



REPORT TO COUNCIL

City of Sacramento

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

CONSENT
July 20, 2010

Honorable Mayor and
Members of the City Council

Title: Ballot Results: Del Paso Boulevard Property and Business Improvement District (PBID) No. 2010-01

Location/Council District: Del Paso Boulevard Commercial Corridor, located in Council District 2 (Exhibit B, Page 58).

Recommendation: 1) Receive report on the tabulation of assessment ballots submitted and not withdrawn before the public hearing closed on July 13, 2010; and 2) based on the results of the tabulation: a) adopt a **Resolution** declaring the results of the majority-protest proceedings and renewing the Del Paso Boulevard PBID No. 2010-01; b) adopt a **Resolution** approving the annual Del Paso Boulevard PBID No. 2010-01 budget and levying assessment; and c) adopt a **Resolution** amending the proposed FY2010/11 City Budget for the Del Paso Boulevard PBID No. 2010-01.

Contact: Brian Wong, Program Specialist, (916) 808-5778; Mark Griffin, Fiscal Manager, (916) 808-8788

Presenters: Not Applicable

Department: Finance

Division: Public Improvement Financing

Organization No: 06001321

Description/Analysis

Issue: A majority of property owners along the Del Paso Boulevard commercial corridor proposed to renew the Del Paso Property and Business Improvement District No. 2010-01 (District) for a five-year term. In response, on May 18, 2010, the City Council adopted a resolution that: 1) directed staff to mail assessment ballots and notices of public hearing to the owners of real property within the proposed District; and 2) set July 13, 2010, as the date for a public hearing on the proposed District and assessment. At the conclusion of the hearing, the City Clerk tabulated the assessment ballots submitted and not withdrawn to determine whether there was a majority protest against the proposed District assessment (i.e., whether a majority of the property owners who submit ballots are opposed to the District and assessment).

Based on the results of the tabulation, there is not a majority protest. As such, staff recommends that the City Council adopt a resolution declaring the results of the majority protest proceedings and renewing the District. Staff also recommends that City Council adopt the District's annual budget and levy the assessment. In addition, staff recommends that City Council adopt the proposed FY2010/11 City Budget for the District.

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 action is consistent with the Strategic Planning Focus Area of Sustainability and Livability.

Environmental Considerations

California Environmental Quality Act (CEQA): The renewal of a Property and Business Improvement District 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 Resolutions are procedures prescribed by Part 7 (beginning with Section 36600) of Division 18 of the California Streets and Highways Code for the renewal of a PBID.

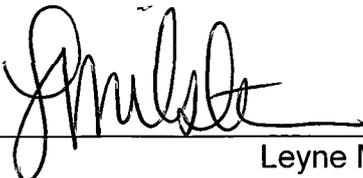
Financial Considerations: Financing will be provided by the levy of assessments upon real property that benefit from improvements and activities of the District. The District does not issue bonds.

The total assessment for FY2010/11 is projected at \$366,179 as identified on Attachment 1 on page 4. If the District is renewed, the City of Sacramento will be participating as a property owner in the District. The City owns 18 parcels within the District and will have a total first-year annual assessment of \$43,263. Funds are currently budgeted for continued participation in the District. Future assessment rates may be subject to an increase of no more than 3% annually.

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, Finance Department

Approved by: 
Leyne Milstein
Director, Finance Department

Recommendation Approved:

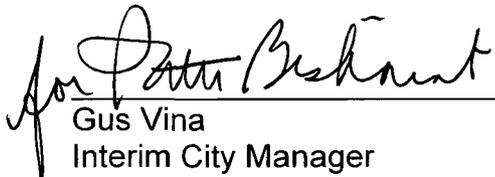

Gus Vina
Interim City Manager

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Attachment 1

BACKGROUND

The Del Paso Boulevard PBID No. 2005-03 (existing District) was approved by City Council on May 24, 2005, in accordance with the Property and Business Improvement District Area Law of 1994, and became effective on January 1, 2006. A majority of the property owners within the proposed Del Paso Boulevard PBID No. 2010-01 (District) would like to renew the District for a five-year term to continue funding for the following services in the Del Paso Boulevard commercial corridor:

- Public Safety and Maintenance Program
 - Clean and Safe Program
 - Integration with City Police
 - Maintenance Patrol
- Advocacy / Administration
- Image Enhancement Program

The District Business Association has prepared the Management Plan (Plan), which is on file with the Public Improvement Financing Division, which has been designated by the City Clerk as the custodian of such records. The Plan is a comprehensive document which describes the process of forming the District and providing the services identified by the property and business owners.

Tabulation Results of Assessment Ballots

On May 18, 2010, City Council directed staff to complete the actions necessary to renew the District. On May 25, 2010, staff mailed out assessment ballots and notices of public hearing to the owners of property in the proposed District. Ballots must be submitted no later than the close of the public hearing to be counted. At the close of the public hearing on July 13, 2010, the assessment ballots were tabulated to determine whether there was a majority protest.

The City Clerk's tabulation of ballots found that 78.04% of ballots were in favor of renewing the District. The assessment ballots are weighted for each property according to the proportional financial obligation of each property. The actual ballot count is a result of assessment value for all ballots cast. The total assessment value is \$366,179.09. The ballots cast represent \$235,324.51, which is a turnout of approximately 64%. Of the ballots returned and not withdrawn, the amount cast in favor of the assessment was \$183,638.71 and the amount cast in opposition to the assessment was \$51,685.80.

Based on the tabulation results, a majority protest does not exist — that is, the ballots submitted in opposition to the assessment do not exceed the ballots submitted in favor of it — therefore, the proceedings to levy the assessment will continue.

RESOLUTION NO.

