



CITY OF NEWPORT BEACH NEWPORT BEACH RESTAURANT BUSINESS IMPROVEMENT DISTRICT AGENDA

1600 Newport Center Drive, Suite 120

Wednesday, September 28, 2016 - 9:30 AM

Newport Beach Restaurant Business Improvement District Members:

Ronald Schwartz, President
Christopher Roman, Vice President
Dan Miller, Treasurer
Jordan Otterbein, Secretary
John DeFrenza, Director
Mario Marovic, Director
Bruno Massuger, Director
Matt Meddock, Director
Catherine Pavlos, Director
Brendon Salisbury, Director
Jim Walker, Director

The Newport Beach Restaurant Business Improvement District meeting is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Newport Beach Restaurant Business Improvement District agenda be posted at least seventy-two (72) hours in advance of each regular meeting and that the public be allowed to comment on agenda items before the Business Improvement District and items not on the agenda but are within the subject matter jurisdiction of the Newport Beach Restaurant Business Improvement District. The Chair may limit public comments to a reasonable amount of time, generally three (3) minutes per person.

The City of Newport Beach's goal is to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is normally provided, we will attempt to accommodate you in every reasonable manner. Please contact Mary Locey, Management Analyst, at least forty-eight (48) hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible at (949) 644-3031 or mlocey@newportbeachca.gov.

NOTICE REGARDING PRESENTATIONS REQUIRING USE OF CITY EQUIPMENT

Any presentation requiring the use of the City of Newport Beach's equipment must be submitted to the City Manager's Office 24 hours prior to the scheduled meeting.

I. CALL MEETING TO ORDER

II. ROLL CALL

III. PUBLIC COMMENTS ON AGENDA AND NON-AGENDA ITEMS

Public comments are invited on agenda and non-agenda items generally considered to be within the subject matter jurisdiction of the Newport Beach Restaurant Association Business Improvement District (NBRA BID). Speakers must limit comments to three (3) minutes. Before speaking, we invite, but do not require, you to state your name for the record. The NBRA BID has the discretion to extend or shorten the speakers' time limit on agenda or non-agenda items, provided the time limit adjustment is applied equally to all speakers. As a courtesy, please turn cell phones off or set them in the silent mode.

IV. CURRENT BUSINESS

1. Approval of Minutes (Schwartz)

Summary:

Review the draft minutes from the July 27, 2016 meeting

Recommended Action:

Board to approve the July 27, 2016 meeting minutes.

[Attachment - Draft NBRA July 27 Meeting Minutes](#)

2. BID Financial Reports (Miller)

Summary:

- a) Update on BID billing and accounting services.
- b) Review of the BID financial reports ending August 2016.

Recommended Action:

- a) None
- b) Board to accept and file the BID's August 2016 financial reports.

[Attachment - NBRA BID August 2016 Financial Reports](#)

3. President's Report (Schwartz)

Summary:

- a) Update on BID amendment
- b) Update on stakeholder survey and strategic planning process
- c) Hospitality training program

Recommended Action:

- a-c) None

4. Marketing Report (St. Amour)

Summary:

- a) Marketing and promotions
- b) PR & social media
- c) Newport Beach Restaurant Week

Recommended Action:

- a-c) None

5. Industry Update (Peak)

Summary:

- a) Discussion on EMV readers
- b) Industry and community events

Recommended Action:

- a-b) None

V. BOARD/COMMITTEE/COMMISSION ANNOUNCEMENTS OR MATTERS WHICH MEMBERS WOULD LIKE PLACED ON A FUTURE AGENDA FOR DISCUSSION, ACTION OR REPORT (NON-DISCUSSION ITEM)

VI. ADJOURNMENT



**City of Newport Beach Restaurant
Business Improvement District**

Board Meeting Minutes – July 27, 2016

**Newport Beach & Company
1600 Newport Center Drive, Suite 120
Newport Beach, CA 92660**

I. CALL MEETING TO ORDER

The meeting was called to order at 9.36 a.m.

