



CITY OF NEWPORT BEACH CORONA DEL MAR BUSINESS IMPROVEMENT DISTRICT BOARD AGENDA

100 Civic Center Drive, Corona del Mar Conference Room, Bay 1E
Thursday, December 3, 2015 - 7:30 AM

Corona del Mar Business Improvement District Board Members:

Bernie Svalstad, Chairman
Scott Laidlaw, Vice Chairman
Keith Dawson, Treasurer
Jessica Prause, Secretary
Hamid Kianipur, Director
Scott LaFleur, Director
Shawn Lim, Director
Vacant, Director
Jim Walker, Director

Staff Members:

Mary Locey, Management Analyst

The Corona del Mar Business Improvement District meeting is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Corona del Mar 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 Corona del Mar 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

VII. PUBLIC COMMENTS ON NON-AGENDA ITEMS

Public comments are invited on agenda and non-agenda items generally considered to be within the subject matter jurisdiction of the Corona del Mar Business Improvement District. Speakers must limit comments to three minutes. Before speaking, we invite, but do not require, you to state your name for the record. The Corona del Mar Business Improvement District 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. Minutes of the October 22 2015, Corona del Mar Business Improvement District meeting.

Approval of Minutes

Summary: Review and approval of the draft meeting minutes from prior meeting(s).

Recommended Action: Board to approve the draft meeting minutes.

[CdM BID October 22, 2015 Draft Meeting Minutes](#)

V. CURRENT BUSINESS

A. City Council Report

Summary: Oral report(s) from present City Council Member(s).

Recommended Action: None

B. Proposed Amendments to Newspaper Racks and Stands (NBMC Chapter 5.70)

Summary: Board to review the proposed amendments to the City's Municipal Code Section 5.70 Newspaper Racks and Stands and recommend the Ordinance be submitted to the City Council for approval.

Recommended Action: Board to approve its support for the proposed amendments to the City's Municipal Code Section 5.70 Newspaper Racks and Stands and recommend the Ordinance be submitted to the City Council for approval.

[Proposed Amendments to NBMC 5.70-Draft Ordinance](#)

C. Nomination of Board Member to Fill Unscheduled Vacancy

Summary: Board to review the application received for nomination to fill the one open CdM BID board seat.

Recommended Action: Board to nominate applicant for City Council appointment to the CdM BID board of directors to complete the term through June 30, 2016.

[Brandes, Adrienne-Application for CdM BID Board](#)

D. BID Project Updates

1. Parking Management Plan Report (Walker/Laidlaw)

Summary: Status report from the parking sub-committee.

Recommended Action: None

2. Marguerite & PCH Project (Svalstad)

Summary: Provide an update on the Marguerite and PCH intersection landscape and hardscape improvement project.

Recommended Action: None

3. Tree Well Maintenance (Laidlaw)

Summary: Provide a status update on the tree well landscaping and irrigation. Board to review and approve Pinnacle Landscape Management's proposals for additional work. Funds are available in the BID's landscape contingency account for the expenditure.

Recommended Action: Board to review and approve Pinnacle Landscape Management's proposal for additional work and the expenditure from the landscaping contingency account.

[Pinnicale-Proposal](#)

E. Financial Report (Svalstad)

Summary: Board to review the BID financial reports.

Recommended Action: None

[CdM BID Financial Reports for Period Ending October 2015](#)

F. BID Website Development (Leonhard)

Summary: Board to review and approve the website development proposal from Rhino WebGroup and recommend the City enter into an agreement for the services.

Recommended Action: Board to approve the website development proposal from Rhino WebGroup (Rhino) and recommend the City enter into an agreement with Rhino to provide the services.

[Web Development Proposal-Rhino WebGroup](#)

G. Administration & Marketing Report (Leonhard)

Summary:

1. Results of the 2015 membership survey
2. Beautification award nomination
3. Holiday ad campaign
4. Speak-Up Newport Mayor's Dinner cooperative table sponsorship.

Recommended Actions:

1. None.
2. Board to approve the nomination for the January beautification award.
3. None.
4. Board to approve a cooperative table sponsorship with the Corona del Mar Chamber of Commerce to purchase a table at the 2016 Speak-Up Newport Mayor's Dinner in the amount of \$600. Funds are available in the BID's marketing programs budget .

H. CdM Chamber of Commerce Report (Leonhard)

Summary: Provide an update on the Corona del Mar Chamber of Commerce programs and community efforts.

Recommended Action: None

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

VI. ADJOURNMENT

Next regular meeting is scheduled for January 28, 2014.

**Corona del Mar Business Improvement District
Board Draft Meeting Minutes**

**October 22, 2015
City of Newport Beach City Hall
Corona del Mar Conference Room, 1st Floor, Bay E
100 Civic Center Drive, Newport Beach, CA**

I. Call to Order

Chairman Svalstad called the meeting to order at 7:36 a.m.

II. Roll Call

Chairman Svalstad called the roll, and everyone in the room introduced themselves.

Board Members Present:

Chairman Svalstad, Treasurer Dawson, Secretary Prause; Director Walker; Director LeFleur.

City Representatives:

Mayor Edward Selich, Council Member Scott Peotter, Management Analyst Mary Locey

BID Consultants:

Linda Leonhard, BID Marketing Consultant and Administrative Services (Corona del Mar Chamber of Commerce)

Guests:

Michelle Peschel, Josette Patterson, Jim Mosher, and Amy Senk

III. Public Comments on Agenda Items

Jim Mosher noted that there is an opening on the City Finance Committee that may be of interest to BID Board Members. In addition, he noted that the BID Board might have an interest in the City Council approval of a new contract for cleaning sidewalks in business areas and excluded the Corona del Mar business district. He wondered about the equity of this since the BID Board spends its own money to subsidize the cleaning in the Corona del Mar business area.

Josette Patterson proposed hosting one night a month in the Corona del Mar business district to try to promote the businesses to local residents. She proposed that the businesses and restaurants could stay open late and provide promotional offers to customers/residents. It was noted that Laguna Beach does an art walk every Thursday night. Director Walker stated he would meet with Ms. Patterson after the meeting to discuss in further detail. Ms. Leonhard recommended including this proposal in the survey to local businesses.

IV. Current Business

a. Approval of Minutes

MOTION: Director Walker made a motion to approve the September 24, 2015 Board Minutes. Treasurer Dawson seconded the motion.

The motion carried by the following roll call vote:
Ayes: Svalstad, Dawson, Walker, LeFleur, Prause

- b. City Council Report:** Mayor Selich reported that the News Rack Ordinance is ready for approval and will be placed on the next agenda where the City Attorney will come to discuss it. In addition, he noted that Visit Newport Beach had their annual dinner on October 21, 2015, and a hospitality industry expert gave a speech worth watching. It had pertinent information on economic trends with applicability toward the general business community. Council Member Peotter did not a report.
- c. Parking Management Plan (Walker/Laidlaw):** Director Walker reported that he was attempting to schedule a meeting with a couple of City Council Members prior to bringing the plan back to the BID Board.
- d. Marguerite & PCH Project (Svalstad):** The BID Board reviewed and approved the proposal from Rabben/Herman Design Office for the proposed design of the beautification project at Marguerite and Coast Highway. Ms. Locey estimated it should take one week for the City attorneys to approve the contract and Rabben/Herman quoted two weeks to complete the design.

MOTION: Director Walker made a motion to approve the proposal from Rabben/Herman Design Office for \$2,200 to design the beautification project at Marguerite and East Coast Highway. Director LeFleur seconded the motion.

The motion carried by the following roll call vote:
Ayes: Svalstad, Dawson, Walker, LeFleur, Prause

- e. Tree Well Maintenance (Laidlaw):** Ms. Locey stated that a sprinkler head was replaced by Pinnacle Landscape Company (Pinnacle) yesterday. When the City called Pinnacle for the replacement, it was noted that the only plant thriving in the tree wells is the Stipa grass. Vice Chairman Laidlaw is currently out of the country. Further updates will be provided at the next meeting.
- f. Financial Report:** Ms. Locey reported that the City's \$20,000 funding will be reflected in next month's financial report. The BID Board agreed to research and place on the agenda for the next meeting the ability to make BID assessment by credit card. Finally, it was noted that there are several large corporations that still have not paid their annual assessment. A plan should be made to collect from these large corporations.

