

# Downtown Fresno Partnership

## Executive Committee

Thursday, August 10, 2023  
8:30am – 10:00am

Downtown Fresno Partnership  
845 Fulton St

### Minutes

- **Present:** Jayni Wong, Scott Anderson
- **Absent:** Phil Kliewer
- **Staff:** Elliott Balch, Lara Agulian
- **Public:**

- I. **Call to Order** – Meeting was called to order at 8:35am Wong
  
- II. **Public Comment**  
No public in attendance
  
- III. **Approval of Agenda (*Action*)** Balch  
Motion made by Anderson, Wong second, motion approved unanimously.
  
- IV. **Approval of the July 13, 2023 Minutes (*Action*)** Balch  
Motion made by Anderson, Wong second, motion approved unanimously.
  
- V. **Acceptance of the Financial Report (*Action*)** Balch

We held off on these as an action since attendance was low. They will be brought to the board for approval next week.

Balch touched on some highlights from the reports. We are trending over in bookkeeping expenses since we have been leaning more on them, but we are starting to take over some of those tasks again and will incur less of that cost overtime. Anderson asked if the PBID assessment is a timing issue. Yes, that is the extra assessment money of \$507k that came in last year but was not used. If you add this to the net number now, you will see that we are trending better than budget as of September 30.

Our move is coming up this month. The rent will stay the same, but we will incur one-time costs for signage and more like that. There was some programmatic signage budget, but we will likely capitalize those and see that come into operations. Furniture has been a bargain. We also have help from City Ambassadors and some Fresno State students for the actual move so we shouldn't incur costs there. The balance sheet is strong, and we will have all of this to relate to the board next week.

Between next week's board meeting and the December board meeting, we will be creating the budget for next year. Balch would like to improve some things and has spoken to our bookkeeper David about this. Depreciable expenses is one, like computer expense is under operations, but should be under capital and should have a life of two or three years. Also, our management plan states different revenue and expense categories, and if we were audited, we would be audited against the management plan. We track our expenses on what we do, but we do not track personnel expenses. The work that we do with our time is a huge part of how we execute the services we provide. A big reason we don't do this is that it has been a challenge to load those costs by job. For example, get a lump sum bill from the health insurer. We are transitioning our benefits to be tracked by Gusto, our employee portal. Balch is hopeful that when we build and track the budget for next year, we will set ourselves up to be auditable against the management plan. This is good accountability to be reported to the taxpayer as well. Balch also wants to break down the event budget as well to reflect each event instead of a lump sum for events in general.

#### **VI. Clean and Green Committee Update**

Balch

There are a number of issues that we have on our radar with the City. We are still waiting on the City to move the planters from the Planter Program to the businesses that agreed to adopt them. We are actively in the process of figuring out better equipment for the street cans along Van Ness and Kern. We are still talking to the City and others about trash compactors and enclosures in certain alleys. Balch has a meeting with the Councilmember next week on this as he thinks this needs more council initiative to move forward. We are starting to take better track of pressure washing to make sure this is being kept up.

We submitted an RFP for the City Ambassador program in June and things may be getting close to a decision. They gave us a more precise budget number, \$286k, and they are gearing up to bring something to the council, likely in early November. With the new budget, it would allow us to hire a total of 20 part-time ambassadors. The City is evolving their program to be more citywide where they deploy to hotspots and big events. Then there would be site leads for the more permanent, steady locations such as DFP for Downtown, Neighborhood Industries, Tower District and others. This is a short program of 6 months, but we are hoping to show good results and get that extended. This will impact our books next year.

Balch had a meeting in July with Mayor and department director level administrators at the City, and he believes they are due for another one soon.

#### **VII. Marketing and Business Development Committee Update**

Balch

Anderson asked how Fiestas Patrias went. Those involved, DFP, Councilmember Arias' office, and Fresno Area Hispanic Foundation, will have a debrief next week. We about tripled the beer sales from last year with about \$10,000 in sales. There was a constant line at the beer garden. The entertainment was great and people showed up in a big way. The parade was a hit and beautiful to see. We got some content from all of this. A number of our merchants reported a high sales day and having the best sales day of the year. The best part for Balch, who worked this event 20 years ago when it was huge with Univision's partnership, was seeing this partnership and event come back in a big way. Univision was blown away and wants to do even

more next year. We are hoping for better entertainment and to start planning it earlier next year. Anderson says we should treat this like a Fresno Fair day with the sponsorships and acts we get. Balch mentioned that next year he wants to the parade on Friday evening, September 13, then have a two-day festival for the weekend. Anderson also mentioned that we can explore more event options with Univision for the future. The businesses downtown do ask us to bring back Cinco de Mayo, which used to be big as well.

