



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

100 Civic Center Drive, Corona del Mar Conference Room, 1E

Thursday, July 28, 2016 - 7:30 AM

## ***Corona del Mar Business Improvement District Board Members:***

Keith Dawson, Director  
Edward Hanley, Director  
Hamid Kianipur, Director  
Scott LaFleur, Director  
Scott Laidlaw, Director  
Shawn Lim, Director  
Bernie Svalstad, Director  
Jim Walker, Director  
Vacant, Director

## **Staff Members:**

**Mary Locey, Management Analyst**

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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](mailto: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 Corona del Mar Business Improvement District Advisory Board of Directors (CdM BID Board). 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 CdM BID Board 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**

#### **A. Approval of Minutes**

Summary: Review of the draft meeting minutes from June 23, 2016.

Recommended Action: Board to approve the June 23, 2016 meeting minutes.

[Attachment-CdM BID June 23 Draft Meeting Minutes](#)

**B. Election of Officers for the CdM BID's FY 2017**

Summary: Board to review and nominate officers for the CdM BID's fiscal year 2016-2017.

Recommended Action: Board to approve the elected officers to serve for the CdM BID's fiscal year 2016-2017.

**C. City Council Report**

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

Recommended Action: None

**D. Review of Bench Removals at Goldenrod and East Coast Highway**

Summary: Board to review the request to relocate three benches from Goldenrod and East Coast Highway.

Recommended Action: Board to approve the removal of three benches at Goldenrod and East Coast Highway to relocate where other businesses have requested benches.

**E. CdM Business District Parking (Walker/Hanley/Laidlaw)**

Summary:

- a. Status update on the parking presentation to the CdMRA Board.
- b. Board to discuss holding a community parking and pay station workshop.
- c. Board to review a request for assistance from Orange Theory Fitness.

Recommended Action:

- a. None
- b. Board to approve scheduling a community parking and pay station workshop.
- c. None

**F. Newspaper Racks**

Summary: Board to discuss the status update on the news rack Ordinance and Guidelines, verification of costs, implementation, and the order of priority within the BID's budget and project line up.

Recommended Action: Board to continue the news rack Ordinance and Guidelines discussion until the next meeting to clarify project details and establish the BID's project priority and budgets.

[Attachment-Proposed Ordinance](#)

[Attachment-Fixed Pedestal Guidelines](#)

**G. Flower Street Sign Program**

Summary: Board to discuss the Flower Street sign program and order of priority within the BID's budget and project line up.

Recommended Action: None

**H. Dolphin Topiaries**

Summary: Status update on the City's replacement of the dolphin topiaries.

Recommended Action: None

**I. Financial Report (Svalstad)**

Summary: Review of the CdM BID's current financial reports.

Recommended Action: None

[Attachment-June 2016 Financial Reports](#)

**J. Explore CdM Streetlight Banner Program Revised Costs**

Summary: Board to review revised pricing from Dekra-lite for the Explore Corona del Mar streetlight banner program.

Recommended Action: Board to approve the revised pricing from Dekra-lite for the Explore Corona del Mar streetlight banner program.

[Attachment-Explore CdM Banners Revised Pricing](#)

**K. Marketing and Administration Report (Leonhard)**

Summary:

- a. Tri-fold brochure distribution
- b. Website status update
- c. Business and retailers monthly meeting review

Recommended Action:

None

**L. Corona del Mar Chamber of Commerce Report (Leonhard)**

Summary: Corona del Mar Chamber of Commerce programs and community updates.

Recommended Action: 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**

*Next Meeting August 25, 2016*

**Corona del Mar Business Improvement District  
Board Meeting Minutes – June 23, 2016**

City of Newport Beach Civic Center  
Corona del Mar Conference Room, 1<sup>st</sup> Floor, Bay E, 100 Civic Center Drive

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**I. Call to Order**

Chairman Svalstad called the meeting to order at 7:35 a.m.

**II. Roll Call**

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

Board Members Present: Chairman Svalstad, Treasurer Dawson, Director Walker, Director LaFleur, Director Kianipur, Director Lim, Director Laidlaw

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

Guests: Council Member Scott Peotter; Assistant City Attorney, Leonie Mulvihill; City Traffic Engineer, Tony Brie; Resident Jim Mosher.

**III. Public Comments on Agenda Items**

Mr. Mosher commented on the BID's Board of Director seats being assigned term limits; conflict of interests; and on the BID's bookkeeping.

