



TOWN OF APPLE VALLEY

TOWN COUNCIL STAFF REPORT

To: Honorable Mayor and Town Council **Date:** August 11, 2015

From: Orlando Acevedo **Item No:** 6
Economic Development Manager
Economic Development

Subject: ADOPT RESOLUTION NO. 2015-28, A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, CALIFORNIA, APPROVING THE LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2015-16 WITHIN THE APPLE VALLEY VILLAGE PROPERTY AND BUSINESS IMPROVEMENT DISTRICT (PBID)

T.M. Approval: _____ **Budgeted Item:** Yes No N/A

RECOMMENDED ACTION:

That the Town Council adopt Resolution No. 2015-28, approving the Levy and Collection of Assessments for Fiscal Year 2015-16 within the Apple Valley Village Property and Business Improvement District (PBID).

SUMMARY:

Each year the Town is responsible for submitting an updated assessment roll to the County of San Bernardino for the PBID assessment district. Accordingly, the Town Council annually adopts a resolution approving the levy and collection of assessments against parcels of real property within the PBID.

The estimated Fiscal Year 2015-16 annual assessment to be levied is \$200,763 (315 parcels), of which \$187,851 (297 parcels) is to be charged to private owners, \$5,928 (6 parcels) to other public agencies and \$6,984 (12 parcels) 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 is increased where building area is expanded or newly constructed and may be increased up to five percent (5%) per year per a majority vote of the PBID Association Board (Board). The Board did not take action to increase the assessment for Fiscal Year 2015-16.

Accordingly, staff recommends adoption of the form motion.

BACKGROUND:

In 2007, the Town Council adopted a resolution establishing the PBID for five (5) years (Fiscal Year 2007-08 – Fiscal Year 2011-12) to levy annual assessments against the PBID's assessable parcels to be used solely for purposes described in the PBID's adopted Management District Plan (Plan). In 2008, the PBID property owners formed and incorporated the Village PBID Association (Association), a 501c(4) nonprofit corporation. The Board was subsequently selected to act as the PBID administering body and entered into an Agreement for Services (Agreement) with the Town in December 2008 to implement the Plan and to access and expend assessment revenues.

In 2012, the Association led a successful grassroots campaign to renew the PBID for an additional five (5) year period (Fiscal Year 2012-13 – Fiscal Year 2016-17) and the Town Council unanimously ratified the property-owner vote and, following a public hearing, approved the continuation of the PBID. An updated Agreement was also approved in 2013.

Most recently, the Association unanimously adopted its Fiscal Year 2015-16 Budget on May 20, 2015, thereby approving key programs and services consistent with its adopted Plan, including continuation of marketing activities, kiosk and banner signage, enhanced security (provided by the County Sheriff's Department), the Aesthetics Rehabilitation Grant Program (ARGP), Highway 18 landscape/drainage improvements and maintenance, as well as allocations to accounting, legal and as needed consulting services. New this year included funding for the coordination and planning of a parade in the Village area; scheduled for October 17, 2015.

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 PBID's adopted Management District Plan. The PBID assessments are collected by the County with the annual property tax billing. The County returns the PBID assessment funds to the Town, who then either spends them directly for specified PBID programs (i.e. Highway 18 Median Landscape Project; supplemental County Sheriff services) or remits them, as applicable, to the Association to pay for and manage other PBID related programs and improvements (i.e. marketing/promotions, administration).

The Association remains accountable for all funds it directly administers and is required to submit expense reports and financial statements to the Town annually. An annual Agreed-Upon Procedures Report will be completed by a third-party Certified Public Accountant by October 1, 2015, and subsequently submitted to the Town to receive and file.

FISCAL IMPACT:

The financial impact would be in the form of assessments levied on twelve (12) Town-owned properties within the PBID, totaling \$6,984 for Fiscal Year 2015-16. This is a reduction of \$660 from last fiscal year when the Town owned fifteen (15) parcels within the PBID boundaries.

ATTACHMENTS:

Resolution No. 2015-28

*Assessment Roll available for review in the Town Finance Department

RESOLUTION NO. 2015-28

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, CALIFORNIA, APPROVING THE LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2015-16 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 Apple Valley Village PBID (Village PBID) for Fiscal Year 2015-16 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 Village 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 Fiscal Year 2015-16 annual assessment to be levied is \$200,763 (315 parcels), of which \$187,851 is to be charged to private owners, \$5,928 to other public agencies and \$6,984 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 Apple Valley Village Property and Business Improvement District for Fiscal Year 2015-16.

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 2015-16.

APPROVED and **ADOPTED** by the Town Council of the Town of Apple Valley, California, this 11th day of August, 2015.

Larry Cusack, Mayor

ATTEST:

La Vonda M-Pearson, Town Clerk