



Legislation Details (With Text)

File #: 10-0394 **Version:** 2 **Name:** CD - ORD - E Anaheim Dist formation

Type: Ordinance **Status:** Adopted

File created: 4/6/2010 **In control:** City Council

On agenda: 5/4/2010 **Final action:** 5/4/2010

Title: Recommendation to declare ordinance establishing the East Anaheim Street Parking and Business Improvement Area (EASPBA), fixing the boundaries thereof, providing for the levy of an additional business license tax to be paid by businesses in such area and establishing an advisory board, read and adopted as read. (Districts 3,4)

Sponsors: Community Development

Indexes: Agreements

Code sections:

Attachments: 1. 042010-H-1sr&att.pdf, 2. 042010-H-1-protest letters.pdf, 3. 042010-H-1-assessment roll.pdf, 4. 050410-ORD-34att.pdf, 5. ORD-10-0012.pdf

Date	Ver.	Action By	Action	Result
5/4/2010	2	City Council	approve recommendation and adopt	Pass
4/20/2010	1	City Council	declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading	Pass

Recommendation to declare ordinance establishing the East Anaheim Street Parking and Business Improvement Area (EASPBA), fixing the boundaries thereof, providing for the levy of an additional business license tax to be paid by businesses in such area and establishing an advisory board, read and adopted as read. (Districts 3,4)

The Parking and Business Improvement Area Law of 1989 of the California Streets and Highways Code allows for the creation of Business Improvement Areas, allowing business owners to voluntarily levy an assessment upon themselves to provide for improvements and activities.

Working in conjunction with the East Anaheim Street Business Association (EASBA), the businesses along Anaheim Street, between Junipero Avenue and Pacific Coast Highway, have petitioned the City for the creation of a business improvement district, i.e., the East Anaheim Street Parking and Business Improvement Area (EASPBA). The new business improvement district shall be comprised of business licensees within the proposed boundaries, as described in the attached Ordinance.

Through the EASBA, the business community has already implemented programs to increase the attractiveness of the area, promote their unique products and services, reduce crime, and improve the economic vitality of area businesses.

Use of Funds

EASPBA funds shall be used to administer marketing programs to promote the Anaheim Street shopping area and to fund projects, programs and activities that benefit the individual businesses within the boundaries of the EASPBA. The EASBA, which is the managing entity of the EASPBA,

shall be required to submit quarterly and annual financial and program reports.

The EASPBIA Initial Assessment Report and Proposed Service Plan (Assessment Report) details the boundaries of the EASBPIA, the amount and method of assessment for each business, and the improvements for which the assessment funds will be used. The assessment methodology will generate approximately \$132,710 in revenue during its first full program year. In order to form the EASPBIA in a timely manner, the initial term will be for the period July 1, 2010, through September 30, 2010. Estimated revenue for this initial term is \$33,178.

Adoption Process

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 law allows the protests to be made orally or in written form. However, 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 Resolution No.1 0-00031 declaring the intention to establish EASPBIA was mailed to all businesses in the district on March 29, 2010. A hearing notice and copy of the resolution has been published in local media as required.

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 the purposes outlined in the Assessment Report. The City Council shall also declare the Ordinance establishing the EASPBIA and setting the assessment for the period of July 1, 2010 through September 30, 2010, be read the first time and laid over to the next regular meeting for final reading (Attached).

This letter was reviewed by Assistant City Attorney Heather Mahood on March 2,2010, Budget Management Officer Victoria Bell on March 31, 2010, and the City Treasurer's Office on February 25,2010.

City Council action is requested following the public hearing on April 20, 2010, to allow assessments to begin on July 1,2010.

It is expected the EASPBIA will generate \$33,178 for the balance of Fiscal Year 2010 (FY 10) through the proposed assessment and this will fully offset the proposed allocation for EASBA management costs of EASPBIA programs under contract with the City. Sufficient funds are currently appropriated for FY 10 activities in the Parking and Business Area Improvement Fund (SR 132) in the Department of Community Development (CD). Funding for the next fiscal year will be appropriated through the Fiscal Year (FY 11) budget process. There is no impact to the General Fund.

Approve recommendation.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH ESTABLISHING THE EAST ANAHEIM STREET PARKING AND BUSINESS IMPROVEMENT AREA (EASPBIA), FIXING THE BOUNDARIES THEREOF, PROVIDING FOR THE LEVY OF AN ADDITIONAL BUSINESS LICENSE TAX TO BE PAID BY BUSINESSES IN SUCH AREA AND ESTABLISHING AN ADVISORY

BOARD

DENNIS J. THYS
DIRECTOR, DEPARTMENT OF COMMUNITY DEVELOPMENT

NAME
TITLE

APPROVED:

PATRICK H. WEST
CITY MANAGER