

OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Long Beach, CA 90802-4664

1 RESOLUTION NO. RES-16--0089

2  
3 A RESOLUTION OF THE CITY COUNCIL OF THE  
4 CITY OF LONG BEACH CONFIRMING, FOLLOWING  
5 HEARING, THE ANNUAL ASSESSMENT REPORT OF THE  
6 FOURTH STREET PARKING AND BUSINESS  
7 IMPROVEMENT AREA, CONTINUING THE LEVY OF  
8 ANNUAL ASSESSMENT AS SET FORTH IN SAID REPORT  
9 AND SETTING FORTH OTHER RELATED MATTERS

10  
11 WHEREAS, pursuant to Section 36533 of the California Streets and  
12 Highways Code, the Fourth Street Business Improvement Association has caused a  
13 Report to be prepared for October 1, 2016 through September 30, 2017 relating to the  
14 Fourth Street Parking and Business Improvement Area ("FSPBIA"); and

15 WHEREAS, said Report contains, among other things, all matters required  
16 to be included by the above cited Section 36533; and

17 WHEREAS, on September 20, 2016 at 5:00 p.m., the City Council  
18 conducted a public hearing relating to that Report in accordance with its Resolution of  
19 Intention No. RES-16-0070, adopted August 2, 2016, at which public hearing all  
20 interested persons were afforded a full opportunity to appear and be heard on all matters  
21 relating to the Report; and

22 WHEREAS, a majority protest not having been received, it is the City  
23 Council's desire to confirm the Report as originally filed and impose and continue the levy  
24 of the Annual Assessment as described in the Report;

25 NOW, THEREFORE, the City Council of the City of Long Beach resolves as  
26 follows:

27 Section 1. A public hearing having been conducted on September 20,  
28 2016 at 5:00 p.m., and all persons having been afforded an opportunity to appear and be

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1 heard, the City Council hereby confirms the Report of the Fourth Street Business  
2 Improvement Association, previously filed and approved by Resolution No. RES-16-0070,  
3 adopted August 2, 2016, as originally filed, and declares that this resolution shall  
4 constitute the levy of the Assessment referred to in the Report for October 1, 2016  
5 through September 30, 2017, as more specifically set forth in Exhibit "A".

6 Section 2. This resolution shall take effect immediately upon its adoption  
7 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

8 I hereby certify that the foregoing resolution was adopted by the City  
9 Council of the City of Long Beach at its meeting of September 20, 2016,  
10 by the following vote:

11  
12 Ayes: Councilmembers: Gonzalez, Pearce, Price,  
13 Supernaw, Andrews, Uranga,  
14 Austin, Richardson.

15  
16 Noes: Councilmembers: None.

17  
18 Absent: Councilmembers: Mungo.

19  
20  
21 Maria del L. Soria  
22 City Clerk  
23  
24  
25  
26  
27  
28

# EXHIBIT "A"





**Fourth Street Parking and Business  
Improvement Area**

**Fiscal Year 2016/17 Assessment  
Report and Service Plan**

*For the period*  
**October 1, 2016 to September 30, 2017**

**July 2016**



**Fourth Street Parking and Business Improvement Area  
2016/17 Assessment Report and Service Plan**

**City of Long Beach, California**

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## **I. DISTRICT OVERVIEW**

Conceived by a coalition of Fourth Street business owners, the Fourth Street Parking and Business Improvement Area (the "FSPBIA" or the "District") is a benefit assessment district formed on September 11, 2007 by Ordinance 07-0043 to attract customers to the Fourth Street shopping area.

The purpose of the District is to actively promote and market the Fourth Street shopping district as a destination through events, neighborhood clean-ups, community outreach, and advertising. The Fourth Street Improvement Association (the "FSIA") manages the District under contract with the City of Long Beach.

**A. Location:** Fourth Street between Cherry Avenue and Temple Avenue East. See map in Section II.

**B. Services:** Marketing, promotions, and cleanliness programs to improve the appearance and attractiveness of the business district.

