

Agenda Date: 2/20/2018

TO:

Honorable Mayor and Members of the City Council

THROUGH:

Bruce Moe, City Manager

FROM:

Steve S. Charelian, Acting Finance Director

SUBJECT:

Conduct Public Hearing Adopting Resolution No. 18-0006 for the Renewal of the North Manhattan Beach Business Improvement District and Approval of the Annual Collection of Assessments for Fiscal Year 2018-2019 (Acting Finance Director Charelian).

a) CONDUCT PUBLIC HEARING

b) ADOPT RESOLUTION NO. 18-0006

c) RATIFY 2018 BUSINESS IMPROVEMENT DISTRICT ADVISORY BOARD MEMBERS

d) CONSIDER THE PROPOSED 2018 ACTIVITY PLAN

RECOMMENDATION:

Staff recommends that the City Council:

- a) Conduct a Public Hearing regarding the proposed assessment;
- b) Adopt Resolution No. 18-0006, renewing the district and authorizing the collection of the assessment to provide services of the North Manhattan Beach Business Improvement District (NMB-BID);
- c) Ratify the Business Improvement District Advisory Board Members for 2018; and
- d) Review and approve the Proposed 2018 Activity Plan.

FISCAL IMPLICATIONS:

The North Manhattan Beach Business Improvement District (NMB-BID) is funded through an 80% surcharge to the business license tax paid by those businesses located within the district (Attachment 4), not to exceed \$500 annually. Collections for this fiscal year are estimated to be \$29,000. NMB-BID has approximately \$550,000 in reserve for projects and activities. This includes a balance of \$50,871 in appropriated funds for beautification projects originally budgeted in 2007 (original project cost was \$370,000).

BACKGROUND:

In January 2004, the City Council dissolved the North End Business Improvement District formed in 1969 under the State's Parking and Business Improvement District Act of 1965. The BID was limited in scope and was mainly responsible for addressing parking acquisition and construction. Because opportunity for acquiring additional parking in the North End is limited, business district members wanted to use the funds for other types of activities, such as physical improvements, beautification, signage, marketing, and promotion. To accommodate this request, City Council dissolved the 1969 Business Improvement District and created the current Business Improvement District using the broader 1989 Business Improvement District Act.

DISCUSSION:

Assessments

The North Manhattan Beach Business Improvement District (NMB-BID) and its associated assessments must be renewed annually. In conformance with applicable law, the City Council adopted Resolution 18-0005 on January 16, 2018 declaring its intention to authorize the collection of assessments to provide services in accordance with the 2018 Activity Plan and Annual Budget. Tonight's public hearing to allow testimony both in support of and against the proposed assessments was established at that meeting and has been properly noticed in accordance with State law.

The Resolution of Intention was circulated to all current North Manhattan Beach business members and was published in The Beach Reporter. If adopted, Resolution No. 18-0006 (Attachment 1) will be effective immediately and will set the assessment at 80% surcharge on the business license tax not to exceed \$500 annually for NMB-BID member businesses. This assessment remains unchanged from last fiscal year and will be in effect for the next assessment cycle, which coincides with the fiscal year 2018-2019 business license period (March 1, 2018 - Feb 28, 2019).

Advisory Board

The 1989 Business Improvement District Act requires that the City Council select a BID Advisory Board. Advisory Board duties include recommendations to the City Council on expenditure of revenues derived from the assessments, as well as the method and basis of levying the assessments. The following is a list of the 2018 Advisory Board selected by the NMB-BID, and their affiliation with the district:

- Chairperson - James McCleary, Sea View Inn
- Vice Chairperson - Harry Ashikian, Salvatore's Shoe Repair
- Recording Secretary - Janice Davenport, Pancho's Restaurant
- Advisory Board Member - Peter Kim, Sloopy's
- Advisory Board Member - Anthony Sulaiman, Baja Sharkeez
- Advisory Board Member - Megan Richardson, Sand Spa
- Advisory Board Member - Gretchen Tiernan, Polish Nail Salon

This board was elected by the membership at the December 2017 NMB-BID Advisory Board meeting through a nomination and balloting process. Since the District is an advisory board to

the City Council, the City Council has the discretionary authority to approve the Board.

