

February 7, 2023

H-13

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive supporting documentation into the record, conclude the public hearing, and adopt a Resolution continuing the Belmont Shore Parking and Business Improvement Area assessment levy for the period of October 1, 2022, through September 30, 2023; and, authorize the City Manager, or designee, to extend the agreement with the Belmont Shore Business Association for a one-year term. (District 3)

DISCUSSION

The Belmont Shore Parking and Business Improvement Area (BSPBIA) was established by the City Council in 1983, allowing for the levy of an annual business license assessment to be paid by businesses located in the BSPBIA. The City of Long Beach (City) contracts with the Belmont Shore Business Association (BSBA) to manage the BSPBIA and the BSBA Board of Directors serves as the Advisory Board to the City Council on matters related to the BSPBIA. The BSBA promotes and markets the commercial area along Second Street using funds generated through the BSPBIA business license assessment.

State law governing Parking and Business Improvement Areas requires that an annual report be submitted to the City Council by the Advisory Board. On September 23, 2022, the BSPBIA Advisory Board voted to recommend to the City Council approval of the 2022-2023 BSPBIA Annual Report (Annual Report) (Exhibit A to the Resolution), which describes boundaries, proposed activities, and budgetary information, and the method and basis for the continuation of the assessment. The Annual Report proposes no change to the BSPBIA boundaries or the method of levying the assessment.

To continue the assessment levy, State law requires that a public hearing be held on the proposed program and assessment. On January 10, 2023, the City Council approved Resolution No. RES-23-0002 granting approval of the Annual Report, declaring the intention of the City Council to levy the assessment, and set February 7, 2023 as the date of the public hearing. A hearing notice, including a copy of the Resolution, was published in the local media.

State law requires that the City Council hear and consider all protests against the assessment, program, boundaries of the area, and/or any benefit zone as proposed in the Annual Report. State law further provides that protests may be made orally or in writing. If written protests are received from area business owners representing 50 percent or more of the proposed assessments, the City Council must not levy the assessment. If protests in such quantity are directed against a specific portion of the program, the City Council must eliminate that portion.

Method of Assessment

Assessments are calculated by category of business and incorporate a base rate plus a per-employee rate. The BSBA Advisory Board proposes a 25 percent assessment increase effective January 2023. This would be the first assessment increase in 10 years. General inflation and cost increases resulting in special events are the main reasons for the proposed assessment increase. The BSBA has notified its membership about its proposed assessment increase through electronic mail communications, hand-delivered notices, and public meetings. The estimated 2022-2023 fiscal year revenue from business assessments is \$151,646, which reflects the 25 percent assessment increase.

The Annual Report, transmitting the recommendations of the BSBA, proposes the following assessment rates.

Proposed Assessment Rates with a 25 Percent Increase

Category	FY 22 Base Rate	FY 23 Base Rate	FY 22 Employee Rate	FY 23 Employee Rate
Financial Institution & Insurance	\$1,646.22	\$2,057.77	\$16.50	\$20.62
Service Real Estate Office	\$638.70	\$798.37	\$22.00	\$27.50
Retail – Restaurant w/alcohol & RTE	\$640.19	\$800.23	\$9.63	\$12.03
Retail – Other	\$548.73	\$685.91	\$8.25	\$10.31
Consulting	\$425.80	\$532.25	\$22.00	\$27.50
Construction Contractor	\$425.80	\$532.25	\$22.00	\$27.50
Insurance Agent Professional	\$425.80	\$532.25	\$22.00	\$27.50
Professional	\$425.80	\$532.25	\$22.00	\$27.50
Service – Other	\$319.35	\$399.18	\$16.50	\$20.62
Misc. Rec/Ent, Vending, Manufacturing, Unique & Wholesale	\$319.35	\$399.19	\$16.50	\$20.62
39% Reduced Rate for Service- related Independent Contractors	\$194.80	\$243.50	\$16.50	\$20.62
Non-profits	\$0.00	\$0.00	\$0.00	\$0.00

This matter was reviewed by Deputy City Attorney Marsha Yasuda on January 13, 2023 and by Budget Operations and Development Officer Rhutu Amin Gharib on January 18, 2023.