**C. Method of Assessment:** Special benefit assessment for marketing and promotion of businesses operating within the District. The estimated 2017 fiscal year revenue from business assessments is \$17,500.

Each business operating within the District will be assessed \$200 per year with the following exceptions:

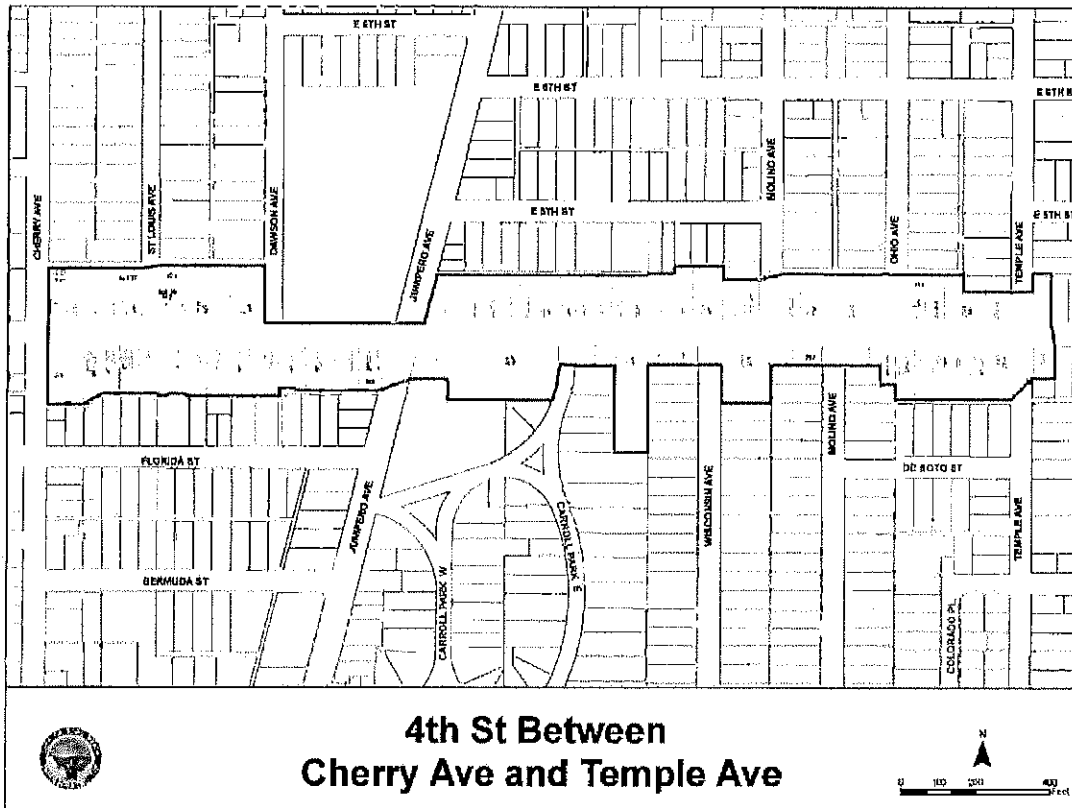
- Each miscellaneous, wholesale, mobile business, contractor, commercial space rental and professional services licensee is assessed \$100 per year
- Each non-profit organization is assessed \$100 per year
- Secondary service operator and residential rental licensees are exempt from the assessment

**D. Method of Collection** District assessments will be invoiced and due with annual City of Long Beach Business License renewal statements. Assessment revenue received will be segregated into a special fund for transfer to the FSIA.

**E. Authority** The FSPBIA is a benefit assessment district formed under the authority of the State of California, Streets and Highways Code Part 6 (commencing with Section 36500) of Division 18; the Parking and Business Improvement Area Law of 1989 (the "District Law").

