



**2017-2018**  
**BID BOARD of DIRECTORS SPECIAL MEETING MINUTES**

Date: May 30, 2018  
Location: Huntington Beach Art Center  
538 Main Street  
Huntington Beach, CA 92648

Day: Wednesday  
Time: 3:30 PM

**1. Call to Order**

**2. Roll Call**

Board Members: Matt Peterson, Bob Bolen, Mike Williams, Dave Shenkman, Kate Leigh. Past President: Steve Daniels  
Absent: Dick Thorpe, Susie Smith, Lizzie Raudenbush (on leave), Max Schultz.  
BID Staff: Marianne Tonjes, Darci Henderson

**3. Public Comments**

*This is the time of the meeting for the Board of Directors to receive comments from the public regarding items of interest or agenda items. Pursuant to the Brown (Open Meetings) Act, the Board of Directors may not enter into discussion regarding items not on the agenda. Each speaker is allowed three minutes, and time may not be donated to another speaker.*

Vanessa Martinez and Tiffany Tina, downtown HB residents, presented information and questions about the donation HBDBID made to the HBPAA in 2017. Vanessa provided a summary of her research on Kim Kramer. Tiffany Tina stated she had been harassed by Kim Kramer and had contacted the Better Business Bureau, etc. Statement from Tiffany Tina:

*Good Afternoon!*

*Being a resident of Huntington Beach, I am honored to call this my home. Not only will I be raising my children here, but I hope they are able to call this home for their future family. I am excited for the growth of Downtown and Pacific City, the events that happen every weekend and the art that has been going up around the city.*

*I come to you as a concerned citizen and resident of downtown Huntington Beach. Specifically, concerning the on-goings of a pending non-profit organization, The Huntington Beach Public Art Alliance and an individual who represents the organization, Kim Kramer. In a meeting with Kim and after a posting on social media, I have been under scrutiny and harassed outside of my home with my young children.*

*I echo the concerns of my neighbor Vanessa Martinez.*

*Being a resident of downtown, I am concerned that the actions and thoughts of a small group*



*of individuals will be pushed through by smoke screen using a non-profit organization.*

*Although, the project of an art mural proposed at the site of the Frontier building at 602 Main Street is out of the "BID" boundaries, I question the process of the organization to notify, involve or address neighbors and the city of Huntington Beach residents.*

*So I began asking questions; I inquired on the validity of this organization (HBPAA) and if it was really a non-profit organization because Kim Kramer stated that he was working in conjunction with HBPAA, however, he asked that the checks or cash donations be made to him in his name. Who is exactly profiting from this? Who is profiting from this organization?*

*Is there a non-profit certificate? If so, where is that?*

*What is the process of payment? I have spoken with several residents stating that they were asked to make donations (their names on bricks, specifically) and to write out a check to Kim Kramer himself.*

*When I contacted the City of HB, they stated that the HBPAA does not have a license with the City of Huntington Beach and any donations to the non-profit would not be tax exempt. I have personally donated cash to the "Dumpsters on Parade" to Kim Kramer, and have not received a receipt for that donation. That being said, does he have a tax form (W-9) that I can obtain so I am able to write those donations off on my tax return? And i am requesting a Form 990 as well.*

*How does this organization account for donations for a project that does not have a license with the city? What exactly is the intention of these donations? In a meeting with Kim Kramer this is what he stated that the HBPAA will be donating:*

*\$200k to HB School District  
\$20k to the surfing Museum  
\$700k to the Chamber of Commerce and Downtown*

*Can these donations be verified?*

*Does the BID know about their donations to an organization who operate without having a business license?*

*How much did the BID donate to the organization, if any?*

*If so, what was the intended use of those donations?*

*Where will this money come from?*



*Does the BID know about these proposed donations?*

*Not only am I concerned on where the donations are going and in who's pocket are my donations going to, but parking, foot traffic, safety and impact on the residential community.*

*I appreciate your time and consideration on this matter and am open to any feedback positive or negative regarding this matter.*

*Thank you!*

#### **4. Approve Minutes**

- a. Recommendation: Approve the Minutes of the May 17, 2018, Board Meeting. Motion made by Kate Leigh; Seconded by Dave Shenkman. Vote: 5-0.

