



Ocean Beach MainStreet Association

1868 Bacon Street, Suite A

Agenda June 10, 2021 – Noon via Zoom

Mission Statement: To promote and support local business and economic vitality in the Ocean Beach community.

1. Introductions – info
2. Public Comment (1 min) info
3. Additions to the Agenda (1 min) info
4. Reports from Representatives (2 min each) info
5. Committee Reports (15 min)
 - A. **Organization** (Barb Iacometti) & **Finance** (Mike Stifano)
 1. **Will the board approve Minutes from May 2021?** Action
 2. **Will the board approve the financials for April 2021?** Action
 3. **Will the board accept the ballot?** We received “Intent to Run” forms from Kyle Jaworski, Gary, Gilmore, Mike Akey, Ron Marcotte, and Shawn Silverman. Carol has decided not to run again. We also have an open seat. See attached. The ballot which will be sent to all members for the elections which will be held from July 1-7, 2021 online or paper ballot. One vote per member. Action
 4. Discussion items
 - a. BID contracts for FY22- see page two. Any comments regarding the BID Alliance efforts to offer training for free to all BIDs. If the board is ready to make a decision or give ED some direction:
 - Will the board agree to the City’s request that all board members take inclusivity and harassment training classes?** Action
 - Will the board agree to review OBMA’s bylaws annually?** Action
 - Will the board approve the ED to submit a plan by June 11th to EDD?** Action
 - Will the board agree to annually file form 700 Statement of Economic Interests?** Action
 - b. MAD – in the process of renewing our contract with the City for management of the MAD. The same process for BIDs will be written into the MADs. **Vote to accept the FY22 budget for the MAD and accept the City’s Annual Report FY22. (see attachment)** Action
 - c. Sidewalk Vending ordinance—updates info
 - d. Updates regarding SDOG v. City of San Diego info
 - e. OB Farmers Market – info
 - B. **Clean & Safe Program Committee** Info
 - C. **Promotion Committee** info
 1. Celebrate the OB Vibe
 2. OB/Pt Loma publication – Visitors Guide - \$750. See page 4 for details. **Will the board approve Spending \$750 for this year long publication?** Action
 - D. **EV Committee report** info
 - E. **Design committee –** Info
6. Adjourn

Our Representatives:

- Report from Mayor Todd Gloria, Kohta Zaiser – ZaiserK@sandiego.gov 925-408-9745
- Report from Assemblymember Chris Ward, Rachel.granadino@asm.ca.gov 619-645-3090
- Report from, State Senator Toni Atkins – Jason Weisz – Jason.Weisz@sen.ca.gov 619-645-3133
- Report from Council District 2, Dr. Jen Campbell - Teddy Martinez, tmartinez@sandiego.gov 619-236-7351 619-235-5281
- Report from Sean Karafin at skarafin@sandiego.gov
- Report from OB Town Council – Scott Grace, sgrace@gracelawpc.com
- Report from Supervisor Nathan Fletcher - Emily Wier, Emily.Wier@sdcounty.ca.gov Community Representative - 619 531-5544 – also Aaron Burgess, Aaron.burgess@sdcounty.ca.gov

THIS INFORMATION IS AVAILABLE IN ALTERNATIVE FORMATS UPON REQUEST.

To request an alternative format, or to request a sign language or oral interpreter for the meeting, please contact the Meeting Coordinator at least five (5) working days before the meeting at (858) 273-3303 to ensure availability. Assistive Listening Devices (ALDs) are available for the meeting upon request.

BID contracts for FY22 information. It seems likely that MAD contracts for FY22 will be subject to this also.

At a recent May City Council meeting, the following motion was made and approved by District 3 Council person. Please note that they have reduced our contract to 6 months while asking us to meet new compliance requirements during that six months.

Approving a six-month extension (“Third Amendment”) of the FY2019 BID Management Agreements with the nonprofit association manager for each specified BID, with a six-month renewal subject to compliance with the accountability provisions as determined by Economic Development Department staff; and

Approving additional accountability provisions in the Third Amendment requiring an annual review of the BID association bylaws, an anti-harassment and inclusivity workplace policy signed by all BID association board directors and employees, and annual anti-harassment and inclusivity workplace training for all association board directors and employees;

We were unaware that there was only a six-month extension as it is usually 12 months. So all the BIDs were shocked and taken aback by that change. I believe the City Council wants to be assured that any non-profit that they write a contract with will have good bylaws, practice HR policies like anti-harassment and inclusivity in the work place policies and so on.

Last week or so after that vote we received this list from Economic Development Dept requiring that we respond by June 11th with a plan which included all of the following. The last two bullet points were not part of the Council motion and vote:

- annual review of the BID association bylaws – *currently we do this every 3 to 5 years*
- anti-harassment and inclusivity workplace policy signed by all BID association board directors and employees, - *our employees have all this verbiage in our Employee Handbook*
- annual anti-harassment and inclusivity workplace training for all association board directors and employees – *our employees will need to go through this training.*
- annual opportunity for Board Members, assessment payers, and the general public to provide input on the performance of the nonprofit management association and their chief executive. – *all of our meetings are open and have public comment. Our office is open and staffed 5 days per week for anyone to come, call, or email about an issue.*
- establish a Conflict of Interest Code to include the requirement that all Board Members and the chief executive of the nonprofit management association file a Form 700. – *board members already fill out a Conflict of Interest form each year and IRS Form 990 includes “Compensation of Officers, Directors, Trustees, Key employees, Highest compensated employees and Independent Contractors (making over \$100,000 per contract). All board members are listed and attest to no conflict of interest.*

On 6-4-21, all the BIDs met in a BID Alliance meeting (Barb and Mike A were in the zoom meeting) to discuss the problems associated with making a plan by June 11th. In attendance was Stephen Whitburn, District 3 Council person who made the motion at the top of this page. He explained that his motion did not include the last two bullet points and his office is working on having a more open dialogue with City EDD about why they included those two items.

