



Legislation Details (With Text)

**File #:** 12-0841      **Version:** 1      **Name:** PW - Bixby Knolls BIA  
**Type:** Resolution      **Status:** Adopted  
**File created:** 9/10/2012      **In control:** City Council  
**On agenda:** 10/2/2012      **Final action:** 10/2/2012  
**Title:** Recommendation to receive supporting documentation into the record, conclude the hearing, adopt resolution confirming the Bixby Knolls Business Improvement Area Annual Report, continuing the levy of assessment for the period of October 1, 2012 through September 30, 2013; and authorize City Manager to extend the agreement with the Bixby Knolls Business Improvement Association for one year. (Districts 7,8)  
**Sponsors:** Public Works  
**Indexes:** Agreements  
**Code sections:**  
**Attachments:** 1. 100212-H-2sr&att.pdf, 2. RES-12-0094.pdf

Date	Ver.	Action By	Action	Result
10/2/2012	1	City Council	approve recommendation and adopt	Pass

Recommendation to receive supporting documentation into the record, conclude the hearing, adopt resolution confirming the Bixby Knolls Business Improvement Area Annual Report, continuing the levy of assessment for the period of October 1, 2012 through September 30, 2013; and authorize City Manager to extend the agreement with the Bixby Knolls Business Improvement Association for one year. (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.

On July 26, 2012, the BKP BIA Advisory Commission voted to recommend to the City Council approval of the BKP BIA Assessment Report (Assessment Report). The Assessment Report describes the boundaries, proposed activities and budgetary information, as well as the method and basis for continuation of the assessment (attached).

To continue the assessment levy, State law requires that a public hearing be held on the proposed program and assessment. At its meeting of September 4, 2012, City Council reviewed the Assessment Report and set the hearing date for October 2, 2012.

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:

- Continue the current year assessment at the following rates:

Type A \$ 135.00 + \$ 2.50/employee  
Contractors, Manufacturing, Professions, Wholesale, Unique, Insurance

Type B \$ 165.00 + \$ 3.25/employee  
Services, Vending Operations

Type C \$ 185.00 + \$ 4.00/employee  
Recreation & Entertainment, Retailing

Type D \$ 548.00  
Financial Institutions

- Independent Contractors (per Municipal Code 3.80.243) in service-related retail businesses operating at the same address as the primary licensee pay \$100.65 per year plus \$3.25 per employee.
- Make no significant changes in the activities program.
- 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.

A hearing notice and copy of RES-12-008 was published in local media. The attached resolution concludes the hearing and approves the Assessment Report and levy for the period October 1, 2012 through September 30, 2013.

On September 10, 2002, the City and BKBIA executed an Agreement for Funding setting forth the duties and delegations of the parties. This agreement is automatically extended on a year-by-year basis upon approval of the annual Assessment Report and related levy of assessments by City Council.

This matter was reviewed by Assistant City Attorney Charles Parkin on September 5, 2012, and by Budget Management Officer Victoria Bell on September 11, 2012.

The BKBIA contract year begins October 1, 2012. City Council action is requested on October 2, 2012, to allow purchase order and contract modifications to be completed so that Fiscal Year 2013 (FY 13) assessment transfers may be made as required by the Agreement for Funding with the BKBIA.

It is estimated that the BKBIA will generate \$130,250 in FY 13 through the proposed continuation of the existing assessment. Assessment funds are collected through additional fees attached to BKBIA business licenses and passed directly through to the Bixby Knolls Business Association for implementation of annual programs. Sufficient funds are included in the FY 13 budget in the Parking

and Business Area Improvement Fund (SR 132) in the Department of Public Works (PW); there is no impact to the General Fund and no local job impact associated with the recommendation. Approval of this recommendation will provide continued support to the local economy.

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.

MICHAEL P. CONWAY  
DIRECTOR OF PUBLIC WORKS

APPROVED:

PATRICK H. WEST  
CITY MANAGER