Adopted by the Sacramento City Council

RESOLUTION DECLARING THE RESULTS OF THE MAJORITY-PROTEST PROCEEDINGS AND RENEWING THE DEL PASO BOULEVARD PROPERTY AND BUSINESS IMPROVEMENT DISTRICT

BACKGROUND

- A.** The owners of property within the boundaries of the proposed Del Paso Boulevard PBID No. 2010-01 (District) have submitted petitions asking that the City Council renew the District. Included with the petitions was a summary of the Management District Plan (Plan) that describes the proposed assessment to be levied on property within the District to pay for the following activities and improvements: (1) a safety and security program to support police and property owner crime prevention efforts; (2) a maintenance program to increase the frequency of litter, debris, and graffiti removal; (3) advocacy and image enhancement to promote business interests and allow the business community to speak with one voice and leverage additional funding for improvements on Del Paso Boulevard. The District Plan of the District is on file with the Public Improvement Financing Division, which has been designated by the City Clerk as the custodian of such records.
- B.** The proposed owners who signed the petitions will collectively pay more than 50% of the proposed assessment. Accordingly, on May 18, 2010, the City Council adopted Resolution No. 2010-248 entitled “Intention to Renew the Del Paso Boulevard Property and Business Improvement District” (the Resolution of Intention). Among other things, the Resolution of Intention states that a public hearing on the renewal of the District and the proposed assessment will be held on July 13, 2010, at 6:00 p.m. in the City Council’s chambers, Sacramento City Hall, 915 “I” Street (first floor), Sacramento, California. The Resolution of Intention also states the City Council’s finding that the District Plan satisfies all requirements of Streets and Highways Code Section 36622.
- C.** The properties within the exterior boundaries of the District will be benefited by the activities and improvements to be funded by the proposed assessment.
- D.** On May 25, 2010, the City Clerk mailed to each owner of record of each parcel within the District’s exterior boundaries a notice concerning the public hearing on the renewal of the District and the proposed assessment. Each notice included the statutorily required information about the assessment and the majority-protest procedure, as well as an assessment ballot.

- E. At 6:00 p.m. on July 13, 2010, in the City Council's chambers, Sacramento City Hall, 915 "I" Street (first floor), Sacramento, California, the City Council held a public hearing regarding the renewal of the District and the levy of the assessment. During the public hearing, the City Council heard and received all objections and protests to the renewal of the District and the proposed assessment. The City Clerk has received, been given custody of, and tabulated the assessment ballots returned and not withdrawn by the owners of property located within the District. The City Clerk has reported the results of the tabulation by her written Certificate to the City Council. The Clerk's Certificate of Ballot Procedure Results for the Mailed-Ballot, Property Owner Majority Protest Proceeding indicates that, of the assessment ballots signed and returned to the City Clerk, and not withdrawn, prior to the close of the public hearing on July 13, 2010, and weighting the ballots for each property according to the proportional financial obligation of each property, 78.04 percent of the assessment ballots were in favor of the levy of the assessments as proposed, and 21.96 percent were opposed. The number of assessment ballots submitted and not withdrawn in opposition to the proposed assessment did not exceed the number of ballots submitted and not withdrawn in favor of the proposed assessment, with ballots weighted according to the amount of the assessment to be imposed upon the parcel for which each ballot was submitted. Therefore, a majority protest against the proposed assessment does not exist.
- F. All actions and proceedings described in paragraphs A through E were undertaken and completed in accordance with law.

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

- Section 1.** That the statements in paragraphs A through F of the background are true and adopts them as findings.
- Section 2.** No majority protest having been made through the assessment ballot procedure, the City Council:
- (a) Overrules all protests to the proposed assessment and these proceedings;
 - (b) Approves the Engineer's Report and District Plan on the proposal to levy an annual assessment on land within the District to be renewed, attached hereto as Exhibit A and by this reference made a part of this resolution, preliminarily approved by Resolution No. 2010-248, modified in non-substantive ways in this Resolution;
 - (c) Renews the District for a five-year term that will expire on December 31, 2015, for the territory generally described in Exhibit B, attached hereto and by this reference made a part of this

resolution, as shown in the Engineer's Report and District Plan, preliminarily approved by Resolution No. 2010-248;

- (d) Confirms the assessment diagram and assessment roll and, upon establishment of the District annual budget, levies the assessment on real property within the District as described in the Engineer's Report and District Plan. In accordance with Streets and Highways Code Section 36631 and the District Plan, the assessment to fund the activities and improvements for the District will be collected at the same time and in the same manner as are ad valorem property taxes and will have the same lien priority and penalties for delinquent payment.

Section 3. Properties within the District will be subject to any amendments to the Property and Business Improvement District Law of 1994.

Section 4. Bonds will not be issued.

Section 5. The City Manager (or designee) is directed to take all necessary actions to complete the renewal of the District and to levy the assessment. The City Clerk is directed to record, in the Sacramento County Recorder's office, a notice and assessment diagram as required by Streets and Highways Code Section 36627. The City Clerk is further directed to certify the passage and adoption of this resolution and to enter it in the book of original resolutions.

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Exhibit A: Engineer's Report & Del Paso Boulevard PBID Management Plan – 50 Pages
Exhibit B: District Map – 1 Page

EXHIBIT A

DEL PASO BOULEVARD
PROPERTY AND BUSINESS
IMPROVEMENT DISTRICT
MANAGEMENT DISTRICT PLAN

Submitted to the

Del Paso Boulevard Partnership

May 18, 2010

By



DEL PASO BOULEVARD MANAGEMENT DISTRICT PLAN

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I. INTRODUCTION AND OVERVIEW

Initially formed in 2004, the Del Paso Boulevard Property and Business Improvement District (PBID) is a benefit assessment district proposed to improve the commercial area along Del Paso Boulevard. The renewed PBID will continue various programs to increase the commercial activity along Del Paso Boulevard. This approach has been used successfully in Del Paso and other commercial districts throughout the country to increase sales, attract new tenants, increase occupancies, and increase property values.

