

Office of the City Manager

ACTION CALENDAR

July 20, 2004

To: Honorable Mayor and  
Members of the City Council

From: Phil Kamlarz, City Manager

Subject: North Shattuck Business Improvement District

RECOMMENDATION

Conduct a public hearing and upon conclusion adopt a Resolution: 1) confirming the Annual Report on the North Shattuck Business Improvement District for Fiscal Year 2004 and 2) levying assessments in the District for Fiscal Year 2005.

FISCAL IMPACTS OF RECOMMENDATION

The BID constitutes an independent funding source that must be targeted to improvements and activities of the North Shattuck BID. Assessment rates are unchanged from FY 2004, and collections from those assessments are projected and budgeted at \$159,393 in FY 2005. Funds not spent in a fiscal year may be carried over into future years of the BID. An estimated \$223,590 will be carried over from FY 2004 for total budgeted assessment revenues of \$382,983. These assessments are recorded in account 478-8703-370-3001.

To the extent that the work of the North Shattuck BID enhances the development of the North Shattuck District and its business climate, the BID contributes towards enhanced City revenues through increased sales and property taxes.

CURRENT SITUATION AND ITS EFFECTS

On June 15, 2004 the City Council adopted Resolution No. 62,522-N.S., which approved the Annual Report of the North Shattuck Business Improvement District (BID) for FY 2004; declared intent to levy annual assessments in the District for FY 2005; and set a public hearing on the levy of assessments for July 20, 2004. The Report recommended that the assessments for FY 2005 be levied on the same basis and method, and within the same boundaries, as they were levied for FY 2004. The North Shattuck BID Assessment Roll (Exhibit A) outlines the properties to be assessed in FY 2005. The resolution also approved a budget for improvements and activities for FY 2005 and an estimated cost for providing them, and recommended that the assessment be levied at the same rate as it was levied in FY 2004.

BACKGROUND

On July 10, 2001, the Berkeley City Council established the North Shattuck Business Improvement District (NSBID) under provisions of the State of California Property and Business Improvement District Law of 1994. The BID finances special improvement, maintenance and marketing activities that benefit commercial properties and businesses in the North Shattuck

District. These services are proscribed in the Management District Plan that was adopted with formation of this BID. This BID was established for a ten-year period, which will expire in July 2011. Following formation of the NSBID, a new non-profit corporation, the North Shattuck Association (NSA) was established to administer the Management District Plan.

The Association has organized its activities along the traditional Mainstreet model, with working committees on organization, economic restructuring, design, and marketing and promotion. In FY 2005 the NSA will continue to provide regular maintenance of sidewalks and public spaces. The NSA will plant an additional 60 street trees throughout the district, repaint all existing light and signal poles and install new banners. The association will also work on possible entry features for the District, landscaping and public art. In addition to its regular marketing and promotional events, the Association plans to produce the Spice of Life festival in October.

#### RATIONALE FOR RECOMMENDATION

The Property and Business Improvement District Law of 1994 requires that the owners' association that is responsible for administering a BID prepare an annual report for each fiscal year for which assessments are to be levied. The report shall include any proposed changes in the boundaries of the district, the improvements and activities for the year, an estimate of the cost of the improvements and activities, the method and basis for levying the assessment, the amount of any surplus or deficit revenues to be carried over from a previous fiscal year and the amount of any contributions from other sources. The City Council may approve the report as filed or may modify any particular contained in the report and then approve it as modified. The Council resolution that established this BID authorized the BID for a ten-year period. There are no proposed changes in the method or amounts of the assessments for FY 2005. Therefore, Council action is required only to approve the Annual Report, set a date for a public hearing and state the intent to levy the BID assessments for FY 2005.

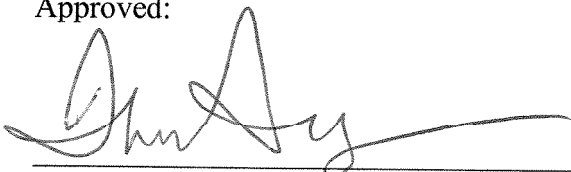
#### ALTERNATIVE ACTIONS CONSIDERED

The Board of the North Shattuck Association considered whether there should be any changes in the basis or method of levying assessments. The Board concluded that there was no need for any changes in the basis or method of levying assessments at this time.

#### CONTACT PERSON

Ted Burton, Economic Development Project Coordinator – 981-7536

Approved:



Thomas Myers, Acting Manager of Economic Development

Exhibit A – North Shattuck BID Assessment Roll

RESOLUTION NO.

N.S.

