



# CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

# C-11

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802

July 10, 2007

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

## RECOMMENDATION:

Adopt a Resolution establishing an annual special tax of \$0.12 per square foot for Community Facilities District No. 1 for commercial properties in Belmont Shore for Fiscal Year 2008. (District 3)

## DISCUSSION

In 1988, the City Council approved the formation of Community Facilities District No. 1 (District) under the guidelines of the Mello-Roos Community Facilities Act. The District provided for a levy against commercial properties along Second Street in Belmont Shore for the purpose of funding additional public parking. The Belmont Shore Parking and Business Improvement Area Commission (BSPBIA) recommends to the City Council the annual levy for the District. The City Council annually adopts a resolution establishing the special tax levy.

A levy was adopted for the three-year period beginning in Fiscal Year 1990 (FY 90) thru FY 92 at \$0.12 per square foot. The levy was suspended for one year in FY 93 and it was reestablished in FY 94. From FY 94 through FY 02, the rate was set at \$0.06 per square foot. The City Council authorized the expenditure of funds collected from the levy to acquire and make improvements to a parking lot within the district in FY 95 and FY 96. From FY 03 through FY 05, the levy was set at \$0.00.

During FY 05, the District's Map of Facilities and Description of Facilities were modified. These changes allowed the District to include all parking lots, alleys within the district, and expanded the district boundaries to allow district funds to be used with the Belmont Shore Parking Meter Revenue Area for parking improvements. For FY 06 and FY07, the levy was set at \$0.12.

At its meeting of June 21, 2007, the BSPBIA recommended that the levy again be set at \$0.12 per square foot of commercial property.

This matter was reviewed by Assistant City Attorney Heather Mahood on June 26, 2007 and Budget and Performance Management Bureau Manager David Wodynski on June 28, 2007.

HONORABLE MAYOR AND CITY COUNCIL

July 10, 2007

Page 2

TIMING CONSIDERATIONS

City Council action is requested on July 10, 2007, as the Los Angeles County Auditor-Controller requires the assessment roll by July 31, 2007.

FISCAL IMPACT

The District levy is estimated to generate \$58,313 in FY 08. The \$58,313 will be budgeted as part of the FY 08 Adopted Budget in the Department of Community Development (CD) in the Parking and Business Area Improvement Fund (SR 132). There is no impact to the City's General Fund.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



MICHAEL A. KILLEBREW  
DIRECTOR OF FINANCIAL MANAGEMENT



*for* PATRICK H. WEST  
DIRECTOR OF COMMUNITY DEVELOPMENT

MAK: DSN:EC  
T:\COUNCIL LETTERS\CL-CFD1 BELMONT SHORE-2007.DOC

ATTACHMENT

APPROVED:

  
CHRISTINE F. SHIPPEY  
ASSISTANT CITY MANAGER

OFFICE OF THE CITY ATTORNEY  
ROBERT E. SHANNON, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Long Beach, CA 90802-4664

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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF LONG BEACH ESTABLISHING ANNUAL SPECIAL  
TAX FOR COMMUNITY FACILITIES DISTRICT NO. 1  
(BELMONT SHORE) FOR FISCAL YEAR 2007-2008

WHEREAS, the City Council of the City of Long Beach (hereinafter referred to as the "legislative body") initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in a community facilities district, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982", being Chapter 2.5, Part 1 of Division 2, Title 5 of the Government Code of the State of California. This Community Facilities District shall hereinafter be referred to as Community Facilities District No. 1 (Belmont Shore) (hereinafter referred to as the "District"); and

WHEREAS, at this time, bonds have been authorized for issuance in the amount of four million dollars; and

WHEREAS, this legislative body, by ordinance as authorized by Section 53340 of the Government Code of the State of California, has authorized the levy of a special tax to pay for costs and expenses related to said Community Facilities District, and this legislative body is desirous to establish the specific rate of the special tax to be collected for the next fiscal year;

NOW, THEREFORE, the City Council of the City of Long Beach resolves as follows:

Section 1. That the above recitals are all true and correct.

Section 2. That the specific rate and amount of the special tax to be collected to pay for the costs and expenses for the next fiscal year (2007-2008) for the referenced District is hereby determined and established as set forth in the attached,

1 referenced and incorporated Exhibit "A".