Annual Budget and Activity Plan 2018

The Business Improvement District Advisory Board reviews and approves the operating plan for the District. The Annual Budget and Activity Plan 2018 (Attachment 2) contains all information relative to projected revenues and expenses, and outlines the services and programs to be funded by the Business Improvement District. This year, the operating plan identifies the following programs:

- Focus on social media opportunities for branding and marketing.
- Look to beautify the NMB-BID with updated landscaping, trees and tree grates.
- Install lighted crosswalk treatments and unique lighting where appropriate.
- Explore new events, such as Wellness & Healing, Summer Stroll and Art Walk.
- Develop a BID website survey and update NMB business emails for better communication.
- Refresh and maintain the current NMB-BID website, www.northmb.info
- Develop consistent branding throughout the NMB-BID.
- Uniform decorating strategies to better promote the annual Winter Holiday Walkabout.
- Look to expand parking opportunities to accommodate visitors.

In past years, the City Council approved several improvements, including new graphical maps for the directories, social media opportunities, curb extensions, landscaping, trees, an entry monument, branding signage and business directories for marketing/advertising. The Business Improvement District will approach the City Council with future requests as they are identified.

By-Laws

The NMB-BID recently adopted by-laws (Attachment 3). These by-laws provide the NMB-BID governance articles and scope along with a mission statement, election procedures, annual reporting requirements and a code of conduct. The by-laws were developed using sample documents from other cities with BID Advisory Boards and were reviewed by the City's legal team.

PUBLIC OUTREACH/INTEREST:

In compliance with State law, copies of the Resolution of Intention adopted on January 16, 2018 were mailed to all current North MB BID members on January 18, 2018. A Public Notice was placed in the February 1, 2018 Beach Reporter publication

LEGAL REVIEW

The City Attorney has reviewed this report and determined that no additional legal analysis is necessary.

CONCLUSION:

If there is not a majority protest of the assessment payers, staff recommends that the City Council:

- a) Adopt Resolution No. 18-0006 renewing the district and authorizing the collection of the

assessment to provide services of the North Manhattan Beach Business Improvement District;
b) Ratify the Business Improvement District Advisory Board Members for 2018; and
c) Review and approve the Proposed 2018 Activity Plan.

Attachments:

1. Resolution No. 18-0006
2. Annual Budget and Activity Plan 2018
3. Bylaws for North Manhattan Beach Business Improvement District Advisory Board
4. North Manhattan Beach BID Map

RESOLUTION NO. 18-0006

**A RESOLUTION OF THE MANHATTAN BEACH CITY COUNCIL
OVERRULING PROTESTS AND PROVIDING FOR THE ANNUAL LEVY
AND COLLECTION OF ASSESSMENTS FOR THE EXISTING NORTH
MANHATTAN BEACH BUSINESS IMPROVEMENT DISTRICT,
PURSUANT TO CALIFORNIA STREETS AND HIGHWAYS CODE
SECTION 36500 ET. SEQ. (SB 1424 - PARKING & BUSINESS
IMPROVEMENT LAW OF 1989, CHAPTER 2)**

THE MANHATTAN BEACH CITY COUNCIL HEREBY RESOLVES, FINDS AND DETERMINES:

SECTION 1. The City Council hereby finds:

A. The City Council has formed a Property & Business Improvement District pursuant to the provisions of the Parking & Business Improvement Law of 1989 (the "Act," codified at California Streets and Highways Code Section 36500) for providing services to the businesses within the area designated as the North Manhattan Beach Business Improvement District (the "District").

