

## **H-30**

November 15, 2022

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 Zaferia 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 Zaferia Business Association for a one-year term. (Districts 2, 3, 4)

### **DISCUSSION**

The Zaferia Parking and Business Improvement Area (ZPBIA), formerly known as the East Anaheim Street Parking and Business Improvement Area, was established by the City Council in 2010, allowing for the levy of an annual business license assessment to be paid by businesses located in the ZPBIA. The City of Long Beach (City) contracts with the Zaferia Business Association (ZBA) to manage the ZPBIA and the ZBA Board of Directors serves as the Advisory Board to the City Council on matters related to the ZPBIA. The ZBA promotes and markets the commercial area along East Anaheim Street using funds generated through the ZPBIA 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 designated for this Assessment District. On August 4, 2022, the ZPBIA Advisory Board voted to recommend to the City Council approval of the 2022-2023 ZPBIA Annual Report (Annual Report - Exhibit A to the Resolution).

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

To continue the assessment levy, State law requires that a public hearing be held on the proposed program and assessment. On November 1, 2022 the City Council approved Resolution No. RES-22-1273 granting approval of the Annual Report, declaring the intention of the City Council to levy the assessment, and set November 15, 2022 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.

The Annual Report, transmitting the recommendations of the Advisory Board, proposes the following assessment rates:

### **Method of Assessment**

The estimated 2022-2023 fiscal year revenue from business assessments is \$127,800. Assessments are calculated by category of business and incorporate a base rate plus a per-employee rate. Businesses categories and rates are as follows:

- Type 1 Businesses: Retail, recreation and entertainment, unique businesses, and banking institutions, pay annual assessment fees of:
  - Base Fee: \$300 per year except that secondary licensees in these classes are exempt
  - Employee Fee: \$15 per employee up to \$300 maximum
- Type 2 Businesses: Service, vending, professional, wholesale, contractor, manufacturing, and miscellaneous mobile pay annual assessment fees of:
  - Base Fee: \$200 per year except that secondary licensees in these classes pay a base fee of \$120
  - Employee Fee: \$15 per employee up to \$300 maximum
- Type 3 Businesses: Non-residential space rental businesses pay an annual assessment fee of:
  - Base Fee: \$120 per year
  - Employee Fee: not applicable
- Type 4 Businesses: Nonprofit businesses pay an annual assessment fee of:
  - Base Fee: \$100 per year
  - Employee Fee: not applicable
- Type 5 Businesses: Home-based businesses that voluntarily choose to be a member of the organization pay an annual assessment fee of:
  - Base Fee: \$100 per year
  - Employee Fee: not applicable

Residential property rental is exempt from the assessment.

The City calculates the Consumer Price Index (CPI), an adjustment for consumer goods and services, and applies the CPI to various City fees on July 1st of each year. Parking and

Business Improvement Area Advisory Boards may request a CPI adjustment for business license assessments. The ZPBIA Advisory Board has decided not to request a July 2023 CPI adjustment.

This matter was reviewed by Deputy City Attorney Marsha Yasuda on October 18, 2022, and by Budget Operations and Development Officer Rhutu Amin Gharib on October 27, 2022.

TIMING CONSIDERATIONS

City Council action is requested on November 15, 2022, so that Fiscal Year 2023 (FY 23) assessment transfers may be made as required by the Agreement for Funding with the ZBA.

FISCAL IMPACT

It is estimated that the ZPBIA will generate \$127,800 in FY 23 through the proposed continuation of the assessment. Assessment funds are collected by the City on behalf of the ZBA through additional fees attached to ZPBIA business licenses and passed directly through to the ZBA 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

BO:AD

ATTACHMENT – RESOLUTION

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH CONFIRMING, FOLLOWING HEARING, THE ANNUAL REPORT OF THE ZAFERIA 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 Zaferia Business Association has caused a Report to be prepared for October 1, 2022 through September 30, 2023, relating to the Zaferia Parking and Business Improvement Area ("ZPBIA"); and

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

WHEREAS, on November 15, 2022, 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-22-1273, adopted November 1, 2022, at which public hearing all interested persons were afforded a full opportunity to appear and be heard on all matters relating to the Report; and

WHEREAS, a majority protest not having been received, it is the City Council's desire to confirm the Report as originally filed and impose and continue the levy of the Annual Assessment without change to the basis and method of levying the assessment;

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

Section 1. A public hearing having been conducted on November 15, 2022, at 5:00 p.m., and all persons having been afforded an opportunity to appear and be

1 heard, the City Council hereby confirms the Report of the Zaferia Business Association,  
2 previously filed and approved by Resolution No. RES-22-1273, adopted November 1,  
3 2022, and declares that this resolution shall constitute the levy of the Assessment,  
4 without change to the assessment methodology, for the period October 1, 2022 through  
5 September 30, 2023, as more specifically set forth in Exhibit "A".

