



REVISED SPECIAL AGENDA



CITY OF IMPERIAL BEACH
CITY COUNCIL
PLANNING COMMISSION
PUBLIC FINANCING AUTHORITY
HOUSING AUTHORITY

IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY

November 13, 2013

Council Chambers
825 Imperial Beach Boulevard
Imperial Beach, CA 91932

CLOSED SESSION & SPECIAL MEETING – 5:00 P.M.

THE CITY COUNCIL ALSO SITS AS THE CITY OF IMPERIAL BEACH PLANNING COMMISSION, PUBLIC FINANCING AUTHORITY, HOUSING AUTHORITY AND IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY

The City of Imperial Beach is endeavoring to be in total compliance with the Americans with Disabilities Act (ADA). If you require assistance or auxiliary aids in order to participate at City Council meetings, please contact the City Clerk's Office at (619) 423-8301, as far in advance of the meeting as possible.

CLOSED SESSION CALL TO ORDER

ROLL CALL BY CITY CLERK

CLOSED SESSION

1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Government Code Section 54957

Title: City Manager

RECONVENE AND ANNOUNCE ACTION (IF APPROPRIATE)

ADJOURN CLOSED SESSION

SPECIAL MEETING CALL TO ORDER

PUBLIC COMMENT - *Each person wishing to address the City Council regarding items not on the posted agenda may do so at this time. In accordance with State law, Council may not take action on an item not scheduled on the agenda. If appropriate, the item will be referred to the City Manager or placed on a future agenda.*

CONSENT CALENDAR (1.1) - *All matters listed under Consent Calendar are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items, unless a Councilmember or member of the public requests that particular item(s) be removed from the Consent Calendar and considered separately. Those items removed from the Consent Calendar will be discussed at the end of the Agenda.*

1.1 ADOPTION OF REVISED RESOLUTION OF INTENT NO. 2014-7521 APPROVING THE IMPERIAL BEACH BUSINESS IMPROVEMENT DISTRICT (BID) ANNUAL REPORT FOR FISCAL YEAR 2013-2014 AND SETTING A PUBLIC HEARING TO CONSIDER LEVYING THE BID ASSESSMENT FOR FISCAL YEAR 2014-2015. (0465-20)

Recommendation: That the City Council adopt the Revised Resolution No. 2014-7521 setting a public hearing for December 10, 2014 to consider levying the Fiscal Year 2014-2015 assessment for the BID.

Any writings or documents provided to a majority of the City Council/Planning Commission/Public Financing Authority/Housing Authority/I.B. Redevelopment Agency Successor Agency regarding any item on this agenda will be made available for public inspection in the office of the City Clerk located at 825 Imperial Beach Blvd., Imperial Beach, CA 91932 during normal business hours.

ADJOURN SPECIAL MEETING

The Imperial Beach City Council welcomes you and encourages your continued interest and involvement in the City's decision-making process.

FOR YOUR CONVENIENCE, A COPY OF THE AGENDA AND COUNCIL MEETING PACKET MAY BE VIEWED IN THE OFFICE OF THE CITY CLERK AT CITY HALL OR ON OUR WEBSITE AT www.ImperialBeachCA.gov.

/s/
Jacqueline M. Hald, MMC
City Clerk



STAFF REPORT
CITY OF IMPERIAL BEACH

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: ANDY HALL, CITY MANAGER *AH*

MEETING DATE: NOVEMBER 13, 2014

ORIGINATING DEPT.: CITY ADMINISTRATION

SUBJECT: ADOPTION OF REVISED RESOLUTION OF INTENT NO. 2014-7521 APPROVING THE IMPERIAL BEACH BUSINESS IMPROVEMENT DISTRICT (BID) ANNUAL REPORT FOR FISCAL YEAR 2013-2014 AND SETTING A PUBLIC HEARING TO CONSIDER LEVYING THE BID ASSESSMENT FOR FISCAL YEAR 2014-2015

EXECUTIVE SUMMARY:

City staff is requesting adoption of a revised Resolution of Intent No. 2014-7521 approving the annual report of the Imperial Beach Business Improvement District (the "BID") and setting a public hearing to consider levying the annual BID Assessment for Fiscal Year 2014-2015. The original Resolution of Intent adopted by the City Council on November 5, 2014, inadvertently excluded three sections (Sections 4, 5 and 6) which are required by State law. This revised Resolution of Intent No. 2014-7521 includes Sections 4, 5 and 6 with all other recitations and sections of the resolution remaining unchanged from the original resolution.

BACKGROUND:

On November 5, 2014, the City Council adopted Resolution No. 2014-7521 approving the annual report of the Imperial Beach Business Improvement District (the "BID") and setting a public hearing to consider levying the annual BID Assessment for Fiscal Year 2014-2015. This resolution was the first of a two-part process required under State Law during which the BID's Annual Report is considered (approved or approved as modified) at a City Council meeting (the first step) and a time is set for a noticed public hearing at which another resolution is adopted levying the annual assessment for the fiscal year (the second step).

ANALYSIS:

The Resolution of Intent adopted by the City Council on November 5, 2014, inadvertently excluded three sections, Sections 4, 5 and 6, which are required by State Law. These sections of the resolution (i) generally describe the proposed improvements and activities authorized by the BID Ordinance, (ii) sets a specified date and time of the public hearing at which the City Council will consider the levying of the BID assessments and (iii) directs the City Clerk to duly publish notice of that public hearing. The adoption of this revised Resolution No. 2014-7521 corrects this oversight and reinserts the necessary sections of the resolution required by State Law.

ENVIRONMENTAL DETERMINATION:

Not a project as defined by CEQA.

FISCAL IMPACT:

Minimal costs associated with the collection/disbursement of the BID assessments are incurred each year by the City.

