



Legislation Text

File #: 13-0444, **Version:** 1

Recommendation to authorize City Manager to sign the petition relating to City-owned properties located within the boundaries of the proposed Uptown Property and Business Improvement District. (Districts 8,9)

The State of California Property and Business Improvement District Law of 1994 (Section 33600 et seq. of the California Streets and Highways Code) and Article XIID of the California Constitution (Proposition 218) enables the City to create a property-based assessment district allowing property owners to voluntarily assess themselves for various services beyond those provided by the City, including enhanced maintenance, public safety, beautification, marketing and economic development programs.

Property owners of record along Atlantic Avenue, between Market Street and Artesia Boulevard, and Artesia Boulevard, between Atlantic Avenue and Gundry Avenue, are circulating a petition to initiate special assessment proceedings to form a property and business improvement district, i.e., the Uptown Property and Business Improvement District (UPBID). Upon the submission of a written petition signed by the property or business owners in the proposed District who will pay more than 50 percent of the assessments proposed to be levied, the City Council may initiate proceedings to form the District by the adoption of a Resolution of Intention (ROI) to establish the District, and to set public hearings and issue ballots to each individual parcel owner. As a part of this effort, the City has been requested to sign the petition for the two parcels owned by the City of Long Beach located within the proposed UPBID boundaries.

The attached UPBID Management District Plan (MDP) details the boundaries of the UPBID, the amount and method of assessment for each parcel, and the improvements and activities for which the assessment funds will be used.

If established, the UPBID shall commence on January 1, 2014, for an initial 5-year period of January 1, 2014 through December 31, 2018, and the City Council will annually review and consider approving renewal of the levy, budgets and reports as submitted by the UPBID. The assessment methodology will generate approximately \$199,769 in revenue during the first year. The total proposed assessments for the parcels owned by the City of Long Beach during the first year is \$58,288, a detail of each parcel assessment is found in the MDP.

The MDP proposes that the Uptown Property and Community Association (UPCA) would govern the UPID, and shall serve as the Owners' Association per the California Streets and Highways Code section 36651. The UPCA Board of Directors will be comprised of a majority of parcel owners paying the assessment, who are required to adhere to the Ralph M. Brown Act. Pursuant to the Streets and Highways Code, section 36650, the UPCA will also provide to the City an annual report. The City would pay its assessment as a Parcel Owner for the duration of the UPBID.

This matter was reviewed by Assistant City Attorney Charles Parkin on May 9, 2013 and by Budget Management Officer Victoria Bell on May 6, 2013.

Formation of the UPBID is projected to be completed by late July so that submission to the County Assessor's Office for FY 2014 can be accomplished prior to the August 9, 2013 County Assessor deadline. City Council approval to sign the petition is requested on May 21, 2013, in order to allow completion of the process to establish the District within the time frame allowed.

If the UPBID is approved and established, the annual General Fund (GP) cost of \$27,589 for the Fire Department (FD) and Parks, Recreation and Marine (PR) properties is unbudgeted. The proposed assessment for all Successor Agency-owned parcels in the UPBID is estimated at \$30,640 annually. If approved by the Successory Agency and Oversight Board, the State Department of Finance (DOF) could choose to deny the approval and disallow the assessment on a future Recognized Obligation Payment Schedule (ROPS).

Approve recommendation.

ARA MALOYAN, PE
ACTING DIRECTOR OF PUBLIC WORKS

APPROVED:

PATRICK H. WEST
CITY MANAGER