Director Lim commented on the hazards of the pedestrian crosswalk at PCH and Orchid.

**IV. CURRENT BUSINESS**

**A. Approval of Minutes**

MOTION: Director Laidlaw made a motion to approve the April 28, 2016 Board Meeting Minutes as well as the May 26, 2016 Board Minutes. Director Kianipur seconded the motion.

The motion carried by the following roll call vote:

Ayes: Svalstad, Dawson, Walker, LeFleur, Kianipur, Lim, Laidlaw

**B. City Council Report**

Councilman Peotter announced that the City designated May 26 as John Wayne Day and on the status of other City topics including the underground utilities at Newport Heights, sewer fees, unfunded pension liabilities, and the City budget.

Director Svalstad noted that the City would be reviewing changing the current CdM BID structure and that he would be speaking with the Mayor about this subject.

**C. CdM Business District Parking (Walker)**

Director Walker announced that the BID's Parking Sub-committee has scheduled the presentation to the CdMRA Board on July 21.

**D. Newspaper Racks**

Assistant City Attorney, Leonie Mulvihill and City Traffic Engineer, Tony Brine presented the proposed Ordinance to amend the City's Municipal Code Section 5.70 Newspaper Racks and Stands and the Guidelines for the Fixed Pedestal Zone in Corona del Mar.

Discussion ensued regarding the associated costs for the purchase, installation, repair and maintenance of the proposed news racks. Ms. Mulvihill confirmed that the Ordinance cannot be presented to the City Council until a budget is identified. Board members asked questions about phasing in the news racks or passing some of the costs along to permittees. The Board discussed continuing the item to the next meeting.

MOTION:

Director Kianipur made a motion to place the News Rack Ordinance and Guidelines on the next Board agenda for further clarification before approval and recommendation to City Council. Director Dawson seconded the motion.

The motion carried by the following roll call vote:

Ayes: Svalstad, Dawson, Walker, LeFleur, Kianipur, Lim, Laidlaw

- E.** Councilman Peotter announced that he would have to leave the meeting early and suggested moving any action items up on the agenda.

MOTION: Director Svalstad made a motion to move Item F (Explore CdM District Marketing up on the agenda and then return to item E. Director Kianipur seconded the motion.

Motion carried by the following vote:

Ayes: Svalstad, Dawson, Walker, LeFleur, Kianipur, Lim, Laidlaw

**F. "Explore Corona del Mar" District Marketing Campaign (Leonhard)**

- a. Ms. Leonhard introduced the "Explore Corona del Mar" District Marketing Campaign and handed out a concept proposal with further details of the campaign summary, objectives and components.

MOTION:

Director Laidlaw made a motion to approve the marketing campaign "Explore Corona del Mar".

Motion was seconded by Director Dawson.

The motion carried by the following roll call vote:

Ayes: Svalstad, Dawson, Walker, LeFleur, Kianipur, Lim, Laidlaw

- b. Board reviewed costs and allocation of the non-exclusive, year round streetlight banners for the "Explore CdM" Campaign and discussed details.

MOTION: Director Laidlaw made a motion to allocate \$5,000 for printing of the banners for the Explore CdM campaign and \$2,500 for installation/removal. Motion was seconded by Director LeFleur.

The motion carried by the following roll call vote:

Ayes: Svalstad, Dawson, Walker, LeFleur, Kianipur, Lim, Laidlaw

- c. The Board discussed the Council Policy on temporary banners.

MOTION:

Director Dawson made a motion to recommend the City Council consider waiving Policy L-16 Temporary Banners Extending Over the Public Right-of Way to allow the non-exclusive, year-round display of streetlight banners in support of the campaign. Motion was seconded by Director Kianipur.

The motion carried by the following roll call vote:

Ayes: Svalstad, Dawson, Walker, LeFleur, Kianipur, Lim, Laidlaw

**E. Financial Report (Svalstad)**

The Board reviewed the BID's current financial reports.

MOTION: Director Svalstad made a motion to review and file the Financial Reports. Director Laidlaw seconded the motion.

The motion carried by the following roll call vote:

Ayes: Svalstad, Dawson, Walker, LeFleur, Kianipur, Lim, Laidlaw

**G. Dekra-lite Contract (Leonhard)**

- a. Director Svalstad discussed the Dekra-lite contract and reviewed entering into a sole-source, multi-year agreement for the BID's holiday decorations and streetlight banner program through January 2019.