Location: The approximate boundaries: All parcels which front along Del Paso Boulevard from Highway 160 to Lampasas Avenue are included within the PBID boundaries. In addition, parcels between Canterbury and Forrest Street south of Arden Way and between Del Paso Boulevard and Oxford Street north of Arden Way are included within the PBID boundaries. The PBID boundaries will also include parcels fronting Arden Way from Del Paso Boulevard to Selma Street on the south side of Arden Way, from Del Paso to Boxwood Avenue on the north side of the street, parcels fronting El Camino from Del Paso to Boxwood on the south side of El Camino and from Del Paso to Evergreen on the north side of El Camino. The proposed District has two zones. Zone 1 includes all of the parcels except the Zone 2 parcels north of Del Paso and East of Acoma Street. Zone 2 includes the large parcels on the north side of Del Paso Boulevard south and east of Acoma Street.

Services: A safety and security program to support police and property owner crime prevention efforts; maintenance services to increase the frequency of litter, debris and graffiti removal; advocacy and image enhancement to promote business interests and allow the business community to speak with one voice and leverage additional funding for improvements on Del Paso Boulevard.

Budget: The total PBID budget for year one of its five (5) year operation is a base of approximately \$366,179. Assessment rates may be subject to an increase by no more than 3% per year.

Cost: Annual assessment rates are based on an allocation of special benefit and a calculation of parcel square footage. The cost to the property owner is \$0.0975 per parcel square foot in Zone 1 and \$0.0341 per parcel square foot in Zone 2. Religious and tax-exempt parcels are assessed at a rate which is 50% of the full assessment in both Zone 1 and Zone 2. Auto wrecking parcels are assessed at a rate which is 30% of the full assessment in both Zone 1 and Zone 2. Residential parcels with 4 units or less are not assessed.

Formation: District formation requires submittal of petitions from property owners representing at least 50% of the total annual assessment and a favorable ballot vote of the property owners conducted by the City. The "Right to Vote on Taxes Act" (also known as Proposition 218) requires that more than 50% of the ballots received, weighted by assessment, be in support of the District. There will also be City Council hearings.

Duration: The proposed District will have a five-year term. After five (5) years, the petition process, ballot process, and City Council hearing process must be repeated for the District to be re-established.

II. WHY RENEW THE DEL PASO PBID?

There are several reasons why the Del Paso Boulevard PBID should be renewed:

1. *The Need to Improve Safety on Del Paso Boulevard*

Property owners agree that improved safety and a reduction in street disorder would increase property values and commercial activity in the area. Many customers and employees recognize a need for continuing additional safety programs to combat low level street disorder issues. The City of Sacramento is responsible for providing policing on a citywide basis. The renewed District will continue to provide add security services and customize them to meet the unique needs of the Del Paso Boulevard commercial District.

2. *The Need to be Proactive in Determining the Future of Del Paso Boulevard*

In order to protect their investment, property owners must be partners in the process that determines how new development projects are implemented in their commercial District. Currently, property owners react to proposals individually without focus or coordination. Property owners in cities such as Sacramento, Denver, Los Angeles, Portland and Phoenix have been successful at leading and shaping future developments through their strong Property and Business Improvement Districts.

A District along Del Paso Boulevard will continue to provide a professional administrator with the financial resources and the focus to ensure that the challenges faced by property owners and businesses will be proactively addressed.

3. *The Need to Attract New Business and Investment Along Del Paso Boulevard*

If Del Paso Boulevard is to compete as a successful commercial district it must develop its own well financed, proactive strategy to retain businesses and tenants, as well as attract new business and investment. The Del Paso Boulevard PBID will continue to provide the financial resources to develop and implement a focused strategy that will work to fill vacancies and attract new businesses to locate along Del Paso Boulevard.

4. *An Opportunity to Maintain the Private/Public Partnership with a Unified Voice for Del Paso Boulevard*

Because property owners would continue investing private money through the PBID, they will be looked upon as a strong partner in negotiations with the City. This partnership will maintain its' ability to leverage the property owner's investment with additional public investment on Del Paso Boulevard.

Both property and business owners will remain united under the District umbrella, which would be able to continue approaching the public sector with a viable and unified private sector voice.

5. *An Opportunity to Maintain Private Sector Management and Accountability.*

The Del Paso Boulevard Partnership (DPBP), a non-profit private sector business organization formed for the sole purpose of improving Del Paso Boulevard would continue to manage these services and the District's day to day operations. Annual District work plans and budgets will be developed by the DPBP board, which will be composed of stakeholders that own businesses and property along Del Paso Boulevard. Security, marketing, and promotional services will be subject to private sector performance standards, controls, and accountability.

The increasing Sacramento population, coupled with a strong demographic mix, gives businesses along Del Paso Boulevard an opportunity to expand their market base. However, the Del Paso Boulevard commercial corridor also has extensive competition from other commercial corridors in the City. Thus, for Del Paso Boulevard businesses to remain competitive, they must retain and expand market presence. Renewing the Del Paso Boulevard PBID will provide the means for businesses to avoid and combat the problems that lead to declining market presence.

III. WHAT IS A PROPERTY AND BUSINESS IMPROVEMENT DISTRICT?

The International Downtown Association estimates that more than 1,200 Districts currently operate throughout the United States and Canada.