CONFIRMING THE ANNUAL REPORT ON THE NORTH SHATTUCK BUSINESS  
IMPROVEMENT DISTRICT FOR FISCAL YEAR 2005 AND LEVYING ASSESSMENTS

WHEREAS, the North Shattuck Association has submitted an Annual Report on the North Shattuck Business Improvement District for FY 2005; and

WHEREAS, the Annual Report and materials on file with the City Clerk contain a detailed description of the boundaries of the North Shattuck Business Improvement District; and

WHEREAS, said Annual Report and exhibits on file with the City Clerk also contain information on the method and basis for levying the assessment and a recommendation that this method and basis be continued for Fiscal Year 2005.

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

1. The City Council confirms the Annual Report of the North Shattuck Association for Fiscal Year 2005.
2. The City Council hereby levies the real property assessments hereunder for the Fiscal Year 2005 upon the properties and in the amounts shown on the assessment roll attached hereto as Exhibit A and by reference incorporated herein.

Exhibit A

FY 2005

NORTH SHATTUCK BUSINESS IMPROVEMENT DISTRICT - PARCELS TO BE ASSESSED:

APN	LEGAL OWNER	SITE #	ST NAME	LN FRONT	FRONT ASSESS	USE	TOTAL BLDG SF	RESID SF	RESID ASSESS	OFFICE SF	OFFICE ASSESS	RETAIL SF	RETAIL ASSESS	TOTAL BLDG ASSESS	LOT SF	LOT ASSESS	TOTAL ANNUAL ASSESS														
058 2173 002 03	FEAL ESTATE RECOVERY ASSOC, LLC	1600	SHATTUCK AVE	141.4	1,586.38	3/4 RETAIL, 1/4 OFFIC	29,500	0	0.00	7,375	789.13	22,125	2,964.75	3,753.88	23,875	2,145.68	7,485.94														
058 2173 004 00	W T & ETHEL E MACMILLAN	1620	SHATTUCK AVE	35	392.37	1/2 RETAIL, 1/2 RES.	2,044	1,022	81.78	0	0.00	1,022	136.95	218.71	1,743	156.85	788.02														
058 2173 005 00	GENEVA H & RAYMOND E MATHIS	1650	SHATTUCK AVE	103	1,155.37	RETAIL	1,700	0	0.00	0	0.00	1,700	227.80	227.80	4,600	413.41	1,796.78														
058 2174 001 00	ARTS & CRAFTS COOPERATIVE INC	1652	SHATTUCK AVE	42	471.20	3/4 RETAIL, 1/4 OFFIC	4,297	0	0.00	1,075	115.03	3,222	431.75	546.77	3,969	356.70	1,374.68														
058 2174 002 00	CAROL & JOE R NEIL	1654	SHATTUCK AVE	33.3	373.30	1/2 RETAIL, 1/2 OFFIC	3,117	0	0.00	1,559	166.76	1,559	208.84	375.60	3,150	283.10	1,032.29														
058 2174 003 00	ERNEST P & INGA B NOBLE	1662	SHATTUCK AVE	30	336.37	2/3 RETAIL, 1/3 OFFIC	2,950	0	0.00	983	105.21	1,967	263.52	368.74	2,835	254.79	980.10														
058 2174 004 01	1988 KAM Y LAM	1670	SHATTUCK AVE	35	392.37	2/3 RETAIL, 1/3 RES.	2,617	872	69.78	0	0.00	1,745	233.78	303.56	3,308	297.29	993.52														
058 2174 006 02	DOROTHY A & JC ERDMANN	1680	SHATTUCK AVE	150.3	1,686.23	3/4 RETAIL, 1/4 OFFIC	10,896	0	0.00	2,724	291.47	8,172	1,095.05	1,386.52	15,761	1,416.46	4,489.21														
058 2175 001 01	LAWRENCE W. SCHWARTZ MICHELLE J	1700	SHATTUCK AVE	95	1,065.31	1/2 RETAIL, 1/2 OFFIC	8,976	0	0.00	4,488	480.22	4,488	601.35	1,081.61	12,730	1,144.06	3,291.49														
058 2175 003 00	JAMES BLUME	1708	SHATTUCK AVE	40	448.76	1/3 RETAIL, 2/3 OFFIC	2,872	0	0.00	1,915	204.86	957	128.28	333.14	5,163	464.01	1,245.91														