## II. Fourth Street Business Improvement Area Boundary

### A. District Map – 4<sup>th</sup> Street: Cherry Avenue to Temple Avenue East.



**4th St Between  
Cherry Ave and Temple Ave**

— Boundary Line



**B. General Description**

The Fourth Street Improvement Association (FSIA) provides marketing and promotional services for the Fourth Street area with funds received from Fourth Street Parking and Business Improvement Area (FSPBIA) assessments.

**C. Board of Directors**

**Officers**

Co-President..... Kerstin Kansteiner, Portfolio Coffeehouse  
Co-President ..... Chris Giaco, inretrospect  
Vice President..... Kathleen Schaaf, Meow  
Secretary..... Stephanie Blakeslee, Art du Vin  
Treasurer..... Kathleen Schaaf, Meow

**Directors**

Kerstin Kansteiner, Portfolio Coffeehouse  
Steven Sarinana, Trebor Nevets  
Kathleen Schaaf, Meow  
Sophia Sandoval, 4<sup>th</sup> Street Vine  
Chris Giaco, inretrospect  
Luis Navarro, Lola's Mexican Cuisine  
Stephanie Blakeslee, Art du Vin  
Associate Director-At-Large: Chris Reece, The Pike Bar and Restaurant

**Monthly Board Meetings**

1st Tuesday of the month at Portfolio Coffeehouse at 2300 E 4<sup>th</sup> Street, Long Beach, CA 90814

8:30am

**Monthly General Meetings**

2<sup>nd</sup> Thursday of the month at The Center at 2017 E 4<sup>th</sup> Street, Long Beach, CA 90814

8:30am

### III. SERVICE PLAN AND BUDGET

#### A. The Year in Review – 2015/2016 Events

Colloquially nicknamed “Retro Row,” the area along Fourth Street between Cherry and Temple Avenues is known regionally as well as internationally for its eclectic style and storefronts, independent spirit, and retro-inspired mix of shops and services.

After nearly ten years since the inception of the Business Improvement District, the FSIA continues to evolve, expanding its already unique mix of shopping and dining experiences. Since the eastward expansion of the District to Temple Ave in 2015, FISA continues to actively solicit the participation of new affiliate member businesses, while actively encouraging the participation of existing members through monthly meetings, regular and transparent communications, and improved access to BID resources through a new and improved website. This revamped website was designed in conjunction with a dynamic new 4<sup>th</sup> Street logo and an overall re-branding effort, centered around an “I am 4...” marketing campaign.

#### Programs conducted during the 2015-2016 period included:

- **Two Annual Street-Wide Events (traditionally, one spring and one fall event)**
  - **Four on Fourth** held on September 26, 2015 was a ticketed four-hour “stroll and sip” event featuring craft beer and wine samples available at over 20 participating businesses along the Retro Row corridor
  - **RetroVia** held on March 19<sup>th</sup>, 2016 in conjunction with **Beach Streets**. Capitalizing on the street closure necessitated for the City’s second Beach Streets event, the FSIA organized a series related programming to promote the event theme of pedestrian and non-vehicular access to neighborhood streets. This included a Kids Activity and Music Stage in the 4<sup>th</sup> and Cherry parking lot, a general Music Stage near the intersection of 4<sup>th</sup> and Junipero, and nearly 20 vendor and information booths along the street.
- **One Holiday Open House Event (December 2015)**
  - The District’s annual Holiday Open House promoted a *shop local, shop independent* slogan, and featured multiple Santa photo-ops, as well as a caroling marching band. Street-wide festive décor was also encouraged.

- **Regular Street Clean-Ups (Daily and Quarterly)**
  - The regular sweeping, quarterly street-wide clean-ups, graffiti reporting, and code enforcement efforts are vital to make 4<sup>th</sup> Street BIA attractive and safe. The Association also spearheaded a creative fundraising campaign in order to procure three sets of state-of-the-art "Big Belly" trash receptacles and compactors, with matching funds provided by the Second District Council Office.
  