A PBID may provide services, identity formulation, market research, and economic development in addition to those provided by local government. In addition, PBIDs may provide physical improvements such as entry features, benches, or lighting. These services are concentrated within a distinct geographic area and are paid for by means of a special property owner assessment. A Board of Directors representing those who pay would govern the organization responsible for providing these services.

PBIDs are proven to work by providing services that improve the overall viability of commercial districts, resulting in higher property values and sales volumes.

The Del Paso Boulevard PBID will be renewed pursuant to a State Law that took effect in January of 1995. The "Property and Business Improvement District Law of 1994," which was signed into law by then Governor Pete Wilson, ushered in a new generation of PBIDs or Management Districts in California by allowing a greater range of services and independence from government. The PBID law:

- Allows property owners to undertake services ranging from security to maintenance, and from business advocacy to economic development.
- Allows revenue for services to be raised from annual assessments on real property.
- Allows formation of a district *designed and governed by those who will pay* the assessment.
- Requires petition support from property owners paying over 50% of the annual proposed property assessments to form a PBID.
- Requires limits for assessments to ensure that they do not exceed pre-established levels.
- Provides a multi-year life for PBIDs. Renewal of a PBID requires a new petition process, Proposition 218 ballot vote, and City or County hearings. The Del Paso Boulevard PBID will have a five (5) year term.

The "Property and Business Improvement Business District Law of 1994" (AB 3754) as amended through January 1, 2010 is provided in Appendix 1 of this document.

IV. HISTORY OF THE DEL PASO BOULEVARD PBID

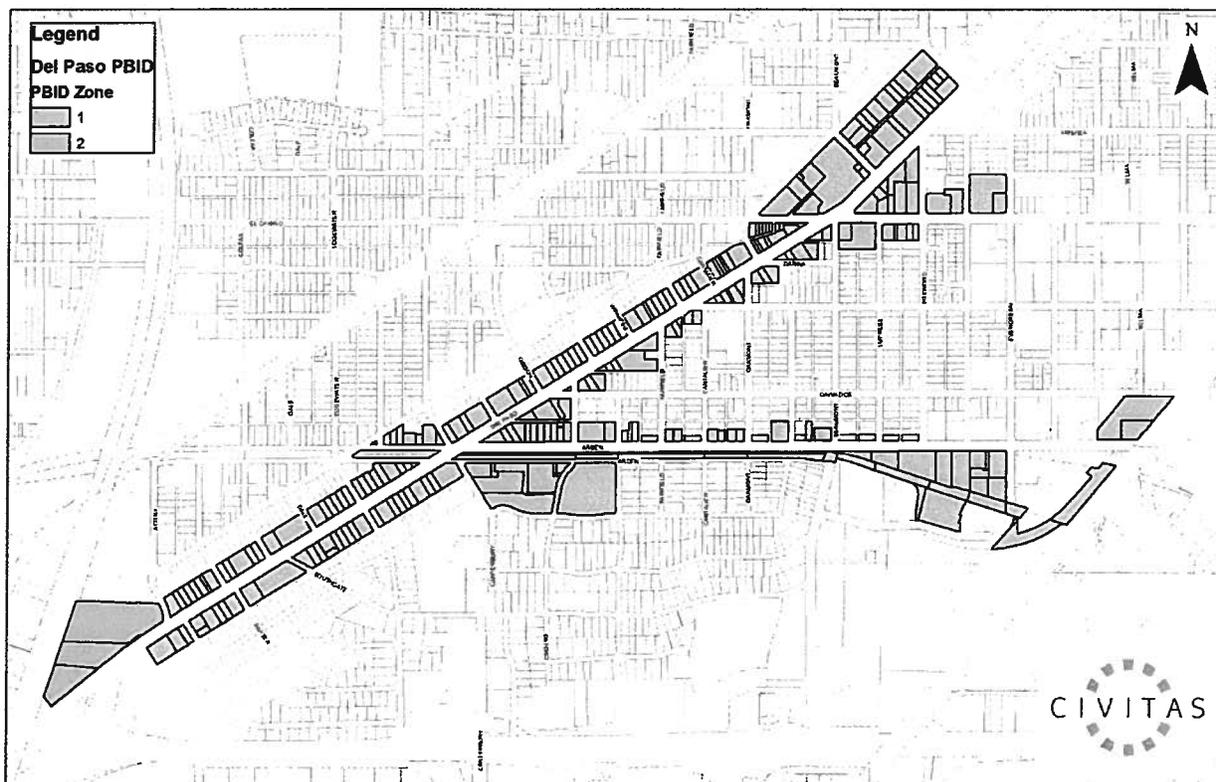
Del Paso Boulevard property and business owners created the Del Paso PBID in 2004. Part of this endeavor is a coordinated effort to distinguish Del Paso as a leading commercial corridor in the Sacramento region. This Management District Plan, and the renewal of this unified organization with a secure funding mechanism, provides another critical step in achieving the vision developed by the property and business owners.

In 2009, the Del Paso Partnership PBID Board of Directors determined that the renewal of the PBID would ensure continued enhancement of the economic development of the Del Paso commercial corridor. Over the last five years, the PBID has made significant steps in reducing crime and in shaping Del Paso Boulevard as a successful business destination. Property owner outreach was done to determine the property owners' concerns and interests. The meetings that took place in 2009 and 2010 reaffirmed the value of the Del Paso Partnership to the businesses and property owners. They also encouraged participation by the local businesses and property owners in the expansion areas around El Camino and Arden Way.

