

Agenda Report

DATE: APRIL 12, 1999

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 FISCAL YEAR 1999 FOR THE SOUTH LAKE BUSINESS IMPROVEMENT DISTRICT

RECOMMENDATION

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

1. Hold a public hearing to consider the proposed basis and method of levying assessments and the levy of the annual assessment for Fiscal Year 1999 for the South Lake Business Improvement District ("District").
2. At the conclusion of the public hearing, adopt a resolution confirming the Annual Report of the South Lake Business Association ("Association") for the District for Fiscal Year 1999, and establishing the basis and method of levying assessments and levying assessments within the South Lake Business Improvement District for Fiscal Year 1999.

BACKGROUND

At its meeting of March 15, 1999, the City Council approved the Fiscal Year 1999 Annual Report for the South Lake Business Improvement District and adopted Resolution No. 7723 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 1999. The resolution fixed **April 12, 1999 at 8:00 p.m.** for a public hearing to consider the proposed annual assessments for Fiscal Year 1999. Notice of the public hearing was given by publishing the resolution of intention in The Pasadena Journal on April 1, 1999, and in The Pasadena Weekly on April 1, 1999.

PUBLIC HEARING: PROPOSED BASIS AND METHOD OF LEVYING ASSESSMENTS AND THE LEVY OF THE ANNUAL ASSESSMENT FOR FISCAL YEAR 1999 FOR THE SOUTH LAKE BUSINESS IMPROVEMENT DISTRICT

Attached hereto as Attachment No. 1 is a copy of the Annual Report which was submitted by the South Lake Business Association for the District on February 11, 1999. Among other things, the Annual Report includes: (1) a proposed list of the improvements, activities and programs proposed to be accomplished during 1999; (2) a budget therefor, 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 1999 and the budget therefor 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 \$120,000 in Fiscal Year 1999.

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. 2, shall constitute the basis and method of levying the assessments and the levy of an assessment for Fiscal Year 1999.

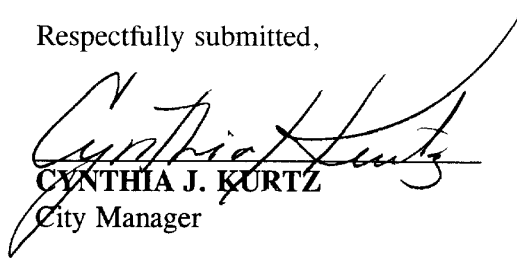
It is recommended that the City Council hear and consider all protests (if any) against the proposed action. Thereafter, and provided that written protests are not received from the owners of businesses in the District which will pay more than 50% of the assessments proposed to be levied, it is recommended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

The South Lake Business Association was informed by staff on March 15, 1999, that the City Council had requested that the independently audited FY 1998 financial statement for the District be submitted promptly by the Association to the City. The Association's letter response attached as Attachment No. 3 states that the audited financial statement will be submitted to the City as soon as it is complete. Staff will review the audit once it has been submitted. For the City Council's information, the South Lake Business Association's audited financial statement for FY 1997 is attached as Attachment No. 4.

FISCAL IMPACT

Implementation of the proposed assessment formula for calendar year 1999 will have no fiscal impact upon the General Fund or any other fund of the City, other than the administrative cost of administering the collection of the assessments. Administrative costs have been budgeted in

Respectfully submitted,



CYNTHIA J. KURTZ
City Manager

Prepared by:



MARSHA V. ROOD
Development Administrator

Approved by:



STEPHEN G. HARDING
Interim Director of Housing and Development

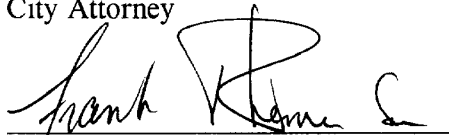
Concurrence:



JAY M. GOLDSTONE
Director of Finance

Reviewed by:

MICHELE BEAL BAGNERIS
City Attorney



MICHAEL ESTRADA
Assistant City Attorney