B. On January 16, 2018, the City Council adopted Resolution No. 18-0005 declaring its intention to authorize the collection of assessments to provide services in accordance with the 2018 Enhancement Project and Activity Plan for the period beginning January 1, 2018, and ending December 31, 2018 (the "Report"), with such services to be performed within the District.

C. Resolution No. 18-0005 fixed the time and place for a public hearing of any and all protests in relation to the proposed assessment for February 20, 2018.

D. Evidence has been received as to the publication and mailing of notice of such hearing in the time, form and manner required by law.

E. This Resolution is Categorically Exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA guidelines Section 15061(b)(3), because it can be seen with certainty that there is no possibility that the approval may have a significant effect on the environment.

SECTION 2. On February 20, 2018, the City Council held a duly noticed full and fair public hearing regarding the levy and collection of an assessment against businesses within the District for fiscal year 2018-2019. At the public hearing, the Council considered testimony of all interested persons regarding the levy of any assessment against businesses within the District for fiscal year 2018-2019. The City Council hereby determines that there was no majority protest within the meaning of the Act.

SECTION 3. Based upon its review of the Report, a copy of which has been presented to the City Council and which has been filed with the City Clerk, and other reports and information presented to the City, the City Council hereby finds and determines that (i) the businesses in the District will be benefitted by the expenditure of funds raised by the assessment for fiscal year 2018-2019, (ii) the District includes all of the businesses so benefitted, and (iii) the net amount of the assessment levied within the District for fiscal year 2018-2019 in accordance with Resolution No. 18-0006 and the Report, is apportioned by a formula and method which fairly distributes the net amount in proportion to the estimated benefits to be received by each such business.

SECTION 4. The City Council hereby confirms the Report as originally filed.

SECTION 5. The adoption of this resolution constitutes the levy of an assessment for fiscal year 2018-19.

SECTION 6. This resolution shall take effect immediately upon adoption.

SECTION 7. The City Clerk shall certify to the passage and adoption of this resolution.

PASSED, APPROVED and ADOPTED this 20th day of February, 2018.

Ayes:
Noes:
Abstain:
Absent:

AMY HOWORTH
Mayor

ATTEST:

LIZA TAMURA
City Clerk

**NORTH MANHATTAN BEACH
BUSINESS IMPROVEMENT DISTRICT
(NORTH MB BID)**

Annual Budget and Activity Plan
2018

<u>Location:</u>	<p>The general area surrounding the Rosecrans Avenue and Highland Avenue intersection. Specific boundaries are:</p> <ul style="list-style-type: none"> • (North to South) the extent of the Highland Avenue Right-Of-Way from the northernmost City line at 45th Street to 32nd Place on the south. • (East to West) the extent of Rosecrans Avenue Right-Of-Way from Bell Avenue to the west side of Highland Avenue.
<u>Stakeholders:</u>	North Manhattan Beach Businesses – All business license holders in the North Manhattan Beach area, with the exception of home-based businesses, residential rental units and commercial property owners.
<u>Improvements and Activities:</u>	<p>A. Capital Improvement Project Design B. Marketing & Advertising C. Project Implementation D. Professional Communications</p>
<u>Method of Financing:</u>	Benefit-based assessments on City Business License Tax.
<u>Assessment:</u>	An 80% surcharge on the City Business License Tax not to exceed \$500.00.
<u>Collection:</u>	The fees are collected in March/April of each year with the Business License Tax. The funds shall be retained in a designated fund and disbursed through the City.
<u>Governance:</u>	<p>A City Council-ratified Advisory Board serves to make recommendations to the City Council for the North Manhattan Business Improvement District (BID) on such topics as budget and assessments. The Advisory Board consists of seven (7) members composed of area business owners, residents, or members at large. The City Council ratifies the board members annually. It is anticipated that the Advisory Board will meet at least once per month, on the 1st Wednesday at 6:00 PM.</p> <p>In delivering BID improvements and activities, the Advisory Board will strive to meet the following objectives:</p> <ul style="list-style-type: none"> • Maximize coordination with the City and other civic organizations to leverage resources.