V. PBID BOUNDARIES

All parcels which front along Del Paso Boulevard from Highway 160 to Lampasas Avenue are included within the PBID boundaries. In addition, parcels between Canterbury and Forrest Street south of Arden Way and between Del Paso Boulevard and Oxford Street north of Arden Way are included within the PBID boundaries. The PBID boundaries will also include parcels fronting Arden Way from Del Paso Boulevard to Selma Street on the south side of Arden Way, from Del Paso to Boxwood Avenue on the north side of Arden Way, parcels fronting El Camino from Del Paso to Boxwood on the south side of El Camino and from Del Paso to Evergreen on the north side of El Camino. The proposed District has two zones. Zone 1 includes all of the parcels except the parcels located in Zone 2 north of Del Paso and East of Acoma Street. Zone 2 includes the large parcels on the north side of Del Paso Boulevard south and east of Acoma Street. For specific boundaries, please see the boundary map at the bottom of the page.

The service area includes approximately 290 parcels which make up approximately 4,144,941 square feet. The District includes approximately 160 property owners. Residential parcels of 4 units or less within these boundaries will not be assessed. A larger map is included in Appendix 2. A larger map is also available on request by calling (916) 325-0604 or 1-800-999-7781.



VI. SERVICE PLAN AND BUDGET

A. History of Establishing the Service Plan

Property and business owners along Del Paso Boulevard came together to form the Del Paso Boulevard PBID in 2004. In late 2009 they began discussing renewing the PBID, seeing a need for continuing the services funded by the Del Paso Boulevard PBID.

B. Programs and Services to be Provided

The Del Paso Boulevard PBID service plan provides for security, maintenance, and advocacy services above and beyond those currently provided by the City of Sacramento. Existing City services will remain intact pursuant to the "Agreement for Implementation of Management District Plan" between the City of Sacramento and the property owners within the District.

The first step in preparing the service plan was to identify the existing "baseline" level of services provided by the City of Sacramento. In order to identify the aspects of the District that needed additional services, several property owner focus group meetings were conducted. In addition, numerous meetings were held with City of Sacramento staff, property owners, and business owners. Based on the information and opinions collected during this process, service priorities were identified. The information from each step of this process was integrated and this service plan was developed. PBID service levels will be based on the amount paid into the District. Program descriptions and budgets of proposed PBID security, maintenance, image enhancement, business advocacy, and administrative services are provided in the following pages.

1. Public Safety and Maintenance

Safety and the perception of safety are amongst the leading issues with property owners along Del Paso Boulevard. The Service Plan budget provides for a security and maintenance program that will be developed to serve a number of functions. This program will increase awareness of security efforts, coordinate existing property owner security programs, and act as the "eyes and ears" for the Sacramento Police Department. The program will reduce street disorder and serve a lead role in crime prevention. Maintenance was next amongst the top issues for the area. The maintenance program will keep the District clean. A roving maintenance service would patrol the District for litter and other garbage. The service would also remove graffiti and other debris from streets and sidewalks.

Clean and Safe Program

A security program with close ties to the community is a vital part of a public safety plan. The stakeholders along Del Paso Boulevard have emphasized a need for a "hands on" security program that deters street crime and disorderly conduct. A security program that keeps in close communication with the property and business owners along Del Paso Boulevard is one central guide point of this program.

Another important factor with a security program is having flexibility to address needs in a particular area. Thus, a patrol program that can respond to the needs of every owner on Del Paso Boulevard is vital.

With these factors in mind, the proposed safety and patrol program would emphasize prevention of street crime. They would act to deter and report illegal street vending, illegal dumping, and street code violations. They would handle a myriad of quality-of-life problems including: drinking in public, urinating in public, indecent exposure, trespassing, prostitution observations, scavenging, and shopping cart confiscation.

Visibility of the patrol is an important aspect of security perception. To emphasize the visibility of the patrol along Del Paso Boulevard, the plan proposes that the service patrol Del Paso Boulevard on bikes or in vehicles. This allows for the patrol to have contact with the local businesses and residents, but gives them adequate transportation to patrol the entire area.

Integration with the Sacramento Police Department

The Del Paso Boulevard security program will work closely with the Sacramento Police and integrate the Del Paso Boulevard program with their existing programs. Also, the businesses along Del Paso Boulevard that have hired private security will integrate their security program with the Police and the Del Paso Boulevard PBID program.

Maintenance Patrol

Maintenance patrols provide additional debris and garbage collection beyond City Services. The maintenance patrol will pick up any garbage from illegal dumping and collect any additional garbage that the City cannot pick up. Also, the maintenance patrol will paint over any graffiti in public areas, such as benches and bus stops. In addition, the maintenance patrol will provide landscaping services to the area, such as maintaining trees and cutting back weeds along Del Paso Boulevard. The patrol will perform regular rounds along Del Paso Boulevard looking for maintenance problems. The Patrol will also stay in communications with the Director of the PBID to carry out any emergency clean up problems.

2. Advocacy, Administration & Image Enhancement

Once the “clean and safe” programs have been enacted, communications and advocacy activities will be launched to create an image of Del Paso Boulevard as a single destination with a rich set of unique opportunities. Further, the image enhancement and marketing program garners positive free media coverage of the District and its services and attempts to improve the overall image of Del Paso Boulevard. The program will be developed to promote Del Paso Boulevard as a vibrant commercial center with many great offerings such as upscale furniture stores, unique art galleries, and local restaurants. The program developed by the property owners will also include several tools to support the efforts of individual property owners and brokers to attract and retain tenants. Several types of communication elements could be used including newsletter, shopping, dining, and business and retail directories. These activities will complement the existing services such as the banner program which is operated by the North Sacramento Chamber of Commerce. Promotional events such as “Second Saturday” and “Phantom Galleries” will work well with the PBID to market the area. Media relations and community outreach will be the primary activities. Internally, it will be important to facilitate consistent and frequent

communications with property owners and tenants. Advocacy activities include influencing public entities to provide financial support and physical improvements to the District.