II. ROLL CALL

Directors Present:

John DeFrenza
Bruno Massuger
Jordan Otterbein
Catherine Pavlos
Christopher Roman
Brendon Salisbury
Ronald Schwartz
Jim Walker

Crocker's The Well Dressed Frank
Back Bay Bistro
A Restaurant & A Market
Provenance
CUCINA enoteca
The Cannery Restaurant & El Cholo
Muldoon's Irish Pub
The Bungalow Restaurant

Quorum Achieved

Directors Absent:

Mario Marovic
Matt Meddock

Dory Deli, Malarky's Irish Pub & Stag Bar + Kitchen
Sessions West Coast Deli

Director Via Conference Call:

Dan Miller

The Village Inn

BID Administrator Present:

Polly Peak

Newport Beach & Company

Guests Present:

Keith Curry
Katy Dennis
Lesley Swain
Jim Mosher
Gary Edkins

City Council Member
Newport Beach & Company
Newport Beach & Company
Resident
Prudential

III. PUBLIC COMMENTS ON AGENDA AND NON-AGENDA ITEMS

- Gary Edkins with Prudential introduced himself and provided an overview of his services available to NBRA Stakeholders.
- Jim Mosher mentioned that the BID board is an advisory board to city council, and is subject to certain rules of governance. He also mentioned that there is a referendum proposed to City Council to amend the BID in which the categories for BID Stakeholders would change.

IV. CURRENT BUSINESS

1. NBRA BID Governance

- Ms. Peak provided a general overview of the BID governance, BID Authorized activities and the meeting schedule for FY 2016-2017.

2. Approval of Minutes

President Walker requested a motion to approve the minutes from the May 25, 2016, meeting.

Motion: Director Schwartz moved to approve the May 25, 2016 meeting minutes.
Director Salisbury seconded the motion.

The motion carried by the following vote:

Ayes: DeFrenza, Massuger, Otterbein, Pavlos, Roman, Salisbury, Schwartz & Walker

3. BID Financial Reports

- Ms. Peak informed the board that the BID bookkeeping is currently in transition for the next couple of months and Newport Beach & Company will take over the books starting in September 2016.
- Ms. Peak provided an overview of the BID Financial reports ending June 2016 that were prepared by City staff.
- Assessment invoices will be sent out in September.
- The BID is curbing advertising spending over the summer to ensure that there is money in the bank for monthly expenses

President Walker requested a motion to approve the BID financial reports ending June 2016.

Motion: Director Schwartz moved to accept and file the financial reports.
Director Otterbein seconded the motion.

The motion carried by the following vote:

Ayes: DeFrenza, Massuger, Otterbein, Pavlos, Roman, Salisbury, Schwartz & Walker

4. President's Report

- President Walker reported on the NBRA BID and Amendment process. On August 9, 2016 – City Council will oversee the final public hearing to amend the NBRA BID, and encouraged board members to attend the meeting.
- Ms. Peak reviewed the planning process August through November for an updated three year strategic plan for the NBRA BID.

5. Election of NBRA BID Officers for FY 2016-2017

- President Walker reviewed the duties and responsibilities of the Secretary, Treasurer, Vice-President and President positions.
- The BID Board voted on officer positions using closed ballots that resulted in:

President	Ronald Schwartz
Vice-President	Christopher Roman
Treasurer	Dan Miller
Secretary	Jordan Otterbein

6. Delinquent Stakeholder Accounts

- Director Walker provided an overview of the issue of delinquent accounts. There are currently (72) delinquent stakeholder accounts totaling \$58,121 in assessment and penalty fees.
- There are no ramifications for stakeholder businesses not paying the NBRA BID fee, and the City does not enforce payments.
- NBRA does not have the authority to enforce businesses to comply, but can recommend to the City how to handle these delinquent businesses.
- Several board members were not happy that they have paid their fees while other stakeholders have not paid.
- NBRA has attempted to collect from past due accounts, and has seem some success in the past couple of years of collecting past due assessments for the current year, but not for years prior to 2014.
- It was suggested waiving the past due penalty fees, but having the BID assessment fees attached to and paid with the business license.
- It was clarified that in the past, the City has not allowed NBRA to revoke a business license for non-payment of NBRA BID fees.
- It was recommended that there needs to be better information on the City website and notification when stakeholders apply for a business license that the NBRA exists and that stakeholders will be additionally billed for annual assessments.
- NBRA can penalize delinquent stakeholders by removing their listings from the website, not allowing them to participate in NBRA events such as restaurant week, and discontinue promoting any stakeholder offers and events.
- Suggestions from several board members included the following:
 - Enhance the communication about the NBRA BID when applying for the business license.
 - Provide more detailed information about the NBRA BID and how it benefits its stakeholders.
 - Create a more official looking invoice when assessments are sent out.
 - Better define each of the proposed NBRA BID categories.
 - Allow businesses to select their own NBRA BID category when applying for a business license or when paying the assessment.