MOTION:

Director Kianipur made the motion to recommend the City enter into a sole-source, multi-year agreement with Dekra-lite for the BID's holiday decorations and streetlight banner program through January 2019. Motion was seconded by Director Walker.

The motion carried by the following roll call vote:

Ayes: Svalstad, Dawson, Walker, LeFleur, Kianipur, Lim, Laidlaw

- b. The Board reviewed the "Explore Corona del Mar" campaign streetlight banners costs, and discussed including it with the Dekra-lite Agreement.

MOTION:

Director Walker made a motion to recommend the City include the new marketing campaign streetlight banners "Explore Corona del Mar" in the agreement to cover the banner printing and installation/removal of the banners. Motion was seconded by Director Kianipur.

Motion carried by the following vote:

Ayes: Svalstad, Dawson, Walker, LeFleur, Kianipur, Lim, Laidlaw

#### **H. Explore Corona del Mar Sidewalk Sale and Walk (Leonhard)**

- a. Ms. Leonhard announced that the CdM Chamber of Commerce is holding monthly meetings with the merchants on the third Wednesday of each month at Sherman Library & Gardens. Meetings are designed to increase communications with all merchants and BID members.

Ms. Leonhard announced details of the upcoming "Explore CdM Sidewalk Sale" scheduled for the Fourth of July weekend. The cost of the event was minimal and the BID was acknowledged as a supporter. The Chamber is requesting to cost share the event printing, which the BIDs share would be \$125.

MOTION: Director Walker made a motion for the BID to contribute \$125 towards the event printing. Motion was seconded by Director Laidlaw.

Motion carried by the following vote:

Ayes: Svalstad, Dawson, Walker, LeFleur, Kianipur, Lim, Laidlaw

- b. Ms. Leonhard suggested Five Crowns be nominated for the Beautification Award for its recent remodel.

MOTION: Director Kianipur made a motion to nominate and elect the Five Crowns to be the awarded the Business Beautification Award. Motion was seconded by Director Lim.

Motion carried by the following vote:

Ayes: Svalstad, Dawson, Walker, LeFleur, Kianipur, Lim, Laidlaw

- c. Website update – Ms. Leonhard announced that the website agreement has been signed and pending final execution by the City.
- d. BID brochures – Ms. Leonhard announced that appropriate project accomplishments and goals will be added to the BID informational brochures and a proof will go out for comments. Director Laidlaw suggested the new "Explore Cdm" branding be included.

#### **I. Corona del Mar Chamber of Commerce Updates**

- a. Scenic 5k Update - Ms. Leonhard reported that the Chamber had just completed the 35<sup>th</sup> annual Corona del Mar Scenic 5K. The Event was well-received, however, participant attendance of participants was down from last year.
- b. The next Chamber Networking event will be held at El Cholo on Tuesday, June 28 at 5:30 p.m.

#### **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**

Meeting Adjourned: 9:20 a.m. Motion to adjourn was made by Director Walker and seconded by Director Kianipur.

Motion carried by the following vote:

Ayes: Svalstad, Dawson, Walker, LeFleur, Kianipur, Lim, Laidlaw

*Next meeting scheduled for July 28, 2016*

## 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.

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. “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.

#### **5.70.20 Freestanding Newsrack Permits.**

A. 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. Unless 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. 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. Each application for a Freestanding Newsrack permit shall be accompanied by an application fee as established by resolution of the City Council.

D. 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. 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 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.

## Guidelines for the Fixed Pedestal Zone in Corona del Mar

- 1) All Fixed Pedestal Units (FPU) will be placed and installed per the City of Newport Beach (City) Municipal Code Section 5.70.025 (A) as the standard, with the exception that one FPU cannot be attached to another FPU or located within the same location or zone (see item four below).
- 2) FPUs will be purchased by the Corona del Mar Business Improvement District (CdM BID). All FPUs will be installed, repaired and maintained by a City approved contractor. All costs associated with the purchase, installation, repair, and maintenance will be funded by the Corona del Mar Business Improvement District.
- 3) All FPUs shall be either a “3-tower Modular Newsrack” constructed by City Newsracks LLC, 12574 Promise Creek Lane, Suite 100, Fishers, IN 46038, or a City approved equivalent. The color of the FPU shall be dark green.
- 4) One FPU may be located at each of the following locations or zones:
  - East Coast Highway at Acacia Avenue
  - East Coast Highway at Carnation Avenue
  - East Coast Highway at Goldenrod Avenue (north)
  - East Coast Highway at Goldenrod Avenue (south)
  - East Coast Highway at Iris Avenue
  - East Coast Highway at Orchid Avenue
  - East Coast Highway at Poinsettia AvenueThe FPU shall be installed on side streets wherever feasible. The exact location of installation shall be predetermined and approved by the City.
- 5) **ADD THE DATE FOR INITIAL IMPLEMENTATION** per Section 5.70.032 (H).

