



CITY OF POMONA COUNCIL REPORT

Date: September 10, 2018

To: Honorable Mayor and Members of the City Council

From: Linda Lowry, City Manager

Submitted by: Kirk Pelser, Deputy City Manager

Subject: **Conduct a Public Hearing and Adopt a Resolution Modifying the Downtown Pomona Property and Business Improvement District Management District Plan**

OVERVIEW

Recommendations - The City Council conduct and conclude a public hearing and based on their findings adopt a resolution (see attachment No. 1) modifying the Downtown Pomona Property and Business Improvement District (DPPBID) Management District Plan (MDP) (see attachment No. 2), shortening the district term from ten (10) years to nine (9) years.

Fiscal Impact – None.

Public Noticing Requirements - The Property and Business Improvement District Law of 1994 and requires that the City mail the Resolution of Intention to Modify to the owners of all properties assessed within the DPPBID and publish the Resolution of Intention in a newspaper of general circulation.

Previous Council Action – The most recent action was on August 6, 2018 whereby the City Council adopted a Resolution of Intention to Modify the DPPBID. An earlier recent City Council action was on July 16, 2018 whereby the City Council adopted a resolution authorizing the renewal of the DPPBID, in favor of renewing and expanding the DPPBID for a ten (10) year term. Earlier prior actions were related to support the prior DPPBID renewal on July 20, 2009. Prior to that City Council actions supported the creation of the DPPBID in 2004.

Environmental Impact - Not applicable.

EXECUTIVE SUMMARY

On July 16, 2018, the City Council adopted Resolution No. 2018-110 declaring the results of the majority protest proceedings and renewing the DPPBID for a ten (10) year term, beginning January 1, 2019 through December 31, 2028. The Owners' Association has requested the City Council to modify the Management District Plan of the previous DPPBID to shorten the term from ten (10) years to nine (9) years, with a modified ending date of December 31, 2018 (see attachment No. 3). This modification will allow the renewed DPPBID to begin providing services on January 1, 2019.

DISCUSSION

The DPPBID is a benefit assessment district whose main goal is to provide improvements and activities which constitute and convey a special benefit to assessed parcels in the Downtown. The DPPBID was formed in 2004 and renewed in 2009. DPPBID property owners decided to pursue renewal of the DPPBID in order to continue a revenue source devoted to providing special benefits to assessed property owners. The renewal was adopted and the DPPBID is anticipated to generate approximately \$1,009,643 on an annual basis for security; street improvements and maintenance; marketing, promotions, and special events; and related administration that are above and beyond those provided by the City and other government agencies.

The original Management District Plan (MDP) had a ten (10) year term from January 1, 2010 to December 31, 2019. The Modified MDP will have a nine (9) year term from January 1, 2009 to December 31, 2018. In order to modify the original MDP term a District Modification Process has been initiated. The City Council adopted a resolution on August 6, 2018 expressing its intention to modify the existing DPPBID Management District Plan to decrease the existing DPPBID's term so that it ends one (1) year early on December 31, 2018. The modification resolution of intention was published on August 27, 2018 in conformance with the required notification process.

This evening the Council will open a public hearing and receive public testimony. At the end of testimony, staff recommends adoption of the proposed resolution modifying the current DPPBID's MDP term.

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Attachments:

- 1) Resolution Modifying the Downtown Pomona Property and Business Improvement District Management District Plan
- 2) Modified Management District Plan
- 3) Owners' Association Modification Request Letter