Motion: Director Schwartz made the following motion:

NBRA doesn't oppose the collection of delinquent assessment fees and penalties. However, NBRA doesn't have the resources or abilities to enforce the payment of delinquent accounts. If the City wishes to pursue the delinquent accounts, then NBRA recommends that the City provides a means to enforce sanctions on the past due accounts.

Director Salisbury seconded the motion.

The motion carried by the following vote:

Ayes: Massuger, Otterbein, Pavlos, Roman, Salisbury, Schwartz & Walker

Nays: DeFrenza

7. Marketing Report

Ms. Peak provided an overview of the current one-year contract with Newport Beach & Company for marketing, communications, PR and BID administration.

Motion: Director Schwartz moved to recommend to the City to amend the contract with Newport Beach & Company for marketing, communications, public relations and BID Administration services to a two-year agreement expiring June 30, 2018. Director Salisbury seconded the motion.

The motion carried by the following vote:

Ayes: DeFrenza, Massuger, Otterbein, Pavlos, Roman, Salisbury, Schwartz & Walker
Nays:

Ms. Peak provided a general overview of the year-round marketing and promotions.

Ms. Peak asked for feedback on the timing for Newport Beach Restaurant Week in January 2017. Several board members expressed different opinions on the start dates and length of the event. It was decided to table the discussion until the September meeting.

V. BOARD/COMMITTEE/COMMISSION ANNOUNCEMENTS OR MATTERS, WHICH MEMBERS WOULD LIKE PLACED ON A FUTURE AGENDA FOR DISCUSSION, ACTION OR REPORT (NON-DISCUSSION ITEMS)

VIII. ADJOURNMENT

The meeting adjourned at 11:21 p.m.

The next board meeting will be Wednesday, September 28, 2016 at 9:30 a.m. at Newport Beach & Co.

Restaurant Association Business Improvement District
Balance Sheet
As of August 31, 2016

	<u>Aug 31, 16</u>
ASSETS	
Current Assets	
Checking/Savings	
Bill.com Money Out Clearing	-161.29
1010 · Bank Balance	60,128.50
1260 · City Appropriation Acct Jan 10	1,558.45
Total Checking/Savings	<u>61,525.66</u>
Accounts Receivable	
1310 · Accounts Receivable	
Bad Debt A/R	-8,195.17
1310 · Accounts Receivable - Other	-4,152.62
Total 1310 · Accounts Receivable	<u>-12,347.79</u>
Total Accounts Receivable	-12,347.79
Other Current Assets	
1320 · Undeposited Funds	400.00
Total Other Current Assets	<u>400.00</u>
Total Current Assets	49,577.87
Other Assets	
AR Clearing	-1,929.96
Total Other Assets	<u>-1,929.96</u>
TOTAL ASSETS	<u>47,647.91</u>
LIABILITIES & EQUITY	
Equity	
3900 · Retained Earnings	32,438.98
Net Income	15,208.93
Total Equity	<u>47,647.91</u>
TOTAL LIABILITIES & EQUITY	<u>47,647.91</u>

