


Office of the City Manager

ACTION CALENDAR

July 12, 2005

To: Honorable Mayor and  
Members of the City Council

From:  Phil Kamlarz, City Manager

Subject: Telegraph Property And Business Improvement District

RECOMMENDATION

Conduct a public hearing and upon conclusion adopt a Resolution: 1) confirming the Annual Report on the Telegraph Property and Business Improvement District for Fiscal Year 2005; and 2) levying assessments in the District for Fiscal Year 2006.

FISCAL IMPACTS OF RECOMMENDATION

Assessments levied in the Telegraph Property and Business Improvement District support a package of improvements and activities approved by the property owners and the City Council at the time the District was renewed in July 2003. The assessment billing is expected to be approximately \$231,000 in FY 2005, though the amount actually collected in the fiscal year may be less due to failure of property owners to pay their property tax bills on time. Assessment revenue is recorded in account 477-3302-312-1001.

CURRENT SITUATION AND ITS EFFECTS

On June 14, 2005 the City Council adopted Resolution No. 62,928-N.S., which approved the Annual Report of the Telegraph Property and Business Management Corporation on the Operations of the Telegraph Property and Business Improvement District (hereafter TPBID or "the District") for FY 2005; declared an intent to levy annual assessments in the District for FY 2006; and set a public hearing on the levy of assessments for July 12, 2005. The Report recommended that the assessments for FY 2006 be levied on the same basis and method, and within the same boundaries, as they were levied for FY 2005. It also approved a budget for improvements and activities for FY 2006 and an estimated cost for providing them, and recommended that the assessment be levied at the same rate as it was levied in FY 2005.

BACKGROUND

The TPBID was re-established by Resolution of the Berkeley City Council on July 15, 2003 (Resolution No. 62,180-N.S.) under provisions of the State of California Property and Business Improvement District Law of 1994. The TPBID was established to implement a Management and Service Plan developed by a steering committee of merchants and property owners. The Management and Service Plan and the District have a lifetime of five years, and will expire on June 30, 2008.

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 five-year period. There are no proposed changes in the method or amounts of the assessments for FY 2006. Therefore, Council action is required only to approve the FY05 Annual Report, set a date for a public hearing and state the intent to levy the BID assessments for FY 2006.

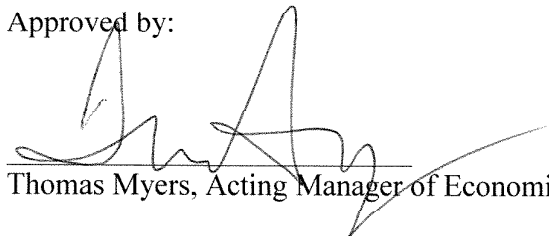
ALTERNATIVE ACTIONS CONSIDERED

The Board of the Telegraph Property and Business Management Corporation 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:

Dave Fogarty, Office of Economic Development, 981-7534

Approved by:



Thomas Myers, Acting Manager of Economic Development

Exhibit A - Telegraph Property And Business Improvement District Assessment Roll

RESOLUTION NO.

N.S.

CONFIRMING THE ANNUAL REPORT ON THE TELEGRAPH PROPERTY AND BUSINESS IMPROVEMENT DISTRICT FOR FISCAL YEAR 2005 AND LEVYING ASSESSMENTS IN THE DISTRICT FOR FISCAL YEAR 2006

WHEREAS, On June 14, 2005, the City Council adopted Resolution No. 62,928-N.S. approving the Annual Assessment Report on the Telegraph Property and Business Improvement District for FY 2005, declaring an intention to levy special assessments for 2006, and setting a public hearing on the levy of assessments for July 12, 2005; and

WHEREAS, the Annual Assessment Report and materials attached to it on file with the City Clerk contain a detailed description of the boundaries of the Telegraph Property and Business Improvement District and the two benefit zones established within it (including a map entitled "Telegraph Area Property and Business Improvement District"); and

WHEREAS, said Annual Assessment 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 2006; and

WHEREAS, the City Clerk has published Resolution No. 62,928-N.S. in a newspaper of general circulation declaring the Council's intent to levy assessments in the Telegraph Property and Business Improvement District for Fiscal Year 2006, giving notice of the opportunity for written and oral protests, including noticing a public hearing before the City Council for July 12, 2005; and

WHEREAS, the City Council has now held said public hearing on the levy of assessments for Fiscal Year 2006.