RECOMMENDATION:

That the City Council adopt the Revised Resolution No. 2014-7521 setting a public hearing for December 10, 2014 to consider levying the Fiscal Year 2014-2015 assessment for the BID.

Attachments:

1. Revised Resolution No. 2014-7521

**RESOLUTION NO. 2014-7521
(REVISED)**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, APPROVING THE FISCAL YEAR 2013-2014 IMPERIAL BEACH BUSINESS IMPROVEMENT DISTRICT REPORT AND DECLARING ITS INTENTION TO LEVY AN ANNUAL ASSESSMENT FOR THE BID PURSUANT TO THE PARKING AND BUSINESS IMPROVEMENT AREA LAW OF 1989

WHEREAS, by Ordinance No. 96-907, adopted by the Imperial beach City Council on January 2, 1997, the "Imperial Beach Business Improvement District" (the "BID") was formed, pursuant to the provisions of the Parking and Business Improvement Law of 1989, codified as California Streets and Highway Code Section 36500 et seq. (the "Law"); and

WHEREAS, the Advisory Board for the BID has caused a report to be prepared for Fiscal Year 2013-2014 and said report is on file with the City Clerk; and

WHEREAS, the City Council has considered said report from the advisory board;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Imperial Beach as follows:

Section 1. Pursuant to the Law, the City Council hereby declares its intention to levy and collect assessments within the BID as set forth in **Section 2.**

Section 2. The area included in the BID includes the Imperial Beach business community within the following address ranges:

Zone 1

Sub-district #1 / Highway 75 – Palm Avenue

<u>Street</u>	<u>Address Series</u>
1. 7 th Street	600 – 799
2. Delaware Street	600 – 799
3. 8 th Street	600 – 799
4. 9 th Street	600 – 799
5. 10 th Street	600 – 799
6. 11 th Street	500 – 799
7. 12 th Street	500 – 799
8. 13 th Street	500 – 799
9. Emory Street	600 – 799
10. Florence Street	500 – 799
11. Florida Street	500 – 799
12. Highway 75	500 – 1373
13. Palm Avenue	700 – 1373

Zone 1

Sub-district #2 / Old Palm Avenue

<u>Street</u>	<u>Address Series</u>
1. Palm Avenue	200 – 699
2. 3 rd Street	500 – 699

Zone 1

Sub-district #3 / Seacoast Drive

<u>Street</u>	<u>Address Series</u>
1. Seacoast Drive	600 – 1099
2. Palm Avenue	000 – 199
3. Dahlia Avenue	000 – 199
4. Donax Avenue	000 – 199
5. Daisy Avenue	000 – 199
6. Date Avenue	000 – 199
7. Elm Avenue	000 – 199
8. Evergreen Avenue	000 – 199
9. Elder Avenue	000 – 199
10. Elkwood Avenue	000 – 199
11. Ebony Avenue	000 – 199
12. Imperial Beach Boulevard	000 – 199

Zone 2

Sub-district #4 / 13th Street Business Corridor

<u>Street</u>	<u>Address Series</u>
1. Imperial Beach Boulevard	900 – 1489
2. 9 th Street	800 – 1099
3. 13 th Street	800 – 1099
4. Emory Street	800 – 1099

Zone 2

Sub-district #2 / Old Palm Avenue

<u>Street</u>	<u>Address Series</u>
1. Cherry Avenue	700 – 1099
2. Boulevard Avenue	700 – 1300
3. Basswood Avenue	700 – 1000

The assessments for the BID in Fiscal Year 2014-2015 are as follows and remain the same as first established in Ordinance No. 96-907.

Zone 1 – Highway 75 / Palm Avenue, Old Palm Avenue, and Seacoast Drive

Zone 2 – 13th Street Business Corridor and around Imperial Beach Boulevard, Boulevard Avenue and Bayside Avenue

<u>Category</u>	<u>Zone 1</u>	<u>Zone 2</u>
1. Financial / Entertainment	\$ 600	\$ 600
2. General Retail	\$ 120	\$ 100
3. Service and Professional	\$ 100	\$ 85
4. Industrial / Manufacturing	\$ 85	\$ 65

Section 3. The report of the advisory board is on file with the City Clerk. Said report contains a full and detailed description of the improvements and activities provided and those to be provided in Fiscal Year 2014-2015.

Section 4. The purpose of forming the District as a parking and business improvement area under the Law, and continuing to levy and collect assessments, is to provide revenue to defray the costs of services and programs as authorized by Ordinance No. 96-907 establishing the District and which will benefit businesses in the area, including any of the following:

- A. The acquisition, construction, or maintenance of parking facilities for the benefit of the area;
- B. The decoration of any public place in the area;
- C. Promotion of public events which are to take place on or in public places in the area;
- D. Furnishing of music or entertainment in any public place in the area;
- E. The general promotion of business activities in the area.

Section 5. Pursuant to Streets & Highways Code Section 36534, notice is hereby given that **December 10, 2014 at the hour of 6:00 p.m., in the City Council Chambers of the Civic Center, 825 Imperial Beach Boulevard, Imperial Beach, California is fixed as the time and place when the City Council shall conduct a public hearing** where any and all persons having any desire to be heard may appear and state their views on the levy of the proposed assessment.

Written and oral protests may be made at the public hearing. The form and manner of protests shall comply with Sections 36524 and 36525 of the California Streets and Highways Code.

Section 6. The Clerk is hereby directed to give notice of the public hearing by causing this resolution of intention to be published once in a newspaper of general circulation in the city not less than seven days before the public hearing.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its meeting held on the 13th day of November 2014, by the following vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:

JAMES C. JANNEY, MAYOR

ATTEST:

JACQUELINE M. HALD, MMC
CITY CLERK