Restaurant Association Business Improvement District

Budget vs. Actual

July 2016 through June 2017

	<u>Jul '16 - Jun 17</u>	<u>Budget</u>	<u>\$ Over Budget</u>
Ordinary Income/Expense			
Income			
4000 - NBRA Income			
4010 - Member Assessment	0.00	135,000.00	-135,000.00
4015 - Late Fees	0.00	6,500.00	-6,500.00
4020 - City Matching Funds	40,000.00	40,000.00	0.00
Total 4000 - NBRA Income	<u>40,000.00</u>	<u>181,500.00</u>	<u>-141,500.00</u>
4500 - NBRW Income			
4520 - Event Participation Fee-Rest Wk			
Event Participation	-19.00	25,000.00	-25,019.00
Total 4520 - Event Participation Fee-Rest Wk	<u>-19.00</u>	<u>25,000.00</u>	<u>-25,019.00</u>
4530 - City Grant	9,000.00	10,000.00	-1,000.00
Total 4500 - NBRW Income	<u>8,981.00</u>	<u>35,000.00</u>	<u>-26,019.00</u>
Total Income	<u>48,981.00</u>	<u>216,500.00</u>	<u>-167,519.00</u>
Gross Profit	48,981.00	216,500.00	-167,519.00
Expense			
6000 NBRA Expenses - General			
6160 Graphic Design / Branding	0.00	2,000.00	-2,000.00
6170 Advertising / Media	7,000.00	32,000.00	-25,000.00
6190 Website Maintenance	0.00	5,000.00	-5,000.00
6200 Digital Marketing / SEO	0.00	7,500.00	-7,500.00
6210 E-Newsletter / Blog	1,000.00	12,000.00	-11,000.00
6220 Social Media	0.00	2,000.00	-2,000.00
6240 Public Relations	0.00	2,000.00	-2,000.00
6260 Annual Meeting	0.00	2,000.00	-2,000.00
6270 Community Event Particip.	0.00	2,500.00	-2,500.00
6290 Marketing Consultation	11,000.00	60,000.00	-49,000.00
6300 Administration / Billing	2,000.00	36,000.00	-34,000.00
6310 Operational Reimbursement	1,986.00	12,000.00	-10,014.00
6400 Research	0.00	5,000.00	-5,000.00
6100 - Collateral Development	0.00	5,000.00	-5,000.00
6280 - Dues/Memberships	0.00	500.00	-500.00
6000 NBRA Expenses - General - Other	0.00	8,000.00	-8,000.00
Total 6000 NBRA Expenses - General	<u>22,986.00</u>	<u>193,500.00</u>	<u>-170,514.00</u>
7000 Event Exp. Other (Rest Wk)			
7100 Event Marketing Expenses	0.00	55,000.00	-55,000.00
7150 Event Operational Expenses	0.00	2,500.00	-2,500.00
7000 Event Exp. Other (Rest Wk) - Other	0.00	2,500.00	-2,500.00

Restaurant Association Business Improvement District

Budget vs. Actual

July 2016 through June 2017

	<u>Jul '16 - Jun 17</u>	<u>Budget</u>	<u>\$ Over Budget</u>
Total 7000 Event Exp. Other (Rest Wk)	0.00	60,000.00	-60,000.00
8000 Prior Year Expense	10,786.07		
Total Expense	<u>33,772.07</u>	<u>253,500.00</u>	<u>-219,727.93</u>
Net Ordinary Income	15,208.93	-37,000.00	52,208.93
Other Sources/Uses			
Other Sources			
Retained Earnings (Carryover from Prior Years)	32,438.98	37,000.00	-4,561.02
Total Other Sources	<u>32,438.98</u>	<u>37,000.00</u>	<u>-4,561.02</u>
Net Other Sources/Uses	<u>32,438.98</u>	<u>37,000.00</u>	<u>-4,561.02</u>
Total Equity	<u><u>47,647.91</u></u>	<u><u>0.00</u></u>	<u><u>47,647.91</u></u>

2:19 PM

09/13/16

Cash Basis

Restaurant Association Business Improvement District
Expenses by Vendor Detail
 July through August 2016

<u>Date</u>	<u>Source Name</u>	<u>Memo</u>	<u>Account</u>	<u>Paid Amount</u>
100eats, LLC.				
08/09/2016	100eats, LLC.	Newport Beach French Fry Ro...	6210 E-Newsletter / Blog	250.00
Total 100eats, LLC.				250.00
Anita Lau McElvane				
08/09/2016	Anita Lau McElvane	Dine Newport Beach Blog - Uni...	6210 E-Newsletter / Blog	250.00
Total Anita Lau McElvane				250.00
Desert Publications, Inc				
08/09/2016	Desert Publications, Inc	Neighborhood Map & Calendar...	6170 Advertising / Media	5,000.00
Total Desert Publications, Inc				5,000.00
Dining Out				
08/09/2016	Dining Out	Full Page Ad - Orange County I...	6170 Advertising / Media	2,000.00
Total Dining Out				2,000.00
Newport Beach & Company				
08/09/2016	Newport Beach & Company	Mother's Day Digital Ads, Digit...	8000 Prior Year Expense	10,786.07
08/11/2016	Newport Beach & Company	BID Marketing/Communication...	6290 Marketing Consultation	5,000.00
08/11/2016	Newport Beach & Company	BID Marketing/Communication...	6300 Administration / Billing	1,500.00
08/11/2016	Newport Beach & Company	BID Marketing/Communication...	6310 Operational Reimburse...	1,000.00
08/11/2016	Newport Beach & Company	Marketing Director Fee - Polly ...	6290 Marketing Consultation	6,000.00
08/11/2016	Newport Beach & Company	Marketing Director Fee - Polly ...	6300 Administration / Billing	500.00
08/11/2016	Newport Beach & Company	Marketing Director Fee - Polly ...	6310 Operational Reimburse...	986.00
Total Newport Beach & Company				25,772.07
Rich Manning				
08/09/2016	Rich Manning	Food Blog - 9 Great Hot Dog O...	6210 E-Newsletter / Blog	250.00
08/09/2016	Rich Manning	Food Blog - Beat the Heat with ...	6210 E-Newsletter / Blog	250.00
Total Rich Manning				500.00
TOTAL				33,772.07