MOTION: Secretary Prause made a motion to receive and file the financial report. Director Walker seconded the motion.

The motion carried by the following roll call vote:
Ayes: Svalstad, Dawson, Walker, LeFleur, Prause

g. Administration and Marketing Report (Leonhard)

1. Website Status Update. Ms. Leonhard reported that one website proposal went to the City and another proposal will be going out today.
2. Member Survey. The member survey will be going out this month.
3. Beautification Award. Ms. Leonhard requested nominations for the next award recipient and reported that Heron Haberdashery has made some improvements to the building that Villa Realty owns. BID members can also email Linda additional recommendations.
4. Holiday Ad Campaign. Ms. Leonhard reported that the holiday ad campaign is going well and businesses are showing interest in the discounted ads. The ads are scheduled to run mid-November through Christmas.

h. CdM Chamber Report (Leonhard)

Ms. Leonhard reported that Christmas Walk is well into the planning stages. There is advertising space available in the event program that will be distributed to 3,000 recipients. Christmas Walk is also looking for volunteers. The BID booth will need volunteers as well. Materials for the BID exhibit booth will include informational brochures, posters of the Gateway Project and 2015 Member Surveys.

It was requested that the BID be notified when the City's traffic light construction in the district is scheduled in order to help advise the businesses and community. Ms. Leonhard passed out the Chamber of Commerce calendar of events. She noted that there was a ribbon cutting this evening with the Mayor and City Council at Amir Rug Gallery; that Avila's El Ranchito will be having the next Chamber Mixer; and that nominations close at the end of the month for the Chamber of Commerce Board of Directors.

V. Corona del Mar BID Announcements or Matters which Members Would Like Placed on a Future Agenda for Discussion or Action or Report (Non-Discussion Items)

None.

VI. Public Comments on Non-Agenda Items

Mr. Mosher pointed out that the News Rack Ordinance was set for review soon, prior to the next BID Board meeting, at an upcoming Public Works meeting.

VII. Next Meeting

The next BID meeting is scheduled for December 3, 2015.

VIII. Adjournment

MOTION: Director Walker made a motion to adjourn the meeting. Treasurer Dawson seconded the Motion.

The motion carried by the following roll call vote:

Ayes: Svalstad, Laidlaw, Walker, Lim, LeFleur, Prause

The meeting adjourned at 8:20 a.m.

Chapter 5.70**NEWSPAPER RACKS AND STANDS***

Sections:

- 5.70.010 Intent and Purpose.
- 5.70.015 Definitions.
- 5.70.020 Freestanding Newsrack Permits.
- 5.70.025 Requirements and Duties.
- 5.70.030 Special Requirements for Newsracks Along Marine Avenue on Balboa Island.
- 5.70.032 Designation of a Fixed Pedestal Zone in Corona del Mar.
- 5.70.035 Display of Certain Matter Prohibited.
- 5.70.040 Display of Harmful Matter.
- 5.70.045 Costs.
- 5.70.050 Removal of Freestanding Newsracks.
- 5.70.055 Appeals and Calls for Review.
- 5.70.060 Severability; Supplemental Provisions.

5.70.010 Intent and Purpose.

The City Council of the City of Newport Beach hereby finds that Freestanding Newsracks, have proliferated and increased in certain areas of the City of Newport Beach to the extent that in some instances they constitute a threat to public health, safety and welfare by impeding pedestrian traffic and interfering with ingress and egress to and from buildings, vehicles and public modes of transportation.

The City of Newport Beach finds Marine Avenue, on Balboa Island, to be an extremely popular tourist destination with unusually high pedestrian and vehicular traffic volumes in the summer months and holidays. There is a proliferation of Freestanding Newsracks along Marine Avenue on Balboa Island resulting in undue interference with pedestrian and traffic circulation and increased safety hazard. Due to unique problems along Marine Avenue on Balboa Island, it is necessary to specifically limit the number of locations and spaces for Freestanding Newsracks.

The City of Newport Beach further finds that Corona del Mar is an extremely popular destination with unusually high pedestrian and vehicular traffic volumes, year round. There is a proliferation of Freestanding Newsracks in Corona del Mar which has caused congestion of public sidewalks, impeded the flow of pedestrian traffic, interfered with the use of Public Rights-of-Way, presented hazards to persons and property, and contributed to the litter problems of public sidewalks and streets. In addition, the City of Newport Beach finds that the proliferation of Freestanding Newsracks has resulted in visual blight, based on the large number and varying design of the Freestanding Newsracks, the poor maintenance of Freestanding Newsracks and the virtually unrestricted placement of Freestanding Newsracks on the Public Right-of-Way in Corona del Mar. To promote the public health, safety and welfare and the aesthetic qualities of Corona del Mar, it is necessary to eliminate Freestanding Newsracks and utilize Fixed Pedestal Units.

The purpose of this chapter is to promote the public health, safety, and welfare through the regulation of placement, appearance, number, size, and servicing of Freestanding Newsracks on the Public Right-of-Way so as to:

- A. Provide for pedestrian and driving safety and convenience;
- B. Insure no unreasonable interference with the flow of pedestrian or vehicular traffic including ingress into, or egress from, any residence or place of business, or from the street to the sidewalk, by persons exiting or entering parked or standing vehicles;
- C. Provide reasonable access for the use and maintenance of sidewalks, poles, posts, traffic signs or signals, hydrants, mailboxes, and access to locations used for public transportation services;
- D. Reduce visual blight on the Public Right-of-Way, and protect the aesthetics of store window displays, public landscaping and other improvements;
- E. Maintain and protect the value of surrounding properties;
- F. Reduce exposure to the City related to personal injury or property damage claims; and
- G. Protect the right to distribute and disseminate Publications as protected by the State and Federal constitution.

It is not the intent of this chapter to in any way discriminate against, regulate, or interfere with the printing, circulation, distribution, or dissemination of any Publication.

5.70.015 Definitions.

- A. "Corona del Mar" means the Public Right-of-Way within fifty feet (50') of both sides of East Coast Highway from Avocado Avenue to Poppy Avenue.
- B. "Director" means the Director of the Department of Public Works or his or her designee.
- C. "Fixed Pedestal Unit" means an assembly which is of a type, design or model approved by the Director and which contains one (1) or more self-service or coin-operated boxes, containers, storage units or other dispensers installed, used or maintained for the display, vending, sale or distribution, with or without charge, of any Publication, and which is attached to the Public Right-of-Way in accordance with the provisions of this chapter and provided and maintained by the City.
- D. "Fixed Pedestal Zone" means any area designated in this chapter as a Fixed Pedestal Zone where the distribution of Publications is restricted to Fixed Pedestal Units installed in a style and manner approved by the Director.
- E. "Freestanding Newsrack" means any self-service or coin-operated, freestanding box, stand, container, storage unit or other similar newspaper or vending dispenser or device placed, installed, used or maintained on any Public Right-of-Way for the display,

vending, sale or distribution, with or without charge, of any Publication, and which is not a Fixed Pedestal Unit authorized under this chapter.

F. “Historically Present Publication” means a Publication that, according to the survey completed prior to Initial Implementation of a Fixed Pedestal Zone, was identified as being located in the Fixed Pedestal Zone, and was distributed from at least one (1) Freestanding Newsrack situated in the Fixed Pedestal Zone.

G. “Initial Implementation” means the transition period from Freestanding Newsracks to Fixed Pedestal Units and shall include the selection of locations for initial Fixed Pedestal Units in the Fixed Pedestal Zone; the allocation of Newsrack Box space within those Fixed Pedestal Units to persons or entities that have had Historically Present Publications and, if possible, to other interested persons or entities; the installation of the Fixed Pedestal Units, and the removal of all Freestanding Newsracks from the Fixed Pedestal Zone.

~~A. _____~~

H. “Newsrack Box” means the individual space within a Fixed Pedestal Unit that dispenses one (1) or more Publications, including the door, coin return mechanism and associated hardware which is maintained by the permit holder. I. ~~B. _____~~ “Public Right-of-Way” means any public property, such as public streets, highways, roadways, sidewalks, parkways or alleys, used or intended for use, by the travelling public, whether vehicular or pedestrian, located within the City of Newport Beach.

