



Legislation Text

File #: 15-0959, **Version:** 1

Recommendation to receive supporting documentation into the record, conclude the hearing, and adopt resolution continuing the Fourth Street Parking and Business Improvement Area assessment for the period of October 1, 2015 through September 30, 2016; and authorize City Manager to extend the agreement with the Fourth Street Business Improvement Association for a one-year term. (District 2)

The Fourth Street Business Improvement Association (Association) uses business license assessment funds to promote and market the commercial area along Fourth Street on behalf of businesses located in the Fourth Street Parking and Business Improvement Area (FSPBIA). The Association governs the assessment to be collected. To continue the assessment levy, State law requires that a public hearing be held on the proposed program and assessment. A copy of the Annual Report describing proposed assessments, activities and allocations is attached to the Resolution as Exhibit A.

The Annual Report describes boundaries, proposed activities and budgetary information, as well as the method and basis for continuation of the assessment. The Annual Report proposes no change in the district boundaries, the basis and method of levying the assessment and no significant change in proposed activities. A copy of the Annual Report describing proposed activities and allocations is attached.

At its August 11, 2015 meeting, City Council approved Resolution Number RES-15-0096, granting approval of the Annual Report, declaring the intention of the City Council to levy the assessment, and set September 22, 2015 as the date of the public hearing. A hearing notice, including a copy of the Resolution, was published in local media.

State law 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 Annual Report. State law further 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 directed against a specific portion of the program, the City Council shall eliminate that portion.

The Fiscal Year 2016 Annual Report, transmitting the recommendations of the FSPBIA Advisory Board, proposes the following assessment rates:

Business License Category	Annual Assessment
Financial/Banking & Insurance	\$200
Service Real Estate Offices	200
Retail - Restaurant w/Alcohol & RTE	200
Retail - Other	200
Consulting	200
Construction Contractor	200
Professional	200
Service - Other	200
Misc, Rec/Ent, Vend, Manf, Uniq, Whlsl,	100
Commercial space rental	100
Non-profit business operations	100
Residential property rental	0
All Secondary Licensees	0

This matter was reviewed by Deputy City Attorney Amy Webber on August 24, 2015, and by Budget Management Officer Victoria Bell on August 27, 2015.

City Council action is requested on September 22, 2015 to allow purchase order and contract modifications to be completed so that Fiscal Year 2016 (FY 16) assessment transfers may be made as required by the Agreement for Funding with the Association.

It is estimated that the FSPBIA will generate \$14,000 in FY 16 through continuation of the existing assessment. Assessment funds are collected through additional fees attached to FSPBIA business licenses and passed directly through to the Association for implementation of their annual programs. Sufficient funds are included in the FY 16 Budget in the Parking and Business Area Improvement Fund (SR 132) in the Department of Economic and Property Development (EP). Approval of this recommendation will provide continued support to the local economy.

Approve recommendation.

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MICHAEL P. CONWAY
DIRECTOR OF ECONOMIC & PROPERTY DEVELOPMENT

APPROVED:

PATRICK H. WEST
CITY MANAGER