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

1. The City Council finds that protests were filed by property owners and business licensees representing less than fifty percent (50%) of the assessments hereby levied. All such protests are hereby over ruled.
2. The City Council confirms the Annual Assessment Report on the Telegraph Property and Business Improvement District for Fiscal Year 2005.
3. The City Council hereby levies the real property assessments hereunder for the Fiscal Year 2006 upon the properties and in the amounts shown on the assessment roll attached hereto as Exhibit A and by reference incorporated herein.

TELEGRAPH AVE BID ASSESSMENT  
Assessment Detail  
F I N A L

Legend: 612 Tax Year: 04

Parcel Number	Bldg Sqft	Lot Sqft	Use	Exmpt	Exmpt%	Gross Tax	Exemption	Net Tax	Location ID
055-1837-001-00	10,141	10,200	31	0	0	2,784.06	.00	2,784.06	7338
055-1837-002-00	7,200	7,500	31	0	0	2,000.40	.00	2,000.40	7339
055-1837-003-00	6,248	10,300	31	0	0	2,084.74	.00	2,084.74	7340
055-1838-001-02	12,230	12,992	31	0	0	3,421.12	.00	3,421.12	7364
055-1838-002-01	46,634	19,700	77	0	0	5,776.08	.00	5,776.08	7365
055-1838-020-00	3,339	3,621	31	0	0	836.72	.00	836.72	7379
055-1839-001-00	7,196	3,952	32	0	0	1,082.84	.00	1,082.84	7395
055-1839-002-00	170	2,900	83	0	0	297.74	.00	297.74	7396
055-1839-003-00	0	3,000	83	0	0	276.00	.00	276.00	7397
055-1839-004-00	20,450	6,900	32	0	0	3,129.74	.00	3,129.74	7398
055-1839-005-00	9,836	5,115	32	0	0	1,818.12	.00	1,818.12	7399
055-1839-011-01	11,750	11,884	32	0	0	3,265.70	.00	3,265.70	7405
055-1839-015-02	5,376	6,380	97	0	0	1,523.48	.00	1,523.48	7407
055-1839-016-00	6,018	3,550	32	0	0	972.70	.00	972.70	7408
055-1839-019-01	14,566	18,779	31	0	0	4,378.68	.00	4,378.68	7409
055-1839-020-00	8,368	16,678	94	3	100	3,057.36	.00	3,057.36	7410
055-1871-015-01	22,443	13,000	68	3	61	1,669.20	.00	1,669.20	8142
055-1872-013-00	2,654	4,500	30	0	0	614.00	.00	614.00	8147
055-1872-014-00	70,484	15,200	89	0	0	8,940.16	.00	8,940.16	8148
055-1875-004-00	0	8,800	30	0	0	1,179.20	.00	1,179.20	8161
055-1875-005-00	3,150	6,950	31	0	0	1,778.66	.00	1,778.66	8162
055-1875-006-00	4,200	4,500	97	0	0	1,732.80	.00	1,732.80	8163
055-1875-007-00	18,170	8,510	32	0	0	4,723.98	.00	4,723.98	8164
055-1875-008-00	9,608	8,740	32	0	0	2,559.60	.00	2,559.60	8165
055-1875-024-00	11,380	10,500	32	0	0	1,656.34	.00	1,656.34	8167
055-1875-025-00	3,694	4,720	33	0	0	940.32	.00	940.32	8168
055-1875-026-00	5,210	4,720	31	0	0	1,902.16	.00	1,902.16	8169
055-1875-027-00	3,200	2,560	36	0	0	1,117.44	.00	1,117.44	8170
055-1875-028-02	5,304	5,100	31	0	0	2,082.64	.00	2,082.64	8171
055-1875-029-00	7,590	7,590	31	0	0	3,058.78	.00	3,058.78	8172
055-1875-030-01	1,260	5,511	36	0	0	736.34	.00	736.34	8173
055-1876-001-00	3,700	3,700	31	0	0	1,013.80	.00	1,013.80	8175
055-1876-011-00	13,823	13,000	32	6	32	3,089.88	.00	3,089.88	8177
055-1876-013-02	3,600	4,000	31	0	0	1,504.40	.00	1,504.40	8178
055-1876-015-00	44,984	9,900	77	0	0	3,364.28	.00	3,364.28	8179
055-1876-016-00	24,185	13,000	32	0	0	4,146.60	.00	4,146.60	8180
055-1876-017-00	9,663	6,500	76	0	0	1,804.80	.00	1,804.80	8181
055-1876-019-01	3,938	9,750	25	0	0	897.00	.00	897.00	8182
055-1876-021-00	9,515	9,750	77	0	0	2,241.02	.00	2,241.02	8183
055-1876-022-00	4,520	6,292	77	0	0	578.86	.00	578.86	8185
055-1876-023-00	6,080	4,500	32	0	0	965.48	.00	965.48	8186
055-1877-001-00	13,424	7,600	31	0	0	2,210.06	.00	2,210.06	8187
055-1877-008-00	8,916	13,130	31	0	0	4,975.74	.00	4,975.74	8188
055-1877-009-00	6,785	10,790	32	0	0	3,156.66	.00	3,156.66	8195
055-1877-010-03	2,800	6,760	36	0	0	1,205.70	.00	1,205.70	8196
055-1877-010-06	3,375	2,430	32	0	0	733.16	.00	733.16	8197
055-1877-011-00	10,295	4,520	31	0	0	1,002.42	.00	1,002.42	8199
055-1877-012-01	5,100	10,000	92	0	0	4,069.54	.00	4,069.54	8200
055-1877-013-00	46,750	4,950	31	0	0	1,820.00	.00	1,820.00	47350
055-1877-014-00	2,790	16,900	32	0	0	6,098.14	.00	6,098.14	8202
		3,900	31	0	0	945.76	.00	945.76	8203