To provide Del Paso Boulevard with an effective, clear voice in government decisions, the Plan provides for an administrator to speak for the property owners within the District. The administrator will market Del Paso Boulevard to potential businesses, coordinate special events to attract more business to Del Paso Boulevard, and advocate for Del Paso Boulevard to receive additional funding and services that it would not otherwise receive.

C. Operations Budget

2011 Operating Budget Summary

The summary of the fiscal year (FY) 2011 operating budget for the Del Paso Boulevard PBID is provided on the following pages. The total improvement and activity plan budget for FY 2011 is projected at approximately \$366,179. Property owners will contribute the entire amount through annual assessments based upon parcel square footage. Expenditures will be made in the following program areas:

- **Public Safety and Maintenance Perception**

The public safety and maintenance program is designed to improve both the reality and perception of Del Paso Boulevard. The security and maintenance patrols will be designed to provide an additional level of security and to enhance the environment and the image of the Del Paso Boulevard area. The security patrol would guard against small petty crimes and act as the eyes and ears of the police. The maintenance crew is responsible for cleaning the trash from the street and maintaining some of the physical improvements, such as benches and trash cans.

The budget for the maintenance program is \$201,398.45 or 55% of the total District budget.

- **Image Enhancement & Communications**

In order to draw the public to Del Paso Boulevard, the District needs to market itself as a single locality and a “destination” for a wide variety of attractions, events, and services. To accomplish this goal, the District will coordinate programs and events and recruit new businesses to the area. The primary purpose of the image enhancement and marketing program is to communicate and “tell the story” of Del Paso Boulevard’s progress and the new services and programs taking place in the area. The PBID will work with the North Sacramento Chamber of Commerce on marketing efforts of the new services in the area and will work with the media to position the area for positive coverage. The Executive Director of the District will market the unique retail and service opportunities the commercial corridor has to offer.

The budget for the marketing and communication including advertisements, image pieces, maps and guides, and special events, is \$84,221.17 or 23% of the total budget.

- **Advocacy**

The administrator will insure the delivery of quality services of the PBID and act as an advocate for the District. A main goal of the PBID is to organize Del Paso Boulevard property and business interests by speaking with a credible, clear, and unified voice. Representing District

property and business owners, the District will keep the City focused on maintaining the physical environment as well as working with them on issues affecting the Del Paso Boulevard District. The District will advocate for physical improvement and streetscape program. The District will monitor developments in both local and national law that may affect our businesses and properties, providing information when appropriate. This advocacy voice will represent the Del Paso Boulevard property and business owners to ensure that the needs of the Del Paso Boulevard PBID are addressed.

The budget for administration including labor, office rent, insurance, utilities, supplies, and advocacy is \$54,926.85 or 15% of the budget.

A Service Plan budget has been developed by the Del Paso Boulevard stakeholders, and property and business owners to deliver service levels throughout the District. An annual Service Plan and budget will be developed and approved by the District. Please see the budget exhibit on the following page for more detailed information. The budget also includes a portion for contingencies and renewal of the District at \$25,632.53 or 7% of the budget. Should the Del Paso PBID Board approve, funds may be appropriated for the renewal effort. If there are funds remaining at the end of the District term and owners choose to renew again, these remaining funds could be transferred to the renewed District.

The Budget for the Service Plan is as illustrated:

**Del Paso Boulevard PBID
DRAFT Annual Budget, Years One - Five**

<i>Services Provided</i>	<i>Descriptions</i>	<i>Total</i>
Security and Maintenance Enhancement – 55% (Clean and Safe)	The proposed Security and Maintenance Program will improve the overall safety and appearance of Del Paso Boulevard. Security will be a collaborative effort with the Sacramento Police Department. The District will be improved by making the area more attractive through street cleaning, and security and maintenance crews providing assistance to visitors and tenants in the area. The security and maintenance crews will be responsive to the property and business owners in the Del Paso Boulevard PBID District.	\$201,398.45
Image Enhancement – 23%	The Image Enhancement Program will communicate with the owners, businesses and the public what clean and safe programs are taking place as well as the distinct opportunities on Del Paso Boulevard. The PBID will market everything Del Paso Boulevard has to offer and implement a promotional program to attract potential businesses and new visitors to the area. Special events will be coordinated to attract visitors and businesses.	\$84,221.17
Advocacy/Administration – 15%	The Del Paso Boulevard PBID will retain professional representation to advance Del Paso Boulevard property and business interests by speaking with one clear, credible, and unified voice. The PBID will advocate for matching funds and will work to leverage additional money from various sources for Del Paso Boulevard commercial area improvements. The Del Paso Boulevard PBID will have a voice in the planning and implementation of various streetscape and physical improvement projects along Del Paso Boulevard.	\$54,926.85
Contingency / PBID Renewal - 7%		\$25,632.53
Total		\$366,179

The Board of Directors can shift up to 10% between budget items. Please see the following table for a five year budget projection with a maximum 3% increase per year.

<p style="text-align: center;">Del Paso Boulevard PBID Five Year Operating Budget Annual Assessment with 3% Maximum Increase Per Fiscal Year</p>					
	2011	2012	2013	2014	2015
Annual Assessment	\$366,179	\$377,164	\$388,479	\$400,133	\$412,137

D. Cooperation and Assistance from the City of Sacramento

The City of Sacramento has recognized the importance of Del Paso Boulevard to the future economic development of Sacramento. To that end, the City of Sacramento, through the Sacramento Housing and Redevelopment Agency (SHRA), has funded several projects to assist the economic development of Del Paso Boulevard. SHRA has worked closely with the property owners and business owners to improve the surroundings along Del Paso Boulevard.

