



## Legislation Details (With Text)

**File #:** 08-0966      **Version:** 1      **Name:** CD-HEARING-Belmont Shore Parking & Business Improvement D3  
**Type:** Resolution      **Status:** Adopted  
**File created:** 9/4/2008      **In control:** City Council  
**On agenda:** 9/23/2008      **Final action:** 9/23/2008

**Title:** Recommendation to receive supporting documentation into the record, approve resolution confirming the Belmont Shore Parking and Business Improvement Area annual report and continuing the assessment for the period of October 1, 2008 through September 30, 2009, conclude the hearing, authorize City Manager to execute an agreement with the Belmont Shore Business Association for a one-year term; and

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 092308-H-1sr&att.pdf, 2. RES-08-0115.pdf

Date	Ver.	Action By	Action	Result
9/23/2008	1	City Council	approve recommendation and adopt	Pass

Recommendation to receive supporting documentation into the record, approve resolution confirming the Belmont Shore Parking and Business Improvement Area annual report and continuing the assessment for the period of October 1, 2008 through September 30, 2009, conclude the hearing, authorize City Manager to execute an agreement with the Belmont Shore Business Association for a one-year term; and

The Belmont Shore Business Association (BSBA) uses business license assessment funds to promote and market the commercial area along Second Street on behalf of businesses located in the Belmont Shore Parking and Business Improvement Area (BSPBIA). The BSBA governs the assessment to be collected. To continue the assessment levy, state law requires that a public hearing be held on the proposed program and assessment. A copy of the Assessment Report describing proposed activities and allocations is provided (Attachment A). These items were reviewed by the City Council at its meeting of September 2, 2008.

The Assessment Report describes boundaries, proposed activities and budgetary information, as well as the method and basis for continuation of the assessment. The Assessment Report proposes no change in the basis and method of levying the assessment and no significant change in proposed activities.

The Assessment Report proposes a change in the district boundary to include additional public right of way on Livingston Avenue west of Quincy Avenue. This change does not include any private commercial properties and does not add new businesses to the district. The purpose of the expansion is to allow the use of district funds to purchase and install banners on Livingston Avenue approaching Second Street. A map of the revised district boundary is provided as Exhibit A to the attached Ordinance.

At its September 2, 2008 meeting, City Council approved Resolution No. 08-0099 granting approval of the Assessment Report, declaring the intention of the City Council to levy the assessment, and setting September 23, 2008 as the date of the public hearing. A hearing notice, including a copy of the resolution, was published in local media on September 8, 2008.

State law further provides that the City Council shall hear and consider all protests against the assessment, program, boundaries of the area, and/or any benefit zone as proposed in the Assessment Report. The 2009 Assessment Report, transmitting the recommendations of the BSPBIA Advisory Commission, proposes the following assessment rates:

<u>Categories</u>	<u>Base Rate</u>	<u>Employee Rate</u>
Financial Institution & Insurance	\$1,646.22	\$16.50
Service Real Estate Office	\$638.70	\$22.00
Retail – Rest w/alcohol & RTE	\$640.19	\$9.63
Retail – Other	\$548.73	\$8.25
Consulting	\$425.80	\$22.00
Construction Contractor	\$425.80	\$22.00
Professional	\$425.80	\$22.00
Service – Other	\$319.35	\$16.50
Miscellaneous. Recreation, Entertainment, Vending, Manufacturing, Unique & Wholesale Independent Service Contractors operating secondary to another service business (per LBMC 3.80.243)	\$319.35	\$16.50
	\$194.80	\$16.50

The law provides that protests may be made orally or in writing. Protests regarding the regularity or sufficiency of the proceedings shall be in writing. If written protests are received from area business owners representing 50 percent or more of the proposed assessments, the City Council shall not levy the assessment. If protests in such quantity are directed against a specific portion of the program, the City Council shall eliminate that portion.

Should the Assessment Report be approved, the City Council is requested to authorize the execution of an agreement with the BSBA for the use of assessment funds for promotional purposes.

This letter was reviewed by Assistant City Attorney Heather Mahood on August 21, 2008, Budget Management Officer Victoria Bell on September 3, 2008, and the City Treasurer's Office on August 24, 2008.

City Council action is requested on September 23, 2008 to allow sufficient time to complete the necessary documents before the start of the new contract year on October 1, 2008.

It is expected that the BSPBIA will generate \$138,000 in Fiscal Year 2009 (FY 09) through the proposed continuation of the existing assessment. Sufficient funds are included in the FY 09 Budget in the Parking and Business Area Improvement Fund (SR 132) in the Department of Community Development (CD).

There is no impact to the General Fund.

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

DENNIS J. THYS  
DIRECTOR  
DEPARTMENT OF COMMUNITY DEVELOPMENT

APPROVED:

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PATRICK H. WEST  
CITY MANAGER