- Identify streetscape, landscape and other improvements, and create an identity plan for North Manhattan Beach.
- Provide accountability to business owners who pay assessments.

Maintaining the District:

The City Council maintains the district by adopting a Resolution of Intention. A Public Hearing shall be held after the adoption of the Resolution of Intention. If there is insufficient protest from owners representing over 50% of the assessments to be paid, the BID assessment will continue.

Benefits of the District:

The BID allows for streetscape, signage and landscape improvements, and the creation of a North Manhattan Beach identity through integrated marketing efforts such as promotions, branding and advertising.

The BID shall provide key promotional and organizational support through a variety of functions that directly benefit its ratepayers as well as the City; such as:

- Enhancing the appearance of North Manhattan Beach through signage, landscaping, etc..
- Establishing and implementing a North Manhattan vision, and a beautification image that is in line with the rest of Manhattan Beach and reflects the good health and economic vitality of the entire City; making the City an attractive venue for business.
- Providing an inclusive link to the north end of the City.

ENHANCEMENT PROJECT AND ACTIVITY PLAN

The BID work plan for 2018 includes the following items:

- Continue using the website for North MB BID visitor outreach and marketing. Maintain and enhance the current website and social media through Facebook, Twitter etc..
- Collect data from North MB BID website survey, and collect updated e-mails from each business within the North MB BID. Evaluate e-notification opportunities on North MB BID website (www.northmb.info).

ENHANCEMENT PROJECT AND ACTIVITY PLAN

(Continued)

- Explore possibility of installing security cameras in North Manhattan Beach in partnership with the City of Manhattan Beach.
- Review possibilities of seasonal yearly street light decorations.
- Explore new events such as: Wellness/Healing, Summer Stroll and Art Walk.
- Review the side walk power washing protocol.
- Continue efforts to promote Holiday Winter Walkabout event. Review holiday lighting/decoration strategies and partnerships.
- Look for opportunities to enhance participation by North MB BID businesses.
- Explore opportunities to create additional marketing for North MB BID events.
- Review feasible options to develop a North MB BID master plan.
- Landscaping, lighting and tree enchantments with grates.
- Branding logo graphics replacements on the cross walks (Rosecrans & Highland).
- Review the possibilities of new enhanced directories (digital).
- Look to expand parking opportunities to accommodate visitors to the North MB BID.
- Lighted crosswalk in conjunction with and according to the specification of the City of Manhattan Beach Mobility Plan (between 34th, 35th and 36th Streets).
- Revisit updating the aluminum pole signs for North MB BID, branded with the red surfer logo.

BUDGETARY INFORMATION:

North Manhattan Beach Business Improvement District Reserves/Budget			
2016 Actuals			
Beginning Reserve Balance July 1, 2015		\$	549,701.58
Revenues			27,319.87
Interest			5,433.49
Expenditures			(40,591.52)
Ending Reserve Balances as of June 30, 2015		\$	541,863.42
2017 Actuals			
Beginning Reserve Balance July 1, 2016		\$	541,863.42
Revenues			28,609.15
Interest			6,654.97
Expenditures			(24,861.15)
Ending Reserve Balance as of June 30, 2017		\$	552,266.39
2018 Budget			
Beginning Reserve Balance July 1, 2017		\$	552,266.39
Budgeted Revenues (1)			29,000.00
Estimated Interest			4,000.00
Approved appropriations - CIP Carry Forward from Prior Years (2)			(50,871.00)
Projected Ending Reserve Balance as of June 30, 2018 (3)		\$	534,395.39
<i>(1) Budgeted Revenues are projected based on business license tax assessments not to exceed \$500 annually per business.</i>			
<i>(2) Approved appropriations consist of the balance from the original \$370,000 CIP amount budgeted in FY 2006-2007 to beautify and maintain North Manhattan Beach including: directories, monuments, tree trimming, power washing, sidewalk improvements, etc.</i>			
<i>(3) The Projected Ending Reserve Balance is based on actual reserves at the beginning of the fiscal year adjusted for projected revenues and funds remaining in the CIP carried over from previous years.</i>			

BYLAWS FOR NORTH END MANHATTAN BEACH BUSINESS IMPROVEMENT DISTRICT
ADVISORY BOARD

ARTICLE 1. GOVERNANCE AND SCOPE.