Fulton Street Party was a successful event as well. It was in August and the foot path was about 7 blocks, which is double that of Fiestas Patrias. There were 13 venues and we got good feedback from them and from the artists that performed.

Agulian presented that we have gained a lot of followers on social media in the last two months. Our biggest social media following is on Instagram. We have more of reach on Facebook, but we get more interactions, likes, and comments on Instagram. We started a TikTok and are up to 52 followers, though we need to post more on there. Fulton Street Party and Fiestas Patrias are reasons for the spike in followers. We are at 31.5k followers on Instagram now. Balch tabulated the two months of growth which annualized to 38% growth if that trend continues. Yesterday Gloria Valdovinos and Agulian tabled at a Fresno State Career Fair and did a raffle there to get new, young followers from the University. We got positive feedback there as well from the students.

We had a successful Down-Town Hall in August and we will be setting up another one in November with more info to come. We will follow up on solid waste at this meeting along with other things. Also, in the last week or two, there have been a few tenant opportunities that Balch has been helping facilitate with space, financing, and city process.

Agulian just wanted to mention that the Christmas Parade is coming up on December 2 from 11am to 1pm. We will also program other activities around the parade that will drive lunch time crowds. We have had the entrance application open for a week and already have 1,000 participants signed up across various entries. Producers Dairy is our presenting sponsor.

Valdovinos represented DFP at the International Downtown Association Conference in Chicago last week. She went to a session on nonprofit arms and how to manage and structure those. This is important for us as we get more grants. She noticed that so many of our peers around the country were generating data from Placer.ai. This is a tool we want to subscribe to that will give us important data on things such as foot traffic.

## VIII. CEO / President Update

Balch

- a. **Finance:** As we work on the budget for next year, we are working on the 2024 program of events including core and new events and ideas. This will also help us get sponsors now while people are putting their budgets together for next year.
- b. **Facilities:** Rick Roush let us know that we can start moving in tomorrow. We have already been using the storage there but will start to move stuff into the actual office tomorrow. At the end of next week, we will have desks cleared and broken down so they can be moved over the weekend. Then we will use October 23 and 24 to finalize the move. We want to the 23<sup>rd</sup> to be the cutover date when we will be more at the new office than the current. The current office lease ends on October 31.

We are thinning out files. Agulian has been on point for signage and IT. Signage is likely to land in the \$5k range. Balch wants a nice blade sign hanging out to really show off where we are. He thinks it can become a photo opportunity as the sign will have the Bank of Italy behind it on one side and the Rowell Building on the other. Anderson asked if there is a sign company we are working with specifically. Agulian is working with Fresno Neon and APlus Signs. Anderson mentions that he knows Chris Pacheco who owns A Plus Signs. Pacheco has been downtown for a long time and Anderson will get us connected. Balch mentions that Pacheco might remember him from work at Central Valley Community Foundation.

We don't have guidelines on the threshold of expenditures, but this is something we should work on in case of auditing as well. All the office moving and signage costs will be under \$10,000, so if there is no objection to us figuring this out and doing it with available resources, this is our plan. We bought 10 folding tables, 29 chairs, and 3 smaller tables from a business in Sacramento who was selling their stuff. These will be great for our back room. We also got 7 office desk chairs, three sit-to-stand tables, cabinets, white boards, and monitor holders for free from an anonymous corporate donor. We got lucky with furnishing our office and Roush and company have been very cooperative with getting the office ready for our needs.

We have ballots being mailed out today for our Board of Directors elections. There are more candidates than open seats, which is great. The return address will be our new office. We have included an invitation to an open house we are having for our new office, which will be on December 13. December 13 is a board meeting day so we are wanting to adjust the meeting time to 3:30pm so that the board can stay after and enjoy the open house. The Downtown Fresno Foundation Board has their meeting the same day so we already talked to them yesterday about moving their time up to 2pm. This way they can stick around for the DFP board meeting as well.

The City wants to charge us the retail rate for staff parking. Balch wrote them a letter stating that DFP is a vendor, so we should get vendor parking. Jennifer Clark, the director over parking, wrote a letter back saying no basically. Balch now feels he has three options. He can bring it up to the Mayor. He has already been in talks with the Mayor about parking for other purposes and explained that we have to be creative and flexible with it. We can also go to the council for council action specific to this. This could be packaged as a change in our operating agreement if there are some things we want to add to that. Balch will talk to Councilmember Arias about it next week as they are already scheduled to meet. We could also pay for it in some way. For example, we can charge rent to the City Ambassadors if they use our office, and it can be the exact amount of the parking per month. A full year of parking for the team is \$9,400 assuming no growth in the team.

