



REPORT TO COUNCIL

City of Sacramento

915 I Street, Sacramento, CA 95814-2671
www.CityofSacramento.org

CONSENT
 May 5, 2009

Honorable Mayor and
 Members of the City Council

Title: Oak Park Property and Business Improvement District #2009-01 (PBID) –
 Resolution of Intention to Renew

Location/Council District: Oak Park Commercial Corridor, located in Council District 5
 (Exhibit A, Page 8).

Recommendation: Adopt a **Resolution of Intention** to renew the Oak Park PBID

Contact: Jodie Vong, Administrative Analyst, (916) 808-8243; Mark Griffin, Fiscal Manager,
 (916) 808-8788

Presenters: Not Applicable

Department: Planning Department

Division: Public Improvement Financing

Organization No: 22001411

Description/Analysis

Issue: The property owners along the Oak Park Commercial proposed to renew the Oak Park Property and Business Improvement District (PBID) for a seven-year term. Approval of the Intention to renew the PBID will set the time and place for the Public Hearing on the renewal of the PBID and the proposed assessment, and authorize staff to mail notices to all property owners within the PBID.

Policy Considerations: The proceedings under which this district is being processed are set forth in Section 36600 of the California Streets and Highways Code, entitled "Property and Business Improvement District Law of 1994." This process is consistent with the City's Strategic Plan 3-Year Goal to "achieve sustainability and enhance livability" and to "expand economic development throughout the City."

Environmental Considerations

California Environmental Quality Act (CEQA): The renewal of a PBID does not constitute a project under CEQA and is therefore exempt from review pursuant to Guidelines Section 15378(b)(4).

Sustainability Considerations: There are no sustainability considerations applicable to the formation or renewal process and administration of an assessment district.

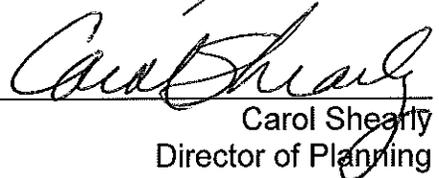
Committee/Commission: None

Rationale for Recommendation: The actions in the recommended Resolution are procedures prescribed by part 7 (beginning with section 36600) of Division 18 in the California Streets and Highways Code for the renewal of a PBID.

Financial Considerations: Financing will be provided by the levy of assessments upon real property that benefits from improvements and activities. The PBID does not plan to issue bonds. The total assessment for FY 2009/10 is projected at \$204,327 as shown on Exhibit B, page 9. If this PBID is renewed, the City of Sacramento will be participating as a property owner in the district. City owns McClatchy Park (APN 013-0251-001-0000) and a vacant building (APN 013-0251-002-0000) within the PBID and it will have a total annual assessment of approximately \$29,600 for the first year. City funds will come from a non-departmental organization.

Emerging Small Business Development (ESBD): City Council approval of these proceedings is not affected by City policy related to the ESBD Program.

Respectfully Submitted by: 
Mark Griffin
Fiscal Manager

Approved by: 
Carol Shearley
Director of Planning

Recommendation Approved:


Ray Kerridge
City Manager

Table of Contents:

Report	Pg	1
Attachments		
1 Background	Pg	4
2 Resolution of Intention.....	Pg	5
Exhibit A, Map of District.....	Pg	8
Exhibit B, District Budget and Parcel Assessment.....	Pg	9
Exhibit C, Schedule of Proceedings.....	Pg	10

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BACKGROUND

The Oak Park PBID was approved by City Council on August 5, 2004, in accordance with the Property and Business Improvement District Law of 1994. The Oak Park PBID became effective on January 1, 2005 and will expire on December 31, 2009. The property owners within the District would like to renew the District for a seven-year term.

The district will continue to provide funding for the Oak Park PBID and to provide the following services in the Oak Park commercial corridor:

- Security and Maintenance Enhancement
- Advocacy/Administration
- Image Enhancement

The Oak Park PBID Business Association has prepared the Management Plan, which is on file with the City Clerk. The Management Plan is a comprehensive document, which describes the process of forming the PBID and providing the services identified by the property and business owners. The attached resolution will initiate the renewal proceedings of the Oak Park PBID.

RESOLUTION NO.

Adopted by the Sacramento City Council

**INTENTION TO RENEW THE OAK PARK
PROPERTY AND BUSINESS IMPROVEMENT DISTRICT**

BACKGROUND:

- A. Attached hereto and incorporated herein by this reference is the Oak Park Property and Business Improvement District No. 2009-01 (hereafter "PBID") Management District Plan (hereafter "Plan"), which provides for a security and maintenance coordination effort and an advocacy program with the intent of increasing the commercial activity and overall image of Oak Park.