J. “Publication” means any newspapers, periodicals, publication or other printed material.

~~C. _____ City Manager. “City Manager” shall mean the City Manager or his or her designee. (Ord. 88-20 § 1 (part), 1988)~~

5.70.20 Freestanding Newsrack Permits.

A. ~~Permit Required.~~ A Freestanding Newsrack permit issued in accordance with this chapter shall be required prior to the installation, placement or maintenance of any Freestanding Newsrack which in whole or in part rests upon, in or over any Public Right-of-Way. No Freestanding Newsrack Permit shall be issued for any Freestanding Newsrack proposed to be located in a Fixed Pedestal Zone. A new Freestanding Newsrack permit shall not be required for any Freestanding Newsrack that complies with the provisions of this chapter and has a valid permit in effect on the adoption date of the ordinance codified in this chapter.

B. ~~Application.~~A written application for a Freestanding Newsrack permit shall be filed with the Director, and shall contain the following information:

1. The name, address, and telephone number of the applicant and owner of the Freestanding Newsrack.

2. The name, address, and telephone number of a representative or other responsible person whom the City may notify or contact at any time concerning the applicant's Freestanding Newsrack.
 3. The number of Freestanding Newsracks at the street address of the proposed location of each as shown on a scaled drawing of the proposed location.
 4. A diagram of the location proposed for the installation of the Freestanding Newsrack(s).
 5. Names of the Publications to be contained in each Freestanding Newsrack.
 6. Type or brand of Freestanding Newsrack, including description of the Freestanding Newsrack and mount, if other than K-Jack Style Mount Model 100.
- C. **Fee.** Each application for a Freestanding Newsrack permit shall be accompanied by an application fee as established by resolution of the City Council.
- D. ~~Issuance and Denial.~~ Upon a finding the applicant is in compliance with the provisions of this chapter, the Director may issue a Freestanding Newsrack permit at a location approved by the Traffic Engineer. If a permit is denied, the applicant shall be notified in writing of the specific cause of such denial by the Director and the right to appeal in accordance with Section 5.70.055 of this chapter.
- E. **Approval.** An application for a Freestanding Newsrack permit shall be approved, or conditionally approved, unless:
1. The Freestanding Newsrack is located in a Fixed Pedestal Zone.
 2. The proposed Freestanding Newsrack projects onto, into or over any part of the roadway or public street, or which rests, wholly or in part, upon, along or over any portion of the roadway or public street;
 3. The proposed Freestanding Newsrack is to be installed in whole or in part, in or over any sidewalk or parkway; and
 - a. The Freestanding Newsrack, in its proposed location, would endanger the safety of persons or property; or
 - b. The proposed location is used for public utility purposes, public transportation purposes or other public use; or
 - c. The proposed Freestanding Newsrack would unreasonably interfere with or impede the flow of pedestrian or vehicular traffic, the ingress into or egress from any residence, place of business, or any legally parked or stopped vehicle, or the use of poles, posts, traffic signs or signals, hydrants, mailboxes, or other objects present at or near said location; or
 - d. The proposed Freestanding Newsrack would interfere with the cleaning of any sidewalk by the use of mechanical sidewalk cleaning machinery. (

F. In addition to the provisions of this chapter, the Director is authorized to place any necessary conditions which promote the public health, safety and welfare on the approval of a Freestanding Newsrack permit.

5.70.025 Requirements and Duties.

A. Any Freestanding Newsrack which, in whole or in part, rests upon, in or over any sidewalk, shall substantially comply with the following:

1. Freestanding Newsracks located near a curb shall be placed not less than eighteen (18) inches nor more than twenty-four (24) inches from the edge of the curb. Freestanding Newsracks placed adjacent to the rear of the sidewalk shall be placed parallel to the wall and at least six (6) inches from the wall.
2. Freestanding Newsracks shall not be chained, bolted or otherwise attached to any private property without the consent of the property owner.
3. Freestanding Newsracks may be attached to one another. Each group of attached Freestanding Newsracks shall be separated by eighteen (18) inches or more. The Traffic Engineer shall determine the number of Freestanding Newsracks that can be bolted, attached or grouped on a location by location basis.
4. Freestanding Newsracks shall not be placed, installed, used or maintained:
 - a. Within fifteen (15) feet of any marked crosswalk;
 - b. Within twenty (20) feet of the curb return of any unmarked crosswalk;
 - c. Within ten (10) feet of any fire hydrant, fire call box, police call box or other emergency facility;
 - d. Within (10) ten feet of any driveway;
 - e. Within ten (10) feet ahead, and forty (40) feet to the rear of any sign marking a designated bus stop;
 - f. Within ten (10) feet of any bus bench;
 - g. At any location whereby the clear space for the passageway of pedestrians is reduced to less than four (4) feet;
 - h. Within one hundred (100) feet of another Freestanding Newsrack or Fixed Pedestal Unit containing the same Publication except where separated by a street or corner, or except where a person or entity demonstrates that: there is insufficient room in one (1) machine for the Publication which may be sold in one (1) day, or it publishes more than one (1) edition of the Publication for sale or distribution at the same time;
 - i. Facing another Freestanding Newsrack, divided only by the width of a public sidewalk or public pedestrian wall.

B. The name, address, and telephone number of a responsible person who may be contacted at any time concerning the Freestanding Newsrack shall be displayed on the hood of a Freestanding Newsrack in such manner as to be readily visible to and readable by a prospective customer.

C. Freestanding Newsracks shall carry no advertising except:

1. The name of the person, entity or Publication being dispensed on the bottom one-third (1/3) of the plastic hood; and

2. Advertising rack cards contained in card pans which are attached to and located on the front of the Freestanding Newsrack and do not exceed fifteen (15) inches in height and twenty-two (22) inches in length. The rack cards shall be limited to the display, sale or purchase of the Publication being dispensed.

D. Freestanding Newsracks shall be kept clean and maintained in good working order at all times, freshly painted and with unbroken hoods.

E. Frames and racks for Freestanding Newsracks shall be K-Jack Style Mounts Model 100 or approved equal with a height not to exceed forty (40) inches. Mounts shall be bolted in place in accordance with specifications provided by the City.

F. Freestanding Newsracks shall have woodgrain panels or be painted brown on all sides and the mount shall be painted gloss black.

G. No person, association, firm or corporation shall place, locate or maintain a Freestanding Newsrack on the Public Right-of-Way unless there is on file with the Director, in full force and effect at all times, a document issued by an insurance company authorized to do business in the State of California evidencing that the permittee or owner is insured under a liability insurance policy providing minimum coverage of five hundred thousand dollars (\$500,000.00) for injury or death to persons arising out of the location, placement or operation of the Freestanding Newsrack on the Public Right-of-Way.

H. Every permittee of a Freestanding Newsrack located upon the Public Right-of-Way must comply with the provision of Newport Beach Municipal Code, Business Licenses and Regulations, Section 5.04.020.

5.70.030 Special Requirements for Newsracks Along Marine Avenue on Balboa Island.

In addition to all other applicable provisions of this chapter, the following rules shall apply to Freestanding Newsracks along Marine Avenue on Balboa Island;

A. Freestanding Newsracks shall be permitted at only four locations: 201 Marine Avenue (Location One); 206 Marine Avenue (Location Two); 300 Marine Avenue (Location Three); and northern twenty-five (25) percent of 301 Marine Avenue and 305 Marine Avenue (Location Four).

B. Each location shall accommodate up to a maximum of eight (8) Freestanding Newsrack spaces. The eight (8) Freestanding Newsrack spaces shall be divided into two (2) groups with a maximum of four (4) Freestanding Newsrack spaces in each group. Each group shall be separated by forty-eight (48) inches or more. Freestanding Newsrack space is defined as that surface area in the Public Right-of-Way sufficient to accommodate a Freestanding Newsrack.

C. Priority shall be given to existing vendors of Publications at these locations and any new space that becomes available shall be allocated on a first-come, first-served basis to any new vendors.