Anderson mentions that this is money that takes away from other potential uses for Downtown. This would be found money for the City as we have not paid this in the past. Balch has also run into the Mayor at a few events and gotten to have impactful

brief conversations. This is helping move the retail plan project along and a potential tenant. Anderson feels that DFP is like an arm of the City and a partner. We take a load off of the City and he is not sure why that is not recognized by them. Balch's letter to City Parking stated that we are a City vendor, we have a contract and provide certain services. As a City contractor, you can get a \$20 a month parking pass. The Master Fee Schedule does not dictate where that parking is located so Balch argued that we should be able to use it anywhere we do work within downtown. They argued back that it can only be used at City Hall because that is what is stated on the back of the permits. The scope of our work for the City is different than most other vendors and if it is not in the Master Fee Schedule, they should be able to work with us on the parking.

- c. **Advocacy:** We helped facilitate a meeting about the needle exchange program that County Department of Public Health put on, on September 27. We had one business owner come, Helen from Chicken King. The Needle Exchange Program would take place on Saturday afternoons at the County Health building on Fulton with added services like Medical/Medicare sign ups, food, and more. It is not ideal to have this use on Fulton St. We advocated for a different location. In reality, they have invited the Mayor to help them find an acceptable different location, but if they do, the City will have to assume liability for the program and contract with the clinic to do it. We are now advocating for Saturday mornings instead of the afternoon when there would be way less business and family presence. They have enough space inside to cover the line of the amount of people they expect, based on experience. It could end up being not a big deal if it takes place at a time when businesses are not open. Even Helen does not feel it is a big deal, but Chicken King is not open on Saturdays.

Along with this advocacy, we are looking to contract with County Health to collect data about the presence of homeless people around the area before the program starts on December 9<sup>th</sup> and after. This will be a little bit of revenue for us and a chance for us to continue to be engaged on this. We have another County contract with Behavioral Health. If there is anything we can do as DFP to get more Behavioral Health money into downtown to address homeless and mental health issues, we want to be there for it. Balch has talked to their program manager and we are starting with something simple. They are offering us a \$20,000 contract to produce a report on the landscape of services for folks who are experiencing mental health or substance challenges in downtown. We will likely do direct engagement with the population, which our ambassadors already do from time to time. This will be a little new building on that and we will be mapping these services. We recently joined the Fresno Madera Continuum of Care as a member, making the argument that they aren't around downtown very much compared to how much we are out there. It is small start, but we do want to build relationships with the County Behavioral Health and go from there.

We need to be engaged in what the City is doing about studying parking, which is its own conversation. We just need to make sure that it makes sense for businesses and for customers, even who are not there for special events on special event nights. The special events parking prices have already become an issue with businesses.

There is a tool called Placer.ai that is a data tool. This costs \$10,000, but Balch is doing some fundraising for it. Councilmember Arias is in for \$5,000, Fresno EDC might do \$4,000 and this would give us a data partnership agreement with them. With this tool, we will be able to know how many people come to events or just Fulton St generally. We can also know how many people come to downtown from specific areas, such as Sanger. This would help us advocate for things that need County-wide votes, such as Measure C. It can show other cities that view downtown Fresno is an amenity for their residents as well.

- d. **Strategic Initiatives:** The Kresge Foundation has awarded us, through DFF as the fiscal sponsor, \$299k for a two-year grant to fund work in inclusive and sustainable development. There is a lot of work that falls to Balch like working with the City on the infrastructure program and retail planning. We have heard from Jordan Sanchez, who is now in the City administration, that they are anticipating doing an update to the Fulton Corridor Specific Plan. All of this is beyond the management plan and beyond the time that Balch has to do the work. With the Kresge grant, there is funding for staff capacity to be working on these development related things for two years. Anderson congratulated us. We are thinking that we will have a monthly payment from DFF to DFP for 24 months, but we are still working on that agreement. The award period starts November 1 so we will see some of this money in the current budget. It is likely that Balch will have an action to recognize this in the budget with the associated new position costs for the board meeting. Anderson asked if we have planned for the new personnel and growth within the new office space. There is some extra space where we can fit more people within the new space. TW Patterson has also graciously given us access to meeting spaces on the 5<sup>th</sup> and 7<sup>th</sup> floors freely.

We are working to get downtown competitive to receive Measure P dollars. The applications open up in January. One of these would be for murals overlooking Mariposa Plaza of window scenes, anticipating that the owners want to build housing out there. These would be diverse scenes and put eyes on the plaza. The other would be for performing arts for our events. Measure P would be able to help fund the artists for the community events for the year. This could relieve aspects of the DFP budget.

Balch is working with neighborhood organizations as a network as there is State funding for regional climate collaboratives. There is a real need and opportunity to see that come downtown with federal funding for electrical generation, EV charging, bike lanes, and more. Balch has a meeting with the City Traffic Engineer on October 23 because they are going to be updating the active transportation plan. Balch is working to be coordinated with the City on these kinds of things.