058 2175 004 00	DAVIDA JACOBSON	1720	SHATTUCK AVE	35	392.37	RETAIL	624	0	0.00	0	0.00	624	83.62	83.62	2,135	191.88	668.16														
058 2175 005 00	WARSAWA BUILDING PARTNERSHIP	1730	SHATTUCK AVE	50	560.96	RETAIL	1,340	0	0.00	0	0.00	1,340	179.56	179.56	2,819	253.35	993.86														
058 2175 006 00	Y IN SIKCHONG SUN	1748	SHATTUCK AVE	50	560.96	RETAIL	2,500	0	0.00	0	0.00	2,500	335.00	335.00	2,625	235.91	1,131.87														
058 2176 001 01	AUTO CARE CAMPUS	1752	SHATTUCK AVE	115	1,290.20	RETAIL	1,160	0	0.00	0	0.00	1,160	155.44	155.44	10,350	930.17	2,375.81														
058 2176 003 01	KENNETH & SANDRA PUTMAN	2083	DELAWARE ST	155	1,738.96	2/3 RES., 1/3 RETAIL	33,005	22,004	1,760.32	0	0.00	11,002	1,474.27	3,234.59	19,065	1,713.40	6,666.95														
058 2177 015 01	HILLSIDE CENTER	1797	SHATTUCK AVE	200	2,243.82	RETAIL	0	0	0.00	0	0.00	0	0.00	0.00	19,250	1,730.03	3,973.85														
058 2178 021 01	1825 SHATTUCK INVESTORS	1625	SHATTUCK AVE	105	1,178.01	1/2 RETAIL, 1/2 RES.	29,344	14,872	1,173.76	0	0.00	14,872	1,968.05	3,139.81	12,075	1,085.20	5,403.01														
058 2178 023 00	SUSAN J & BETTY L KENDALL	1619	SHATTUCK AVE	45	504.46	OFFICE	1,850	0	0.00	1,850	197.95	0	0.00	197.95	5,175	466.09	1,167.89														
058 2178 024 01	COPLANDS PROPERTIES LLC	1607	SHATTUCK AVE	252	2,827.21	RETAIL	17,530	0	0.00	0	0.00	17,530	2,349.02	2,349.02	29,612	2,661.27	7,837.51														
058 2178 018 00	AMERICAN COMMONWEALTH ASSOC.	2109	VIRGINIA ST	200	2,243.82	RETAIL	18,889	9,445	755.60	0	0.00	9,445	1,265.63	2,021.23	22,425	2,015.37	6,280.42														
059 2260 001 00	ALEN & CHRISTINE CONNOLLY	2100	VINE ST	100	1,121.91	3/4 RETAIL, 1/4 OFFIC	10,090	0	0.00	2,523	269.91	7,568	1,014.05	1,283.95	8,958	805.07	3,210.93														
059 2260 002 01	GRANT GREEN PARTNERSHIP / CROWN F	2110	VINE ST	140	1,570.67	3/4 RETAIL, 1/4 OFFIC	28,520	0	0.00	7,130	762.91	21,390	2,866.26	3,629.17	19,700	1,770.47	6,970.31														
059 2260 015 01	URY & ARELA BEARY	549	SHATTUCK AVE	40	448.76	RETAIL	4,813	0	0.00	0	0.00	4,813	644.94	644.94	3,580	321.74	1,415.45														
059 2260 016 00	MELVIN M MWANI	543	SHATTUCK AVE	50	560.96	1/2 RETAIL, 1/2 OFFIC	2,085	0	0.00	1,043	111.55	1,043	139.70	251.24	4,300	386.45	1,198.64														
059 2260 017 00	FRIEDEL GOODMAN	535	SHATTUCK AVE	45	504.46	40 OFFICE, 60 RES.	7,271	4,363	349.01	2,908	311.20	0	0.00	660.21	5,355	481.26	1,646.33														
059 2260 018 00	MICHAEL R GACH	533	SHATTUCK AVE	45	504.46	OFFICE	3,780	0	0.00	3,780	404.46	0	0.00	404.46	5,355	481.26	1,390.58														
059 2260 019 00	KAM Y & SHUN LAM	531	SHATTUCK AVE	60	673.5	RESIDENTIAL	13,038	13,038	1,043.04	0	0.00	0	0.00	1,043.04	7,150	642.58	2,358.77														
059 2260 020 03	PATRICIA MEYER / DAWN WARD	525	SHATTUCK AVE	60	673.5	RETAIL	5,064	0	0.00	0	0.00	5,064	678.58	678.58	7,380	663.25	2,014.87														
059 2260 021 00	ROBERT Z & EVELYN L APTE	519	SHATTUCK AVE	70	785.34	1/2 RETAIL, 1/2 OFFIC	7,642	0	0.00	3,821	408.85	3,821	512.01	920.86	8,160	739.35	2,439.55														
059 2260 022 01	PAGNOL ET GIE DBA CHEZ PANISSE	517	SHATTUCK AVE	30	332.09	RETAIL	2,423	0	0.00	0	0.00	2,423	324.68	324.68	3,591	322.73	983.98														