2:02 PM

09/13/16

Restaurant Association Business Improvement District
Reconciliation Summary
1010 · Bank Balance, Period Ending 08/31/2016

	<u>Aug 31, 16</u>
Beginning Balance	85,198.82
Cleared Transactions	
Checks and Payments - 3 items	-33,789.07
Total Cleared Transactions	<u>-33,789.07</u>
Cleared Balance	<u>51,409.75</u>
Uncleared Transactions	
Checks and Payments - 1 item	-400.00
Deposits and Credits - 2 items	9,118.75
Total Uncleared Transactions	<u>8,718.75</u>
Register Balance as of 08/31/2016	<u>60,128.50</u>
Ending Balance	<u>60,128.50</u>

Restaurant Association Business Improvement District Reconciliation Detail

1010 · Bank Balance, Period Ending 08/31/2016

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						85,198.82
Cleared Transactions						
Checks and Payments - 3 items						
General Journal	08/09/2016	AJE212		X	-18,786.07	-18,786.07
Check	08/10/2016			X	-17.00	-18,803.07
General Journal	08/11/2016	AJE213		X	-14,986.00	-33,789.07
Total Checks and Payments					-33,789.07	-33,789.07
Total Cleared Transactions					-33,789.07	-33,789.07
Cleared Balance					-33,789.07	51,409.75
Uncleared Transactions						
Checks and Payments - 1 item						
Sales Receipt	11/18/2014	1	Bistro Le Crillon		-400.00	-400.00
Total Checks and Payments					-400.00	-400.00
Deposits and Credits - 2 items						
Deposit	01/21/2016				118.75	118.75
Deposit	08/09/2016				9,000.00	9,118.75
Total Deposits and Credits					9,118.75	9,118.75
Total Uncleared Transactions					8,718.75	8,718.75
Register Balance as of 08/31/2016					-25,070.32	60,128.50
Ending Balance					-25,070.32	60,128.50



Account #: _____

This statement: August 31, 2016
 Last statement: July 29, 2016

Contact us: _____
 800 773-7100

023
 CITY OF NEWPORT BEACH
 (RESTAURANT ASSOCIATION)
 100 CIVIC CENTER DR
 NEWPORT BEACH CA 92660

0830N

Orange CO Airport Office
 18111 Von Karman Ave., Ste. 100
 Irvine CA 92612

cnb.com

Analyzed Business Checking

Account Summary		Account Activity	
Account number		Beginning balance (7/29/2016)	\$85,198.82
Minimum balance	\$51,409.75		
Average balance	\$62,557.62	Credits	+ \$0.00
Avg. collected balance	\$62,557.00	Debits	
		Checks paid (0)	- 0.00
		Electronic db (3)	- 33,789.07
		Other debits (0)	- 0.00
		Total debits	- \$33,789.07
		Ending balance (8/31/2016)	\$51,409.75

ELECTRONIC DEBITS

Date	Description	Debits
8-9	Preauthorized Debit BILL.COM PAYABLES 015HMOOBPKHKBP5 RESTAURANT ASSOCIA CCD	18,786.07
8-10	Preauthorized Debit TRANSFIRST LLC DISCOUNT CCD NB RESTAURANT 41399801200319 NB RESTAURANT ASSOC DISCOUNT	17.00
8-11	Preauthorized Debit BILL.COM PAYABLES 015ZMUGLJHHLYDZ RESTAURANT ASSOCIA CCD	14,986.00

DAILY BALANCES

Date	Amount	Date	Amount	Date	Amount
7-29	85,198.82	8-9	66,412.75	8-10	66,395.75
				8-11	51,409.75

Thank you for banking with Orange CO Airport Office