TIMING CONSIDERATIONS

City Council action is requested on February 7, 2023, so that Fiscal Year 2023 (FY 23) assessment transfers may be made as required by the Agreement for Funding with the BSBA.

FISCAL IMPACT

It is estimated that the BSPBIA will generate \$151,646 in FY 23 through the proposed continuation of the assessment, including the 25 percent increase effective January 1, 2023. This is an estimated \$44,367 increase in actual funds received through the FY 22 assessment which totaled \$107,279. Assessment funds are collected by the City on behalf of the BSBA through additional fees attached to BSPBIA business licenses and passed directly through to the BSBA for implementation of annual programs. This recommendation has no staffing impact

beyond the normal budgeted scope of duties and is consistent with existing City Council priorities. There is no local job impact associated with this recommendation.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,


BO MARTINEZ
DIRECTOR OF ECONOMIC DEVELOPMENT

APPROVED:



THOMAS B. MODICA
CITY MANAGER

ATTACHMENT – RESOLUTION

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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH CONFIRMING, FOLLOWING HEARING, THE ANNUAL REPORT OF THE BELMONT SHORE BUSINESS ASSOCIATION, CONTINUING THE LEVY OF ANNUAL ASSESSMENT AS SET FORTH IN SAID REPORT AND SETTING FORTH OTHER RELATED MATTERS

WHEREAS, pursuant to Section 36533 of the California Streets and Highways Code, the Belmont Shore Business Association has caused a Report to be prepared for Fiscal Year 2022-2023 relating to the Belmont Shore Parking and Business Improvement Area which is located along the commercial corridor of Second Street generally between Livingston Drive and Bayshore Avenue within the City of Long Beach; and

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

WHEREAS, on February 7, 2023 at 5:00 p.m., the City Council conducted a public hearing relating to that Report in accordance with its Resolution of Intention No. RES-23-0002, adopted January 10, 2023, at which public hearing all interested persons were afforded a full opportunity to appear and be heard on all matters relating to the Report as well as past years' proceedings and assessments; and

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

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

OFFICE OF THE CITY ATTORNEY
DAWN MCINTOSH, City Attorney
411 West Ocean Boulevard, 9th Floor
Long Beach, CA 90802-4664

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Section 1. A public hearing having been conducted on February 7, 2023 at 5:00 p.m., and all persons having been afforded an opportunity to appear and be heard, the City Council hereby confirms the Report of the Belmont Shore Business Association, previously filed and approved by Resolution No. RES-23-0002, adopted January 10, 2023, as originally filed, and declares that this resolution shall constitute the levy of the Assessment referred to in the Report for Fiscal Year 2022-2023, as more specifically set forth in Exhibit "A" attached hereto and incorporated herein.

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

I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of _____, 2023, by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

Recusal(s): Councilmembers: _____

City Clerk

OFFICE OF THE CITY ATTORNEY
DAWN MCINTOSH, City Attorney
411 West Ocean Boulevard, 9th Floor
Long Beach, CA 90802-4664

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EXHIBIT "A"

belmont shore



2022-2023 Annual Report Belmont Shore Parking and Business Improvement Area

SUBMITTED BY THE BELMONT SHORE BUSINESS ASSOCIATION
TO THE CITY OF LONG BEACH

SEPTEMBER, 2022

Table of Contents

DISTRICT OVERVIEW	2
District Background.....	2
District Boundary	3
District Advisory Board	4
District Personnel	4
METHOD OF ASSESSMENT.....	5
Proposed Method of Assessment Collection Changes	5
Proposed Assessment Adjustments	5
Notification to Members	5
ESTIMATED BUDGET 2022-2023.....	7
Surplus or Deficit Carryover	10
Contributions from Other Sources	10
DISTRICT PROGRAMS	10
Member Communications	10
Marketing & Social Media	10
Community Outreach	11
Security.....	11
Special Events.....	11

DISTRICT OVERVIEW

District Background

The Belmont Shore Business Association was incorporated on May 21, 1948 as a non-profit Corporation under California State law by the City of Long Beach City Council.