5.70.032 Designation of a Fixed Pedestal Zone in Corona del Mar.

The proliferation of Freestanding Newsracks in Corona del Mar, and the particularly poor maintenance or abandonment of Freestanding Newsracks, have contributed to the congestion of public sidewalks, impeded the flow of pedestrian traffic, interfered with the use of Public Rights-of-Way, presented hazards to persons and property, contributed to the litter problems of public sidewalks, and resulted in visual blight. Therefore, Corona del Mar shall be designated as a Fixed Pedestal Zone and the following rules shall apply in said zone:

A. The Director is hereby authorized to select and enter into an agreement to provide for the installation and maintenance of Fixed Pedestal Units in accordance with this section. The Director, in consultation with the City's Traffic Engineer, is further authorized and directed to promptly promulgate guidelines consistent with the provisions of this section controlling the selection of locations for, as well as the placement, size, construction, design, methods of attachment, appearance, and maintenance and repair of Fixed Pedestal Units and Newsrack Boxes to be contained therein in Corona del Mar.

B. The locations of Fixed Pedestal Units in Corona del Mar shall be selected by the Director so that, to the extent reasonably possible, (i) Historically Present Publications in Corona del Mar may receive space in Fixed Pedestal Units located close to their former Freestanding Newsracks; and, (ii) the number of Newsrack Boxes at each Fixed Pedestal Unit location is equal to or greater than the number of Freestanding Newsracks containing Historically Present Publications at each such location.

C. Except where this section or the Director's guidelines expressly provide otherwise, no person may place any Publication in any Newsrack Box in a Fixed Pedestal Unit without having first obtained from the Director a Fixed Pedestal Permit authorizing placement of the Publication in that Newsrack Box.

1. Each person or entity seeking access to a Newsrack Box shall apply to the City, on forms provided by the Director, for a Fixed Pedestal Permit for each Newsrack Box in each Fixed Pedestal Unit to which the person or entity seeks space.

2. A written application for a Fixed Pedestal Permit shall be filed with the Director and shall contain the following information, as well as any other information deemed reasonably necessary by the Director:

a. The name, address, and telephone number of the applicant and owner of the Publication seeking a Newsrack Box.

b. The name, address, and telephone number of a representative or other responsible person whom the City may notify or contact at any time concerning the space granted the applicant in a Newsrack Box.

c. A diagram of the installation of the person or entities equipment in the Newsrack Box.

d. Name of the Publication to be contained in the Newsrack Box.

3. Each application for a Fixed Pedestal Permit shall be accompanied by an application fee as established by resolution of the City Council. No Fixed Pedestal Permit fee shall be charged to a Historically Present Publication during the Initial Implementation and the City shall pay the direct cost associated with the initial installation of any Historically Present Publication including, the door, coin return mechanism and associated hardware, in the Newsrack Box.

4. Upon a finding the applicant is in compliance with the provisions of this chapter, the Director shall issue a Fixed Pedestal permit for use of the space in the designated Newsrack Box. If a Fixed Pedestal permit is denied, the applicant shall be notified in writing of the specific cause of such denial by the Director and the right to appeal in accordance with Section 5.70.055 of this chapter.

5. Approval. An application for a Fixed Pedestal Permit shall be approved unless:

a. The application is incomplete.

b. There is no available space Newsrack Box in the Fixed Pedestal Unit.

6. An applicant shall be responsible for the payment of all fees due or imposed under this section with respect to that permit holder's Newsrack Box. Once a Fixed Pedestal permit has been granted pursuant to this section and the requirements of the guidelines, and if the Fixed Pedestal permit has not subsequently been revoked, the Fixed Pedestal permit holder shall not be required to renew or reapply for another Fixed Pedestal permit for the same Newsrack Box.

D. Each person or entity granted a Fixed Pedestal permit shall comply with the following:

1. The name, address, and telephone number of a responsible person who may be contacted at any time concerning the Newsrack Box shall be displayed on the

face of the Newsrack Box in such manner as to be readily visible to and readable by a prospective customer.

2. A Newsrack Box shall carry no advertising except the name of the person, entity or Publication being dispensed on the bottom one-third (1/3) of the face of the Newsrack Box.

3. The Newsrack Box shall be kept clean and maintained in good working order at all times.

4. Each person or entity granted a Fixed Pedestal Permit shall maintain on file with the Director, in full force and effect at all times, a document issued by an insurance company authorized to do business in the State of California evidencing that the permittee is insured under a liability insurance policy providing minimum coverage of five hundred thousand dollars (\$500,000.00) related to the exercise of permittee's rights under the Fixed Pedestal Permit including, but not limited to, the injury or death to any person related to the operation of the Newsrack Box.

5. Every permittee of a Freestanding Newsrack located upon the Public Right-of-Way must comply with the provision of Newport Beach Municipal Code, Business Licenses and Regulations, Section 5.04.020.

E. If Newsrack Boxes in a Fixed Pedestal Unit located at a particular location have been abandoned or have otherwise become available for reallocation, and the Director has made reasonable efforts to reallocate such Newsrack Boxes, the Director may consolidate the Fixed Pedestal Units, modify the size of the Fixed Pedestal Unit to reduce the number of Newsrack Boxes it contains, and reallocate Newsrack Box space among existing permit holders. If the City reallocates Newsrack Box space as provide in this section, the City shall pay the direct costs to convert the newly assigned Newsrack Box space to the same level as the permit holders' existing Newsrack Box space.

F. Except as otherwise provided for in this chapter, no Publication that has obtained a Newsrack Box in a Fixed Pedestal Unit may receive a second space in that Fixed Pedestal Unit, until all other Publications that have applied for space in that Fixed Pedestal Unit have had the opportunity to select a space.

G. During Initial Implementation, space in each Fixed Pedestal Unit in that zone shall be allocated as follows:

1. To Publications that have applied for space in such a Fixed Pedestal Unit based on the following priorities:

a. First priority shall be given to Historically Present Publications in the Fixed Pedestal Zone based on their distance from the historical location of the Freestanding Newsrack and the Fixed Pedestal Unit.

b. Second priority shall be given to all other Publications that have applied for space in the Fixed Pedestal Unit.

H. The Director is instructed to promptly move forward with the Initial Implementation by establishing dates by which all Fixed Pedestal Units in the zone shall be in compliance with the requirements of this subsection, and by which all Freestanding Newsracks shall be removed from the Fixed Pedestal Zone. The deadlines for compliance with this section shall be prominently posted at the location of each Freestanding Newsrack in the Fixed pedestal Zone, and notice, along with a copy of the guidelines, shall be mailed to each Historically Present Publication in the Fixed Pedestal Zone, to the extent the Director can determine the identity of the Publication, not less than thirty (30) days prior to the date for Initial Implementation specified in the Director's guidelines. Each Historically Present Publication shall, within thirty (30) days of receiving said notice, inform the Director of the cost of removing the Freestanding Newsrack. The City shall pay the direct cost associated with removing the Freestanding Newsrack if the Freestanding Newsrack is removed within ninety (90) days after the effective date of this ordinance. Any Freestanding Newsrack not removed within ninety (90) days of the effective date of this ordinance shall be subject to removal in accordance with Section 5.70.050.

I. Unless otherwise provided, any person who is aggrieved by any decision made under this section may file a written request for review of the decision pursuant to section 5.70.055

J. No person shall place or maintain a Freestanding Newsrack in Corona del Mar ninety (90) days after the effective date of this ordinance.

5.70.035 Display of Certain Matter Prohibited.

Any Publication offered for sale in a Freestanding Newsrack placed or maintained on a Public Right-of-Way or Newsrack Box shall not be displayed or exhibited in a manner which exposes to public view, from any public place, any of the following:

A. Any statement or word describing explicit sexual acts, sexual organs or excrement where such statements or words have as their purpose or effect, sexual arousal, gratification or affront; or

B. Any picture or illustration of genitals, pubic hair, perineums, anuses or anal regions of any person where such picture or illustration has as its purpose of effect sexual arousal, gratification or affront; or

C. Any picture or illustration depicting explicit sexual acts where such picture or illustration has as its purpose or effect, sexual arousal, gratification or affront.

For the purpose of this section the term "explicit sexual acts" means the depiction of sexual intercourse, oral copulation, anal intercourse, oral-anal copulations, bestiality, sadism, masochism, or excretory functions in conjunction with sexual activity, masturbation or lewd exhibition of the genitals, whether any of the above is depicted or described as being performed alone or between members of the same or opposite sex, or between humans and animals, or other act of sexual arousal involving any physical contact with a person's genitals, pubic region, pubic hair, perineum, anus or anal region.

