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RESOLUTION NO. C- 28416

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH APPROVING AN ANNUAL
REPORT FOR OCTOBER 1, 2004 TO SEPTEMBER 30,
2005 FOR THE BELMONT SHORE PARKING AND
BUSINESS IMPROVEMENT AREA AND DECLARING ITS
INTENTION TO LEVY THE ANNUAL ASSESSMENT FOR
THAT FISCAL YEAR

The City Council of the City of Long Beach resolves as follows:

WHEREAS, pursuant to Section 36533 of the California Streets and
Highways Code, the Belmont Shore Parking and Business Improvement Area Advisory
Commission has caused a Report to be prepared for October 1, 2004 to September 30,
2005 relating to the Belmont Shore Parking and Business Improvement Area which is
located along the commercial corridor at Second Street generally between Livingston
Drive and Bayshore Avenue within the City of Long Beach; and,

WHEREAS, said Report contains, among other things, with respect to
October 1, 2004 to September 30, 2005, all matters required to be included by the
above cited Section 36533; and,

WHEREAS, having approved such Report, the City Council hereby
declares its intention to:

1. Make no changes in existing Area boundaries and to maintain the
existing boundaries of the Belmont Shore Parking and Business Improvement Area as
described in Ordinance No. C-5963 of the City Council of the City of Long Beach which
created the Area.

2. Confirm levy of and direct collecting within assessments for the
Belmont Shore Parking and Business Improvement Area for October 1, 2004 to

1 September 30, 2005. Said assessments are proposed to be levied at a rate of \$365.82
2 plus \$5.50 per employee (up to a maximum of forty (40) employees) on each
3 Manufacturing and Retail business, and at a rate of \$212.90 plus \$11.00 per employee
4 (up to a maximum of forty (40) employees) for each business of any other classification
5 which include, but may not be limited to, contractors, professionals,
6 recreation/entertainment, services, vending, wholesalers, and unique business
7 classifications. Assessments are to be levied on financial institutions and banks, and
8 are hereby levied at \$548.74 plus \$5.50 per employee, and insurance companies and
9 related businesses, which are hereby levied at \$212.90 plus \$11.00 per employee.
10 Assessment are not proposed to be levied on owners of commercial or residential
11 property.

12 3. Provide that each business shall pay the assessment with its
13 business license tax; and

14 WHEREAS, to this end, the proposed activities and improvements
15 undertaken by the Area include those generally specified in the establishing Ordinance
16 No. C-5963, Section 5, as adopted by the City Council on June 7, 1983; and

17 WHEREAS, a copy of the Report is on file with the City Clerk and includes
18 a full description of the activities and improvements to be provided from October 1,
19 2004 to September 30, 2005, the boundaries of the area, and the proposed
20 assessments to be levied on the businesses that fiscal year and all other information
21 required by law; and

22 WHEREAS, it is the desire of this City Council to fix the time and place for
23 a public hearing to be held in the City Council Chamber of the City of Long Beach on
24 September 21, 2004 at 5:00 p.m., regarding the Report, the levy and the proposed
25 program for the 2004-2005 fiscal year;

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

1 Section 1. That certain Report entitled "Assessment Report for
2 October 1, 2004 to September 30, 2005, Belmont Shore Parking and Business
3 Improvement Area" as filed with the City Clerk is hereby approved.

4 Sec. 2. On September 21, 2004 at 5:00 p.m., in the City Council
5 Chamber of the City of Long Beach located in the Long Beach City Hall, First Floor, 333
6 West Ocean Boulevard, Long Beach, CA 90802, the City Council of the City of Long
7 Beach will conduct a public hearing on the levy of proposed assessments for October 1,
8 2004 to September 30, 2005 for the Belmont Shore Parking and Business Improvement
9 Area with no change in the basis and method assessment. All concerned persons are
10 invited to attend and be heard, and oral or written protests may be made, in accordance
11 with the following procedures:

12 A. At the public hearing, the City Council shall hear and
13 consider all protests. A protest may be made orally or in writing by any interested
14 person. Any protest pertaining to the regularity or sufficiency of the proceedings shall
15 be in writing and shall clearly set forth the irregularity or defect to which the objection is
16 made.

17 B. Every written protest shall be filed with the City Clerk at or
18 before the time fixed for the public hearing. The City Council may waive any irregularity
19 in the form or content of any written protest and at the public hearing may correct minor
20 defects in the proceedings. A written protest may be withdrawn in writing at any time
21 before the conclusion of the public hearing.

22 C. Each written protest shall contain a description of the
23 business in which the person subscribing the protest is interested sufficient to identify
24 the business and, if a person subscribing is not shown on the official records of the City
25 as the owner of the business, the protest shall contain or be accompanied by written
26 evidence that the person subscribing is the owner of the business. A written protest
27 which does not comply with this section shall not be counted in determining a majority
28 protest.

