

CITY OF LONG BEACH

C-6

DEPARTMENT OF FINANCIAL MANAGEMENT

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802

July 14, 2009

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 2010 and authorizing the Los Angeles County Auditor-Controller to include this levy on the 2009-10 Secured Tax Roll. (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. 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 through FY 09, the levy was set at \$0.12.

In August 2008, City Council approved and adopted the formation of Community Facilities District 2007-2 (Belmont Shore). Due to market conditions, the City has not issued bonds under CFD 2007-2, which would have repaid 1993 Belmont Shore Parking Revenue Meter Revenue bonds. For this reason, the City is opting to levy

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under the CFD No. 1 authority until market conditions change to allow for the issuance of the new CFD 2007-2 (Belmont Shore) bonds.

At its meeting of June 18, 2009, the BSPBIA recommended that the levy again be set at \$0.12 per square foot of commercial properties.

This matter was reviewed by Assistant City Attorney Heather A. Mahood on June 22, 2009 and Budget and Performance Management Bureau Manager David Wodynski June 18, 2009.

TIMING CONSIDERATIONS

City Council action is requested on July 14, 2009, as the Los Angeles County Auditor-Controller requires the assessment roll by July 31, 2009 or shortly thereafter.

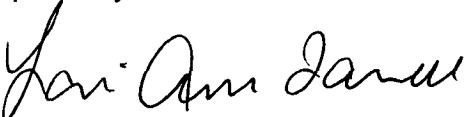
FISCAL IMPACT

The District levy is estimated to generate \$59,027 in FY 10. This amount will be budgeted as part of the FY 10 Budget in the Parking and Business Area Improvement Fund (SR 132) in the Department of Community Development (CD). There is no impact to the City's General Fund.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



LORI ANN FARRELL
DIRECTOR OF FINANCIAL MANAGEMENT/CFO

LF: DSN:EC
K:\EXEC\COUNCIL LETTERS\TREASURY\07-14-09 - CFD1 BELMONT SHORE-2009-2010.DOC

ATTACHMENT

APPROVED:



PATRICK H. WEST
CITY MANAGER

1 RESOLUTION NO.

2
3 A RESOLUTION OF THE CITY COUNCIL OF THE
4 CITY OF LONG BEACH ESTABLISHING ANNUAL SPECIAL
5 TAX FOR COMMUNITY FACILITIES DISTRICT NO. 1
6 (BELMONT SHORE) FOR FISCAL YEAR 2009-2010
7

8 WHEREAS, the City Council of the City of Long Beach (hereinafter referred
9 to as the "legislative body") initiated proceedings, held a public hearing, conducted an
10 election and received a favorable vote from the qualified electors relating to the levy of a
11 special tax in a community facilities district, all as authorized pursuant to the terms and
12 provisions of the "Mello-Roos Community Facilities Act of 1982", being Chapter 2.5, Part
13 1 of Division 2, Title 5 of the Government Code of the State of California. This
14 Community Facilities District shall hereinafter be referred to as Community Facilities
15 District No. 1 (Belmont Shore) (hereinafter referred to as the "District"); and

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

18 WHEREAS, this legislative body, by ordinance as authorized by Section
19 53340 of the Government Code of the State of California, has authorized the levy of a
20 special tax to pay for costs and expenses related to said Community Facilities District,
21 and this legislative body is desirous to establish the specific rate of the special tax to be
22 collected for the next fiscal year;

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

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

26 Section 2. That the specific rate and amount of the special tax to be
27 collected to pay for the costs and expenses for the next fiscal year (2009-2010) for the
28 referenced District is hereby determined and established as set forth in the attached,

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

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

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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 _____, 2009, by the
8 following vote:

9 Ayes: Councilmembers: _____

10 _____

11 _____

12 _____

13 Noes: Councilmembers: _____

14 _____

15 Absent: Councilmembers: _____

16 _____

17 _____

18 _____
City Clerk

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Exhibit A
CITY OF LONG BEACH
PRELIMINARY SPECIAL TAX ROLL 2009/10
COMMUNITY FACILITIES DISTRICT NO. 1
(BELMONT SHORES PARKING DISTRICT)

