



Legislation Details (With Text)

| | | | | | |
|-----------------------|--|----------------------|---|----------------------|-----------------------------|
| File #: | 16-0864 | Version: | 1 | Name: | EPD - Belmont Shore PBIA D3 |
| Type: | Resolution | Status: | | Adopted: | Adopted |
| File created: | 8/30/2016 | In control: | | City Council: | City Council |
| On agenda: | 9/20/2016 | Final action: | | 9/20/2016: | 9/20/2016 |
| Title: | Recommendation to receive supporting documentation into the record, conclude the public hearing, and adopt resolution continuing the Belmont Shore Parking and Business Improvement Area assessment for the period of October 1, 2016 through September 30, 2017; and authorize City Manager to extend the agreement with the Belmont Shore Business Association for a one-year term. (District 3) | | | | |
| Sponsors: | Economic and Property Development | | | | |
| Indexes: | | | | | |
| Code sections: | | | | | |
| Attachments: | 1. 092016-H-2sr&att.pdf, 2. RES-16-0090.pdf | | | | |

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------|----------------------------------|--------|
| 9/20/2016 | 1 | City Council | approve recommendation and adopt | Pass |

Recommendation to receive supporting documentation into the record, conclude the public hearing, and adopt resolution continuing the Belmont Shore Parking and Business Improvement Area assessment for the period of October 1, 2016 through September 30, 2017; and authorize City Manager to extend the agreement with the Belmont Shore Business Association for a one-year term. (District 3)

The Belmont Shore Business Association (BSBA) promotes and markets 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 Annual Report describing proposed assessments, activities and allocations is attached to the Resolution as Exhibit A.

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

At its August 2, 2016 meeting, City Council approved Resolution No. RES-16-0071 granting approval of the Annual Report, declaring the intention of the City Council to levy the assessment, and set September 20, 2016 as the date of the public hearing. A hearing notice, including a copy of the Resolution, was published in local media.

State law 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

Annual Report. State law further 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.

The Fiscal Year 2017 (FY 17) Annual Report, transmitting the recommendations of the BSPBIA Advisory Board, proposes the following assessment rates:

**BELMONT SHORE PARKING AND BUSINESS IMPROVEMENT AREA (BSPBIA)
PBIA ASSESSMENT FORMULA
2016 - 2017**

| <u>CATEGORIES</u> | <u>BASE RATE</u> | <u>EMPLOYEE RATE</u> |
|---|-------------------------|-----------------------------|
| Financial Institution | \$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 | 0.00 |

Total estimated annual assessment: \$140,000

This matter was reviewed by Deputy City Attorney Amy R. Webber on August 22, 2016 and by Revenue Management Officer Julissa Josè-Murray on August 25, 2016.

City Council action is requested on September 20, 2016, to allow purchase order and contract modifications to be completed so that FY 17 assessment transfers may be made as required by the Agreement of Funding with the BSBA.

It is estimated that the BSPBIA will generate \$140,000 in FY 17 through continuation of the existing assessment. Assessment funds are collected through additional fees attached to

BSPBIA business licenses and passed directly through to the BSBA for implementation of their annual programs. Sufficient funds are included in the FY 17 Budget in the Parking and Business Area Improvement Fund (SR 132) in the Economic and Property Development Department (EP) for City pass-through payment to BSBA. Approval of this recommendation will provide continued support to the local economy.

Approve recommendation.

[Enter Body Here]

KATHRYN MCDERMOTT
INTERIM DIRECTOR OF
ECONOMIC AND PROPERTY DEVELOPMENT

APPROVED:

PATRICK H. WEST
CITY MANAGER