

**Attachment 1 – Resolution of Intention**

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY OF PASADENA STATING ITS INTENTION TO FORM THE SOUTH LAKE AVENUE PROPERTY-BASED BUSINESS IMPROVEMENT DISTRICT AND TO LEVY AND COLLECT ASSESSMENTS WITHIN SUCH DISTRICT PURSUANT TO THE PROPERTY AND BUSINESS IMPROVEMENT DISTRICT LAW OF 1994, PART 7 OF DIVISION 18 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE, AND APPOINTING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO**

**WHEREAS**, the Property and Business Improvement District Law of 1994, Part 7 of Division 18 of the California Streets and Highways Code, commencing with Section 36600, (the "Law") authorizes cities to establish property and business improvement districts within business districts to promote the economic revitalization and physical maintenance of such business districts; and

**WHEREAS**, the Law authorizes cities to levy and collect assessments on real property within such districts for the purpose of providing improvements and promoting activities that specially benefit real property within such districts; and

**WHEREAS**, Articles XIIC and XIID of the California Constitution and Section 53753 of the California Government Code impose certain procedural and substantive requirements relating to the levy of new or increased assessments; and

**WHEREAS**, a written petition has been submitted by property owners within the South Lake business district requesting the City Council to initiate proceedings pursuant to the Law to establish a property and business improvement district to be named the South Lake Avenue Property-Based Business Improvement District; and

**WHEREAS**, such petition was signed by property owners in the proposed district who will pay more than fifty percent (50%) of the assessments proposed to be levied; and

**WHEREAS**, a Management District Plan entitled the "South Lake Avenue Property-Based Business Improvement District (PBID) – A Management Plan" (the Management District Plan) has been prepared and submitted to the City Clerk, containing all of the information required by Section 36622 of the Law, including a description of the boundaries of the district, the improvements and activities proposed for the district, and the cost of such improvements and activities; now therefore be it

**RESOLVED**, that the Pasadena City Council declares as follows:

Section 1. Pursuant to Section 36621(a) of the Law, the Pasadena City Council declares its intention to form a property and business improvement district to be designated the "South Lake Avenue Property-based Business Improvement District" (the "District") and to levy and collect assessments against lots and parcels of real property within the District, commencing with fiscal year (calendar year) 2013-17.

Section 2. The City Council hereby approves the Management District Plan, on file in the office of the City Clerk.

Section 3. The City Clerk shall make the Management District Plan and other documents related to the District available to the public for review during normal business hours Monday through Thursday 7:30 a.m. – 5:30 p.m. and alternating Fridays, 7:30 a.m. – 5:00 p.m.

Section 4. NOTICE IS HEREBY GIVEN that the City Council shall conduct a public hearing on the establishment of the District and the levy and collection of assessments for fiscal year (calendar year) 2013-17 on May 14<sup>th</sup>, 2012 at 7:00 p.m. or as soon thereafter as the matter may be heard, in Council Chamber, Room S249 or City Hall located at 100 North Garfield. At the public hearing, the City Council will consider all objections or protests, if any, to the proposed establishment of the District and the proposed assessment. Any interested person may present written or oral testimony at the public hearing.

Section 5. The exterior boundaries of the proposed District include an approximately 14-block area bounded by Hudson Street on the west, Colorado Boulevard on the north, Mentor Street on the east, and the commercial properties south of California Boulevard on the south.

Section 6. The proposed improvements and activities for the District include providing security, sanitation, street and sidewalk cleaning and other municipal services supplemental to those normally provided by the City; marketing, and other improvements and activities which benefit businesses and real property located in the District.

Section 7. The assessment proposed to be levied and collected for calendar year 2013 is \$595,000. The amount to be levied and collected for subsequent years up to a total of 5 years may also be increased, by an amount not to exceed five percent per year, in accordance with increases in the Consumer Price Index, All Urban Consumers, for the Los Angeles-Riverside-Orange County metropolitan area.

Section 8. The City Clerk, or her designee, is hereby authorized and directed to cause notice to be given of the public hearing as provided in Section 53753 of the Government Code and Article XIID, Section 4 of the California Constitution.

Adopted at the regular meeting of the City Council on the 26<sup>th</sup> day of March, 2012, by the following vote:

AYES:

NOES:

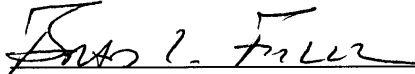
ABSENT:

ABSTAIN:

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MARK JOMSKY, CITY CLERK

Approved as to form:

  
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Brad L. Fuller, Assistant City Attorney