- e. **Policy, Compliance, & Best Practice:** As part of moving, we have a lot of paper documents. Some are old and those that we want to keep, we want to digitize. Balch is looking for guidance in a retention policy of what we need to keep and what we can get rid of. Balch drafted a retention policy where he tried to be conservative having longer versus shorter retention times. This will give us structure on how we decide to hold on to things. The draft combined policies from the Central Valley Community Foundation,

Downtown Sacramento Partnership, and our bookkeeper. There is policy language on who is responsible for document management and specific timeframes for different kinds of records. With files and records being digitized, we are not pushing to get rid of things as soon. We will keep employee personnel files for at least seven years. Any audits and tax filings are permanent. Anderson says the plan looks solid. Wong is more versed on record retention for taxes but does believe this plan looks good. Anderson thinks if we can digitize as much paper as possible, it would be good for the long run. Wong agrees as it is easier to find old files being able to search for them on a computer versus going through papers.

The sick time language did need to be changed again. We worked with our bookkeeper, and he wanted us to remove the minimum accrual for active employees. Every 30 hours worked, you get one hour of sick time, whether you are part-time or full-time. It caps out at 48 hours and stops accruing until the employee uses some. These hours rollover each year. When you leave the job, there is no cashing out of sick time. We are also clarifying that in the case of Bereavement time off, you can use other hours to cover that, such as vacation, but sick time is not applicable.

Motion made by Wong to accept both the record retention policy and the revised sick time, Anderson second, motion approved unanimously.

As mentioned, we will be inputting benefits into Gusto and for personnel files. This would put payroll, benefits, and documents in one location and would be a system improvement.

We have been contacted by the American Society of Composers, Authors, and Publishers, which is one of two entities that does music licensing. They help pay royalties to songwriters. We have had a contract, or a lapsed one, with them since the second quarter of 2013. For free events, like we do, they want 1.5% of what we pay for entertainment. For example, 1.5% of Fiestas Patrias entertainment is about \$550. Anderson asked what form of entertainment we are required to pay for. It is for any DJs or live music that we pay for, along with equipment costs. We have done our research in talking to other downtowns and posting on discussion boards on IDA, and people end up paying it, even after consulting with their lawyers. For ticketed events, ASCAP asks for 3% of the gate, but we are not sure about private events. The idea is that, even if people are playing their own original music, we don't know if there are coauthors on those songs and they deserve to be paid their royalties as being part of the trademark or copywrite. ASCAP comes after those who paid for the performance as we caused the music to be performed. This is the first Anderson has heard of it since being on our board. Balch has reached out to Jimmy Cerracchio about it but hasn't heard back yet. Balch remembers this from the Fulton Mall days when they played muzak over speakers and we did pay ASCAP back then. Balch did try to fight back, but it seems this will happen. They want us to backpay the ten years that we owe. Balch has asked Agulian to go through old files and look for what we have paid for. For quarters where we didn't have any events, we won't owe anything. We are going to show the paper trail and then bring to the committee how much that cost will be. We don't want to let this pile up to

the point where ASCAP feels it is worth it to pursue us. Most of our events are smaller so the 1.5% shouldn't be too bad.

- f. **Board Governance:** The next board meeting will be a new event space called The Palomino with lunch provided. The election ballots for the board are going out today. We improved the ballots and made it so that property owners can update info for us if needed. We are also including a stamped return envelope. We are spending a little more but are hoping that it will encourage more voting engagement as we are taking away obstacles. Balch is hoping that with the new board after this election, we can do a board retreat in January or February, even if it is just a half day on a Friday. There is a lot of strategic growth and Balch wants to make sure we are on good footing. Anderson does think retreats are good ideas and Balch says it is overdue. Balch wants to get back to the point where we are doubling assessment dollars through grants, earned revenue, and other revenue diversification. This may extend our duties beyond what is in the management plan. Anderson sees the assessment money as seed money for a bigger organization that benefits all of downtown. There are structural implications to this as well. The assessment dollars do have legal requirements and we have to provide certain services. Earned revenues and grants make us a more diversified organization. Balch has posted about bridging the 501c3 and c6 legs on the IDA message boards and the Boston BID has noted that some of the new BIDs in other Massachusetts cities are incorporating as 501c3s because it allowed them to bring in grants directly. Balch is not saying we go there, but it makes the point of us receiving grants and diversifying what we do.

## IX. Board Open Discussion

Balch

No comments were made.

**Adjourn** – The meeting adjourned at 9:56am with Wong motioning and Anderson seconding.

## DOWNTOWN FRESNO PARTNERSHIP

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