

**TOWN OF  
APPLE VALLEY, CALIFORNIA**

**AGENDA MATTER**

**Subject Item:**

**RESOLUTION APPROVING THE LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2009-10 WITHIN THE APPLE VALLEY VILLAGE PROPERTY AND BUSINESS IMPROVEMENT DISTRICT**

**Summary Statement:**

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 (the "PBIDs") within business districts to promote enhanced economic revitalization and physical maintenance of such business districts. The Law authorizes cities to approve the levy and collection of assessments on real property within such districts for the purpose of providing enhanced improvements and promoting activities that specifically benefit real property within such districts.

On July 10, 2007, the Town Council adopted a resolution establishing the Apple Valley Village Property and Businesses Improvement District (the "District ") for a five-year period (FY 07/08 - FY 11/12). The purpose of this District is to provide and manage supplemental services and improvements for this important business center, including a phased streetscape beautification project along Highway 18 and other streets within the PBID, image enhancements, such as seasonal banners and theme street furniture, supplemental public safety services and other improvements and activities which benefit businesses and real property located within the District.

Annually, it is recommended the Council adopt a resolution to approve the levy and collection of assessments against lots and parcels of real property within the District. The projected annual assessment is \$331,905.48 for Fiscal Year 2009-10. Of the total assessments to be levied, \$315,177.64 is to be charged to private owners and \$16,727.84 to public agencies, of which \$7,529.50 is directly charged to the Town.

**Recommended Action:**

That the Town Council adopt Resolution No. 2009-41 approving the levy and collection of assessments for fiscal year 2009-10 within the Apple Valley Village Property and Business Improvement District.

**Proposed by:** Economic and Community Development Department Item Number \_\_\_\_\_

**Town Manager Approval:** \_\_\_\_\_ **Budgeted Item**  Yes  No  N/A

**Summary Statement**  
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In accordance with the Management District Plan, the amount to be levied and collected for each fiscal year may not be increased, except where building area is expanded or newly constructed. Assessments are based on a tiered formula within two benefit zones: Zone A (Hwy 18, Central and Navajo frontage) and Zone B.

ZONE A (annual rates)

- A. A flat fee of \$230, plus
- B. \$0.0034 per square foot of land, plus
- C. \$0.1934 per square foot of building, plus
- D. \$1.904 per linear foot of street frontage.

ZONE B (annual rates)

- A. A flat fee of \$230, plus
- B. \$0.00136 per square foot of land, plus
- C. \$0.07736 per square foot of building, plus
- D. \$0.7616 per linear foot of street frontage.

An existing agreement for services between the Town and the Apple Valley Village PBID Association requires an annual work plan and detailed budget to be submitted by the incorporated Association Board for the Town's review and approval. The District Annual Report will be provided to the Council at the end of each fiscal year.

The Town will be responsible for submitting to the County of San Bernardino an annual assessment roll for the District for FY 2009-10. Public agencies for which the County does not bill a District assessment will receive a hand bill from the Town. The District assessment revenues collected by the County and paid to the Town will be remitted to the District as applicable and in accordance with the adopted District Annual Report.

**RESOLUTION NO. 2009-41**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY APPROVING THE LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2009-10 WITHIN THE APPLE VALLEY VILLAGE PROPERTY AND BUSINESS IMPROVEMENT DISTRICT**

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 (PBIDs) 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, on July 10, 2007, the Town Council adopted a resolution establishing the Apple Valley Village Property and Businesses Improvement District (the "District ") for a five-year period (FY 07/08 - FY 11/12); and

WHEREAS, it is necessary for the Town Council to adopt a resolution to levy and collect assessments in the District for each of the five years.

NOW, THEREFORE, the Town Council of the Town of Apple Valley resolves:

Section 1. The levy and collection of assessments against lots and parcels of real property within the District for Fiscal Year 2009-10 is ordered as described in the Management District Plan and incorporated herein by reference.

Section 2. The purpose of this District is to provide and manage supplemental services and improvements for this important business center, including a phased streetscape beautification project along Highway 18 and other streets within the PBID, image enhancements such as seasonal banners and theme street furniture, and supplemental public safety services; and other improvements and activities which benefit businesses and real property located within the District.

Section 3. The projected annual assessment to be levied and collected is \$331,905.48 for Fiscal Year 2009-10. Of the total assessments to be levied, \$315,177.64 is to be charged to private owners and \$16,727.84 to public agencies, of which \$7,529.50 is directly charged to the Town.

Section 4. The Town of Apple Valley Finance Director is hereby authorized to request the County of San Bernardino to collect assessments for the District for Fiscal Year 2009-10.

Section 5. The Town Clerk is hereby authorized and directed to transmit a certified copy of the Resolution and the Report to the San Bernardino County Auditor, as may be

required to place said assessment on the secured property tax roll for the Fiscal Year 2009-10.

PASSED AND ADOPTED this 11th day of August, 2009.

TOWN OF APPLE VALLEY, CALIFORNIA

BY: \_\_\_\_\_  
Mr. Rick Roelle, Mayor

ATTEST:

\_\_\_\_\_  
Ms. La Vonda M. Pearson, Town Clerk