In 1983, the City Council of the City of Long Beach adopted Ordinance C-5963, which established the Belmont Shore Parking and Business Improvement Area, providing for the levy of an additional business license assessment to be paid by businesses in the Belmont Shore commercial corridor.

In 2008, the City Council of the City of Long Beach adopted Ordinance 08-0026 modifying the boundaries of the BSPBIA.

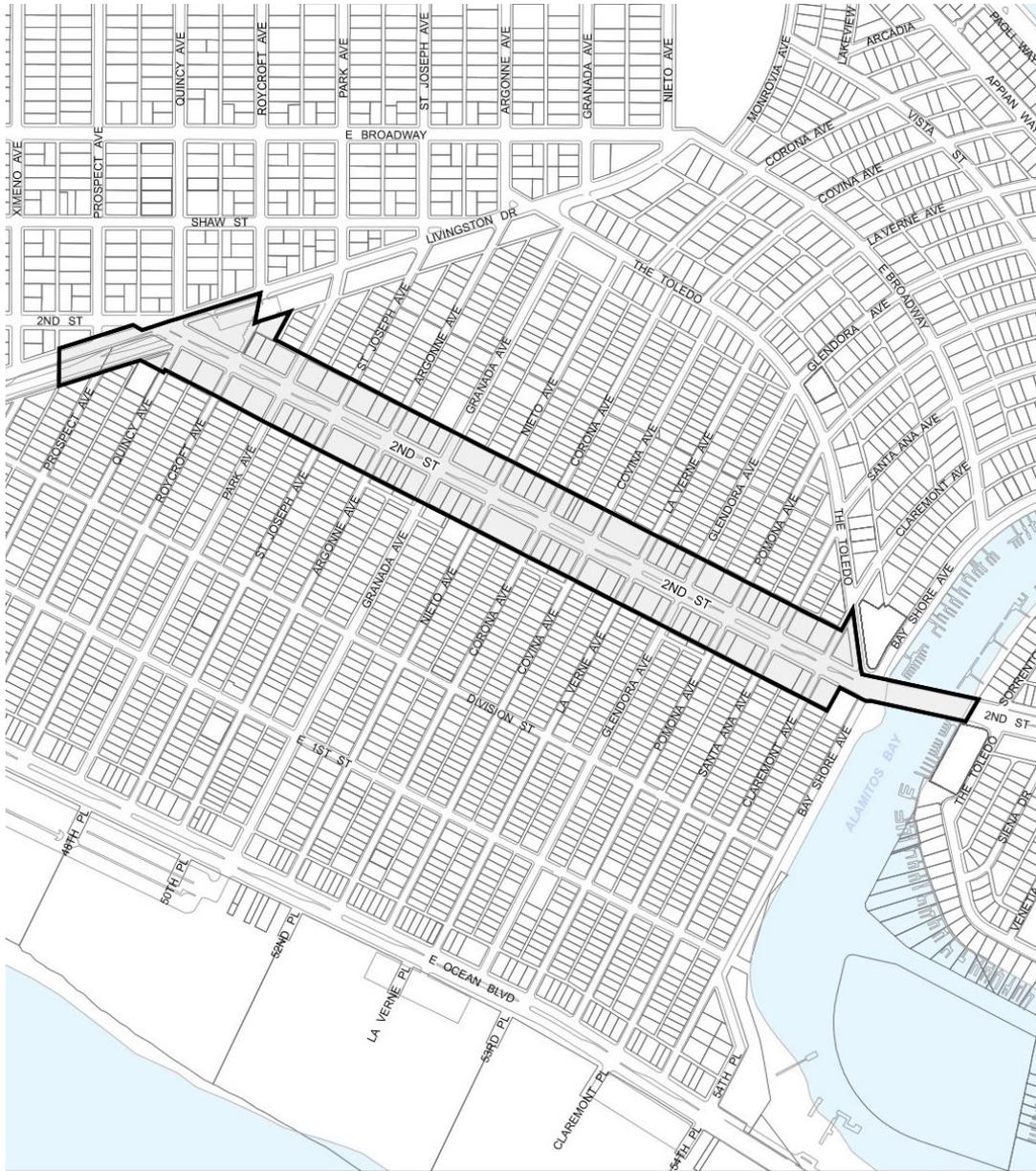
The BSBA is contracted by the City of Long Beach to manage the Parking and Business Improvement District. Assessment revenues are generally spent on activities that market the corridor and its businesses, as well as promote a safe, clean and vibrant environment.