5.70.040 Display of Harmful Matter.

A. Definitions. For the purposes of this section, the terms “harmful matter,” “matter,” “person,” “distribute,” “knowingly,” “exhibit,” and “minor” shall have the meanings specified in the Penal Code of the State of California. For the purposes of this chapter, the term “blinder rack” shall mean opaque material placed in front of, or inside, the newsrack and which prevents exposure to public view.

B. Prohibition. No person shall knowingly exhibit, display, or cause to be exhibited or displayed, harmful matter in any Freestanding Newsrack located on a Public-Right-of-Way, or public place or Newsrack Box from which minors are not excluded, unless blinder racks have been installed so that the lower two-thirds (2/3) of the matter is not exposed to public view.

5.70.045 Costs.

Except as expressly provided in this chapter, the costs of installation, maintenance, replacement, removal, and relocation of Freestanding Newsracks or Newsrack Boxes shall be at the sole expense of the permittee or owner. Upon removal of any Freestanding Newsrack or Newsrack Box, the permittee or owner shall, at his or her sole expense, cause the Public Right-of-Way or Newsrack Box to be repaired to a condition in conformity to the surrounding area. Upon failure of the permittee or owner to make such repairs, the work may be done by the City and charged to the permittee or owner.

5.70.050 Removal of Freestanding Newsracks.

A. Commencing ninety (90) days after the effective date of the ordinance codified in this chapter, any Freestanding Newsrack in violation of any provision of the ordinance codified in this chapter will be deemed nonconforming.

B. In the event that the Director determines that a Freestanding Newsrack does not comply with the provisions of this chapter, he or she shall provide written notice of such determination to the permittee or owner. The notice shall specify the nature of the violation, the location of the Freestanding Newsrack which is in violation, the intent of the Director to remove the nonconforming Freestanding Newsrack in the event a hearing is not requested, and the right of the permittee to request a hearing, before the Director, within fifteen (15) days from the date of the notice. If the Freestanding Newsrack is one which has not been authorized by the Director and ownership is not known, nor apparent after inspection, a notice complying with this section shall be affixed to the Freestanding Newsrack.

C. In the event that a hearing is held pursuant to this section, the Director shall render a decision, in writing, within ten (10) days from the date of the hearing, and the decision shall advise the permittee or owner of his or her right to appeal to the City Council, pursuant to the provisions of Section 5.70.055. Notice of the decision shall be mailed to the permittee or owner and shall be considered effective on the date mailed provided that the notice is properly addressed and placed in the U.S. Mail with first-class postage prepaid.

D. The Director may take possession of a Freestanding Newsrack and, upon the expiration of thirty (30) days, dispose of the Freestanding Newsrack as required by law, if:

1. No hearing is requested by the permittee or owner within fifteen (15) days as provided in Section 5.70.050(B); or
2. The appeal period specified in Section 5.70.055 has expired; or
3. In the event that an owner or permittee fails to remove the rack within ten (10) days from the date of the decision of the City Council, that the Freestanding Newsrack is not in compliance with the rules, regulations and standards established by this chapter.

E. The Director shall inspect any Freestanding Newsrack reinstalled after removal pursuant to this chapter. The permittee of the Freestanding Newsrack shall be charged a fee for this reinspection as established by resolution of City Council.

F. In the event that any Freestanding Newsrack is abandoned, the Director may remove it pursuant to the procedures set out in this section. For the purposes of this section, the term "abandonment" shall mean no publication has been displayed in the Freestanding Newsrack for a period of fifteen (15) consecutive days, no prior written notice has been given by the permittee to the Director specifying the reason(s) for nonuse, and the condition of the rack and related circumstances indicate it will not be actively used within a reasonable period of time.

5.70.055 Appeals and Calls for Review.

The City Council shall have the power to hear and decide appeals based upon the enforcement or interpretation of the provisions of this chapter. Any permittee or owner who is aggrieved by any decision of the Director may appeal that decision by submitting a written notice of appeal to the City Clerk within twenty-one (21) days of the date on which notice of the decision was mailed. A member of the City Council, in their official capacity, may call for review any action of the Director under this chapter for the purpose of bringing the matter in front of the entire body for review. A call for review shall be filed with the City Clerk, on a form provided by the City Clerk, within twenty-one (21) days of the date on which the notice of the decision was mailed. The City Council may preside over the hearing on appeal or may designate a hearing officer to take evidence and submit a proposed decision together with findings, within fifteen (15) days from the date of the hearing. The City Council shall preside over the hearing for a call for review. The City Council shall, within thirty (30) days from the date of the hearing, render its decision on the appeal or call for review, together with findings. The decision of the City Council shall be final.

5.70.060 Severability; Supplemental Provisions.

If any provision of this chapter as herein enacted or hereafter amended, or the application thereof to any person or circumstances, is held invalid, such invalidity shall not affect the other provisions or applications of this chapter (or any section or portion of section hereof) which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are, and are intended to be, severable.

The provisions of this chapter are intended to augment and be in addition to other provisions of the Municipal Code. Whenever the provisions of this chapter impose a

greater restriction upon persons, premises, or practices than is imposed by other provisions of this Municipal Code, the provisions of this chapter shall control.

If any sentence, clause or phrase of this chapter is, for any reason, held to be unconstitutional or otherwise invalid, such decision shall not effect affect the validity of the remaining provisions of this chapter. The City Council hereby declares that it would have passed the ordinance codified in this chapter, and each sentence, clause, and phrase thereof irrespective of the fact that any one (1) or more sentences, clauses or phrases be declared unconstitutional or otherwise invalid.

Submit by Email

Print Form

APPLICATION FOR APPOINTIVE POSITION

FOR OFFICE USE ONLY

Residence District No. _____

Verified by _____

2015 APR -8 PM 2:00

OFFICE OF
THE CITY CLERK
CITY OF NEWPORT BEACH

CITY OF NEWPORT BEACH

100 Civic Center Drive
Newport Beach, CA 92660
City Clerk (949) 644-3005
Fax (949) 644-3039

DIRECTIONS: One application can be used for all the appointive positions you are applying for. Applications should be filled out completely so that the City Council may fully evaluate your qualifications. It is the responsibility of the applicant to familiarize themselves with the duties and responsibilities of the position(s) applied for. Detailed information outlining the responsibilities of the positions can be obtained from the City Clerk's Office or on the City's website: www.newportbeachca.gov (City Government/Boards, Commissions and Committees). Applications will be kept on file for two years for the position(s) applied for. If you are not selected for appointment during that period of time, it will be necessary for you to re-submit an application if you are still interested in being considered.

NOTICE: Section 702 of the City Charter requires that members of Boards or Commissions appointed by the City Council shall be from the qualified electors of the City. This document is a public record and may be posted on the internet.

NAME OF BOARD, COMMISSION OR COMMITTEE:

CDM Beautification Committee

Name:

Brandes

Adrienne

(Last)

(First)

(Middle)

Cell phone 7144018277

Residence Address (required):

[Redacted]

Zip Code: 92625

How long have you lived in Newport Beach?

30 years

Home/Cell #:

[Redacted]

Business Address:

[Redacted]

Business Phone:

9 4 9 - 7 1 7 - 7 1 2 2

CDM

Email Address:

[Redacted]

Have you ever been convicted of any crime or violation of any law or statute other than minor traffic violations?

NO YES (If yes, attach separate sheet with explanation)

NOTICE: Pursuant to Section 702 of the City Charter, no members of boards or commissions shall hold any paid office or employment in the City government.

Do you currently hold any paid office or employment with the City of Newport Beach, including but not limited to contracted services?

NO YES (If yes, attach separate sheet with explanation)

Please state any past, current or foreseeable future financial interests of any kind that may conflict with the Board, Commission or Committee you are applying for.

