



## Legislation Text

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**File #:** 11-1004, **Version:** 1

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Recommendation to receive supporting documentation into the record, conclude the hearing, and adopt resolution confirming the Bixby Knolls Business Improvement Area Annual Report, continuing the levy of assessment for the period of October 1, 2011 through September 30, 2012; 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 (BKBIA) 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 (BKPBIA). The City contracts with the BKBIA annually using assessment revenue collected from BKPBIA members to govern the assessment to be collected and the activities to be funded by the assessment.

On July 28, 2011, the BKPBIA Advisory Commission voted to recommend to the City Council approval of the BKPBIA 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 6, 2011, City Council reviewed the Assessment Report and set the hearing date for October 11, 2011.

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 BKPBIA Advisory Commission proposes the following:

- Continue the current year assessment at the following rates:

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

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

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

<u>Type D</u>	\$ 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 11-0100 was published in local media. The attached resolution concludes the hearing and approves the Assessment Report and levy for the period October 1, 2011 through September 30, 2012.

On September 14, 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 letter was reviewed by Assistant City Attorney Heather Mahood on September 19, 2011, and by Director of Financial Management John Gross on September 20, 2011.

The BKBIA contract year begins October 1, 2011. City Council action is requested on October 11, 2011, to allow purchase order and contract modifications to be completed so that Fiscal Year 2012 (FY 12) assessment transfers may be made as required by the Agreement for Funding with the BKBIA.

It is estimated that the BKPBIA will generate \$129,558 in FY 12 through the proposed continuation of the existing assessment. Assessment funds are collected through additional fees attached to BKPBIA business licenses and passed directly through to the Bixby Knolls Business Association for implementation of annual programs. Sufficient funds are included in the FY 12 adopted 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 this recommendation.

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