The purpose of the BSBA is to form a common bond among business owners located in and around the Belmont Shore area whose goals are to promote, protect, and maintain prosperity for the Belmont Shore Community.

This association is for its members and the immediate neighborhood, seeking to provide a united front to express opinions, protect tranquility and promote a better understanding among merchants, institutions, professionals, and residents.

District Boundary

There are no proposed changes to the district boundaries.

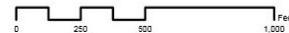


City of Long Beach

Belmont Shore

Parking & Business Improvement Area (PBIA)

As of March 2016



District Advisory Board

The Belmont Shore Business Association Board of Directors serves as the Advisory Board to the City Council of the City of Long Beach on matters related to the Belmont Shore Parking and Business Improvement Area.

The BSBA has 14 available positions on its Board of Directors. Five of the elected directors serve as officers of the Association. All (14) of the directors and officers are known as the Board of Directors.

Elections for the 2021-22 Board of Directors are being held during August - September of 2021. An elected board member term of office is two years. Officers are voted in every year by the Board of Directors in September before the new terms begin.

Officers

PRESIDENTKurt Schneider, Maverick Investments
1st VP OF FINANCEDave Shlemmer, Shlemmer Investments
VP OF PROMOTIONS.Tula Trigonis, Salon Soma
SECRETARYMatt Peterson, Legends
TREASUREREric Johnson, Legends

Directors

Dana Buchanan, Primal Alchemy Catering, Associate Member
Heather Duncan, Blue Windows
Rebecca Hinderer, Let's Yolk About it
Eric Johnson, Legends Sports Bar & Restaurant
Nick Rodriguez, Colossus Bread
Shannon Salazar, Nu Du Salon
Mike Simms, Simmzy's
Deanny Lungu-Underwood, Lungu Law

District Personnel

Heather Kern, Executive Director

METHOD OF ASSESSMENT

Proposed Method of Assessment Collection Changes

The Belmont Shore Business Association Board of Directors proposes no changes to the method and basis of levying the assessment.

Proposed Assessment Adjustments

The BSBA Board of Directors is requesting a 25% assessment increase for the 2022-2023 contract year, and to remain at this new annual rate until any future adjustments.

Our members have not seen an increase of any kind for over 10 years. We are seeking these increases due to inflation and the cost of producing events. *Core inflation averaged 2.47% per year between 2012 and 2022. We have seen this increase in all expenses including staffing, marketing, event rentals, vendor fees and event permits. As an example the cost of the city event permit for our holiday parade was \$25,000 in 2019 and is a little over \$41,000 this year.

We have notified our members and have provided an opportunity to address any concerns. We request for this increase to go into effect starting January 2023.

*source: <https://www.in2013dollars.com/us/inflation/2012>

Notification to Members

The BSBA has been in contact with its membership about the potential fee increase. We sent out 2 separate emails to the entire membership with the notification of the proposed increase as well hand delivered to every business. We hosted three meetings for business owners to come learn about the proposed increase, discuss any issues they may have, and speak with our board members to learn about how the increase in fees would be used.