- **Assumption of Lease of 4<sup>th</sup> and Cherry Parking Lot**
  - Effective January 2016, the FSPBIA became the official lessee of the parking at the corner 4<sup>th</sup> and Cherry Avenue. The lot lease and related expenses and parking revenues had previously been managed directly by the City of Long Beach.
  
- **Maintenance of Landscaping in "Garden Walk" and 4<sup>th</sup> and Cherry Parking Lot (Monthly)**
  - The 4<sup>th</sup> Street BIA continues to maintain both The Garden Walk (along the Burbank Elementary School at 4<sup>th</sup> and Junipero), and the general landscaping in and around the 4<sup>th</sup> and Cherry Parking lot. Regular maintenance of these common areas makes the street look more attractive and cared for, in addition to helping prevent vagrancy, littering, and vandalism.
  
- **Maintenance and Update of 4th Street/Retro Row Website (Monthly)**
  - Recognizing the ever-increasing customer reliance on mobile devices and online shopping options, the Association has made significant changes to its website design and underlying infrastructure in order to stay relevant and user-friendly.
  
- **Frequent and Timely Social Media Updates (Daily and Weekly)**
  - A renewed focus on Fourth Street's Social Media campaign includes increasing the caliber and frequency of posts to our Facebook, Instagram, and Twitter accounts, and encouraging individual stores to contribute interesting and timely content.
  
- **Business Outreach Committee for 4th Street/Retro Row (Ongoing)**
  - We have established an outreach committee to welcome new businesses and actively recruit businesses to locate to 4<sup>th</sup> Street. The committee also fosters an active dialogue with landlords and neighborhood stakeholders with a goal of minimizing negative impacts of any commercial vacancies, and helping to ensure that potential tenants are a viable fit for the focus and aesthetics of Retro Row.
  
- **Business Listing Brochure**
  - A new 4<sup>th</sup> Street Business Directory brochure was conceived and created, featuring our new logo design, refreshed marketing elements, and updated content.

**Planned FY 2016/17 activities and areas of focus will include:**

- Two Annual Street-Wide Events:
  1. 2<sup>nd</sup> Annual "Four on Fourth Event" --October 2016
  2. Spring "Retro Rambler" Sidewalk Sale--March/April 2017
- Annual Holiday Open House Event--December 2016
- Official rollout of "I am 4..." marketing campaign--Summer 2016
- Targeted print advertising, local exposure, and online marketing utilizing our updated logo and marketing collateral, with increased focus on the Holiday season-Fall 2016
- Explore possibilities for creative use of 4<sup>th</sup> and Cherry Parking Lot consistent with the focus of the street. Such possibilities might include farmer's markets, bicycle-related events, flea markets, and electric vehicle charging stations.
- Promote, maintain, and expand the Street's resources and reputation as a bike and pedestrian-friendly district through events such as Beach Streets and Parking Day, encouraging placement and use bike share stations, strategic placement and realignment of bike racks, and researching the possibility of crosswalks, parklets, and other vehicular traffic-slowing measures.
- Renewed focus on encouraging business participation and corridor beautification efforts in the Association, especially at the respective intersections of both Cherry and Temple Avenues, while also exploring the feasibility of expanding the BID westward to include Hermosa Ave. and beyond.
- Renewed outreach and marketing efforts to promote event rentals, filming, parking lot rentals, and other possible revenue-generating opportunities.
- Maintain and expand existing programs for street cleaning and common area maintenance, and the business outreach committee.
- Explore options and feasibility of a 4<sup>th</sup> Street/Retro Row loyalty card program to encourage both 4<sup>th</sup> Street employees and surrounding neighbors to shop and support the businesses along the corridor.

## **B. Service Plan**

The FSPBIA Service Plan provides for funding for marketing, promoting and maintaining the cleanliness and attractiveness of the shopping area. Although we are a relatively small BID with a relatively small number of participants, we aggressively and creatively manage a modest budget that enables us to successfully plan and promote events, as well as to maintain the overall cleanliness and "curb appeal" of the Retro Row corridor.