None

Name and Location of Colleges/ Universities Attended	Major	Degree	Last Year Attended
U.C.I.	Social Ecology	B.A.	1980
U.C.L.A.	Teaching credential	credential	1984
Chapman University	Counseling Psychology	M.A.	1984

Prior or Current Civic Experience (include membership in professional, charity or community organization)	Office Held (if any)	Dates of Membership
Big Brothers / Big Sisters L.A.	Board member	1982-1986
Women of Chapman	President - 3 terms and Board member	1986 - present
A.T.S.C.	Board member	1986-1990

Occupational History. Begin with your present or most recent position. List all positions separately held for the last five years.

Firm or Organization	Type of Business	Title	Dates of Employment
Adrienne Brandes, Inc (Surterre Properties)	Real Estate	Realtor	1997- present
Your Face in Five	cosmetics	owner / founder	1990-1997
The Professional Image	public relatons and advertising	owner / founder	1986- 1990
L. A. P. D.	police officer	senior training officer	1981-1986

References. Include names of at least two residents of Newport Beach who are not officially connected with the City.

1. Name Address Phone No.
2. Name Address Phone No.

Summarize why you wish to serve the City of Newport Beach on a board, commission or committee. Include any special qualifications you have which are particularly appropriate to the position for which you are applying.

I am a firm believer in giving back to the community and have lived in Newport for over 30 years - 15 in Corona del Mar. I love this beautiful seaside town and would like to be a part of keeping it quaint yet progressive. I am a born leader with many skills to offer. Having worked in law enforcement with L.A.P.D. (as an officer) and starting the D.A.R.E. program back in the 1980's, I am familiar with the daily ins and outs of running a civic organization.

I certify that all statements made on this application are true and correct to the best of my knowledge. I have read and understand the duties and responsibilities of the particular position(s) that I am applying for and authorize the release of this information on the internet.

[BOX MUST BE CHECKED IF SUBMITTING ELECTRONICALLY]



Signature

Date

4-8-2015

Locey, Mary

From: Paula Wilhelm [REDACTED] >
Sent: Tuesday, November 24, 2015 4:50 PM
To: Locey, Mary
Cc: 'adriennebrandes [REDACTED]'
Subject: Re: Corona del Mar Business Improvement District-Vacant Board Seat

Yes I approve this.
Thank you,

PAULA ANSARA-WILHELM

Co Founder / CMO

T 949.717.7211 | F 949.717.7411 | BRE#01260039

www.SurterreProperties.com

1400 Newport Center Drive | Suite 100 | Newport Beach, CA 92660
Please consider the environment before printing this email.



From: "Locey, Mary" <MLocey@newportbeachca.gov>
Date: Tuesday, November 24, 2015 at 2:41 PM
To: Office 2004 Test Drive User <[pwilhelm@\[REDACTED\]](mailto:pwilhelm@[REDACTED])>
Cc: "'adriennebrandes [REDACTED]'" <[adriennebrandes@\[REDACTED\]](mailto:adriennebrandes@[REDACTED])>
Subject: Corona del Mar Business Improvement District-Vacant Board Seat

Good afternoon,
Back in April, Ms. Brandes submitted her application to serve on the Corona del Mar Business Improvement District (CdM BID). Due to the large amount of applicants, Ms. Brandes was not nominated for appointment. The CdM BID Board currently has one open seat. I spoke with Ms. Brandes a moment ago and she is still interested in serving and being Surterre Properties representative to the CdM BID. I need confirmation that you still would like to have Ms. Brandes as your representative. If you still approve, please respond by 10 a.m. tomorrow, Wednesday, November 25, as I need to attach the application to the CdM BID Board agenda by 12 p.m.
Thank you in advance,
Mary

Mary Locey, MPA | Management Analyst
City Manager's Office | City of Newport Beach
100 Civic Center Drive, Newport Beach, California 92660
949-644-3031 | mlocey@newportbeachca.gov

This email is intended solely for the person or entity to which it is addressed and may contain confidential or proprietary information. If you are not the named recipient, or you received this email in error, you are not authorized to copy, print, share, save, or rely upon this email; instead, please contact the sender immediately and delete this email and any attachments. Additionally, in accordance with applicable professional rules and regulations, please understand that any

3:33 PM
11/13/15
Cash Basis

Corona del Mar Business Improvement District
Balance Sheet
As of October 31, 2015

	<u>Oct 31, 15</u>
ASSETS	
Current Assets	
Checking/Savings	
Bill.com Money Out Clearing	30.00
Bank Balance	136,426.65
Total Checking/Savings	136,456.65
Accounts Receivable	
1200 · Accounts Receivable	-901.89
Total Accounts Receivable	-901.89
Total Current Assets	135,554.76
TOTAL ASSETS	<u>135,554.76</u>
LIABILITIES & EQUITY	
Equity	
3900 · Retained Earnings	65,282.95
Net Income	70,271.81
Total Equity	135,554.76
TOTAL LIABILITIES & EQUITY	<u>135,554.76</u>

Corona del Mar Business Improvement District
Budget vs. Actual
 July 2015 through June 2016

	<u>Jul '15 - Jun 16</u>	<u>Budget</u>	<u>\$ Over Budget</u>
Ordinary Income/Expense			
Income			
City Matching Funds	20,000.00	20,000.00	0.00
Late Fees	1,823.14	0.00	1,823.14
Member Assessment	85,688.50	106,000.00	-20,311.50
Total Income	<u>107,511.64</u>	<u>126,000.00</u>	<u>-18,488.36</u>
Expense			
Highway Decor - Dekralite			
Contingency	0.00	3,000.00	-3,000.00
Holiday Decor (Contract)	9,289.02	21,000.00	-11,710.98
Banner Program (Lite Pole)	3,192.40	5,178.00	-1,985.60
Total Highway Decor - Dekralite	<u>12,481.42</u>	<u>29,178.00</u>	<u>-16,696.58</u>
Website			
Website - Content Dev / Consult	862.50	6,000.00	-5,137.50
Website - Developer	0.00	10,000.00	-10,000.00
Total Website	<u>862.50</u>	<u>16,000.00</u>	<u>-15,137.50</u>
Marketing & Admin SVC Contract			
Contingency	0.00	5,000.00	-5,000.00
Consulting (Reporting)	4,260.94	21,200.00	-16,939.06
Website Hosting	900.00	2,500.00	-1,600.00
Membership decals	612.00	1,200.00	-588.00
Annual Meeting	1,074.51	600.00	474.51
Social Media	0.00	2,500.00	-2,500.00
Meeting Facility/Storage/Phone	1,800.00	3,500.00	-1,700.00
Beautification Award Program	412.50	600.00	-187.50
Dolphins	271.94	600.00	-328.06
Christmas Walk	3,500.00	3,500.00	0.00
Directory	0.00	7,500.00	-7,500.00
Collateral/Brochures	1,131.60	1,600.00	-468.40
Marketing Campaigns & Programs	93.75	12,000.00	-11,906.25
Total Marketing & Admin SVC Contract	<u>14,057.24</u>	<u>62,300.00</u>	<u>-48,242.76</u>
Streetscape			
Street Furniture (Racks/Bench)	0.00	5,000.00	-5,000.00
Street Furniture (Maintenance)	580.00	1,000.00	-420.00
Total Streetscape	<u>580.00</u>	<u>6,000.00</u>	<u>-5,420.00</u>
Landscaping			
Landscaping Contingency	185.00	4,500.00	-4,315.00
Landscaping/Tree Wells - Pinn.	4,160.00	12,480.00	-8,320.00
Backflow Valve	0.00	2,000.00	-2,000.00

Corona del Mar Business Improvement District
Budget vs. Actual
 July 2015 through June 2016

	<u>Jul '15 - Jun 16</u>	<u>Budget</u>	<u>\$ Over Budget</u>
Total Landscaping	4,345.00	18,980.00	-14,635.00
6100 - Administration			
Mailings	258.66	1,400.00	-1,141.34
Total 6100 - Administration	258.66	1,400.00	-1,141.34
Improvements			
Consulting / Studies	0.00	2,900.00	-2,900.00
Parking	0.00	3,000.00	-3,000.00
Marguerite Project	0.00	28,900.00	-28,900.00
Total Improvements	0.00	34,800.00	-34,800.00
Outreach			
Community Workshops	0.00	842.00	-842.00
Contributions (Sherman Gardens)	0.00	500.00	-500.00
Total Outreach	0.00	1,342.00	-1,342.00
Total Expense	32,584.82	170,000.00	-137,415.18
Net Ordinary Income	74,926.82	-44,000.00	118,926.82
Other Sources/Uses			
Other Sources			
Retained Earnings (Carryover from Prior Years)	65,282.95	44,000.00	21,282.95
Total Other Sources	65,282.95	44,000.00	21,282.95
Net Other Sources/Uses	65,282.95	44,000.00	21,282.95
Total Equity	140,209.77	0.00	140,209.77