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Cash Basis

**Corona del Mar Business Improvement District**  
**Balance Sheet**  
As of June 30, 2016

	<u>Jun 30, 16</u>
<b>ASSETS</b>	
Current Assets	
Checking/Savings	
Bill.com Money Out Clearing	30.00
Bank Balance	<u>86,526.20</u>
Total Checking/Savings	86,556.20
Accounts Receivable	
1200 · Accounts Receivable	<u>-956.64</u>
Total Accounts Receivable	<u>-956.64</u>
Total Current Assets	<u>85,599.56</u>
<b>TOTAL ASSETS</b>	<b><u>85,599.56</u></b>
<b>LIABILITIES &amp; EQUITY</b>	
Equity	
3900 · Retained Earnings	65,282.95
Net Income	<u>20,316.61</u>
Total Equity	<u>85,599.56</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b><u>85,599.56</u></b>

**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>
<b>Ordinary Income/Expense</b>			
<b>Income</b>			
City Matching Funds	20,000.00	20,000.00	0.00
Late Fees	3,736.52	0.00	3,736.52
Member Assessment	100,689.25	106,000.00	-5,310.75
<b>Total Income</b>	<u>124,425.77</u>	<u>126,000.00</u>	<u>-1,574.23</u>
<b>Expense</b>			
<b>Highway Decor - Dekralite</b>			
Contingency	0.00	3,000.00	-3,000.00
Holiday Decor (Contract)	18,578.05	21,000.00	-2,421.95
Banner Program (Lite Pole)	6,384.82	5,178.00	1,206.82
<b>Total Highway Decor - Dekralite</b>	<u>24,962.87</u>	<u>29,178.00</u>	<u>-4,215.13</u>
<b>Website</b>			
Website - Content Dev / Consult	1,331.25	6,000.00	-4,668.75
Website - Developer	0.00	10,000.00	-10,000.00
<b>Total Website</b>	<u>1,331.25</u>	<u>16,000.00</u>	<u>-14,668.75</u>
<b>Marketing &amp; Admin SVC Contract</b>			
Contingency	0.00	5,000.00	-5,000.00
Consulting (Reporting)	10,974.54	21,200.00	-10,225.46
Website Hosting	1,800.00	2,500.00	-700.00
Membership decals	612.00	1,200.00	-588.00
Annual Meeting	2,342.44	600.00	1,742.44
Social Media	318.75	2,500.00	-2,181.25
Meeting Facility/Storage/Phone	3,600.00	3,500.00	100.00
Beautification Award Program	825.00	600.00	225.00
Dolphins	496.94	600.00	-103.06
Christmas Walk	3,500.00	3,500.00	0.00
Directory	7,500.00	7,500.00	0.00
Collateral/Brochures	1,131.60	1,600.00	-468.40
Marketing Campaigns & Programs	6,294.03	12,000.00	-5,705.97
<b>Total Marketing &amp; Admin SVC Contract</b>	<u>39,395.30</u>	<u>62,300.00</u>	<u>-22,904.70</u>
<b>Streetscape</b>			
Street Furniture (Racks/Bench)	0.00	5,000.00	-5,000.00
Street Furniture (Maintenance)	580.00	1,000.00	-420.00
<b>Total Streetscape</b>	<u>580.00</u>	<u>6,000.00</u>	<u>-5,420.00</u>
<b>Landscaping</b>			
Landscaping Contingency	948.00	4,500.00	-3,552.00
Landscaping/Tree Wells - Pinn.	12,480.00	12,480.00	0.00
Backflow Valve	1,611.00	2,000.00	-389.00

