

DOWNTOWN VENTURA PARTNERS



Minutes of Boards of Directors' Meeting October 14, 2009 Pacific Western Bank Conference Room

DVO Directors present: Chairman Dave Armstrong, Vice Chair David Comden, Secretary Jerry Breiner, Treasurer Greg Smith and directors Cheryl Heitmann, Jim Rice, Lori Moll, Lucas Johnston, Zoe Taylor, Doug Wood, Christy Weir and Seana Marie (absent: Maria Fiore, Clarey Rudd, Jennifer Livia, Steve Hoganson, Jason Collis, Michele Olsen – excused, Jim Luttjohann - excused)

DVP Directors present: Chairman Dave Armstrong, Vice Chair David Comden, Secretary Jerry Breiner, Treasurer Greg Smith and directors Cheryl Heitmann, Ed Warren, Mike Merewether, Jeff Becker, Jeff Smith, and Ed Warren (absent: Mark Hartley)

Other attendees: Executive Director Rob Edwards, Sid White, Barbara Evans, Barbara Asbell, David Wilson (VPD), Jamie Dwyer.

The meeting was called to order at 8:40 a.m., late due to inclement weather, by Chair Armstrong.

Introductions – Dave asked the members of the public to introduce themselves and their affiliations.

Approval of previous board minutes – A motion was made to approve the previous DVO board minutes. Seconded and approved. A motion was made to approve the previous DVP board minutes. Seconded and approved. Jerry requested that anyone present please sign up on the sign-in sheet.

Special Presentation on Ballot Measures | Weir – Christy presented a detailed PowerPoint presentation on the three ballot measures coming before the voters in November. Measure C (big box stores), Measure B (view protection initiative) and Measure A (sales tax increase) were discussed. Christy noted that Ventura has no local sales tax at this time, unlike many other cities. The Measure would create a new .05% sales tax, sunsetting in 4 years if not reapproved by the voters. It would generate \$8 – 10M per year and would cost the average citizen about \$65/year. Everything above \$8M goes in to reserves. The City Council adopted a spending plan where approximately 40% of the funds are earmarked for safety and health-related issues and 35% for upkeep and maintenance. The City Council has agreed that, if the measure passes, a downtown police foot patrol would be added.

Old Business | Executive Committee Report | Comden – David reported that the executive committee has set up their bi-weekly meeting schedule with Rob, the 2010 budget is now under discussion in draft form, and the exec committee and Rob will be going to the committees and asking for input once the draft is ready. Review must take place by end of November. The newsletters have been mailed and are available. Jerry confirmed that the newsletter will be available as a downloadable PDF on the DVO site. To comply with the Management Plan, the Executive Committee requested that the Executive Director prepare a new plan to create and distribute future quarterly newsletters on dates certain. Discussion.

Executive Director's Report | Edwards – ADMIN | ADVOCACY –

- CDA conference – well received, over 150 attendees. City Corps and VPD did a wonderful job on keeping some type of control on behavior/cleanliness downtown during the 3 day conference, thanks to both of them.
- PBID assessments – Rob has fielded a few calls so far from property owners, working assessors office regarding discrepancies provided to DVP from County
- Train Trestle – letter sent to Union Pacific from VPD and City Manager's office

CLEAN | SAFE | DESIGN –

- Signage education – A-frame signage brochure needs to be distributed to all merchants prior to code enforcement of same. VOLUNTEERS NEEDED. Jerry volunteered to help as a rep from DOT.

PROMOTIONS | MARKETING | COMMUNICATIONS

- Merchant briefing – 25 attended last week, covering holiday plans
- ED will issue a press releases for new tenant signings
- Recycle bins – fall panels installed, 10/23 is next deadline
- Website – several pages updated so far, newsletter going up asap
- California Beer Festival – with little problem, this went over very well, all things considered.
- Broker open-house – also a success, with last minute help from Lori Moll to pull the food and libation part together (thanks to Lori!). Rob wanted to publicly thank all the restaurants that provided food a/o assistance, including Savory, Jonathan's, Fiore and Watermark.

