

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 10-0104 was published in local media. The attached resolution concludes the hearing and approves the Assessment Report and levy for the period October 1, 2010 through September 30, 2011.

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, City Treasurer David Nakamoto on August 18, 2010, and by Budget Management Officer Victoria Bell on September 20, 2010.

The BKBIA contract year begins October 1, 2010. City Council action is requested following public hearing on October 12, 2010, to allow purchase order and contract modifications to be completed so that Fiscal Year 2011 (FY 11) assessment transfers may be made as required by the Agreement for Funding with the BKBIA.

It is estimated that the BKBIA will generate \$134,298 in FY 11 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 11 adopted budget in the Parking and Business Area Improvement Fund (SR 132) in the Department of Community Development (CD). As a result of the reorganization efforts that are currently in transition, a formal reconciliation to transfer these funds to the Department of Public Works will occur through a future FY 11 quarterly budget adjustment. There is no fiscal impact to the General Fund and no local job impact associated with the 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