I have sent an email to Jen Campbell’s office and the Mayor’s office to get clarification about the last two items and the rushed timeframe. We have also pushed back on any board members having to file a form 700 which is a Conflict of Interest form that you would list your holdings. Our IRS annual filing along with the Conflict of Interest forms that you all fill out every March should be enough.

Today, would the board like to make a motion to send the City EDD a letter that says we cannot meet the deadline of June 11th to have our plan in place? We are happy to address a plan for the first three bullet points over the next month, but will need significant time to respond to the last two bullet points and would be brought to either the August or September board meeting.

The BID Alliance is putting together a work plan that includes bylaw reviews, anti-harassment/inclusivity training for board members and employees, and putting together the anti -harassment/inclusivity workplace policy that board members and employees will sign. This will be at no cost to each BID in the Alliance.

After our emergency BID Alliance meeting on Friday, we received this from the BID Alliance:

On Wed, Jun 2, 2021 at 2:59 PM Chris Clark <chris@bidalliance.org> wrote:

Good afternoon Alliance members,

As mentioned at our Board Meeting last week, the BID Alliance has developed a plan for our members to address the new City of San Diego requirements for BIDs and their boards. Outlined below is our approach to providing inclusivity and anti-harassment training as well as information on shared member resources to assist in your review of your bylaws and other documents.

If you are interested in participating in the Alliance's training program, please respond to this message letting me know no later than close of business Friday, June 4th. We will offer access to these trainings for your staff and board members for free as an Alliance member benefit, pending the BID Alliance board approval. To get that final cost to the Alliance, we need a final headcount so please respond promptly.

Inclusivity Training

- Program: The Art of Inclusive Communication
- Provider: National Conflict Resolution Center
- Cost to you: Free
- Duration: 2 hours
- Format: Live or virtual
- Program information available [here](#)

Anti-Harassment Training

- Program: The Bystander Challenge
- Provider: National Conflict Resolution Center
- Cost to you: Free
- Duration: 2 hours
- Format: Live or virtual
- Program information available [here](#)

Documents, Policies and Procedures

The Alliance will provide members with a shared resources folder including examples of policy documents to assist in staying compliant with the City. This will include a standardized response letter for your submission of this material to the Economic Development Department by their June 11th deadline.

Please let us know as soon as possible if you are interested in joining the Alliance trainings. I understand that you may need to seek formal approval from your Board, but let us know if you are at least interested so we can move forward with creating our group package.

Chris Clark

Policy & Programs Coordinator



We received this email on May 4, 2021 from Sean Karafin City Economic Development Dept.

BID Managers,

The (see page two) request from EDD is intended to solicit relevant information for staff's review of the accountability provisions included in the approved contract as well as the additional accountability provisions expressly listed in the motion.

EDD is willing to entertain any approach to address the intent of the Conflict of Interest component to the requested accountability plan.

Form 700 is an existing mechanism for conflict of interest compliance used by the City for special districts administering public funds. Notably, it is used for Community Parking Districts and included in the Maintenance Assessment District contracts as the mechanism to be used if a determination is made by the City to require it. It is recognized, however, that Form 700 is not the only mechanism that may be sufficient to improve compliance with respect to the conflict of interest component of the contract's accountability provisions.

A review of Exhibit C, Section 10 of the approved contract may benefit you, as you propose an alternative mechanism for improving conflict of interest compliance.

Additionally, we recognize that an accountability provisions plan provided to EDD may include steps that a BID's executive may not have the authority to bind the Board to, or may otherwise require appropriately-noticed, Brown Act-compliant meetings. To be clear, particularly given the timeline, we fully expect accountability provisions plans to include actions proposed by staff rather than actions executed by Boards of Directors.

Please let me know if you have any questions,

Sean

PROMOTION COMMITTEE

From: Troncellito, Cheryl

Sent: Friday, June 4, 2021 10:44 AM

To: Kristen Keltner <kristen@oceanbeachsandiego.com>; Info@oceanbeachsandiego.com

Subject: Working on deadlines

Hello Kristen and Denny,

I appreciate that you are very busy ladies. I do believe we may all be working harder than ever before.

Since the deadline for copy and materials is **July 8th** I will bullet point my opportunity for OBMA and Ocean Beach.

- We are producing our annual La Jolla Visitor's Guide in July-publishing in August
- This year we are including Ocean Beach, Mission Beach, and Pacific Beach
- We will have a page with the top 10 things to do in ocean Beach-we would value your input on list if you have something you would like included
- We would like to offer OBMA the opposite page from the top 10 list
- 65,000 annual copies distributed monthly at leading hotels, retail locations and select visitor centers from La Jolla to Coronado
- You are also included in website and social media posts

As a valued partner we are offering this premium placement for \$750.00 (full page is \$2350)

I hope that we can be considered for this opportunity. Please let me know by June 10th.

Cheryl