Rob backs up our data everyday, and he will have a number of our databases on line soon, including the 2010 proposed budget, minutes of committees and their budgets. Discussion came up regarding the newsletter, as a number of the board members did not receive theirs. Rob will follow up on this.

Design Committee Holiday Lighting update | Moll – Lori reported that it looks at this point like Ameron will not be able to install the poles for the holiday season. Both Rob and Christy have attempted to get an answer out of our contact at the head offices, but due to health reasons he has not been able to get back to either one of them with the answers we need. Rob said he would ask Christy one more time to make a call over there, but so far neither he nor the Mayor have been able to get an answer as to whether we can get an install done or its price. Tom Mericle of the City has been researching any underground utilities, but at this point it looks like the locations Rob and the City chose will work, once we get the okay from Ameron (for availability) and the finance committee (to confirm we have the money). That said, Lori has succeeded in verbally signing up 50 participants in the venture for holiday lighting with quotes going out, along with our liability disclaimer. Father Michael of the Mission is agreeing to coordinate with our December 5th event in terms of lighting the Mission's treelights.

Parking Advisory Board update | Jeff Smith – Jeff reported that the board has been very active, meeting regularly on the 3rd Thursday of the month. They had a special meeting to discuss meter locations, loading zone locations and handicap spaces. The contract has been approved with Digital Technologies for installation of the meters, slated for the first quarter 2010. The pay stations will be located every 6-8 spaces, and you can pay at any station. The meter hours currently are set at 10am – 10pm Sunday – Thursday and 10am – 12midnight Friday and Saturday. Starting price will be \$1.00/hour for the first 2 hours and \$1.50/hour thereafter. Jeff believes it is an optimistic budget of \$300,000/year, but it will be based on usage. All studies show that they will be used, and our goal is 85% occupancy during these hours. The advisory board can make recommendations to Council to alter the amount and hours at any time. The income produced will go towards maintenance and safety/security in the parking district, including the concept of having 7 part-time police cadets overseen by a sworn officer. This will put a regular, visible police presence downtown, one of the key reasons the DVO (thru the DOT committee) felt strongly about getting this passed. There may be monies to formally re-open a downtown storefront as well. January 2010 will see the unveiling of the first public meetings regarding the meters and the program that accompanies them. Suggestion by Mayor Weir was to make sure, before implementation, that FREE PARKING signs are installed on Main Street to direct all-day parkers away from the metered slots. Q: Is City Corps being considered as possible ambassador services for this use? Q: IS there any revenue that goes to the district from fines/tickets? A: no.

Policy Consideration on political endorsements | Armstrong – Dave discussed briefly what the DVO's and DVP's legal responsibilities are for endorsing (or not endorsing) candidates and ballot measures. After a brief discussion, it was moved by DVP and seconded that the DVP shall not endorse candidates but may, at the board's discretion, endorse ballot measures if they may have an influence on the downtown. No discussion, motion passed with 10 in favor, 1 absent, no abstentions. It was then moved and seconded that DVP endorse Measure A. Short discussion, motion passed with 10 in favor, none opposed ,1 absent, no abstentions. It was then moved that DVP board policy state that: when entering contracts, the DVP shall:

- Obtain multiple bids
- Require appropriate levels of liability and workers comp insurance, valid and current licensing and proof of same prior to commencement of work
- Give preference to local vendors whenever practicable
- Under extenuating circumstances, the Chairman may suspend one or more of these policies and provide satisfactory information to the Finance Committee as to the reasoning behind the suspension.

Motion was seconded, no discussion and passed with 10 in favor, none opposed ,1 absent, no abstentions.

DVO | DVP Draft MOU | Armstrong - Dave brought forth the draft Memorandum of Understanding between the DVO and DVP ("MOU"), created by Jeff Smith with assistance from non-profit attorney Mark Barney. Discussion. All DVO and DVP board members were asked to review the document for discussion at next board meeting, where it will be agendaized for approval.