**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>
<b>Total Landscaping</b>	15,039.00	18,980.00	-3,941.00
<b>6100 - Administration</b>			
<b>Mailings</b>	600.74	1,400.00	-799.26
<b>Total 6100 - Administration</b>	600.74	1,400.00	-799.26
<b>Improvements</b>			
<b>Gateway Project</b>	20,000.00	20,000.00	0.00
<b>Consulting / Studies</b>	0.00	2,900.00	-2,900.00
<b>Parking</b>	0.00	3,000.00	-3,000.00
<b>Marguerite Project</b>	2,200.00	8,900.00	-6,700.00
<b>Total Improvements</b>	22,200.00	34,800.00	-12,600.00
<b>Outreach</b>			
<b>Community Workshops</b>	0.00	842.00	-842.00
<b>Contributions (Sherman Gardens)</b>	0.00	500.00	-500.00
<b>Total Outreach</b>	0.00	1,342.00	-1,342.00
<b>Total Expense</b>	104,109.16	170,000.00	-65,890.84
<b>Net Ordinary Income</b>	20,316.61	-44,000.00	64,316.61
<b>Other Sources/Uses</b>			
<b>Other Sources</b>			
<b>Retained Earnings (Carryover from Prior Years)</b>	65,282.95	44,000.00	21,282.95
<b>Total Other Sources</b>	65,282.95	44,000.00	21,282.95
<b>Net Other Sources/Uses</b>	65,282.95	44,000.00	21,282.95
<b>Total Equity</b>	85,599.56	0.00	85,599.56

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**Corona del Mar Business Improvement District**  
**Check Detail**  
June 2016

<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>
<b>Bill Pmt -Check</b>	<b>Bill.c...</b>	<b>06/08/2016</b>	<b>Dekra - Lite</b>		<b>Bill.com Money O...</b>		<b>-1,712.52</b>
Bill	INV0...	05/24/2016			Banner Program (L...	-1,712.52	1,712.52
TOTAL						-1,712.52	1,712.52
<b>Bill Pmt -Check</b>	<b>Bill.c...</b>	<b>06/16/2016</b>	<b>City of Newport B...</b>		<b>Bill.com Money O...</b>		<b>-20,000.00</b>
Bill	3176	06/07/2016			Gateway Project	-20,000.00	20,000.00
TOTAL						-20,000.00	20,000.00
<b>Bill Pmt -Check</b>	<b>Bill.c...</b>	<b>06/16/2016</b>	<b>Pinnacle</b>		<b>Bill.com Money O...</b>		<b>-1,040.00</b>
Bill	36920	06/07/2016			Landscaping/Tree ...	-1,040.00	1,040.00
TOTAL						-1,040.00	1,040.00