2           Section 3. That the rate as set forth above does not exceed the amount  
3 as previously authorized by ordinance of this legislative body, and is not in excess of that  
4 as previously approved by the qualified electors of the District.

5           Section 4. The proceeds of the special tax shall be used to pay, in whole  
6 or in part, the costs of the following, in the following order of priority:

7           A. Payment of principal of and interest on any outstanding  
8 authorized bonded indebtedness;

9           B. Necessary replenishment of bond reserve funds or other  
10 reserve funds;

11           C. Payment of costs and expenses of authorized public facilities;

12           D. Repayment of advance and loans, if appropriate.

13           The proceeds of the special taxes shall be used as set forth above, and  
14 shall not be used for any other purpose.

15           Section 5. The special tax shall be collected in the same manner as  
16 ordinary ad valorem property taxes are collected, and shall be subject to the same  
17 penalties and same procedure and sale in cases of any delinquency for ad valorem  
18 taxes, and the Tax Collector is hereby authorized to deduct reasonable administrative  
19 costs incurred in collecting any said special tax.

20           Section 6. All monies above collected shall be paid into the Community  
21 Facilities District funds, including any bond fund and reserve fund.

22           Section 7. The Auditor of the County is hereby directed to enter in the  
23 next County assessment roll on which taxes will become due, opposite each lot or parcel  
24 of land affected in a space marked "public improvements, special tax" or by any other  
25 suitable designation, the installment of the special tax, and for the exact rate and amount  
26 of said tax, reference is made to the attached Exhibit "A".

27           Section 8. The County Auditor shall then, at the close of the tax  
28 collection period, promptly render to this Agency a detailed report showing the amount

OFFICE OF THE CITY ATTORNEY  
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Long Beach, CA 90802-4664

1 and/or amounts of such special tax installments, interest, penalties and percentages so  
2 collected and from what property collected, and also provide a statement of any  
3 percentages retained for the expense of making any such collection.

4 Section 9. This resolution shall take effect immediately upon its adoption  
5 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

6 I hereby certify that the foregoing resolution was adopted by the City  
7 Council of the City of Long Beach at its meeting of \_\_\_\_\_, 2007, by the  
8 following vote:

9 Ayes: Councilmembers: \_\_\_\_\_

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12 Noes: Councilmembers: \_\_\_\_\_

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14 Absent: Councilmembers: \_\_\_\_\_

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18 City Clerk

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**Exhibit A**  
**CITY OF LONG BEACH**  
**PRELIMINARY SPECIAL TAX ROLL 2007/08**  
**COMMUNITY FACILITIES DISTRICT NO. 1**  
**(BELMONT SHORES PARKING DISTRICT)**

<u>OWNER (1)</u>	<u>APN</u>	<u>2007/08 LEVY</u>
SEIBERT CYNTHIA L	7245-001-001	\$515.88
LORBEER ENTERPRISES LP	7245-001-002	1,031.88
LORBEER ENTERPRISES LP	7245-001-003	515.88
KARAHADIAN MILTON LLC	7245-002-001	1,547.76
ABSTRACT HOLDINGS INC	7245-002-002	516.00
NIKOLAU PAUL & JOYCE	7245-003-001	959.76
CITY OF LONG BEACH	7245-003-900	0.00
INNOMINATE LLC	7247-001-001	552.00
INNOMINATE LLC	7247-001-002	563.52
INNOCUOUS LLC	7247-001-003	563.52
HOF'S HUT RESTAURANTS INC	7247-001-004	564.00
FOURTH CHURCH OF CHRIST	7247-002-001	1,727.64
INNOCUOUS LLC	7247-002-002	575.52
HARRISON PATTI L	7247-003-001	359.64
SEIBERT CYNTHIA L	7247-003-002	383.64
SHANK MILDRED M	7247-003-003	371.64
BUBLITZ WENDLYN L	7247-003-004	371.64
SHANK MILDRED M	7247-003-005	816.00
LEC ASSOCIATES LLC	7247-004-001	575.52
NAM FRANK H & ISAKO	7247-004-002	575.52
LORBEER WILBUR W	7247-004-003	575.52
WILSON ROBERT & DEBORAH	7247-004-004	575.52
GAYTON ROBERT	7247-005-046	2,303.64
TRI LIN LB LLC	7247-006-001	515.88
STEINER ELOISE V	7247-006-002	515.88
LORBEER WILBUR W & JOYCE B	7247-006-003	515.88
LOVI ALEXANDER	7247-006-004	515.88
LORBEER ENTERPRISES LP	7247-007-001	1,031.88
ARTHUR PEARL INVESTMENT CO LLC	7247-007-002	749.64
ARTHUR PEARL INVESTMENT CO LLC	7247-007-003	281.76
INNOCUOUS LLC	7247-008-001	503.88
YOCHEN ORVILLE E	7247-008-002	1,007.76
SHIN STEPHEN J	7247-008-004	405.12
LORBEER ENTERPRISES LP	7247-009-001	480.00
BLAIR FRANK C JR & RUTH C	7247-009-002	510.72
LORBEER ENTERPRISES LP	7247-009-003	503.88
LORBEER ENTERPRISES LP	7247-009-004	503.88
NICHOLSON JERRY	7249-017-013	690.00
CUTULI LEONARD S CO TR	7249-017-018	1,076.28
CITY OF LONG BEACH	7249-017-902	0.00
DEKK ASSOCIATES	7249-018-029	515.88
HILL ROBERT H	7249-018-030	515.88
PAPADAKIS LILLIAN G	7249-018-031	515.88
TRIPENY CHRISITNE Z	7249-018-032	516.00
LORBEER ENTERPRISES LP	7249-019-021	995.76
MAYER JEAN M	7249-019-022	1,007.76
MCELROY KIM	7249-022-024	503.88
STAVROS LOUIS G	7249-022-025	503.88
MILLAN JUDY	7249-022-026	503.88