SHRA has initiated several projects in the Del Paso Boulevard area. These projects include:

- Del Paso Boulevard Streetscape Master Plan
- Phase I of Streetscape Improvements
- Exterior Rebate Program
- Commercial Loan Program
- PBID
- Design Review Guidelines Update

VII. ENGINEER'S REPORT

A. Assessment Methodology

1. Base Formula

Property owners, merchants, and other Del Paso Boulevard stakeholders have emphasized that an assessment formula for the proposed PBID be fair, balanced, and commensurate with benefits received.

Each property owner will pay based on benefits received. The variables used for the annual assessment formula are based on gross parcel square footage. Parcel square footage is relevant to the highest and best use of a property, and will reflect the long-term value implications of the PBID. Gross parcel square footage has been determined based on the Sacramento County GIS, Parcel Basemap Metadata file created by the GIS section of Sacramento County Public Works last updated on May 10, 2010.

The proposed initial annual assessment on parcels in Zone 1 is \$0.0975 (9.75 cents) per square foot. The proposed initial annual assessment on property in Zone 2 is \$0.0341 (3.41 cents) per square foot. Tax-exempt parcels, including parcels owned by religious institutions, are assessed at a rate which is fifty-percent (50%) of the full assessment. In Zone 1 tax-exempt parcels are assessed at a rate of \$0.04875 (4.875 cents) per square foot, while in Zone 2, tax-exempt parcels are assessed at a rate of \$0.0170 (1.70 cents) per square foot. Parcels with an auto wrecking land-use are assessed at a rate which is thirty-percent (30%) of the full assessment. In Zone 1, parcels with an auto wrecking land use are assessed at a rate of \$0.02925 (2.925 cents) per square foot, while in Zone 2, parcels with an auto wrecking land-use are assessed at a rate of \$0.0102 (1.02 cents) per parcel square foot. Residential parcels with 4 units or less will not be assessed.

For example, a commercial parcel in Zone 1 with 5,000 square feet will pay \$487.50 per year. (5,000 square feet x \$0.0975 per square foot = \$487.50). See the Assessment Calculation Table at the end of this section which provides the assessment amount for each parcel. If more information about parcel assessments is desired, please call Civitas Advisors Inc. at (916) 325-0604.

<i>Del Paso Boulevard PBID Proposed Annual Assessment</i>		
	Rate per Parcel Square Foot Zone 1	Rate per Parcel Square Foot Zone 2
Commercial Property	\$0.0975	\$0.0341
Religious and Tax-Exempt Property	\$0.04875 (50% Rate)	\$0.0170 (50% Rate)
Auto Wrecking Property	\$0.02925 (30% Rate)	\$0.0102 (30% Rate)
Residential (4 units or less)	Not Assessed	Not Assessed

As members of the community, the Del Paso Boulevard PBID Board of Directors will maintain every effort to be careful stewards of the annual budget; however the Board may at its discretion raise the assessment by no more than three-percent (3%) per year.

2. Determination of Special Benefit

Additional security, maintenance, new physical improvements, marketing and promotion services are anticipated throughout the PBID. The special benefit to parcels from the proposed District exceeds the total amount of the proposed assessment. The evidence in support of this is that prior to creation, parcel owners paying a majority of the proposed assessment signed petitions in support of the District. From a market perspective, owners of commercial property do not support an additional investment unless they view the return, or benefit, as one that exceeds the investment. This analysis is at least one indicator that the special benefit exceeds the assessment. Therefore, to the extent that there may be any general benefit from these activities, there need not be any other revenue source to pay for these benefits.

The expenses of the District will be apportioned in proportion to the benefit received by each parcel. Proposition 218 requires that a parcel's assessment may not exceed the reasonable cost of the proportional special benefit conferred on that parcel. The Proposition provides that only special benefits are assessable. A special benefit is a particular and distinct benefit over and above general benefits conferred on the public at large, including real property within the District. The general enhancement of property value does not constitute a special benefit.

Each parcel within the District, except for exempt parcels (discussed below), receives a particular and distinct benefit from the proposed improvements and activities, over and above general benefits conferred by the improvements and activities of the District. The proposed security program will reduce street disorder and prevent crime, thereby protecting the properties within the District and increasing their attractiveness to potential customers. The proposed marketing program will improve economic development within the District, thereby benefiting all businesses within the District.

3. Government-Owned Property

In accordance with Proposition 218 all publicly owned parcels are required to pay assessments unless they can demonstrate by clear and convincing evidence that the publicly owned property does not receive benefit. It has been proposed that the City of Sacramento, Sacramento Housing and Redevelopment Agency (SHRA), Sacramento Regional Transit, and the State of California pay their "fair share" of all assessments.

4. Residential Properties

The primary purpose of the PBID is to benefit parcels with commercial land uses. Residential parcels with 4 units or less do not derive benefit from the proposed assessments. The incidental benefit to residential parcels with 4 units or less in the Del Paso Boulevard PBID does not warrant assessing those parcels. Therefore, parcels with residential land uses of 4 units or less within the boundaries of the District will not be assessed.

5. Religious and Tax-Exempt Properties

Although primary focus of the PBID is to benefit commercial parcels, tax-exempt parcels, such as parcels owned by religious institutions, will receive some benefit from the Del Paso Boulevard PBID. However, they will not receive a benefit in the same magnitude as the commercial parcels. Because the tax-exempt parcels will not receive the same amount of benefit, they will pay less in assessments. Parcels used by tax-exempt organizations will pay at a rate which is fifty-percent (50%) of the full assessment or \$0.04875 (4.875 cents) per parcel square foot in Zone 1 and \$0.0170 (1.70 cents) per square foot in Zone 2.