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Cash Basis

## Corona del Mar Business Improvement District Expenses by Vendor Detail July 2015 through June 2016

Date	Source Name	Memo	Account	Paid Amount
<b>City of Newport Beach /Revenue</b>				
06/16/2016	City of Newport Beach /Revenue	Corona Del Mar Entry Plaza - Electrical Upgrades	Gateway Project	20,000.00
Total City of Newport Beach /Revenue				20,000.00
<b>Corona Del Mar Chamber</b>				
08/26/2015	Corona Del Mar Chamber	Contract for Professional Marketing & Administrative ...	Meeting Facility/Storage/Phone	300.00
08/26/2015	Corona Del Mar Chamber	Contract for Professional Marketing & Administrative ...	Website Hosting	150.00
08/26/2015	Corona Del Mar Chamber	Contract for Professional Marketing & Administrative ...	Consulting (Reporting)	806.25
08/26/2015	Corona Del Mar Chamber	Contract for Professional Marketing & Administrative ...	Beautification Award Program	318.75
08/26/2015	Corona Del Mar Chamber	Contract for Professional Marketing & Administrative ...	Meeting Facility/Storage/Phone	300.00
08/26/2015	Corona Del Mar Chamber	Contract for Professional Marketing & Administrative ...	Website Hosting	150.00
08/26/2015	Corona Del Mar Chamber	Contract for Professional Marketing & Administrative ...	Consulting (Reporting)	937.50
08/26/2015	Corona Del Mar Chamber	Contract for Professional Marketing & Administrative ...	Annual Meeting	35.00
08/26/2015	Corona Del Mar Chamber	Contract for Professional Marketing & Administrative ...	Meeting Facility/Storage/Phone	300.00
08/26/2015	Corona Del Mar Chamber	Contract for Professional Marketing & Administrative ...	Website Hosting	150.00
08/26/2015	Corona Del Mar Chamber	Contract for Professional Marketing & Administrative ...	Consulting (Reporting)	529.69
08/26/2015	Corona Del Mar Chamber	Contract for Professional Marketing & Administrative ...	Marketing Campaigns & Progr...	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, Beverage...	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 & Administrative ...	Meeting Facility/Storage/Phone	300.00
10/21/2015	Corona Del Mar Chamber	Contract for Professional Marketing & Administrative ...	Website Hosting	150.00
10/21/2015	Corona Del Mar Chamber	Contract for Professional Marketing & Administrative ...	Consulting (Reporting)	768.75
10/21/2015	Corona Del Mar Chamber	Contract for Professional Marketing & Administrative ...	Website - Content Dev / Consult	543.75
10/21/2015	Corona Del Mar Chamber	Contract for Professional Marketing & Administrative ...	Meeting Facility/Storage/Phone	300.00
10/21/2015	Corona Del Mar Chamber	Contract for Professional Marketing & Administrative ...	Website Hosting	150.00
10/21/2015	Corona Del Mar Chamber	Contract for Professional Marketing & Administrative ...	Consulting (Reporting)	431.25
10/21/2015	Corona Del Mar Chamber	Contract for Professional Marketing & Administrative ...	Dolphins	56.25
10/21/2015	Corona Del Mar Chamber	Contract for Professional Marketing & Administrative ...	Mailings	258.66
10/21/2015	Corona Del Mar Chamber	Contract for Professional Marketing & Administrative ...	Website - Content Dev / Consult	318.75
10/21/2015	Corona Del Mar Chamber	37th Annual Corona del Mar Christmas Walk Co-op ...	Christmas Walk	3,500.00
12/21/2015	Corona Del Mar Chamber	Contract for Professional Services (November 2015)	Meeting Facility/Storage/Phone	300.00
12/21/2015	Corona Del Mar Chamber	Contract for Professional Services (November 2015)	Website Hosting	150.00
12/21/2015	Corona Del Mar Chamber	Contract for Professional Services (November 2015)	Consulting (Reporting)	581.25
12/21/2015	Corona Del Mar Chamber	Contract for Professional Services (November 2015)	Social Media	93.75
12/21/2015	Corona Del Mar Chamber	Contract for Professional Services (November 2015)	Marketing Campaigns & Progr...	187.78
12/21/2015	Corona Del Mar Chamber	Contract for Professional Services (November 2015)	Beautification Award Program	93.75
12/21/2015	Corona Del Mar Chamber	Contract for Professional Services (November 2015)	Website - Content Dev / Consult	356.25
12/21/2015	Corona Del Mar Chamber	Contract for Professional Services (November 2015)	Mailings	72.72
01/21/2016	Corona Del Mar Chamber	Business District Holiday Ad Campaign	Marketing Campaigns & Progr...	6,012.50
01/21/2016	Corona Del Mar Chamber	Contract for Professional Marketing & Administrative...	Meeting Facility/Storage/Phone	300.00
01/21/2016	Corona Del Mar Chamber	Contract for Professional Marketing & Administrative...	Website Hosting	150.00
01/21/2016	Corona Del Mar Chamber	Contract for Professional Marketing & Administrative...	Consulting (Reporting)	1,351.10
01/21/2016	Corona Del Mar Chamber	Contract for Professional Marketing & Administrative...	Dolphins	150.00
01/21/2016	Corona Del Mar Chamber	Contract for Professional Marketing & Administrative...	Mailings	154.84
04/13/2016	Corona Del Mar Chamber	Contract for Professional Services (January 2016)	Meeting Facility/Storage/Phone	300.00
04/13/2016	Corona Del Mar Chamber	Contract for Professional Services (January 2016)	Website Hosting	150.00
04/13/2016	Corona Del Mar Chamber	Contract for Professional Services (January 2016)	Consulting (Reporting)	1,181.25
04/13/2016	Corona Del Mar Chamber	Contract for Professional Services (January 2016)	Beautification Award Program	93.75
04/13/2016	Corona Del Mar Chamber	Contract for Professional Services (February 2016)	Meeting Facility/Storage/Phone	300.00
04/13/2016	Corona Del Mar Chamber	Contract for Professional Services (February 2016)	Website Hosting	150.00
04/13/2016	Corona Del Mar Chamber	Contract for Professional Services (February 2016)	Consulting (Reporting)	1,143.75
04/13/2016	Corona Del Mar Chamber	Contract for Professional Services (February 2016)	Mailings	114.52
04/13/2016	Corona Del Mar Chamber	Contract for Professional Services (February 2016)	Social Media	56.25
04/13/2016	Corona Del Mar Chamber	Contract for Professional Services (February 2016)	Dolphins	75.00
05/10/2016	Corona Del Mar Chamber	Contract for Professional Marketing Services - 2016 ...	Directory	7,500.00
05/20/2016	Corona Del Mar Chamber	Contract for Professional Marketing & Admin Service...	Meeting Facility/Storage/Phone	300.00
05/20/2016	Corona Del Mar Chamber	Contract for Professional Marketing & Admin Service...	Website Hosting	150.00
05/20/2016	Corona Del Mar Chamber	Contract for Professional Marketing & Admin Service...	Consulting (Reporting)	1,275.00
05/20/2016	Corona Del Mar Chamber	Contract for Professional Marketing & Admin Service...	Social Media	75.00
05/20/2016	Corona Del Mar Chamber	Contract for Professional Marketing & Admin Service...	Meeting Facility/Storage/Phone	300.00
05/20/2016	Corona Del Mar Chamber	Contract for Professional Marketing & Admin Service...	Website Hosting	150.00
05/20/2016	Corona Del Mar Chamber	Contract for Professional Marketing & Admin Service...	Consulting (Reporting)	1,181.25
05/20/2016	Corona Del Mar Chamber	Contract for Professional Marketing & Admin Service...	Website - Content Dev / Consult	112.50
05/20/2016	Corona Del Mar Chamber	Contract for Professional Marketing & Admin Service...	Beautification Award Program	225.00
05/20/2016	Corona Del Mar Chamber	Contract for Professional Marketing & Admin Service...	Social Media	93.75
05/20/2016	Corona Del Mar Chamber	Annual Town Meeting	Annual Meeting	1,267.93
Total Corona Del Mar Chamber				41,327.29
<b>Dekra - Lite</b>				
07/01/2015	Dekra - Lite	Scenic 5K Banners, Installation, Removal & Storage ...	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, Stor...	Holiday Decor (Contract)	9,289.02

