



Legislation Text

File #: 13-0897, **Version:** 1

Recommendation to receive supporting documentation into the record, conclude the hearing, and adopt resolution continuing the East Anaheim Street Parking and Business Improvement Area program and assessment for the period of October 1, 2013 through September 30, 2014; and authorize City Manager to execute an agreement with the East Anaheim Street Business Association for a one-year term. (Districts 3,4)

The East Anaheim Street Business Association (EASBA) uses business license assessment funds to promote and market the commercial area along East Anaheim Street on behalf of businesses located in the East Anaheim Street Parking and Business Improvement Area (EASPBIA). The EASBA 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.

The Assessment Report (attached to the Resolution as Exhibit A) 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 boundaries, basis and method of levying the assessment, and no significant change in proposed activities.

At its September 10, 2013 meeting, City Council approved Resolution No. RES-13-0080 granting approval of the Assessment Report, declaring the intention of the City Council to levy the assessment, and set October 15, 2013 as the date of the public hearing. A hearing notice, including a copy of the Resolution, was published in local media within seven days of the hearing date, as required.

State law provides that the City Council shall hear and consider all protests against the assessment, program activities, boundaries of the area, and/or any benefit zone, as proposed in the Assessment Report. The Fiscal Year 2014 (FY 14) Assessment Report, transmitting the recommendations of the EASPBIA Advisory Commission, proposes the following assessment rates:

Type 1 Businesses: Retail, recreation and entertainment, and unique businesses shall pay annual assessment fees of:

- Base Fee: \$300 per year, except that secondary licensees in these classes are exempt, and;
- Employee Fee: \$15 per employee up to \$300 maximum.

Type 2 Businesses: Service, vending, professional, wholesale, contractor, manufacturing and miscellaneous mobile businesses shall pay annual assessment fees of:

- Base Fee: \$200 per year, except that secondary licensees in these classes shall pay a base fee of \$120, and;
- Employee Fee: \$15 per employee up to \$300 maximum.

Type 3 Businesses: Non-residential space rental businesses shall pay annual assessment fees of:

- Base Fee: \$120 per year

- Employee Fee: not applicable

Residential property rental, home-based and secondary licensees are exempt from the assessment.

The California State 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 EASBA for the use of assessment funds for promotional purposes.

This matter was reviewed by Deputy City Attorney Amy Webber on August 26, 2013 and Budget Management Officer Victoria Bell on September 20, 2013.

City Council action is requested on October 15, 2013 to allow purchase order and contract modifications to be completed so that FY 14 assessment transfers may be made, as required by the Agreement of Funding with the EASBA.

It is estimated that the EASPBA will generate \$123,937 in FY 14 through continuation of the existing assessment. Sufficient funds are included in the FY 14 Budget in the Parking and Business Area Improvement Fund (SR 132) in the Department of Public Works (PW). Approval of this recommendation will provide continued support to the local economy.

Approve recommendation.

ARA MALOYAN, PE
ACTING DIRECTOR OF PUBLIC WORKS

APPROVED:

PATRICK H. WEST
CITY MANAGER

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