On January 4, 2005, the City Council of the City of Manhattan Beach approved Ordinance No. 2071 to form the North End Manhattan Beach Business Improvement District [“North MB.BID”] pursuant to Parking and Business Improvement Area Law of 1989, being California Streets and Highways Code Sections 53500 through 53551, as amended from time to time (the “Act”).

Section 36530 of the Act provides that the City Council shall appoint an advisory board which shall make a recommendation to the City Council on the expenditure of revenues derived from the levy of assessments, on the classification of business and the method and basis of levying assessments. Section 36533 of the Act provides that the advisory board shall cause to be prepared a report for each fiscal year for which assessments are to be levied and collect to pay the costs of the improvements and activities described in the report.

By its minute motion on December 21, 2004, the City Council appointed the advisory Board pursuant to Section 36530 (the “Advisory Board”). These Bylaws provide the rules and regulations that govern the operation and management of the Advisory Board.

ARTICLE 2. MISSION STATEMENT.

The Advisory Board serves at the pleasure of the City Council and is advisory only. The Advisory Board shall make recommendations to the City Council on the expenditure of revenues from the North MB.BID assessments, pursuant to Ordinance No. 2017, for services and improvements that directly and principally benefit its business members, namely:

- Parking & Transportation;
- Marketing and Promotions;
- Special Events;
- Capital Improvements; and,
- Management Services.

ARTICLE 3. ADVISORY BOARD.

3.1. Advisory Board.

The City Council appointed a seven member Advisory Board on December 21, 2004.

3.2. Officers.

The Advisory Board shall have a chairperson, vice-chairperson and recording secretary, elected annually by BID members. [Article 4, Advisory Board Election] The chair or vice-chair may serve as recording secretary. One person shall not serve as chair and vice-chair.

The Chairperson shall exercise overall responsibility for the Advisory Board.

Specific responsibilities include, but are not limited to:

- 1) Conducting meetings;
- 2) Preparing agendas;

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ADVISORY BOARD

- 3) Interfacing with city-council delegate/alternate, finance department and other city staff;
- 4) Testifying to the city council.

The Vice-Chair shall serve as chair, in event of the chairperson being temporarily absent or otherwise unavailable, as result of resignation, removal, incapacitation or other reasons.

The Recording-Secretary shall prepare the official record of the Advisory Board meetings. Specific responsibilities include, but are not limited to: 1) Providing notice of all meetings in accordance with the Brown Act; 2) Prepare meeting minutes for Advisory Board approval; and 3) Amend them per Advisory Board direction; and, 4) Maintain the records of the Advisory Board.

3.3. Term of Service and Vacancies.

Officers shall serve for one year, January 1 to December 31, with no term limits.

In case of vacancy, a board majority may appoint a qualified person to fill the vacancy, in an agendized action at a noticed meeting. Vacancies may also remain until the next annual election, provided that the board has at least a quorum of members.

A mid-term appointment requires ratification by the city-council delegate or alternate.

3.4. Compensation.

Officers, Advisory Board members and North MB.BID members shall not receive compensation in any form.

3.5. Conflict of Interest.

Advisory board members shall abstain from participating in any matter that comes before them, for which, the business represented by that board member may have any direct or indirect economic interest, exclusive of the benefits that accrue to all BID members. If a conflict of interest may exist, the board member shall recuse himself or herself from discussion, consideration and voting.