3:08 PM

**Corona del Mar Business Improvement District**  
**Expenses by Vendor Detail**  
**July 2015 through June 2016**

07/07/16

Cash Basis

Date	Source Name	Memo	Account	Paid Amount
02/24/2016	Dekra - Lite	"Christmas Walk" and "Happy Holidays" Banners	Banner Program (Lite Pole)	1,479.90
02/24/2016	Dekra - Lite	Labor, installation, removal, and storage of holiday d...	Holiday Decor (Contract)	9,289.03
06/08/2016	Dekra - Lite	Overlay, Labor, Installation, Removal, and Storage of...	Banner Program (Lite Pole)	1,712.52
Total Dekra - Lite				24,962.87
<b>Flotech Certified Backflow</b>				
03/03/2016	Flotech Certified Backflow	CDM Improvement. Test and certify backflows. Disas...	Backflow Valve	1,611.00
Total Flotech Certified Backflow				1,611.00
<b>J.M.Rabun Company</b>				
08/26/2015	J.M.Rabun Company	Labor Services at Corona del Mar, Bike Stands. Rel...	Street Furniture (Maintenance)	420.00
Total J.M.Rabun Company				420.00
<b>Newport Mesa Powder Coating</b>				
11/06/2015	Newport Mesa Powder Coating	Bike Rack (for CDM Village) Powder Coating	Street Furniture (Maintenance)	160.00
Total Newport Mesa Powder Coating				160.00
<b>Pinnacle</b>				
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
10/21/2015	Pinnacle	Installation of one battery operated controller in valve ...	Landscaping Contingency	185.00
12/10/2015	Pinnacle	Monthly Maintenance Service (October 2015)	Landscaping/Tree Wells - Pinn.	1,040.00
12/11/2015	Pinnacle	Monthly Maintenance Service (November 2015)	Landscaping/Tree Wells - Pinn.	1,040.00
12/21/2015	Pinnacle	Repair irrigation at several areas between poinsettias...	Landscaping Contingency	420.00
01/21/2016	Pinnacle	Monthly Maintenance Service (December 2015)	Landscaping/Tree Wells - Pinn.	1,040.00
02/24/2016	Pinnacle	Two Battery Operated Controllers & Seven 10-Volt B...	Landscaping Contingency	343.00
05/10/2016	Pinnacle	Monthly Maintenance Service (April 2016)	Landscaping/Tree Wells - Pinn.	1,040.00
05/10/2016	Pinnacle	Monthly Maintenance Service (February 2016)	Landscaping/Tree Wells - Pinn.	1,040.00
05/10/2016	Pinnacle	Monthly Maintenance Service (January 2016)	Landscaping/Tree Wells - Pinn.	1,040.00
05/10/2016	Pinnacle	Monthly Maintenance Service (March 2016)	Landscaping/Tree Wells - Pinn.	1,040.00
06/16/2016	Pinnacle	Monthly Maintenance Service (May 2016)	Landscaping/Tree Wells - Pinn.	1,040.00
Total Pinnacle				13,428.00
<b>Rabben/Herman Design Office</b>				
02/24/2016	Rabben/Herman Design Office	PCH/Marguerite Ave Intersection Improvements	Marguerite Project	1,980.00
04/20/2016	Rabben/Herman Design Office	PCH/Marguerite Ave Intersection Improvements	Marguerite Project	220.00
Total Rabben/Herman Design Office				2,200.00
<b>TOTAL</b>				<b>104,109.16</b>