Budgeted services to be provided are:

### **1. Marketing Media and Materials Amount: \$7,400.00**

The bulk of these resources will be earmarked for the design and maintenance of a relaunched 4<sup>th</sup> Street website, and related revised design of our 4<sup>th</sup> Street brochure. A targeted marketing effort featuring our "I am 4..." campaign will include window clings, posters, and related print advertising.

We have also allocated a budget of approximately \$300 monthly for a dedicated professional to maintain social media outreach and promotion for the Association and its affiliated merchants.

### **2. Promotional Events Amount: \$5,000.00**

A slightly increased portion of our 2017 budget will be invested in our annual street-wide 4<sup>th</sup> Street events, including our Spring and Fall events, and a Holiday event. We will also increase efforts to utilize our events as fundraising opportunities for the Association, with the goal of raising monies for additional beautification projects along the corridor.

### **3. Streetscape and Cleanliness Amount: \$2,000.00**

Continued dedicated funding to maintain the cleanliness of our street includes retaining the services of a landscaping company to maintain the parking lot at the corner of 4<sup>th</sup> and Cherry, as well as the Garden Walk alongside Burbank Elementary School.

### **4. Administrative Expenses Amount: \$3,100.00**

Aside from ongoing insurance and accounting service expenses, the Association established a dedicated administrative position to take and post monthly meeting notes, maintain and update email contact lists, and perform basic website maintenance updates at a \$150 monthly rate.

## **C. Services Budget**

Services will be provided based on the following estimated allocation of FSPBIA revenue totaling \$17,500 for FY 2016/17. No Consumer Price Index adjustment is applied to assessment fees for FY 2016/17. Areas of focus include:

- 2 Annual Street-Wide Events/ "Retro Rambles" & One Holiday Event
- Regular updates of 4th Street / Retro Row brochure
- Regular and consistent social media marketing & messaging
- Continued street cleaning and beautification efforts
- Maintenance of an active business outreach committee
- Maintenance and landscaping of 4<sup>th</sup> and Cherry Parking Lot
- Efforts to aid in development of a bike friendly business corridor
- Development of more frequent and evening street-wide programming
- Increased participation in 2016 Small Business Saturday campaign
- Develop creative and viable uses for 4<sup>th</sup> and Cherry parking lot, including rental opportunities, or event programming

### **Annual Programming Budget**

#### **Marketing**

Social Media Programming	\$4,200.00
Website Maintenance	\$1,000.00
Marketing Collateral (Ongoing)	\$1,000.00
Advertising	\$1,200.00

<b>Sub Total</b>	<b>\$7,400.00</b>
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#### **Street-Wide Promotional Events**

Spring Retro Ramble Event	\$2,250.00
Fall Four-On-Fourth Event	\$2,250.00
Holiday Open House	\$ 500.00

<b>Sub Total</b>	<b>\$5,000.00</b>
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#### **Streetscape and Maintenance**

Annual Parking Lot Maintenance	\$1,800.00
Annual Garden Walk Maintenance	\$ 200.00

<b>Sub Total</b>	<b>\$2,000.00</b>
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<b>TOTAL PROGRAMMING</b>	<b>\$ 14,400.00</b>
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**Administrative Expenses**

Website & Admin Duties	\$1,800.00
Accounting Services	\$ 700.00
Annual Insurance Premiums	\$ 500.00
Contingency	\$ 100.00

**Sub Total** **\$3,100.00**

**GRAND TOTAL FY 2017 BUDGET** **\$ 17,500.00**

**IV. ASSESSMENTS**

**A. Methodology**

Improvements and activities identified in the Service Plan are designed to improve the appearance of pedestrian areas and safety, thereby making the area more attractive to customers. All businesses in the District will benefit from these improvements, although retail, financial, professional and service businesses are expected to benefit more than miscellaneous, wholesale, manufacturing or other businesses that do not rely upon foot traffic; therefore, these latter businesses pay a reduced assessment. The proposed assessment rate for each business operating within the District is shown in the following table.

