



Legislation Text

File #: 07-1075, Version: 1

Recommendation to receive supporting documentation into the record, conclude the hearing, and adopt resolution adopting the Belmont Shore Parking and Business Improvement Area program and assessment for the period of October 1, 2007 through September 30, 2008; and authorize City Manager to execute an agreement with the Belmont Shore Business Association for a one-year term. An appropriation increase of \$20,000 is requested in the Parking and Business Area Improvement Fund (SR 132). (District 3)

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 August 21, 2007.

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.

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 2008 Assessment Report, transmitting the recommendations of the BSPBIA Advisory Commission, proposes the following assessment rates:

Categories	Base Rate	Employee Rate
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	\$ 319.35	\$16.50
Independent Service Contractors operating secondary to another service business (Per LBMC 3.80.243)	\$ 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.

A copy of RES 07-0112 was mailed to all businesses in the district on August 27, 2007. A hearing notice and copy of the resolution was also published in local media as required by the resolution of intention.

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 July 30, 2007, Budget and Performance Management Bureau Manager David Wodynski on September 10, 2007, and the City Treasurer's Office on September 4, 2007.

The BSBA contract year begins October 1, 2007. City Council action is requested on September 18, 2007, to allow sufficient time to complete necessary documents before the beginning of the contract year.

It is expected that the BSPBIA will generate \$153,000 in Fiscal Year 2008 (FY 08) through the proposed continuation of the existing assessment. Assessment funds are additional fees attached to BSPBIA business licenses. The \$153,000 annual assessment revenue is included in the FY 08 Proposed Budget in the Parking and Business Area Improvement Fund (SR 132) in the Department of Community Development (CD). The FY 07 contract needs to be amended to reflect actual assessment revenue for the year. An appropriation increase of \$20,000 is requested in the Parking and Business Area Improvement Fund (SR 132) in the Department of Community Development (CD). The requested increase will be offset by matching revenue.

Approve recommendation.

Respectf
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submitted

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ROBERT
E.
SHANNO
N, City
Attorney

By:
NAME

TITLE

INITIALS

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