Atascadero City Council
Staff Report – City Manager’s Office

Parking & Business Improvement Area (PBIA) Assessment
(The annual PBIA assessment has been set at $0.00)

RECOMMENDATION:

Council adopt the Draft Resolution of Intention, declaring intent to levy annual Downtown Parking & Business Improvement Area assessment, and set a public hearing for July 12, 2011.

DISCUSSION:

Background: The City of Atascadero established a Downtown Parking and Business Improvement Area in 1986 (Chapter 11 of the Atascadero Municipal Code) for the purpose of acquisition, construction or maintenance of parking facilities, decoration of public places, promotion of public events, and general promotion of business activities in the downtown area. The formation and operation of a Business Improvement Area is governed by the California Streets & Highways Code (Section 36500 et. Seq.). The assessment was reduced to $0.00 as a stimulus program to encourage downtown businesses. An annual draft Resolution of Intention, declaration of intent to levy annual Downtown Parking and Business Improvement Area assessment, and holding a public hearing is still required by the California Streets & Highways Code for the City to continue to levy and collect the assessment.

Staff is proposing that the hearing be conducted at the next regular meeting scheduled for July 12, 2011.

FISCAL IMPACT:

None
ALTERNATIVES:

The City Council may eliminate the stimulus program and assess a fee to businesses in the District.

ATTACHMENTS:

1. Downtown Parking and Business Improvement Area Report and Proposed Expenditures for 2011-2012
2. Draft Resolution of Intention
Atascadero Main Street
Downtown Parking and Business Improvement Area
Annual Report for Fiscal Year 2011-2012

The California Streets and Highways Code Section 36533 requires the preparation of a report for each fiscal year for which assessments are to be levied and collected to pay the costs of improvements and activities of the Improvement Area. The report may propose changes, including, but not limited to the boundaries of the parking and business improvement area or any benefit zones within the area, the basis and method of levying the assessments, and any changes in the classification of businesses. There are no boundary changes proposed. The boundaries are more specifically described as follows:

From the South corner of Morro Road at the Highway 101 over-crossing then in the generally northwest direction immediately adjacent to Highway 101, to a point, at the intersection of El Camino Real and Rosario Avenue, then easterly along Rosario Avenue, to a point at the intersection of Rosario and Palma Avenue, then easterly along Palma Avenue to the rear lot line of parcels on the east side of Traffic Way, then north along said rear lot lines to include Lot 24 of Block LA, of Atascadero, then northerly along the center line of Traffic Way, to a point, then easterly to include the presently existing National Guard Armory Property. Then to a point easterly to the intersection of West Mall and Santa Ysabel Avenue at the West Mall bridge, then southerly along Santa Ysabel Avenue to a point at the intersection of the southerly leg of Hospital Drive and Santa Ysabel Avenue, then easterly from that point to the extension of proposed Highway 41, then southwesterly to the Morro Road/Highway 101 over-crossing, point of beginning.

The Atascadero Main Street organization is the advisory body and sub-contractor to the City regarding the downtown Parking and Business Improvement Area. Since 2000, the City, Community Redevelopment Agency, Main Street and the community have worked to strengthen the downtown business community, increase the capacity of the Main Street organization and implement the downtown revitalization strategy. Each licensed business in the Improvement Area shall contribute to the assessment. Activities and improvements in the Downtown Parking and Business Improvement Area are funded by the assessment. The assessment is set at $0.00.

This report shall be filed with the City Clerk on behalf of the Downtown Parking and Business Improvement area for fiscal year 2011-2012.
DRAFT RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ATASCADERO DECLARING THE CITY’S INTENT TO LEVY AN ANNUAL ASSESSMENT PURSUANT TO STREETS & HIGHWAYS CODE SECTION 36500 ET. SEQ.

WHEREAS, the City of Atascadero has formed a Parking and Business Improvement Area, pursuant to Section 36500 of the Streets & Highway Code of the State of California; and,

WHEREAS, the City Council has received a report pursuant to Section 36533 of said code; and,

WHEREAS, the City Council has approved such report and is required to adopt a resolution of intention pursuant to Section 36534; and,

WHEREAS, the report proposes no changes to the boundaries or assessment amounts that are currently applies in said area; and,

WHEREAS, the report identifies the proposed improvements and activities for the area based upon the National Main Street Program four point approach. Such report is on file and available for inspection at the office of the City Clerk.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ATASCADERO CALIFORNIA DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The City Council hereby declares its intent to levy and collect assessments within the Parking and Business Improvement Area for fiscal year 2011-2012.

Section 2. The area is known as the Downtown Parking and Business Improvement Area. The area is generally located in the downtown core including the area between Highway 41 on the south, Rosario on the north, Highway 101 on the west, and an irregular boundary generally along Santa Ysabel on the east.

Section 3. The City Ordinance, consistent with Section 36527 of the Streets and Highways Code proposes the following uses of Area revenue:

a. The acquisition, construction, or maintenance of parking facilities for the benefit of the area.
b. Decoration of public place in the area.
c. Promotion of public events that are to take place on or in public places in the area.
d. The general promotion of business activities in the area.
**Section 4.** A report is on file in the office of the City Clerk, which includes a full and detailed description of the improvements and activities to be provided in the fiscal year 2011-2012, the boundaries of the area, and the proposed assessments to be levied upon the businesses within the area for fiscal year 2011-2012.

**Section 5.** The City Council will hold a public hearing on the levy of the proposed assessment for fiscal year 2011-2012 on July 12, 2011 at 6:00 p.m., or sometime shortly thereafter, in the City Council Chambers.

**Section 6.** Written or oral protests may be made at the hearing. The form of the protests shall comply with Sections 36524 and 36524 of the Streets and Highways Code.

**Section 7.** The City Clerk is hereby directed to give notice of the public hearing by causing this resolution to be published once in a newspaper of general circulation in the city not less than seven days before said hearing.

On motion by Council Member ____________________________, and seconded by Council Member ____________________________, the foregoing Resolution is hereby adopted by the following roll call vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAINED:**

**ADOPTED:**

CITY OF ATASCADERO

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Tom O’Malley, Mayor

**ATTEST:**

By: ___________________________
Marcia McClure Torgerson, C.M.C., City Clerk

**APPROVED AS TO FORM:**

By: ___________________________
Brian A. Pierik, City Attorney