



Legislation Text

File #: 18-0651, **Version:** 1

Recommendation to receive supporting documentation into the record, conclude the public hearing to consider the re-establishment of the Uptown Property and Business Improvement District (UPBID); direct the City Clerk to tabulate the ballots and report the results of the tabulation to the Mayor and City Council during the August 7, 2018 meeting; and, if a majority of ballots received are in favor of the establishment of the UPBID, adopt resolution to re-establish the UPBID for a term of ten years, effective January 1, 2019 through December 31, 2028. (Districts 8,9)

The State of California Property and Business Improvement District Law of 1994 (Section 36600 et seq. of the California Streets and Highways Code), and Article XIID of the California Constitution (Proposition 218), enables the City of Long Beach (City) to create a property-based assessment district allowing property owners to voluntarily assess themselves for various services beyond those provided by the City. These services include enhanced maintenance, public safety, beautification, marketing, and economic development programs. All properties located within the boundaries of the Uptown Property and Business Improvement District (UPBID) that receive special benefits, as determined by the engineer's report, must be allocated a proportional share of the assessment.

Property owners of record located in the UPBID, who will pay more than 50 percent of the proposed assessment, have submitted petitions to the City for the re-establishment of the UPBID. The UPBID Management District Plan (MDP) (Exhibit A to the Resolution) details the boundaries of the UPBID, the method of assessment for each parcel, and the improvements and activities for which the assessment funds will be used. The assessment methodology will generate approximately \$177,356 in revenue for the UPBID during the first year. The anticipated assessment for the parcels in the UPBID owned by the City during the first year is \$40,880. A detail of each parcel assessment is found in the MDP.

If re-established, the UPBID will be for a ten-year period, January 1, 2019 through December 31, 2028, and the City Council will annually review and consider approving the renewal of the levy, budgets, and reports as submitted by the UPBID. Each fiscal year beginning FY 20, the maximum allowable assessment rate may increase by up to 4 percent based on demonstrated need and a recommendation by the Owners' Association governing the UPBID in its annual report to the City Council. If the levy is not renewed, a subsequent public hearing must occur to disestablish the UPBID.

The Uptown Property and Community Association (UPCA) will govern the UPBID, and shall serve as the Owner's Association, pursuant to California Streets and Highways Code Section 36651. The UPCA Board of Directors will adhere to the Ralph M. Brown Act requirements.

Pursuant to the Streets and Highways Code, Section 36650, the UPCA will also provide an annual report to the City.

As approved by City Council action on June 12, 2018 (Number RES-18-0076), and to comply with the California Constitution, a notice of assessment and an assessment ballot were mailed to property owners who are proposed to be assessed. Ballots are weighted by assessment amounts. At the conclusion of this public hearing, the City Clerk will tabulate the votes, and will return to the City Council later during this August 7, 2018 meeting to announce the results. If there is not a majority protest from property owners, the City Council may adopt the Resolution re-establishing the UPBID.

This matter was reviewed by Deputy City Attorney Amy R. Webber on July 18, 2018 and by Budget Management Officer Rhutu Amin Gharib on July 20, 2018.

The current UPBID contract terminates on December 31, 2018. City Council action is requested on August 7, 2018, to submit all parcel information to the County of Los Angeles Assessor's Office, for the new ten-year term and proposed assessment to become effective on January 1, 2019.

Should the Uptown Property and Business Improvement District (UPBID) votes be tabulated and result in favor of the reestablishment of the UPBID, the anticipated assessment for all City-owned parcels in the UPBID for FY 19 is projected to be \$40,880. This amount is associated with Houghton Park, Michelle Obama Library, Fire Station 12, and other City-owned properties in the UPBID. City departments have sufficient budget for the current assessment that can continue to be used to support future assessments. Should an increase in the levy amount occur, City departments will return to the City Council to request an appropriation adjustment, as needed. Approval of this recommendation will provide continued support to the local economy.

Approve recommendation.

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JOHN KEISLER
DIRECTOR OF ECONOMIC DEVELOPMENT

APPROVED:

PATRICK H. WEST
CITY MANAGER