



Legislation Details (With Text)

**File #:** 05-3243      **Version:** 1      **Name:** Public Hearing approving Bixby Knolls BIA program and assessment

**Type:** Resolution      **Status:** Concluded

**File created:** 9/28/2005      **In control:** City Council

**On agenda:** 10/4/2005      **Final action:** 10/4/2005

**Title:** Recommendation to receive supporting documentation into the record; conclude the hearing; and adopt a resolution approving the Bixby Knolls Parking and Business Improvement Area program and assessment for the period of October 1, 2005 through September 30, 2006; and authorize City Manager to execute an agreement with the Bixby Knolls Business Improvement Association for a one-year term. (Districts 7,8)

**Sponsors:** Community Development

**Indexes:** Agreements

**Code sections:**

**Attachments:** 1. H-3 sr.pdf, 2. H-3 att.pdf, 3. RES-05-0106

Date	Ver.	Action By	Action	Result
10/4/2005	1	City Council	approve recommendation	Pass

Recommendation to receive supporting documentation into the record; conclude the hearing; and adopt a resolution approving the Bixby Knolls Parking and Business Improvement Area program and assessment for the period of October 1, 2005 through September 30, 2006; and authorize City Manager to execute an agreement with the Bixby Knolls Business Improvement Association for a one-year term. (Districts 7,8)

The Bixby Knolls Business Improvement Association (BK BIA) uses assessment funds to promote and market the Bixby Knolls commercial area on behalf of businesses located in the Bixby Knolls Parking and Business Improvement Area (BKP BIA). The City contracts with the BK BIA annually using assessment revenue collected from BKP BIA members to govern the assessment to be collected and the activities to be funded by the assessment. 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 as "Attachment A . City Council reviewed these items and approved Resolution 05-0098 setting an October 4, 2005 hearing date at its meeting of September 13, 2005. Following the public hearing, the City Council may adopt the attached resolution confirming the Assessment Report as filed, or as amended by the City Council during these proceedings. The adoption of the Resolution sets the levy of the assessment from October 1 , 2005 through September 30, 2006.

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 Assessment Report transmitting the recommendations of the BKP BIA Advisory Commission proposes the following:

0 Continue the current year assessment at the following rates:

Type A

Contractors, Manufacturing, Professions, Wholesale, Unique, Insurance

\$ 135.00 + \$ 2.50/employee

Type B

Services, Vending Operations

\$ 165.00 + \$ 3.25/employee

Type C

Recreation & Entertainment, Retailing

\$ 185.00 + \$4.00/employee

Type D

Financial Institutions

\$ 500.00

0 Make no significant changes in the activities program.

0 Make no changes in the existing boundaries.

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 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 BKBIA for the use of assessment funds for marketing and promotion activities within the business improvement area.

This letter was reviewed by Assistant City Attorney Heather Mahood on August 19, 2005, Budget Management Officer David Wodynski on September 21, 2005, and the City Treasurer's Office on September 23, 2005.

The BKBIA contract year begins October 1, 2005. City Council action is requested following public hearing on October 4, 2005, to allow timely contract renewal.

#### FISCAL IMPACT

The recommended contract amount for Fiscal Year 2006 (FY 06) is \$150,000.

Estimated assessment revenue is \$150,000 which will be deposited in the Parking and Business Area Improvement Fund (SR 132) in the Department of Community Development (CD). There is no impact on the General Fund.

Approve recommendation.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH CONFIRMING, FOLLOWING HEARING, THE ANNUAL REPORT OF THE BIXBY KNOLLS 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

[Respectfully Submitted,]