DVO Board action: Suspend DOT Committee | Breiner - Jerry reported that he had sent out a letter to the boards since the last board meetings, regarding his thoughts on going forward with DOT. He reiterated the salient points of the letter, basically focusing on the fact that most of the items formerly under the DOT umbrella are now handled by the DAT committee, and in his task of setting up budget items for 2010 it is necessary to create a committee which is more focused on clean and safe items. Since the DOT's functions really don't fall cleanly under any of the Main Street models umbrella, Jerry proposed suspending DOT as a DVO committee and reinstating it under the name of CLEAN & SAFE as a DVP committee. Discussion. Suggestion was to create a CLEAN & SAFE DVO committee. After brief discussion, a motion was made to disband DOT, create the CLEAN & SAFE committee with its responsibilities the same as before but without the cross-responsibilities it shared with the Design committee. Motion was seconded, no discussion, passed with 8 approving, none opposed, 7 absent, no abstentions.

DVP Board action: Create CLEAN & SAFE Committee | Breiner - Jerry discussed the idea of creating the CLEAN & SAFE Committee under DVP as an advisory committee for all items falling under the CLEAN & SAFE programs. Discussion. It was then moved and seconded to create the CLEAN & SAFE Committee with Jerry as Chair. Motion passed with 10 in favor, none opposed, 1 absent, no abstentions.

DVO Fundraiser Discussion | Armstrong, Comden - Dave began this long discussion with the note that Jennifer Livia handed in her letter of resignation from the DVO Board over the weekend. Dave then gave a synopsis of the time line, regarding the situation with Red Brick Gallery, Jennifer Livia and DVO. Basically, DVO and Red Brick sponsored an Artwalk fundraiser in mid July, set up to offset Artwalk monies that DVO had agreed to pay the City to keep it alive. Red Brick was frustrated by a perceived lack of DVO support for the event and elected to donate the funds raised directly to the City and bypass DVO. This decision was discovered during a call to the City and there was no input, knowledge or approval from the DVO and its board. A few board members, as well as a few members of the public, have expressed their concerns regarding the change from a non-profit event to a private company event after the fact. DVO cannot provide tax deduction receipts or the community service hours donated. Discussion followed on protocols, agreements. Jerry stated that, in his opinion, Jennifer's beliefs about who was to do what, how much work was going to be done by volunteers and other expectations, all unwritten and without signed agreement in hand, were not only unrealistic, but her unilateral decision to take the money under her own business' name was inappropriate. Seana wished there had been some type of clarification and transparent communication about whose responsibility it was to do certain tasks in advance. David noted that the fundraiser was planned in the DVO Promotions committee from the outset. Jim Rice stated that in his opinion, Jen has been a huge asset but she needs to take some of the blame for the way the fundraiser went down. David stated she needs to take full blame for the way the monies were re-allocated, and there needs to be protocols setup for any future events utilizing third-party businesses, when dealing with DVO fundraising protocol. It was agreed that the Promotions committee would come back with a protocol by next board meeting, including policy framework and reporting mechanisms and sponsorship policies. The responsibilities need to be clear upfront. It was further agreed, thru consensus, that the Chair (Armstrong) should send a strong letter to Jennifer, indicating our universal belief that the monies need to be returned to DVO as a charitable donation and the names of the donors, as evidenced by returned checks available from her bank, shall accompany the monies. Dave noted it's important to move on, but we must settle this matter. Jeff Smith said that any further correspondence to Jennifer from the DVO or DVP should be done in written form and documented.

New Business - Alex Herrera is the new city of Ventura ombudsman. The Poinsettia Awards Luncheon by the Chamber will take place December 8th, nominations are now being taken.

Public Comments - None

Meeting adjourned at 11:00 a.m. | Respectfully submitted, Jerry Breiner - secretary, 2009-2010