059 2260 022 02	ELITE PROPERTIES LLC	515	SHATTUCK AVE	29.6	332.09	RETAIL	2,256	0	0.00	0	0.00	2,256	302.30	302.30	3,543	318.41	952.80														
059 2261 001 02	R JEELL ENTERPRISES INC	1451	SHATTUCK AVE	377.3	4,232.87	RETAIL	9,537	0	0.00	0	0.00	9,537	1,277.96	1,277.96	8,427	757.35	2,825.13														
059 2261 004 03	STEVEN G & LINDA J WOLAN	1444	WALNUT ST	110	1,234.0	1/4 OFFICE, 3/4 RES.	17,932	0	0.00	0	0.00	17,932	2,402.89	2,402.89	33,960	3,052.04	9,687.89														
059 2261 005 00	EAST BAY MUNICIPAL UTILITY DIS	0	VINE ST	40	448.76	PUMPING PLANT	1,200	0	0.00	1,200	128.40	0	0.00	128.40	4,400	395.43	2,371.07														
059 2261 006 00	R JEGG & ELLSWORTH	2111	VINE ST	40	448.76	1/2 RETAIL, 1/2 OFFIC	6,711	0	0.00	3,356	359.04	3,356	449.64	808.68	4,400	395.43	1,652.87														
059 2261 007 00	R JEGG & ELLSWORTH	1495	SHATTUCK AVE	75	841.43	RETAIL	6,750	0	0.00	0	0.00	6,750	904.50	904.50	6,750	606.63	2,352.57														
059 2261 009 00	G. LORIAN A GOLDBERG	1481	SHATTUCK AVE	35	392.87	RETAIL	2,555	0	0.00	0	0.00	2,555	342.37	342.37	3,150	283.10	1,018.13														
059 2261 010 00	HENRY F WONG	1475	SHATTUCK AVE	40	448.76	RETAIL	3,400	0	0.00	0	0.00	3,400	455.60	455.60	3,600	323.54	1,227.90														
059 2262 001 00	WILLIAM C ROSSO	1463	SHATTUCK AVE	72.7	815.63	3/4 RETAIL, 1/4 OFFIC	5,664	0	0.00	1,416	151.51	4,248	569.23	720.74	6,540	587.76	2,124.13														
059 2262 005 00	TAKEO & CARLE C HIRAHARA	1400	SHATTUCK AVE	147.9	1,659.30	RETAIL	19,118	0	0.00	0	0.00	19,118	2,561.81	2,561.81	9,338	839.22	5,060.34														
059 2262 006	VEGIFOOD INC.	1480	SHATTUCK AVE	120	1,346.67	RETAIL	2,368	0	0.00	0	0.00	2,368	317.45	317.45	12,000	1,078.46	2,742.20														
059 2262 021 01	BEUKERS PROPERTIES CO	2085	VINE ST	35	392.87	1/2 RETAIL, 1/2 RES.	2,781	1,391	111.24	0	0.00	0	0.00	297.57	4,200	371.46	1,067.70														
059 2263 003 01	WILLIAM H HEFFER	1485	SHATTUCK AVE	518.2	5,813.74	RETAIL	29,375	0	0.00	0	0.00	29,375	3,936.25	3,936.25	91,010	8,179.21	17,929.19														
059 2263 008 01	BANK OF AMERICA CORP. REAL ESTATE	2044	VINE ST	115	1,290.20	3/4 RETAIL, 1/4 RES.	9,946	2,487	198.92	0	0.00	7,460	999.57	1,198.49	15,525	1,395.26	3,883.94														
059 2263 009 00	ESPRESSO ROMA CORPORATION	1516	SHATTUCK AVE	95	1,065.61	RETAIL	11,813	0	0.00	0	0.00	11,813	1,582.94	1,582.94	12,825	1,152.60	3,801.36														
059 2263 010 01	BERKELEY BAZAAR PARTNERS	1540	SHATTUCK AVE	30	336.57	RETAIL	5,515	0	0.00	0	0.00	5,515	739.01	739.01	4,050	363.98	1,439.56														
059 2263 024 01	BANK OF AMERICA CORP. REAL ESTATE	1518	SHATTUCK AVE	60	673.15	RETAIL	37,323	0	0.00	0	0.00	37,323	5,001.28	5,001.28	85,050	7,643.57	16,010.58														
<b>TOTALS</b>																<b>4,863.10</b>	<b>54,569.61</b>	<b>442,731</b>	<b>75,704</b>	<b>5,955.51</b>	<b>51,281</b>	<b>5,487.10</b>	<b>315,727</b>	<b>42,310.03</b>	<b>53,863.44</b>	<b>606,912</b>	<b>52,544.09</b>	<b>161,984.54</b>	<b>2,531.75</b>		
County Fee @ 1.6%																															
Net Assessment Revenue:																															<b>\$159,392.79</b>