3.6. Removal.

Board members should attend all meetings, unless excused by the chairperson or vice-chair.

When a board-member fails to attend three meetings during a one-year term, the Advisory Board may consider removal by a majority vote, in an agendized action at a noticed meeting.

ARTICLE 4. ADVISORY BOARD ELECTION.

Annually, the Advisory Board shall hold an election by the to fill the seven seats on the board at the first meeting in December, in time for ratification by the city council, before the next BID advisory meeting.

4.1. Candidate Qualifications.

No business member may nominate more than one candidate for the Advisory Board.

No candidate may represent more than one business.

4.2. Election Schedule.

Sixty days prior to the election, staff shall notify BID members of the election, by U.S. Mail and by email. The notification shall include, but not limited to: 1) Instructions and schedule for

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ADVISORY BOARD

candidate filings; 2) Candidate qualification requirements; 3) Summary of current board; 4) City-staff liaison contact information; and 5) Election procedure, including that for officers. Candidates must file a written application with the city-staff liaison, no earlier than 45 days before the election and no later than 5:00 PM thirteen (13) days before the day of the election.

4.3. Applications.

Candidates shall file by any means with the city-staff liaison identified above, a written application in any format. In addition to a statement of intent to become an Advisory Board member for the North MB.BID, the application shall include: 1) Name; 2) Address, not necessarily in Manhattan Beach; 3) Phone number, preferably cell; and 4) Email address.

If representing a business, the application shall include a letter from said business authorizing the representation.

Residents applying for the Advisory Board, but not representing a business, shall submit in their applications proof of principal residency in the North End.

Applicants may include a statement not exceeding 200 words regarding their qualifications for membership on the board. Staff shall distribute these qualifications to North MB.BID members at least two days before the election.

4.4. Candidate Certification.

Upon receiving applications, the city-staff liaison shall promptly review and verify that the filings comply with requirements above. If any discrepancies discovered in an application, staff shall immediately inform the applicant and facilitate corrections, if possible.

For candidates representing a business, staff shall directly and independently verify with the business that they authorize the candidate representation.

4.5 Advisory Board Election Procedure.

To commence the election agenda item, staff shall distribute election materials and ballots to the BID members and summarize the election process, including subsequent election of officers by the newly elected board.

After the staff testimony, the candidates may make a two-minute statement regarding their qualifications. Candidates need not attend the election and may designate another person to present their statement.

To vote, BID members must attend the election meeting; absentee ballots not permitted. Each BID business present shall have only one ballot, regardless of how many attendees associated with the business present. The voting representative for the business shall not represent any other business. No other persons attending the election may vote.

Vote counting shall occur at a public meeting of the Advisory Board. The results shall identify the winning candidates, but not their relative standings or vote totals. Staff shall file all voting records and ballots with the City Clerk.

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ADVISORY BOARD

Voting Ties and More than Two Use Classifications Elected.

In the case of a tie for the seventh seat, immediately after the election, BID members shall vote on a runoff between only the two tied candidates. In the event of another tie, the staff liaison shall resolve the tie with a coin toss.

4.6. Election of Officers.

Immediately after the general election, the newly-elected Advisory Board shall elect officers. Any North MB.BID business that is subject to the assessment and in attendance at the meeting may nominate one member of the newly-elected Advisory Board for any of the three offices. Newly-elected board members may nominate themselves. To qualify, each nominee must orally accept their nomination.

All newly-elected board members may vote for one nominated individual per office. The candidate receiving the most votes wins the office, even if a plurality, rather than a majority. In event of a tie, a coin toss shall resolve the tie.

4.7. Swearing in of Officers.

Officers shall not take office, until their election ratified by the city council.

As an exception, newly-elected board members may vote for officers, per Section 4.6 above, before the city council ratifies the election. If the council does not ratify the election, then the eventual Advisory Board must conduct another election of officers.

ARTICLE 5. ADVISORY BOARD MEETINGS, AGENDAS AND MINUTES.

