



# Agenda Report

**DATE: JULY 23, 2001**

**TO: CITY COUNCIL**

**FROM: CYNTHIA J. KURTZ, CITY MANAGER**

**SUBJECT: PUBLIC HEARING: PROPOSED BASIS AND METHOD OF LEVYING ASSESSMENTS AND THE LEVY OF THE ANNUAL ASSESSMENT FOR PROGRAM YEAR 2001 FOR THE SOUTH LAKE BUSINESS IMPROVEMENT DISTRICT**

## **RECOMMENDATION**

It is recommended that the City Council ("City Council") take the following actions:

1. Approve the Annual Report of the South Lake Business Association ("Association") for the South Lake Business Improvement District (the "District") for Fiscal Year 2001 as attached as Attachment No. 2 to this Agenda Report with conditions as outlined in the staff report.
2. Hold a public hearing to consider the proposed basis and method of levying assessments and the levy of the annual assessments for Program Year 2001 for the South Lake Business Improvement District.
3. At the conclusion of the public hearing, adopt a resolution, attached hereto as Attachment 1, establishing the basis and method of levying assessments within the South Lake Business Improvement District for Program Year 2001, while keeping with the Approval Conditions detailed in this report.

## **BACKGROUND**

At its meeting of July 9, 2001, the City Council adopted Resolution No. 8015 declaring its intention to (1) establish the basis and method of levying assessments, and (2) levy assessments for businesses within the District for Fiscal Year 2001. The resolution fixed July 23, 2001 at 8:00 p.m. for a public hearing to consider the proposed annual assessments for Program Year 2001. Notice of the public hearing was given by publishing the resolution of intention in The Pasadena Journal on July 12, 2001.

Attached hereto as Attachment No. 2 is a copy of the Annual Report, which was submitted by the South Lake Business Association for the District on December 21, 2000. Among other things, the Annual Report includes: (1) a proposed list of the improvements, activities and programs proposed to be accomplished during 2001; (2) a budget therefore, and (3) the basis and method of levying assessments. The District boundaries are shown on Exhibit "A" to the Annual Report and the proposed assessment formula is set forth in Exhibit "A-1" to the Annual Report. This formula is identical to that in effect for the previous fiscal year. The proposed improvements and activities to be conducted by the Association during 2001 and the budget are attached as Exhibit "C" and "D" respectively to the Annual Report. According to the City's Finance Department, assessments from the District are estimated to be approximately \$143,000 in Program Year 2001.

The Parking and Business Improvement Area Law allows the City Council, during the course or upon conclusion of the public hearing, to order changes in any of the matters provided in the Annual Report, including changes in the proposed assessments, the proposed improvements and activities to be funded with the revenues derived from the levy of the assessments, and the boundaries of the District and any benefit zones within the District. In addition, at the conclusion of the public hearing, the City Council may adopt a resolution confirming the Annual Report as originally filed or as changed by it. The adoption of the resolution, attached hereto as Attachment No. 1, shall constitute the basis and method of levying the assessments and the levy of an assessment for Program Year 2001.

It is recommended that the City Council hear and consider all protests (if any) against the proposed action. Thereafter, and provided that written protests are not received from the owners of businesses in the District which will pay more than 50% of the assessments proposed to be levied, it is recommended that the City Council adopt the resolution presented to it at this public hearing.

The South Lake Business Association's audited financial statement for FY 1999 and 2000 are attached as Attachment No. 3.