OWNER (1)	APN	2009/10 LEVY
BUBLITZ MAXWELL CO TR	7245-001-001	516.00
LORBEER ENTERPRISES LP	7245-001-002	1,032.00
LORBEER ENTERPRISES LP	7245-001-003	516.00
KARAHADIAN MILTON LLC	7245-002-001	1,548.00
ABSTRACT HOLDINGS INC	7245-002-002	516.00
NIKOLAU PAUL & JOYCE	7245-003-001	960.00
LONG BEACH CITY	7245-003-900	0.00
INNOMINATE LLC	7247-001-001	552.00
INNOMINATE LLC	7247-001-002	564.00
INNOCUOUS LLC	7247-001-003	564.00
HOF'S HUT RESTAURANTS INC	7247-001-004	564.00
FOURTH CHURCH OF CHRIST	7247-002-001	1,728.00
INNOCUOUS LLC	7247-002-002	576.00
HARRISON PATTI L	7247-003-001	360.00
SEIBERT CYNTHIA L	7247-003-002	384.00
SHANK MILDRED M	7247-003-003	372.00
BUBLITZ MAXWELL E CO TR	7247-003-004	372.00
SHANK MILDRED M	7247-003-005	816.00
LEC ASSOCIATES LLC	7247-004-001	576.00
NAM FRANK H & ISAKO	7247-004-002	576.00
LORBEER WILBUR W	7247-004-003	576.00
WILSON DEBORAH C	7247-004-004	576.00
GAYTON ROBERT	7247-005-046	2,304.00
TRI LIN LB LLC	7247-006-001	516.00
STEINER ELOISE V	7247-006-002	516.00
LORBEER WILBUR W & JOYCE B	7247-006-003	516.00
DSC AMERICA INC	7247-006-004	516.00
LORBEER ENTERPRISES LP	7247-007-001	1,032.00
ARTHUR PEARL INVESTMENT CO LLC	7247-007-002	750.00
ARTHUR PEARL INVESTMENT CO LLC	7247-007-003	282.00
INNOCUOUS LLC	7247-008-001	504.00
YOCHEN ORVILLE E	7247-008-002	1,008.00
SHIN KYUNG JA	7247-008-004	492.00
LORBEER ENTERPRISES LP	7247-009-001	484.80
BLAIR FRANK C JR & RUTH C	7247-009-002	511.20
LORBEER ENTERPRISES LP	7247-009-003	504.00
LORBEER ENTERPRISES LP	7247-009-004	504.00
NICHOLSON JERRY	7249-017-013	690.00
CUTULI S LEONARD CO TR	7249-017-018	1,076.40
LONG BEACH CITY	7249-017-902	0.00
DEKK ASSOCIATES	7249-018-029	516.00
HILL ROBERT H	7249-018-030	516.00
PAPADAKIS LILLIAN G	7249-018-031	516.00
TRIPENY CHRISITNE Z	7249-018-032	516.00
LORBEER ENTERPRISES LP	7249-019-021	996.00
MAYER JEAN M	7249-019-022	1,008.00
MCELROY KIM	7249-022-024	504.00
TAVLARIDES ANGELO J & MARY	7249-022-025	504.00
MILLAN JUDY	7249-022-026	504.00

Exhibit A
CITY OF LONG BEACH
PRELIMINARY SPECIAL TAX ROLL 2009/10
COMMUNITY FACILITIES DISTRICT NO. 1
(BELMONT SHORES PARKING DISTRICT)

OWNER (1)	APN	2009/10 LEVY
COLONNA FRANK & MICHELLE	7249-022-027	230.40
POWELL ROBERT W	7249-022-028	261.60
5251 ASSOCIATES LTD	7249-023-023	2,064.00
HARRIS PROPERTIES	7249-026-023	516.00
HILL ROBERT H	7249-026-024	251.28
SAHLIN PAUL R	7249-026-025	264.72
SINGER 2ND STREET PLAZA LLC	7249-026-028	1,032.00
COLONNA VICTORIA	7249-027-022	576.00
WELGE JOHN JR	7249-027-023	576.00
TAUCHER WILDA L	7249-027-024	576.00
FARMERS AND MERCHANTS	7249-027-025	576.00
BANK OF AMERICA	7249-030-021	576.00
SHANK CARL B & MILDRED M	7249-030-023	1,728.00
SASAKI FRANCES D	7249-031-022	576.00
5009 BELMONT ASSOCIATES LP	7249-031-023	576.00
5009 BELMONT ASSOCIATES LP	7249-031-024	576.00
BAINES KEN B	7249-031-025	576.00
AMERICAN COMMERCIAL PROPERTIES III LLC	7249-033-032	576.00
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	1,116.00
FARMERS AND MERCHANTS BANK OF LONG BEACH	7249-034-029	1,128.00
TROSSEN KENNETH & JUDITH	7256-021-012	564.00
TROSSEN KENNETH & JUDITH	7256-021-013	564.00
RIVERSIDE PARTNERS LTD NO 100	7256-021-016	1,116.00
BOYD ARDEN F & RITA M	7256-021-019	3,746.40
HJM SUNRISE PLAZA LLC	7256-022-001	1,128.00
COLONNA FRANK & MICHELLE	7256-022-002	1,116.00
SHANK MILDRED M	7256-023-001	1,152.00
E D D INVESTMENT COMPANY	7256-023-002	1,152.00
BOREN LARRY L & LYNN E	7256-024-016	379.56
TOTALS:	80 PARCELS	\$59,027.16

(1) OWNERSHIP INFORMATION PROVIDED FROM SECURED ROLL DATA FOR FISCAL YEAR 2008/09