5.1. Regular Meetings.

The Advisory Board should meet once every month, at a time, date, and location determined by a majority of the Board. The meeting must occur at a facility within the boundaries of the North End area, having adequate seating capacity and free parking for the public. Alternatively, the Advisory Board may meet at the city Public Works facility adjoining Sand Dune Park.

For Advisory Board meetings, the recording secretary shall notice North MB.BID members, the staff liaison and the city-council delegate/alternate by email, no earlier than two weeks before the meeting and no later than one week before the meeting. The noticing email shall include the agenda in the body of the email. Section 4.2 requires different noticing for elections.

Prior to the date, all advisory-board meetings shall have a posting on the city website calendar.

Notices to board members, the city liaison and the city-council delegate/alternate shall include as attachments, all documents submitted for consideration at the meeting.

At least one week prior to the meeting, the recording secretary shall enter into the public record, through the city clerk office, all documents that the Advisory Board will consider.

If after the one-week deadline above, BID members or the public submit documents to the Advisory Board, the recording secretary shall also enter those materials into the public record.

5.2. Regular Meeting Procedures.

Because the North MB.BID constitutes a city entity, it shall comply with the Ralph M. Brown Act (being California Government Code Sections 54950 through 54963, as amended from time to time) when matters within the subject matter of the district are heard, discussed, or

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deliberated, and with the California Public Records Act (being California Government Code Sections 6250 through 6276.48) for all records relating to activities of the district.

The chairperson shall conduct the meeting pursuant to *Roberts Rules of Order*. Specifically, all attendees may address every agenda item for three minutes. The chair has discretion to award additional time for testimony by individual attendees.

Meeting Minutes.

The Recording-Secretary shall:

- 1) Within one week of the meeting, distribute draft minutes for review by board members, the city-staff liaison and the city-council delegate/alternate;
- 2) Amend the minutes per direction by the Board at a noticed public hearing; and,
- 3) Through the city clerk office, enter the approved minutes into the public record. No other person may amend the minutes or direct amendment of the minutes.

5.3. Special Meetings.

The chairperson may schedule special meetings of the Advisory Board. These special meetings shall comply with procedural requirements for regular meetings above, except that: 1) Noticing shall occur no later than five days before the meeting; and, 2) After the meeting, the recording secretary shall enter into the public record all documents considered by the board.

5.4 Quorum.

Five members shall constitute a quorum for the purpose of conducting its business and exercising its powers and for all other purposes, but a smaller number may adjourn from time to time until a quorum is obtained. Action may be taken by the Advisory Board upon a vote of a majority of a quorum, unless a higher vote is required by law.

5.5 Code of Conduct.

All Members of the Advisory Board shall adhere to the City Policy regarding code of conduct and meeting decorum.

ARTICLE 6. ANNUAL REPORT.

6.1. Annual Report.

Annually in January, the Advisory Board shall approve the annual report, no later than the first city-council meeting in February.

The annual report shall include the information required by the Act, and shall include: 1) Improvements and activities planned for the coming year; 2) Estimated costs of said items; 3) The financial balance sheet for the past year; and 4) Proposed amendments to the bylaws.

The annual report should also include accomplishments achieved during the past year.

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ARTICLE 7. CITY-STAFF LIAISON PARTICIPATION.

The Advisory Board shall request the City Manager to designate a City staff person to assist the Advisory Board with its notices for public meetings and the conduct of its elections. In the event that the City does not provide staff for the Advisory Board, the Advisory Board shall appoint one or more members of the North MB.BID to provide such services. In the case of the annual election, the appointed members cannot be nominated to serve on the Advisory Board.

ARTICLE 8. BYLAWS AMENDMENT.

The Advisory Board may modify these bylaws and shall submit to the City Council a copy of its current bylaws with the annual report.

City of Manhattan Beach

North Manhattan Beach Business Improvement District



May 12, 2009

