

RESOLUTION NO. 2008-186

Adopted by the Sacramento City Council

March 25, 2008

APPOINTMENT OF AN ADVISORY BOARD FOR THE SUTTER BUSINESS IMPROVEMENT AREA; AUTHORIZATION OF A NEW CITY FUND TO RECEIVE BUSINESS IMPROVEMENT AREA REVENUES

BACKGROUND

- A. The City Council of the City of Sacramento (City) is interested establishing the Sutter Business Improvement Area (SBIA) and levying an annual assessment on restaurant businesses, which include restaurants, bars, nightclubs, diners, and all other businesses that sell prepared food within the proposed SBIA.
- B. The Parking and Business Improvement Area Law of 1989, California Streets and Highways Code Section 36500 et seq. (the Law), authorizes cities to establish business improvement areas for the purpose of providing improvements and activities that benefit those businesses.
- C. Restaurant businesses within the proposed SBIA have requested the City Council establish such an improvement area.
- D. On January 29, 2008, the City Council adopted Resolution No. 2008-042 declaring its intention to establish the SBIA, declaring its intention to levy an assessment (Assessment) on food service businesses in the SBIA, fixing the time and place of both a public meeting (Meeting) and a public hearing (Hearing) thereon and giving notice thereof.
- E. An ordinance (Ordinance) establishing the SBIA and the levy of Assessments was approved by the City Law & Legislation Committee on March 4, 2008.
- F. The Meeting, to consider testimony related to establishment of the SBIA, was held by the City Council on March 11, 2008.
- G. The Hearing related to establishment of the SBIA was held by the City Council on March 25, 2008, at which time the Ordinance was approved.
- H. Notice of the Meeting and Hearing was duly given by mail to the owner of each business within the SBIA that will be subject to the Assessments, in full compliance with the provisions of the Law.

- I. Establishment of the SBIA will require the City Council to appoint of an advisory board (Advisory Board) to the SBIA to make recommendations to the City Council on the expenditure of revenues derived from the Assessments.
- J. Collection of Assessments on behalf of the SBIA will require a new City fund into which the Assessments will be deposited.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1. Appointment of the following three (3) persons to the Advisory Board is approved:

Randy Paragary
Biba Caggiano
Peter Torza

Section 3. A new City fund, to be known as the "Sutter Business Improvement Area Fund" is authorized, into which Assessments collected on behalf of the SBIA will be deposited.

Adopted by the City of Sacramento City Council on March 25, 2008 by the following vote:

Ayes: Councilmembers Cohn, Fong, Hammond, McCarty, Sheedy, Tretheway, Waters, and Mayor Fargo.

Noes: None.

Abstain: None.

Absent: Councilmember Pannell.



Mayor Heather Fargo

Attest:



Dawn Bullwinkel, Assistant City Clerk