#### **5. Approve Agenda**

- a. Recommendation: Adopt the Agenda Motion made by Dave Shenkman; Seconded by Kate Leigh. Vote 5-0.

#### **Staff Reports:**

#### **6. BID Manager Contractor**

- a. Information: Marianne Tonjes reported on HBDBID activities. She stated that Chili at the Beach planning was on schedule but time consuming. She also thanked the City for helping out during SCN while she was not working during the renewal of her contract.

#### **Standing Committee Reports**

#### **7. Executive Committee**

##### **a. Board Members**

Information: Matt Peterson reported on the Executive Committee's discussion of individual Board member actions that do not reflect the consensus of the Board of Directors. He requested that the item be brought to the regular Board meeting to remove one Board member over absences and for the city attorneys to advise the Board on whether another Board member should be removed, admonished or removed for possible Brown Act violations.

##### **b. Donation**

Information: Matt Peterson reported on the August 2017 donation to the Huntington Beach Public Art Alliance. \$3,000 was donated from the HBDBID, and \$516 was donated from the SCN budget. HBPAA is not a 501c3. He stated that he didn't want to request for the monies to be returned, but wanted to investigate the Board's



concerns and those of the stakeholders for more accountability regarding the donations. Bob Bolen stated that wasn't the recommendation. It was for a request for the City of HB attorney to draft a letter requesting a return of the \$3,516 HBDBID donation from the Huntington Beach Public Art Alliance. Matt Peterson asked for the recommendation to be amended. Mike Williams stated that the \$516 donation by the previous SCN Manager was not approved by the Board of Directors.

Recommendation: Approve a request for the City of HB attorney to investigate the status of the Huntington Beach Public Art Alliance and accountability regarding the donation of the \$3,516 HBDBID to the Huntington Beach Public Art Alliance.

Motion by Kate Leigh; Seconded by Dave Shenkman. Vote 5-0.

## **8. Finance, Budget & Governance**

### **a. Administrative Assistant Job Description and Compensation**

Information: The revised Administrative Assistant job description and compensation, was tabled at the April meeting. Marianne Tonjes stated it had been edited.

Recommendation: Approve the revised Administrative Assistant job description and compensation retroactive to May 15, 2018.

Motion by Mike Williams; Seconded by Kate Leigh. Vote 5-0.

### **b. Surf City Night's Set-up and Maintenance Contract**

Information: The committee received two bids for the Surf City Night's set-up and maintenance contract. Mike Williams explained that the existing contract is with GRC. GRC's bid was \$2,925, and Malco's bid was \$2,728 per month based on a 4.33 Tuesday's per month.

Recommendation: Approve the contract for Malco to perform Surf City Night's set-up, take-down, and maintenance at a monthly cost of \$2,728 effective July 1, 2018 – June 30, 2019.

Motion by Kate Leigh; Seconded by Dave Shenkman. Vote 5-0.

### **c. Surf City Nights Management Contract**

Information: A RFPQ was requested for the management of Surf City Nights. Kate Leigh stated she thought we wanted an employee for this position. Matt Peterson stated that if an employee can do the job, the RFPQ is not needed. This would get the process going if needed. He also stated that Surf City Nights is a recurring BID



event and we are consolidating expenses.

Recommendation: Approve opening a Request for Pre-Qualifications for the management of Surf City Nights.

Motion made by Dave Shenkman; Seconded by Kate Leigh. Vote: 5-0.

#### **9. Announcements**

Kellee Fritzal from the City of HB stated that the date for the city to hold a public hearing regarding the BID was not June 18. It will be July 16.

Kate Leigh noted that Mayor Posey was present and he made a statement about a recent interview he had given.

#### **10. Adjournment**

- a. The meeting was adjourned at 4:20 p.m. The next HBDBID Board Meeting is June 14, 2018

In accordance with the Ralph M Brown Act, Huntington Beach Downtown BID agendas are available for public review outside the City of Huntington Beach Council Chambers at 2000 Main Street and the HBDBID office 315 3<sup>rd</sup> Street, at least 72 hours prior to each meeting and 24 hours prior to special meetings. Questions on agenda items may be directed to Marianne Tonjes, BID Manager, at 714-536-8300.