- B. The City owns the following property within the proposed Oak Park PBID:
 - 013-0251-001-0000 – McClatchy Park
 - 013-0251-002-0000 – Vacant City Building

- C. The property owners of the properties within the PBID have submitted petitions asking that the City Council renew the PBID. Included with each petition was a Plan summary and a map showing the boundaries of the PBID. The map is entitled "Proposed PBID Boundary Map." The petitions, the boundary map, and the Management Plan are on file with the City Clerk.

- D. The City Council finds that the City has received the petitions signed by the property owners in the proposed PBID who will pay more than 50 percent of the proposed total assessment. The City Council thus accepts the petitions and intends to establish the PBID and to levy an assessment on real property within the PBID Boundaries in accordance with the Property and Business Improvement District Law of 1994 and Sacramento City Code section 3.92.050.

- E. At the direction of the City Council, the Fiscal Manager of the Public Improvement Financing Division for the proceedings for renewal of this PBID has filed the Management Plan with the City Clerk, which was prepared in accordance with the provisions of Streets and Highways Code Section 36622.

- F. The City Council finds that the Plan satisfies all of the requirements of Streets and Highways Code Section 36622. The Plan provides for the following improvements and services within the PBID, all of which are intended to make the PBID safer, cleaner, and increase the commercial activity: (1) a security coordination effort program to support police and property owner crime prevention efforts; (2) a maintenance program to increase the frequency of litter and debris removal, pressure washing of sidewalks, and graffiti removal; (3) image enhancement and

advocacy to promote business interests and allow the business community to speak with one voice. The Plan proposes to fund these improvements and services through the levy of a benefit assessment on real property within the PBID.

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

Section 1. The City Council finds and determines that the recitals set forth above are true.

Section 2. The City Council finds that the property owners representing over 50% of the total assessment amounts, signed the petitions requesting the renewal process be undertaken. The City Council thus accepts the petitions and intends to renew the PBID and to levy an assessment on real property within the PBID boundaries in accordance with the Property and Business Improvement District Law of 1994 and Sacramento City Code section 3.92.050. In the first year of the 7-year term, the proposed assessment is approximately \$204,327, as shown on Exhibit B.

Section 3. The City Council finds that the Plan satisfies all requirements of Streets and Highway Code sections 36622 and 36660.

Section 4. The exterior boundaries of the PBID are shown on the "Proposed Oak Park Property and Business Improvement District" attached to this resolution as Exhibit A.

Section 5. No bonds will be issued for the PBID.

Section 6. The time and place for the public hearing on the renewal of the PBID and the proposed assessment is set for June 23, 2009, at 6:00 p.m. in the City Council's Chambers, New City Hall, 915 "I" Street (first floor), Sacramento, California. The City Council may continue the public hearing from time to time.

Section 7. The City Clerk is directed to give notice of the time and place of the public hearing in accordance with Streets and Highways Code section 36623. The City Clerk is to do this by mailing (or causing to be mailed) written notices and assessment ballots in the time, form, and manner provided by Government Code section 53753 to all persons who own real property that is within the PBID and will be subject to the proposed assessment. The forms of the notices and ballots must be approved by the City Attorney. The City Clerk is further directed to file an affidavit with the City Council when all notices and ballots have been mailed, setting forth the time and manner of her compliance with the requirements of law for mailing the notices and ballots.

Section 8. At the public hearing, the City Council will consider all objections or protests to the proposed assessment, and any interested person will be permitted to present written or oral testimony. At the conclusion of the public hearing, all ballots submitted and not withdrawn will be tabulated in accordance with Government Code section 53753.

Table of Contents:

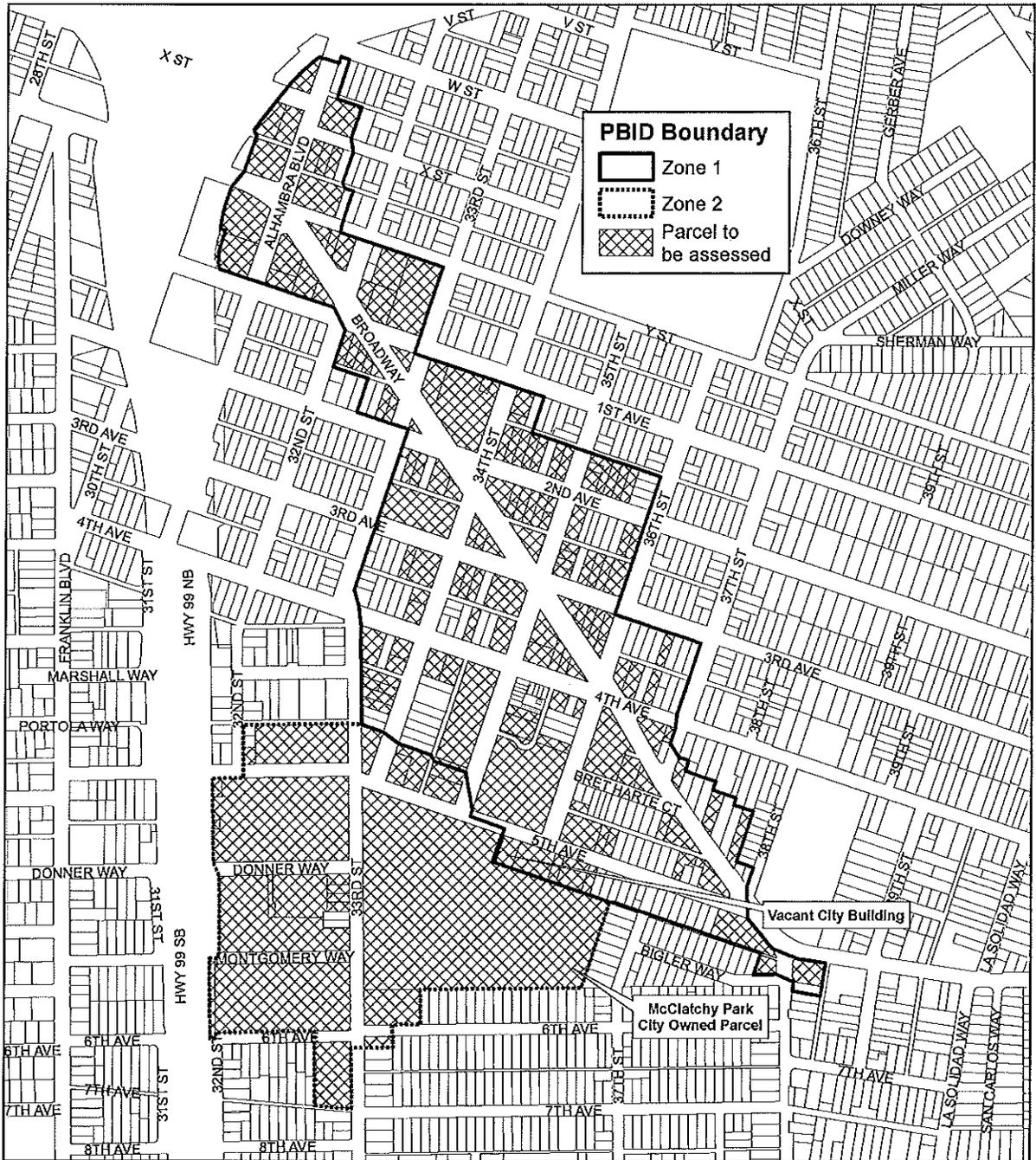
Exhibit A: Proposed PBID Boundary Map -1 Page

Exhibit B: District Budget and Parcel Assessment – 1 Page

Exhibit C: Schedule of Proceedings – 1 Page

EXHIBIT A

Proposed Oak Park
Property & Business Improvement District



G.I.S.
City of Sacramento
Planning Department
BMueller 4/13/09

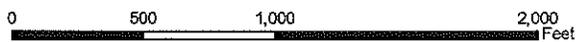


EXHIBIT B

**Oak Park PBID
FY 2009/10 Budget**

The Oak Park PBID assessment budget for FY 2009/10 is \$204,327.

Program	Budget	% of Total
Security and Maintenance Enhancement (Clean and Safe)	\$134,856	66.00
Advocacy, Communication and Economic Development	\$51,082	25.00
Image Enhancement	\$18,389	9.00
Total	\$204,327	100.00

Parcel Assessment

FY 2009/10	Rate per Parcel Square Footage
Zone 1	\$0.123
Zone 1 (TAX EXEMPT)	\$0.031
Zone 2	\$0.041

Annual assessment rates are based on an allocation of program costs and a calculation of parcel square footage. Assessment rates may be subject to an increase by no more than 3% per year or the Consumer Price Index (CPI) for the San Francisco-Oakland Area, whichever is less.

**SCHEDULE OF PROCEEDINGS
OAK PARK
PROPERTY AND BUSINESS IMPROVEMENT DISTRICT #2009-01**

March 17, 2009	Petition Drive Kick-off
April 28, 2009	Received Signed Petitions
May 5, 2009	Resolution of Intention to Renew – City Council
May 6, 2009	Record Boundary Map
May 6, 2009	Mail, Publish Notice of Hearing, Management Plan, and Ballot
June 23, 2009	Public Hearing – City Council
June 24, 2009	Record Notice of Assessment and Assessment Diagram
July 14, 2009	Ballot Results – City Council
August 2009	Assessment Roll to County