TELEGRAPH AVE BID ASSESSMENT  
Assessment Detail  
F I N A L

Legend: 612 Tax Year: 04/05

Parcel Number	Bldg Sqft	Lot Sqft	Use	Exmpt	Exmpt%	Gross Tax	Exemption	Net Tax	Location ID
055-1877-016-01	24,830	15,600	31	0	0	7,523.62	.00	7,523.62	8204
055-1877-019-02	29,974	28,405	31	0	0	11,657.48	.00	11,657.48	8205
055-1878-001-00	10,395	10,000	31	0	0	4,082.94	.00	4,082.94	8206
055-1878-002-00	9,740	4,160	31	0	0	2,424.20	.00	2,424.20	8207
055-1878-003-00	49,442	12,000	89	0	0	4,836.00	.00	4,836.00	8208
055-1878-004-00	9,581	6,500	36	0	0	2,043.84	.00	2,043.84	8209
055-1878-005-01	23,907	13,000	32	0	0	4,413.34	.00	4,413.34	8210
055-1878-017-00	9,730	6,500	32	0	0	2,179.70	.00	2,179.70	8211
055-1878-018-00	32,088	13,000	32	6	89	7,485.76	.00	7,485.76	8218
055-1878-019-00	5,057	6,500	33	0	0	2,231.34	.00	2,231.34	8219
055-1878-020-00	13,905	6,500	92	0	0	3,611.78	.00	3,611.78	8220
055-1878-021-00	16,472	6,500	32	0	0	2,348.08	.00	2,348.08	8221
055-1878-022-00	5,900	6,500	31	0	0	2,458.10	.00	2,458.10	8222
055-1879-001-00	15,699	5,000	31	0	0	3,448.68	.00	3,448.68	8223
055-1879-002-00	7,920	8,000	31	0	0	3,202.48	.00	3,202.48	8224
055-1879-003-00	2,250	2,250	31	0	0	906.76	.00	906.76	8225
055-1879-004-00	2,250	2,250	31	0	0	906.76	.00	906.76	8226
055-1879-005-00	3,140	1,998	31	0	0	900.44	.00	900.44	8227
055-1880-001-00	29,594	6,325	76	0	0	2,439.76	.00	2,439.76	8230
055-1880-004-00	2,189	2,280	31	0	0	894.36	.00	894.36	8231
055-1880-005-01	38,955	15,570	77	0	0	4,706.18	.00	4,706.18	8232
055-1880-022-01	34,834	16,325	32	0	0	4,061.68	.00	4,061.68	8245
055-1881-001-00	9,401	8,500	31	0	0	3,546.24	.00	3,546.24	8246
055-1881-002-00	14,675	5,000	32	0	0	3,104.36	.00	3,104.36	8247
055-1881-003-00	12,648	3,500	31	0	0	2,636.34	.00	2,636.34	8248
055-1881-004-00	26,794	10,300	32	0	0	3,782.64	.00	3,782.64	8249
055-1881-005-00	4,173	6,450	36	0	0	1,165.24	.00	1,165.24	8250
055-1881-018-00	5,443	6,750	77	0	0	951.16	.00	951.16	8254

TELEGRAPH AVE BID ASSESSMENT  
Assessment Totals  
F I N A L

Legend: 612 Tax Year: 04/05

Assessed Parcels: 79 Total Assessment: 210,769.66  
Exempt Agency Parcels: 2