



Legislation Text

File #: 12-0812, Version: 3

WITHDRAWN

~~Recommendation to adopt Resolution of Intention to re-establish the Andy Street Multi-family Improvement District (AMID), set the date for a public hearing of Tuesday, January 8, 2013 at 5:00 p.m., receive petitions and designate Andy Street Community Association (ASCA) as the owners' association for the AMID. (District 9)~~

Property owners and businesses in the vicinity of the portion of Andy Street north of South Street and west of Downey Avenue have petitioned the City for the re-establishment of a multi-family improvement district. The proposed Andy Street Multi-family Improvement District (AMID) will be made up of property and business owners within the proposed boundaries. The Andy Street Multi-family Improvement District Management Plan and Engineers Report details the amount and method of assessment for each property and business owner, the AMID boundaries, and improvements for which the funds will be used. The Management Plan and Engineer's Report are provided as exhibits to the attached Resolution of Intention (ROI). Over the past several years, City staff has worked with property and business owners in the area to reduce crime, enhance resident safety and improve the economic vitality of the area. Property and business stakeholders representing 67 percent of the total proposed district assessment have signed petitions in support of the district and related assessment.

Under the Multi-family Improvement District Law as referenced in Section 36701 of the California Streets and Highways Code (Law), Andy Street property and business owners may assess themselves for supplemental security patrol and other services including: marketing, managerial services, cleaning services, parking facilities, benches, pedestrian shelters, signs, entry monuments, trash receptacles, street lighting, street decorations, parks, fountains, planting areas and street modifications within the scope described in the Management Plan and within the AMID. Under the proposed Management Plan, AMID funds are to be used to administer security and safety programs, to reduce crime, and to improve the quality of life for residents on Andy Street and the adjacent shopping area. The AMID is expected to generate approximately \$106,473 in Fiscal Year 2013 for these services. The proposed contract period is for 10 years, and the first year levy of assessment will cover the period of October 1, 2012 through September 30, 2013.

Assessment Methodology

Property and business owners have emphasized that the assessment formula for the AMID be fair and equitable to all members of the district. Lot square footage and business use are relevant to the security benefit of district stakeholders and reflect the special benefit of the AMID. Based on these considerations, the following method will be used to determine the assessment:

Property Type	Initial Rate
Parcels with Multi-Family Residential Uses	\$0.6600 per parcel square foot

Parcels with Commercial Uses	\$0.0162 per parcel square foot
Parcels with Storage Uses	\$0.0126 per parcel square foot
Parcels Owned/Utilized by Non-Profit Entities	Not Assessed

Business Type	1-5 Employees	6-10 Employees	10+ Employees
Professional	\$ 250.00	\$ 270.00	\$ 320.00
Financial / Insurance	\$ 250.00	\$ 270.00	\$ 320.00
Retail	\$ 195.00	\$ 220.00	\$ 270.00
Bar/Alcohol Restaurant	\$ 345.00	\$ 370.00	\$ 420.00
Non-Alcohol Restaurant	\$ 245.00	\$ 270.00	\$ 320.00
Service	\$ 160.00	\$ 185.00	\$ 220.00
Non-Profit	\$ 140.00	\$ 140.00	\$ 140.00
Miscellaneous	\$ 160.00	\$ 175.00	\$ 195.00
Secondary License	\$ 95.00	\$ 100.00	\$ 105.00

In the first year of re-establishment, property owner assessments will be handled through hand billing, and in subsequent years the assessments will be collected by Los Angeles County on annual property tax bills and transferred to the City. The City will collect business assessments through the business license billing system. Assessment rates may be subject to an increase of no more than four percent (4%) per year.

Adoption Process

The attached ROI, Management Plan and Engineer's Report are necessary to re-establish AMID boundaries, specify its mission and describe the planned improvements and activities. The ROI also establishes the AMID Advisory Board, provides the method and basis of levying the assessment and proposes that the Andy Street Community Association administer district programs. Adoption of the attached ROI declares the City Council's intention to begin the AMID proceedings and sets a public hearing for January 8, 2013 at 5:00PM. To comply with the Law, an election of stakeholders to be assessed must also be conducted. Ballots will be mailed to all members of the district and notice of the hearing will also be published as required by the ROI. Business owners will be sent a notice of protest preceding the public hearing.

Election votes will be tabulated at the public hearing. Vote values will be weighted according to assessment amount determined by the assessment methodology described in the Management Plan. If, at the public hearing, more than two-thirds of the property assessment vote in favor, the AMID shall be formed. If owners representing more than one-third of the assessment vote against the AMID, it shall not be formed.

The City Council shall receive written or oral protests from business owners at the public hearing. Protests must be filed in writing with the City Clerk and must contain sufficient detail to identify the business and evidence allowing the City to substantiate ownership, so as to obtain a count in determining a majority protest.

This matter was reviewed by Assistant City Attorney Charles Parkin on September 26, 2012, and Budget Management Officer Victoria Bell on August 31, 2012.

The AMID reformation must be completed as soon as possible to allow continuance of the MID.

If the district is re-established following the January 8, 2013 public hearing, the AMID revenue will be deposited in the Parking and Business Area Improvement Fund (SR 132) in the Public Works Department. Expenditures will be limited to revenue collected through assessments. There is no fiscal impact to the General Fund. Approval of this recommendation will provide continued support to the local economy.

Approve recommendation.

A RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH DECLARING THE INTENTION OF THE CITY COUNCIL TO RE-ESTABLISH THE ANDY STREET MULTI-FAMILY IMPROVEMENT DISTRICT, FIXING THE TIME AND PLACE OF A PUBLIC HEARING THEREON AND GIVING NOTICE THEREOF

MICHAEL P. CONWAY
DIRECTOR OF PUBLIC WORKS

APPROVED:

PATRICK H. WEST
CITY MANAGER