

**TOWN OF
APPLE VALLEY, CALIFORNIA**

AGENDA MATTER

Subject Item:

RESOLUTION NO. 2010-35, APPROVING THE LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2010-11 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, authorizes cities to establish Property and Business Improvement Districts (PBIDs) and to levy and collect assessments on real property within PBIDs to promote enhanced economic revitalization and physical maintenance of business districts, including promoting activities that specifically benefit real property within PBIDs.

In 2007 the Town Council adopted a resolution establishing the Apple Valley Village PBID for a five-year period (FY2007-08—FY2011-12) to provide and manage supplemental services and improvements for this important business center, including improvements along Highway 18 and other streets within the PBID, facade and beautification enhancement projects, supplemental public safety services and other activities which benefit businesses and real property in the Village PBID.

On an annual basis, staff recommends adopting a resolution to approve the levy and collection of assessments against lots and parcels of real property in the PBID. The estimated FY2010-11 annual assessment is \$334,812.62. Of the total assessments to be levied, \$318,084.78 is to be charged to private owners, \$9,198.34 to other public agencies and \$7,529.50 is directly charged to the Town. As described in the tiered assessment formula within the adopted 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.

An approved Agreement for Services between the Town and the Village PBID Association requires the incorporated Association Board to submit an Annual Report to the Town for review and approval. The Annual Report, including a workplan and itemized budget, is submitted to the Council at the end of each fiscal year. The FY2010-11 Annual Report will be presented to the Council on August 10, 2010.

The Town is responsible to submit to the County of San Bernardino an annual assessment roll for the Village PBID. Public agencies for which the County does not bill a PBID assessment will receive a hand bill. The PBID assessment revenues collected by the County and paid to the Town will be remitted to the PBID as applicable and in accordance with the adopted Annual Budget Report and Management District Plan.

Recommended Action:

That the Town Council adopt Resolution No. 2010-35, approving the levy and collection of assessments for FY2010-11 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

RESOLUTION NO. 2010-35

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY
APPROVING THE LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL
YEAR 2010-11 WITHIN THE APPLE VALLEY VILLAGE PROPERTY AND
BUSINESS IMPROVEMENT DISTRICT**

Pursuant to 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 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 Village PBID for Fiscal Year 2010-11 is ordered as described in the Management District Plan and incorporated herein by reference.

Section 2. The purpose of this Village PBID is to provide and manage supplemental services and improvements for this important business center, including improvement projects along Highway 18 and other streets within the PBID, facade and beautification enhancement projects, supplemental public safety services and other activities which benefit businesses and real property in the Village PBID.

Section 3. The estimated annual assessment to be levied and collected in FY2010-11 is \$334,812.62. Of the total assessments to be levied, \$318,084.78 is to be charged to private owners, \$9,198.34 to other public agencies and \$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 FY2010-11.

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 FY2010-11.

APPROVED and ADOPTED this 27th day of July, 2010.

Mr. Peter Allan, Mayor

ATTEST:

Ms. La Vonda M. Pearson, Town Clerk