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**PRELIMINARY SPECIAL TAX ROLL 2007/08**  
**COMMUNITY FACILITIES DISTRICT NO. 1**  
**(BELMONT SHORES PARKING DISTRICT)**

<u>OWNER (1)</u>	<u>APN</u>	<u>2007/08 LEVY</u>
COLONNA FRANK & MICHELLE	7249-022-027	230.04
POWELL ROBERT W	7249-022-028	261.36
5251 ASSOCIATES LTD	7249-023-023	2,064.00
HARRIS PROPERTIES	7249-026-023	515.88
HILL ROBERT H	7249-026-024	250.92
SAHLIN PAUL R	7249-026-025	264.48
SINGER 2ND STREET PLAZA LLC	7249-026-028	1,031.88
COLONNA VICTORIA	7249-027-022	575.52
WELGE JOHN JR	7249-027-023	575.52
TAUCHER WILDA L	7249-027-024	575.52
FARMERS AND MERCHANTS	7249-027-025	576.00
BANK OF AMERICA	7249-030-021	575.52
SHANK CARL B & MILDRED M	7249-030-023	1,727.64
SASAKI FRANCES	7249-031-022	575.52
5009 BELMONT ASSOCIATES LP	7249-031-023	575.52
5009 BELMONT ASSOCIATES LP	7249-031-024	575.52
BAINES KEN B	7249-031-025	575.52
AMERICAN COMMERCIAL PROPERTIES III LLC	7249-033-032	575.52
SCHNEITER KURT B & LISA	7249-033-037	1,125.60
SCHNEITER KURT B & LISA	7249-033-038	601.20
SPITZER ARTHUR T	7249-034-024	1,064.76
FARMERS AND MERCHANTS BANK OF LONG BEACH	7249-034-029	1,128.00
TROSSEN KENNETH & JUDITH	7256-021-012	563.52
TROSSEN KENNETH & JUDITH	7256-021-013	563.52
RIVERSIDE PARTNERS LTD NO 100	7256-021-016	563.52
BOYD ARDEN F & RITA M	7256-021-019	3,746.28
MEYER HENRY J	7256-022-001	1,127.52
COLONNA FRANK & MICHELLE	7256-022-002	1,115.52
SHANK MILDRED M	7256-023-001	1,151.52
E D D INVESTMENT COMPANY	7256-023-002	1,151.52
BOREN LARRY L & LYNN E	7256-024-016	379.56
<b>TOTALS:</b>	<b>80 PARCELS</b>	<b>\$58,312.68</b>

(1) OWNERSHIP INFORMATION PROVIDED FROM SECURED ROLL DATA FOR FISCAL YEAR 2006/07

Q:\LONGBEAC\CFDS\spreads\CFD1-0708 (Exhibit A).xls\FY0708