Downtown Parking & Business Improvement Area (PBIA)  
(FY 2011-2012) Confirmation of Annual Assessment  

(Request for Council to confirm annual assessment for downtown PBIA.)

RECOMMENDATION:

Council adopt the Draft Resolution confirming the annual assessment for the Downtown Parking & Business Improvement Area (Fiscal Year 2011-2012) at $0.00.

DISCUSSION:

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 last year to $0.00 as a stimulus program to encourage downtown businesses. An annual draft Resolution of Intention, declaring intent to levy annual Downtown Parking and Business Improvement Area assessment, and the holding a public hearing is still required by the California Streets & Highways Code for the City to continue to levy and collect the assessment.

The City Council adopted a draft Resolution of Intention on June 28, 2011, and set a public hearing for July 12, 2011 to receive public comment. Following the public hearing, it is staff’s recommendation that the Council adopt the proposed Resolution. Adoption of the Resolution constitutes the levying of assessment which is recommended to be zero.

FISCAL IMPACT: None

ALTERNATIVE:

The City Council may direct staff to amend the Resolution before adoption.

ATTACHMENT: Draft Resolution
DRAFT RESOLUTION

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF ATASCADERO CONFIRMING DOWNTOWN PARKING AND BUSINESS IMPROVEMENT AREA ASSESSMENT FOR FISCAL YEAR 2011-2012

WHEREAS, the City of Atascadero established a Downtown Parking and Business Improvement District consistent with Section 36500 et seq. of the Streets and Highways Code of the State of California; and;

WHEREAS, the City Council has determined to set the assessment at $0.00 to provide a stimulus to downtown businesses in this time of unprecedented economic downturn, eliminating the need for a report in accordance with Section 36533 of the Streets & Highway Code of the State of California; and,

WHEREAS, the City Council did fix a time and place for a public hearing on the levy of the proposed assessment for fiscal year 2011-2012; and,

WHEREAS, on July 12, 2011, the City Council conducted a public hearing at the date and time for such purpose; and,

WHEREAS, the City Council did not receive the required number of protests for the levy of such assessment.

NOW, THEREFORE BE IT RESOLVED:

1. That the City Council of the City of Atascadero does hereby confirm the assessment at $0.00 to provide a stimulus to downtown businesses in this time of unprecedented economic downturn pursuant to the Streets & Highway Code of the State of California.

On motion by Council Member _______________________________, and seconded by council Member ________________________________, the foregoing Resolution is hereby adopted following roll call vote:
AYES:

NOES:

ABSENT:

ABSTAINED:

ADOPTED: _________________, 2011

CITY OF ATASCADERO

__________________________________________
Tom O’Malley, Mayor

ATTEST:

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

APPROVED AS TO FORM:

By: ________________________________
   Brian A. Pierik, City Attorney