered. Bernie requested that Linda provide him with an estimate of the cost for the new decals.

G. CDM Chamber of Commerce Report. Linda announced that the Chamber would be supporting the first anniversary of the opening of The New Port Theater on May 15th. A screening of "The Great Gatsby" is planned. Linda reported that the Scenic 5K is relying heavily on on-line marketing for this year's event.

6. CORONA DEL MAR BID ANNOUNCEMENTS - FUTURE AGENDA ITEMS

None.

7. ADJOURNMENT

The meeting was adjourned at 9:04 a.m.

Next meeting: May 23, 2013