<b>Business License Category</b>	<b>Annual Rate</b>
Financial/Banking & Insurance	\$200
Service: Real Estate Offices	\$200
Retail: Restaurant w/Alcohol & RTE	\$200
Retail: Other	\$200
Consulting	\$200
Construction Contractor	\$200
Professional	\$200
Service: Other	\$200
Miscellaneous: Rec/Ent, Vend, Manf, Uniq, Whlsl,	\$100
Commercial Space Rental	\$100
Non-profit Business Operations	\$100
Residential Property Rental	n/a
All Secondary Licensees	n/a

**Estimated FY 2016/2017 assessment revenue is \$17,500.00.**

**B. CPI Adjustments**

The assessment may be increased each year to reflect the annual change in the Consumer Price Index for All Urban Consumers in Los Angeles-Riverside-Orange Counties. The annual increase shall not exceed three percent (3%) of the previous year's assessment. The annual Consumer Price Index variance will be calculated in March and applied in July of each year. The District will have a fiscal year of October 1 through September 30.

**C. Time and Manner for Collecting Assessments**

Business operator assessments will be invoiced and due with annual City of Long Beach Business License renewal statements. Assessment revenue received will be segregated into a special fund for transfer to the FSIA.

**V. DISTRICT GOVERNANCE**

**A. The Fourth Street Business Improvement Association**

1. The Fourth Street Improvement Association shall manage the FSPBIA and shall exercise the powers of the Advisory Board set forth in the District Law including the following.

(a) The Advisory Board shall cause to be prepared a report for each fiscal year (October 1 through September 30) for which assessments are to be levied and collected to pay the costs of the improvements and activities described in the report. The report may propose changes, including, but not limited to, the boundaries of the parking and business improvement area or any benefit zones within the area, the basis and method of levying the assessments, and any changes in the classification of businesses, if a classification is used

(b) The report shall be filed with the clerk and shall refer to the parking and business improvement area by name, specify the fiscal year to which the report applies, and, with respect to that fiscal year, shall contain all of the following:

- (1) Any proposed changes in the boundaries of the parking and business improvement area or in any benefit zones within the area.
- (2) The improvements and activities to be provided for that fiscal year.
- (3) An estimate of the cost of providing the improvements and the activities for that fiscal year.
- (4) The method and basis of levying the assessment in sufficient detail to allow each business owner to



estimate the amount of the assessment to be levied against his or her business for that fiscal year.

- (5) The amount of any surplus or deficit revenues to be carried over from a previous fiscal year.
- (6) The amount of any contributions to be made from sources other than assessments levied pursuant to this part.

(c) The City Council may approve the report as filed by the Advisory Board or may modify any particular contained in the report and approve it as modified. The City Council shall not approve a change in the basis and method of levying assessments that would impair an authorized or executed contract to be paid from the revenues derived from the levy of assessments.

2. The Fourth Street Business Improvement Association board will serve and the FSPBIA Advisory Board and shall be appointed by the City Council as required by District Law.
3. The FSPBIA Advisory Board shall comply with the Brown Act when discussing or acting on matters within the subject matter of the district (e.g. annual report assessment methodology, boundaries, budget and Service Plan).

## **B. Disestablishment**

According to State law, any district where there is no outstanding indebtedness may be disestablished by resolution of the City Council. This may occur if the City Council finds that funds have been improperly used or if the assessees request disestablishment. There will be a thirty-day window every year beginning on the one-year anniversary of the establishment of the District-in which business owners may petition to disestablish the District. If the assessees who pay 50% or more of the total assessments levied submit a written petition to disestablish the District, the City Council will do so.