The increased fees would allow the BSBA to continue to produce the 2 large community events that we have produced for decades as well as support staff with increased wages and increased promotional costs.

November 3rd - 1st email & information pamphlet was sent to the membership

November 7th - Notices were hand delivered

November 9th - First meeting held on a Wednesday evening, 6pm at Legends

November 14th - 2nd email & information pamphlet was sent to the membership

November 15th - Second meeting held on a Tuesday morning, 10am at Legends

November 19th - Third meeting held on a Saturday morning, 10am at Legends

Please see tables of assessments on the next page

Table reflecting current assessments

CATEGORIES	BASE RATE	EMPLOYEE RATE
Financial Institution & Insurance	\$1,646.22	\$16.50
Service Real Estate Office	\$638.70	\$22.00
Retail - Restaurant w/alcohol & RTE	\$640.19	\$9.63
Retail - Other	\$548.73	\$8.25
Consulting	\$425.80	\$22.00
Construction Contractor	\$425.80	\$22.00
Insurance Agent Professional	\$425.80	\$22.00
Professional	\$425.80	\$22.00
Service - Other	\$319.35	\$16.50
Misc. Rec/Ent, Vending, Manufacturing, Unique & Wholesale	\$319.35	\$16.50
39% Reduced Rate for Service-related Independent Contractors	\$194.80	\$16.50
Non-profits	0.00	

Table FY 2022-2023 reflecting new increased assessments

CATEGORIES	BASE RATE	EMPLOYEE RATE
Financial Institution & Insurance	\$2,057.77	\$20.62
Service Real Estate Office	\$798.37	\$27.50
Retail - Restaurant w/alcohol & RTE	\$800.23	\$12.03
Retail - Other	\$685.91	\$10.31
Consulting	\$532.25	\$27.50
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39% Reduced Rate for Service-related Independent Contractors	\$243.50	\$20.62
Non-profits	0.00	

ESTIMATED BUDGET 2022-2023

<u>INCOME</u>	<u>AMOUNT</u>
4200 Membership Dues	
4210 BIA Fund	151,646.22
4220 Associate members	500.00
4200 TOTAL	152,146.22
4400 Corporate Sponsorship	
4420 Car Show	8,000.00
4485 Chocolate Festival	0.00
4440 Stroll & Savor	1,000.00
4470 Christmas Parade	25,000.00
4495 Chalk Walk	0.00
4400 TOTAL	34,000.00
4600 Investment Returns	
4610 Interest on Checking	25.00
4600 TOTAL	25.00
4800 Promotional Events	
4820 Car Show	2,000.00
4840 Stroll & Savor	
4842 May	25,000.00
4844 June	30,000.00
4845 July	30,000.00
4846 August	30,000.00
4870 Christmas Parade	40,000.00
4885 Chocolate Festival	8,000.00
4895 Roar and Shore	0.00
4800 TOTAL	165,000.00

4900 LONG BEACH RECOVERY ACT GRANT

4910 Administration	10,630.90
4920 Business Assistance	31,892.70
4930 Marketing & Promotion	42,523.60
4940 Clean & Safe	21,261.80

4900 TOTAL	106,309.00
INCOME TOTAL	457,480.22

<u>EXPENSES</u>	<u>AMOUNT</u>
6200 ADMINISTRATION	
6201 Outside Services	70,000.00
6220 Rent	21,000.00
6230 Office	1,000.00
6232 Postage	200.00
6234 Printing	7,000.00
6236 Supplies	2,500.00
6238 Equipment	2,000.00
6240 Insurance	6,500.00
6250 Telephone	2,000.00
6260 Accounting	1,150.00
6270 Meetings/Mixers	3,000.00
6280 Dues & Subscriptions	1,000.00
6200 TOTAL	117,350.00
6600 ONGOING PROMOTIONS	
6612 Christmas Decorations	6,000.00
6660 Marketing	27,321.22
6630 Welcome Wagon	1,000.00
6640 Shore Corp	0.00