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

8 I hereby certify that the foregoing resolution was adopted by the City  
9 Council of the City of Long Beach at its meeting of \_\_\_\_\_, 2022,  
10 by the following vote:

11  
12 Ayes: Councilmembers:

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16 Noes: Councilmembers:

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18 Absent: Councilmembers:

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20 Recusal(s): Councilmembers

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23 \_\_\_\_\_  
24 City Clerk

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EXHIBIT "A"



# **2022-2023 Annual Report Zaferia Parking and Business Improvement Area**

SUBMITTED BY ZAFERIA BUSINESS ASSOCIATION  
AUGUST 1, 2022

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# DISTRICT OVERVIEW

## District Background

Conceived by a coalition of business owners located along Anaheim Street, the Zaferia Parking and Business Improvement Area (formerly known as the East Anaheim Street Parking and Business Improvement Area) (the "District") is a benefit assessment district whose goal is to provide a more attractive and vibrant business environment in the Zaferia business area, including a sidewalk cleanliness program, marketing and promotions of our members and the general Zaferia area, and support of local programs.

The organization overseeing the management of the District is the Zaferia Business Association (ZBA), an IRS 501 C-6, tax-exempt organization.

*The mission of the Zaferia Business Association is to promote, enhance, and represent the business members of the Zaferia district.*

## Zaferia Parking and Business Improvement Area Boundary

The District is bounded by Junipero Avenue to the west, Pacific Coast Highway to the east, 11<sup>th</sup> Street to the south, and 14<sup>th</sup> Street to the north. Historically, this area is known as Zaferia.



## Proposed Changes

The ZBA Board of Directors proposes no changes to the district boundary for 2022-2023.

## District Advisory Board

OFFICERS		TERMS
<b>President</b> Madison Mooney	Executive Director – Long Beach Playhouse Theatres	2021 - 2023
<b>Vice President</b> Zain Ramjan	Owner – Sani-Tec Janitorial Supplies and Coastline Car Wash	2021 - 2023
<b>Secretary</b> Dean Lockwood	Director of Development & Community Outreach - Su Casa – Ending Domestic Violence	2022 - 2024
<b>Treasurer</b> Lisa Lowe	President and Creative Director – Ore' Originals	2022 - 2024
DIRECTORS		

Dylan Davis	Owner – Port City Tavern	2022 - 2024
Neil Hirsch	Owner – On The Mark Digital Advertising	2021 - 2023
Jennifer Little	Owner – The Park Hotel	2022 - 2024

## District Personnel

### Executive Director

Kristine Hammond

*Part-time, Independent Contractor*

[director@zaferia.org](mailto:director@zaferia.org)

(562) 305-7102

### Member Outreach Coordinator

Tracy Ames

*Part-time, Independent Contractor*

[outreach@zaferia.org](mailto:outreach@zaferia.org)

(562) 668-6762

## METHOD OF ASSESSMENT

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Assessments are calculated as follows:

- **Type 1 Businesses:** Retail, recreation and entertainment, unique businesses, and banking institutions, shall pay annual assessment fees of:
  - Base fee: \$300 per year except that secondary licensees in these classes are exempt;
  - Employee Fee: \$15 per employee up to \$300 maximum.
- **Type 2 Businesses:** Service, vending, professional, wholesale, contractor, manufacturing and miscellaneous mobile, 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;
  - Employee Fee: \$15 per employee up to \$300 maximum.
- **Type 3 Businesses:** Non-residential space rental businesses shall pay an annual assessment fee of:
  - Base Fee: \$120 per year;
  - Employee Fee: not applicable.
- **Type 4 Businesses:** Non-profit businesses shall pay an annual assessment fee of:
  - Base Fee: \$100 per year;
  - Employee Fee: not applicable.
- **Type 5 Businesses:** Home-based businesses that voluntarily choose to be a member of the organization shall pay an annual assessment fee of:
  - Base Fee: \$100 per year;
  - Employee Fee: not applicable.

Residential property rental is exempt from the assessment.

### Proposed Changes

The ZBA Board of Directors proposes no changes to the method and basis of levying the assessment.

### Consumer Price Index Adjustment

The ZBA Board of Directors is not requesting a Consumer Price Index adjustment at this time.

## BUDGET

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### Projected Budget

The ZBA Board of Directors is conservatively anticipating a 10% decrease in assessment revenue from the last pre-COVID term of FY 2019–2020 due to the continuing negative economic effects of the 2020 Stay-at-Home Order relating to COVID-19. The following expenses are anticipated:

ZBA		
Budget Overview: ZBA FY 2022-2023		
October 2022 - September 2023		
<b>Income</b>		
Member Assessments		127,800.00
<b>Total Income</b>	\$	127,800.00
<b>Gross Profit</b>	\$	127,800.00
<b>Expenses</b>		
<b>Administrative Expense</b>		
Accounting		3,060.00
Annual Mailing		2,055.00
Cell Phone		780.00
Dues & Memberships		4.00
Franchise Tax Board		10.00
Hardware Purchases		1,500.00
Insurance		2,100.00
Management Fee		38,919.00
Member Appreciation		250.00
Member Outreach Coordinator		12,000.00
Office Supplies		430.00
Postage		60.00
Professional Services		500.00
Rent		1,336.00
Software Fees		1,700.00