Corona del Mar Business Improvement District
Check Detail
October 2015

<u>Type</u>	<u>Num</u>	<u>Date</u>	<u>Name</u>	<u>Item</u>	<u>Account</u>	<u>Paid Amount</u>	<u>Original Amount</u>
Bill Pmt -Check	Bill.c...	10/21/2015	Pinnacle		Bill.com Money O...		-185.00
Bill	33777	09/22/2015			Landscaping Contin...	-185.00	185.00
TOTAL						-185.00	185.00
Bill Pmt -Check	Bill.c...	10/21/2015	Pinnacle		Bill.com Money O...		-1,040.00
Bill	33582	10/06/2015			Landscaping/Tree ...	-1,040.00	1,040.00
TOTAL						-1,040.00	1,040.00
Bill Pmt -Check	Bill.c...	10/21/2015	Corona Del Mar C...		Bill.com Money O...		-1,514.91
Bill	16643	10/01/2015			Meeting Facility/Sto...	-300.00	300.00
					Website Hosting	-150.00	150.00
					Consulting (Reporti...	-431.25	431.25
					Dolphins	-56.25	56.25
					Mailings	-258.66	258.66
					Website - Content ...	-318.75	318.75
TOTAL						-1,514.91	1,514.91
Bill Pmt -Check	Bill.c...	10/21/2015	Corona Del Mar C...		Bill.com Money O...		-3,500.00
Bill	16657	10/01/2015			Christmas Walk	-3,500.00	3,500.00
TOTAL						-3,500.00	3,500.00
Bill Pmt -Check	Bill.c...	10/21/2015	Corona Del Mar C...		Bill.com Money O...		-1,762.50
Bill	16662	10/06/2015			Meeting Facility/Sto...	-300.00	300.00
					Website Hosting	-150.00	150.00
					Consulting (Reporti...	-768.75	768.75
					Website - Content ...	-543.75	543.75
TOTAL						-1,762.50	1,762.50

3:27 PM

11/13/15

Cash Basis

Corona del Mar Business Improvement District
Expenses by Vendor Detail
 July through October 2015

<u>Date</u>	<u>Source Name</u>	<u>Memo</u>	<u>Account</u>	<u>Paid Amount</u>
Corona Del Mar Chamber				
08/26/2015	Corona Del Mar Chamber	Contract for Professional Marketing & Administrativ...	Meeting Facility/Storage/Phone	300.00
08/26/2015	Corona Del Mar Chamber	Contract for Professional Marketing & Administrativ...	Website Hosting	150.00
08/26/2015	Corona Del Mar Chamber	Contract for Professional Marketing & Administrativ...	Consulting (Reporting)	806.25
08/26/2015	Corona Del Mar Chamber	Contract for Professional Marketing & Administrativ...	Beautification Award Program	318.75
08/26/2015	Corona Del Mar Chamber	Contract for Professional Marketing & Administrativ...	Meeting Facility/Storage/Phone	300.00
08/26/2015	Corona Del Mar Chamber	Contract for Professional Marketing & Administrativ...	Website Hosting	150.00
08/26/2015	Corona Del Mar Chamber	Contract for Professional Marketing & Administrativ...	Consulting (Reporting)	937.50
08/26/2015	Corona Del Mar Chamber	Contract for Professional Marketing & Administrativ...	Annual Meeting	35.00
08/26/2015	Corona Del Mar Chamber	Contract for Professional Marketing & Administrativ...	Meeting Facility/Storage/Phone	300.00
08/26/2015	Corona Del Mar Chamber	Contract for Professional Marketing & Administrativ...	Website Hosting	150.00
08/26/2015	Corona Del Mar Chamber	Contract for Professional Marketing & Administrativ...	Consulting (Reporting)	529.69
08/26/2015	Corona Del Mar Chamber	Contract for Professional Marketing & Administrativ...	Marketing Campaigns & Prog...	93.75
08/26/2015	Corona Del Mar Chamber	Dolphin DÃ©cor Reimbursement	Dolphins	215.69
08/26/2015	Corona Del Mar Chamber	Annual Town Meeting: Member Invitations, Bever...	Annual Meeting	1,039.51
08/28/2015	Corona Del Mar Chamber	Contract for Professional Services - July 2015	Meeting Facility/Storage/Phone	300.00
08/28/2015	Corona Del Mar Chamber	Contract for Professional Services - July 2015	Website Hosting	150.00
08/28/2015	Corona Del Mar Chamber	Contract for Professional Services - July 2015	Beautification Award Program	93.75
08/28/2015	Corona Del Mar Chamber	Contract for Professional Services - July 2015	Consulting (Reporting)	787.50
08/28/2015	Corona Del Mar Chamber	CDM BID Tri-Fold Brochures: Quantity 1,000	Collateral/Brochures	1,131.60
08/28/2015	Corona Del Mar Chamber	CDM BID Membership Window Decals 2015/2016	Membership decals	612.00
10/21/2015	Corona Del Mar Chamber	Contract for Professional Marketing & Administrativ...	Meeting Facility/Storage/Phone	300.00
10/21/2015	Corona Del Mar Chamber	Contract for Professional Marketing & Administrativ...	Website Hosting	150.00
10/21/2015	Corona Del Mar Chamber	Contract for Professional Marketing & Administrativ...	Consulting (Reporting)	768.75
10/21/2015	Corona Del Mar Chamber	Contract for Professional Marketing & Administrativ...	Website - Content Dev / Con...	543.75
10/21/2015	Corona Del Mar Chamber	Contract for Professional Marketing & Administrativ...	Meeting Facility/Storage/Phone	300.00
10/21/2015	Corona Del Mar Chamber	Contract for Professional Marketing & Administrativ...	Website Hosting	150.00
10/21/2015	Corona Del Mar Chamber	Contract for Professional Marketing & Administrativ...	Consulting (Reporting)	431.25
10/21/2015	Corona Del Mar Chamber	Contract for Professional Marketing & Administrativ...	Dolphins	56.25
10/21/2015	Corona Del Mar Chamber	Contract for Professional Marketing & Administrativ...	Mailings	258.66
10/21/2015	Corona Del Mar Chamber	Contract for Professional Marketing & Administrativ...	Website - Content Dev / Con...	318.75
10/21/2015	Corona Del Mar Chamber	37th Annual Corona del Mar Christmas Walk Co-op...	Christmas Walk	3,500.00
Total Corona Del Mar Chamber				15,178.40
Dekra - Lite				
07/01/2015	Dekra - Lite	Scenic 5K Banners, Installation, Removal & Stora...	Banner Program	1,712.50
07/22/2015	Dekra - Lite	"Christmas Walk" and "Happy Holidays" Banners	Banner Program (Lite Pole)	1,479.90
07/22/2015	Dekra - Lite	Refurbish Holiday DÃ©cor/Installation, Removal, St...	Holiday Decor (Contract)	9,289.02
Total Dekra - Lite				12,481.42
J.M.Rabun Company				
08/26/2015	J.M.Rabun Company	Labor Services at Corona del Mar, Bike Stands. R...	Street Furniture (Maintenance)	420.00
Total J.M.Rabun Company				420.00
Pinnacle				
08/26/2015	Pinnacle	Monthly Maintenance Services (June)	Landscaping/Tree Wells - Pinn.	1,040.00
08/26/2015	Pinnacle	Monthly Maintenance Services (July)	Landscaping/Tree Wells - Pinn.	1,040.00
09/17/2015	Pinnacle	Monthly Maintenance Services (August)	Landscaping/Tree Wells - Pinn.	1,040.00
10/21/2015	Pinnacle	Monthly Maintenance Service (September 2015)	Landscaping/Tree Wells - Pinn.	1,040.00

3:27 PM
11/13/15
Cash Basis

Corona del Mar Business Improvement District
Expenses by Vendor Detail
July through October 2015