6650	Web Page	1,000.00
6600 TOTAL		35,321.22
6800 PROMOTIONAL EVENTS		
6896	Roar in the Shore	6,500.00
6820	Car Show	14,000.00
6840 Stroll & Savor		
6842	May	15,250.00
6844	June	18,250.00
6845	July	18,250.00
6846	August	18,250.00
6870	Christmas Parade	85,000.00
6855	Chalk Walk	0.00
6865	Holiday Shopping	5,000.00
6885	Chocolate Festival	8,000.00
6885	Entertainment	10,000.00
6800 TOTAL		198,500.00
6900 LONG BEACH RECOVERY ACT GRANT		
6910	Administration	10,630.90
6920	Business Assistance	31,892.70
6930	Marketing & Promotion	42,523.60
6920	Clean & Safe	21,261.80
6900 TOTAL		106,309.00
EXPENSE TOTAL		457,480.22

Surplus or Deficit Carryover

The Belmont Shore Business Association does not anticipate a deficit at the end of Fiscal Year 2022-2023.

Contributions from Other Sources

The Belmont Shore Business Association has multiple sources of income outside of the Belmont Shore Parking and Business Improvement Area assessment funds.

These sources of income can include promotional events, corporate sponsorship, associate memberships and investment returns. The estimated income for these sources is listed in the estimated 2022-23 revenue section of this report.

DISTRICT PROGRAMS

Member Communications

Most of the BSBA office to BSBA member communication has been done by email, meetings, and phone calls. The Executive Director also walks the district weekly to drop in on business owners, especially targeting those who may be less than likely to reach out on their own.

Our bi-monthly e-blast that goes out to all BSBA Officers and members currently sees an average open rate of 50%, which is well over the expected industry standard. In an effort to increase our ability to connect with our members, the Officers have also been tasked with reaching out to their colleagues directly, whenever possible.

Our BSBA board meetings are being held in person and the general membership meetings have become a quarterly event. Our board meetings are held on the last Friday of the month (unless otherwise noted) and this schedule has been shared with our members and posted on the belmontshore.org website.

Marketing & Social Media

The BSBA district is marketed as an iconic travel destination and a local hot-spot for Long Beach and beyond. We are currently advertising in multiple print and digital publications including The Grunion Gazette, Travel Host Magazine, LB Post, Press Telegram, and more.

We are placing an emphasis on the return of large scale events. An outside agency has been contracted to manage the strategic social media engagement plan and the collaborations with local influencers along with providing a consistent presence at relevant events.

Community Outreach

The BSBA Executive Director attends the following monthly community meetings: Belmont Shore Residents Association (BSRA), Friends of Belmont Shore (FOBS), and other residential meetings organized by the 3rd District Council office.

The Executive Director attends the weekly meetings of Council of Business Associations (COBA) and the monthly Belmont Shore Parking & Business Improvement Area Advisory Commission (BSPBIAAC).

Security

The BSBA coordinates with the Police Department's East Division and invites them to attend monthly BSBA meetings if there are concerns or necessary updates.

As part of a pilot program budgeted by the Parking Commission and overseen by the BSBA, we have contracted the coverage of CSI Security to patrol the area on bicycles from Thursday - Monday during the hours of 8am-2pm, approximately. They are also available around the clock via their dispatch system (including during non-scheduled hours) and our BSBA businesses are encouraged to call for assistance whenever needed.

Our ongoing communication with Commander Chad Ellis, Lieutenant Ryan Watson and Officer Brendan Murphy have all been crucial parts of keeping the neighborhood safe and the community informed of those efforts.

Special Events

Events for the beginning of our Fiscal Year 2022-2023 are as follows: Chalk Walk + Art Contest (October 15th, 2022), Trick or Treat on 2nd Street (October 31st, 2022), Small Business Saturday (November 26, 2022), Annual Belmont Shore Christmas Parade (December 3rd, 2022).

Our specific events for 2023 will be developed according to recommendations from the newly elected Executive Board.