Account #: [REDACTED]

This statement: June 30, 2016  
 Last statement: May 31, 2016

Contact us:  
 800 773-7100

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

023 0830N  
 CITY OF NEWPORT BEACH  
 (CDM BID)  
 100 CIVIC CENTER DR  
 NEWPORT BEACH CA 92660

cnb.com

**Analyzed Business Checking**

Account Summary		Account Activity	
Account number	[REDACTED]	Beginning balance (5/31/2016)	\$107,316.72
Minimum balance	\$84,564.20	Credits	+ \$0.00
Average balance	\$95,483.79	Debits	
Avg. collected balance	\$95,483.00	Checks paid (0)	- 0.00
		Electronic db (2)	- 22,752.52
		Other debits (0)	- 0.00
		Total debits	- \$22,752.52
		Ending balance (6/30/2016)	\$84,564.20

**ELECTRONIC DEBITS**

Date	Description	Debits
6-8	Preauthorized Debit BILL.COM PAYABLES 015XSRJXHIGQBZB CORONA DEL MAR BID CCD	1,712.52
6-16	Preauthorized Debit BILL.COM PAYABLES 015CXVXKSKGU0EM CORONA DEL MAR BID CCD	21,040.00

**DAILY BALANCES**

Date	Amount	Date	Amount	Date	Amount
5-31	107,316.72	6-8	105,604.20	6-16	84,564.20

Thank you for banking with Orange CO Airport Office



3102 W. ALTON AVE.  
SANTA ANA, CA 92704  
Phone: (714) 436-0705  
Fax: (714) 436-0612

**INSTALLATION - City of Newport Beach**

**Corona Del Mar BID/Chamber of Commerce**  
**Attn: Linda Leonhard**  
**Various Locations**  
**Corona Del Mar, CA 92625**

Type	Quantity	Product	Description	Important Notes	Unit Price	Line Total
Explore	27	Light Pole Banners	Fabrication of new 30"x96" Custom Digital Banners	Printed on Matte Vinyl, includes (3) wind slits per banner (\$283.50 value)	\$ 174.40	\$ 4,708.80
Explore	27	Light Pole Banners	Installation of New 30"x96" Explore Banners on existing hardware.		\$ 40.67	\$ 1,098.09
Explore	27	Light Pole Banners	Removal of the Explore banners	Included in installation price if the next change-out is performed by Dekra-Lite for either the City, Chamber or a third party	\$ -	\$ -
Explore	27	Light Pole Banners	Cleaning and Storage	Local Storage	\$ 1.66	\$ 44.82
<b>Explore</b>	1	Artwork	Custom Art Design Fee	(regular \$85/hr)	\$ -	\$ -
<b>Explore</b>	1	Artwork	Custom Art Set up Fee	(regular \$85/hr)	\$ -	\$ -
					Subtotal	\$ 5,851.71
					Sales Tax	\$ 376.70
					Total for Explore Program	\$ 6,228.41

**Special Notes: Pricing below is separated in the event that a Third Party hires an outside vendor (not Dekra-Lite) to install banners onto the existing hardware. If this occurs, perhaps the Chamber and BID can request the Third Party remove the banners and store or deliver them to Dekra-Lite until the week before reinstallation.**

Explore	26	Light Pole Banners	Explore Banners removed	For removal before 3rd Party banner install	\$ 35.50	\$ 923.00
Explore	27	Light Pole Banners	Explore Banners re-installed	For reinstallation after 3rd Party banner install	\$ 35.50	\$ 958.50