<u>Date</u>	<u>Source Name</u>	<u>Memo</u>	<u>Account</u>	<u>Paid Amount</u>
10/21/2015	Pinnacle	Installation of one battery operated controller in valv...	Landscaping Contingency	185.00
Total Pinnacle				4,345.00
TOTAL				32,424.82



Account #: [REDACTED]

This statement: October 30, 2015
 Last statement: September 30, 2015

Contact us:
 800 773-7100

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

023
 CITY OF NEWPORT BEACH
 (CDM BID)
 100 CIVIC CENTER DR
 NEWPORT BEACH CA 92660

0830N

cnb.com

Analyzed Business Checking

Account Summary		Account Activity	
Account number	[REDACTED]	Beginning balance (9/30/2015)	\$110,824.93
Minimum balance	\$110,824.93		
Average balance	\$128,353.03	Credits	
Avg. collected balance	\$127,926.00	Deposits (0)	+ 0.00
		Electronic cr (0)	+ 0.00
		Other credits (7)	+ 32,082.13
		Total credits	+ \$32,082.13
		Debits	
		Checks paid (0)	- 0.00
		Electronic db (1)	- 8,002.41
		Other debits (0)	- 0.00
		Total debits	- \$8,002.41
		Ending balance (10/30/2015)	\$134,904.65

OTHER CREDITS

Date	Description	Reference	Credits
10-7	E-Deposit		246.00
10-7	E-Deposit		339.00
10-7	E-Deposit		1,085.63
10-7	E-Deposit		3,891.00
10-7	E-Deposit		5,836.50
10-13	E-Deposit		684.00
10-15	E-Deposit		20,000.00

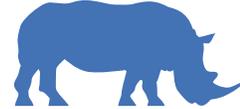
ELECTRONIC DEBITS

Date	Description	Debits
10-21	Preauthorized Debit BILL.COM PAYABLES 015EDCMPUPEH0V4 CORONA DEL MAR BID CCD	8,002.41

DAILY BALANCES

Date	Amount	Date	Amount	Date	Amount	Date	Amount
9-30	110,824.93	10-13	122,907.06	10-21	134,904.65		
10-7	122,223.06	10-15	142,907.06				

Thank you for banking with Orange CO Airport Office



Website Development Proposal and Professional Services Agreement

Rhino Web Group (Website Developer) proposes to provide website development services to the Corona Del Mar Business Improvement District (“Customer”) as provided in this development agreement.

1. WEBSITE DEVELOPMENT

Website Developer has been hired by Customer for development of a website (the “Website Development Services”) for Customer for the website domain [**Domain to be determined**].

2. SERVICES AND FEES

(A) As compensation for Website Developer’s services as specified in Exhibit “A”, Customer agrees to pay WEBSITE Developer the sum of **\$5,000.00** (the “Fee”), plus any fees for optional or requested services not specified in Exhibit “A”. Any additional services will be approved by the customer.

(B) Payment schedule:

- (1) An initial payment of **\$2,500.00** is due and payable upon execution of this Agreement.
- (2) The balance of **\$2,500.00** plus other approved Fees or expense will be due on the project completion acceptance the customer.

(B) Additional Fees

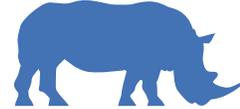
- (1) Website Hosting Fees- \$39.00 per month.
- (2) Wordpress Plugins (Estimate): \$75.00 - \$150 (TBD)
 - i) 3rd party software plugins for WordPress may be required for purchase.

3. OWNERSHIP

The services provided by Website Developer under this Agreement and all materials, products and modifications and software developed by or prepared for Customer by Website Developer under this Agreement are and **shall remain the property of Customer** who shall have the right to obtain and hold in Customer’s name any copyright, patent, trademark, or any other form of protection appropriate to the subject matter. To the extent Website Developer incorporates any of its intellectual property in the website, it hereby grants to Customer a perpetual, irrevocable, fully paid and royalty free, worldwide, non-exclusive and unrestricted license to use, reproduce, modify, transfer and maintain such intellectual property and all of its derivatives on the website, except for licensed software.

4. LIMITATION OF LIABILITY

Website Developer guarantees all work performed for ninety (90) days and will repair, at no additional fee, any coding errors or mistakes. Website Developer is not liable for any damages, including but not limited to lost profits, caused by server down time, coding errors, mistakes of Website Developer, or third party vendors.



5. CONFIDENTIALITY

This Agreement creates a confidential relationship between Customer and Website Developer. Information concerning Website Developer's and Customer's business affairs, vendors, finance, properties, methods of operation, customers, computer programs, employees, documentation, **member lists** and any other similar information whether written, oral or otherwise is confidential (the "Confidential Information"). Customer and Website Developer will not disclose any Confidential Information to third parties without the prior written consent of the other party, except as may be required by law. Website Developer agrees that, except as directed by Customer, it will not at any time during or after the term of this Agreement disclose any Confidential Information to any person whatsoever and that upon termination of this Agreement, it will return to Customer all documents and other materials in its possession or control that relate to Customer. Website Developer further agrees to bind its employees and subcontractors to the terms and conditions of this confidentiality provision.

6. NOTICES

Any notice required or permitted by this Agreement to be given to either party shall be deemed to have been duly given if in writing and delivered personally or mailed by first class mail, postage pre-paid and addressed to Customer at:

City Manager's Office
City of Newport Beach
100 Civic Center Drive, Newport Beach, CA 92660

and if to Website Developer, addressed at

Rhino Web Group, LLC
7700 Irvine Center Dr. Suite 800
Irvine, California 92618

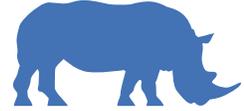
7. INDEPENDENT CONTRACTOR STATUS

Website Developer and Customer agree that Website Developer shall perform its duties hereunder as an independent contractor, not as an employee of the Customer.

8. ENTIRE AGREEMENT

Customer acknowledges and agrees that this Agreement is the complete and exclusive statement of the mutual understanding of the parties and that it supersedes and cancels all previous written and oral agreements and communications relating to the subject matter of this Agreement.

"CUSTOMER"



By:

Date:

Its:

“WEBSITE DEVELOPER”

Rhino Web Group, LLC

A California limited liability company

By: Oscar J. Muro

Date:

Its: Chief Executive Officer

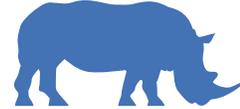


EXHIBIT "A" – Project Details

- 1) Custom Website Design and Development
 - a) Project Management. Rhino Web Group (RWG) will assign and provide a project manager responsible for all client interaction and support. The project include a discovery review to define and document all key specifications and detail projects tasks, timelines and delivery schedule.
 - b) The development team will design and provide a creative and professional user interface (UI) that represents the customers brand and design specifications. The website UI will be built on the "responsive" design framework that provides compatibility and usability across platforms from smart phone to desktop.
- 2) WordPress CMS platform.
 - a) The website will be built using the open source WordPress platform that allows for complete website administration through a backend administrative application.
 - b) RWG will acquire a high quality and professional theme that will provide a completely tested HTML, CSS, JavaScript, WordPress integrated website.
 - c) RWG will install, setup and configure WordPress, theme, options and applications to meet the customer functional requirements.
- 3) Page Development and Content Integration.
 - a) RWG and customer will construct a site outline to determine the number of pages, hierarchy and content requirements.
 - b) All pages will be created in WordPress and content provided by the client be integrated into the web page.
- 4) News and Events Publishing System.
 - a) RWG will develop a website application to create, edit and publish events, news articles, posts, social media and other content.
 - b) Event registration and management system to allow the general public register online.
- 5) Business Directory System
 - a) The business directory will provide functionality for the organization create, edit, manage and organize business members within the WordPress platform.
 - b) The public will be able to view, search and browser for businesses in the directory.
 - c) Member management features includes member information, names, address, website and contact information.
 - d) Import and Export features allow the admin to update or extract business and contact information from the directory.
- 6) Additional Features and Plugins
 - a) Opt in Email registration integration with 3rd party applications such as Mailchimp or Constant Contact.
 - b) Social Media Plugins for publishing social content.
 - c) Gravity forms application for creating and managing online contact forms.