<b>Total Administrative Expense</b>	\$	64,704.00
<b>Program Expense</b>		
Events		8,596.00
Food & Drinks		
BOD Meetings		500.00
Member Meetings		1,000.00
Member Socials		1,500.00
Total Food & Drinks	\$	3,000.00
Marketing		
Advertising Merchandise		0
Social Media Marketing		0
Total Marketing	\$	0
Member Support		300.00
Pole Banners & Maintenance		8,300.00
Sponsorship		1,000.00
Streetscape and Cleanliness		40,259.00
Water		876.00
Total Streetscape and Cleanliness	\$	41,135.00
Website		765.00
<b>Total Program Expense</b>	\$	63,096.00
<b>Total Expenses</b>	\$	127,800.00
<b>Net Operating Income</b>	\$	0
<b>Net Income</b>	\$	0

### Surplus or Deficit Carryover

The ZBA is on track with our budget this current 2021-2022 fiscal year. The 2021 fiscal year ended with a \$15,919 surplus. This surplus was due to the limitation of most in-person events that continued in FY 2021-2022 due to COVID-19 restrictions that were originally factored into the 2020-2021 budget. Currently, the ZBA is seeing a slight decrease in member assessment revenue to date compared to the previous year. The ZBA will utilize the surplus carryover of 2021 to offset any decrease in revenue in the coming fiscal year.

### Contributions from Other Sources

The ZBA is scheduled to receive American Recovery Act Grant funding in accordance with our Scope of Work submitted and approved in April/May of 2022. The 2022-2023 Marketing expenses are incorporated into the work covered by these grant funds.

# **ZAFERIA BUSINESS ASSOCIATION PROGRAM**

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## **2022 – 2023 Program**

### **Cleanliness**

The ZBA will continue to manage our cleanliness program. Weeds, trash, gum, and stickers continue to be an ongoing issue in the district. Compounded with an increase in the homeless population in our area, the ZBA is making attempts to keep ahead of this issue by working closely with our cleaning contractor, our members, and the City. The ZBA's Member Outreach Coordinator assists with reporting and follow-up in this area.

### **Support of Area Events**

The ZBA Board of Directors intends to financially support area events for the 2022-2023 fiscal year, as reflected in the proposed budget. In prior years, the ZBA supported with funding and promotion the Happy Sundays multi-venue, free and open to the public music event on the last Sunday of August, and in 2022 we supported three Happy Sundays lead-up events. The ZBA intends to continue supporting this program in 2023.

The ZBA has also previously supported with funding and promotion of the Open Art Studio Tour in October, and will continue to do so in 2023. This event includes several artists' studios on the city-wide tour. It is free and open to the public. The ZBA has also previously supported with funding and promotion the annual Orizaba Park Halloween Party for area children, providing games and candy in a safe environment. It is free and open to the public. The ZBA Board of Directors will continue to review all requests for support on an individual basis.

It is our hope that the City of Long Beach Special Events & Filming Department will move forward with another "Beach Streets" weekend event on the E. Anaheim St. corridor sometime during the 2022-2023 fiscal year. The ZBA will support this event in whatever manner we can.

### **Member & Area Marketing & Promotion**

The ZBA will continue with our robust social media program and will continue to provide a district website, [www.zaferia.org](http://www.zaferia.org), which includes a directory of members and provides the opportunity for members to share promotions, events, and be highlighted.

In December of 2021, the ZBA hosted a Holiday Market on the private property of ZBA members located on Coronado Avenue. Over 40 vendors had tables selling items, such as art, jewelry, clothing, and other gift-types of goods. The vendors participated free of charge. The ZBA funded a local band for entertainment, a face painter and holiday photo area. Local nonprofit organizations also participated. The ZBA intends to hold a Holiday Market in December 2022.

During the second half of this fiscal year the ZBA brought back our community mixers. We intend to hold mixers every other month at a member business location. The ZBA provides funding to cover the cost of food and drinks, and advertises the event.

### **Member Representation & Communication**

The ZBA will continue to support and participate in the Council of Business Associations (COBA) and relay information about City programs and topics of interest to ZBA members by way of email communications and the Member Resources page on our website. The ZBA's Member Outreach Coordinator assists with reporting and follow-up in this area.

We intend to revive the Urban Design Committee to stay involved with the Pedestrian Safety Grant median work by the City's Public Works Department, slated to start sometime this coming fiscal year.

We hope to improve upon communications with area neighborhood associations.

We are planning to create new printed materials for new Zaferia District members that communicate where to go for city resources and how to inform our administration of upcoming events and promotions.

### **Member Support**

The ZBA will provide support to members on an as-needed basis with assistance on City fees within the limitations of the proposed budget.