6. Auto-Wrecking Parcels

The proposed PBID includes programs designed to benefit office and retail parcels. Parcels within the District with an auto wrecking land use are different in nature than other parcels within the District. This wholesale auto use benefits from the security and maintenance to a lesser degree and does not benefit from the image enhancement and advocacy. Based on increased onsite and perimeter security already in place as well as extraordinary maintenance in the area, these parcels will receive only half of the security and maintenance benefit received by other parcels. Based on this reduction and the reduction in image enhancement and advocacy, the parcels receive benefit from approximately thirty-percent (30%) of the services. The proposed assessment on these parcels reflects this benefit reduction. Parcels with an auto wrecking land use in Zone 1 will pay at a rate which is 30% of the full assessment or \$0.02925 (2.925 cents) per square foot, while parcels with an auto wrecking land use in Zone 2 will pay at a rate of \$0.0102 (1.02 cents) per square foot.

B. Assessment Notice

An Assessment Notice will be sent to property owners of each parcel in the PBID. The Assessment Notice provides an estimated assessment based upon the square footage of each parcel. The final individual assessment for any particular parcel may change if the parcel square footages differ from those found on the Assessment Notice. A Del Paso Boulevard PBID Assessment Calculation Table follows this Engineer's Report. Assessments will be calculated based on the most recent available property data provided by the County of Sacramento. The assessment data will be as accurate as possible; however, the data may contain errors. Changes in property owner and parcel information may take up to one year to transpire. If a property owner discovers an error in the data or calculation please contact Civitas Advisors Inc. at (916) 325-0604 or 1-800-999-7781.

C. Time and Manner for Collecting Assessments

The Del Paso Boulevard PBID assessment will appear as a separate line item on annual property tax bills prepared by the County of Sacramento. Property tax bills are generally distributed in the fall, and payment is expected by lump sum or installment. The County of Sacramento will distribute Del Paso Boulevard funds collected to the City of Sacramento and then to the non-profit corporation managing the PBID pursuant to the authorization of the Management District Plan. Existing laws for enforcement and appeal of property taxes apply to the PBID assessments.

Review of this Del Paso Boulevard Management District Plan and preparation of the Engineers Report was completed by:



State of California
Registered Civil Engineer No. 41540

**Del Paso Boulevard Property and Business Improvement District
Assessment Calculation Table
(Reference Map included in Appendix 2)**

APN	Map ID	ZONE	LSF	Assessment	
				Rate	Annual Assessment
263-0252-001-0000	28	1	2312.00	0.0975	\$225.42
263-0252-002-0000	29	1	3853.00	0.0975	\$375.67
263-0252-008-0000	30	1	16615.00	0.0975	\$1,619.96
263-0252-023-0000	39	1	18861.00	0.0975	\$1,838.95
263-0252-024-0000	35	1	37973.00	0.0975	\$3,702.37
263-0252-027-0000	27	1	23340.00	0.0975	\$2,275.65
263-0252-028-0000	23	1	130244.40	0.0975	\$12,698.83
265-0292-002-0000	2	1	5227.00	0.0975	\$509.63
265-0292-005-0000	8	1	10019.00	0.0975	\$976.85
265-0292-006-0000	10	1	10019.00	0.0975	\$976.85
265-0292-007-0000	12	1	10274.00	0.0975	\$1,001.72
265-0292-008-0000	13	1	10274.00	0.0975	\$1,001.72
265-0292-013-0000	18	1	10274.00	0.0975	\$1,001.72
265-0292-021-0000	24	1	5227.00	0.0975	\$509.63
265-0292-022-0000	21	1	12460.00	0.0975	\$1,214.85
265-0292-023-0000	19	1	12460.00	0.0975	\$1,214.85
265-0292-024-0000	17	1	8307.00	0.0975	\$809.93
265-0292-025-0000	16	1	8307.00	0.0975	\$809.93
265-0292-028-0000	11	1	16542.00	0.0975	\$1,612.85
265-0292-029-0000	9	1	8276.00	0.0975	\$806.91
265-0292-030-0000	7	1	8307.00	0.0975	\$809.93
265-0292-033-0000	1	1	33229.00	0.0975	\$3,239.83
265-0292-034-0000	4	1	5227.00	0.0975	\$509.63
265-0292-035-0000	6	1	5134.00	0.0975	\$500.57
265-0292-036-0000	5	1	15409.00	0.0975	\$1,502.38
265-0292-037-0000	3	1	16613.00	0.0975	\$1,619.77
265-0292-039-0000	22	1	20453.00	0.0975	\$1,994.17
265-0292-040-0000	14	1	16613.00	0.0975	\$1,619.77
265-0292-041-0000	20	1	32822.00	0.0975	\$3,200.15
265-0292-042-0000	15	1	30822.00	0.0975	\$3,005.15
265-0293-015-0000	31	1	4807.00	0.0975	\$468.68
265-0293-016-0000	41	1	7527.00	0.0975	\$733.88
265-0293-021-0000	25	1	22222.00	0.0975	\$2,166.65
265-0293-022-0000	43	1	1742.00	0.0975	\$169.85
265-0293-024-0000	38	1	16032.00	0.0975	\$1,563.12
265-0293-025-0000	36	1	6628.00	0.0975	\$646.23
265-0293-026-0000	42	1	9796.00	0.0975	\$955.11

**Del Paso Boulevard Property and Business Improvement District
Assessment Calculation Table
(Reference Map included in Appendix 2)**

APN	Map ID	ZONE	LSF	Assessment Rate	Annual Assessment
265-0293-028-0000	33	1	24092.00	0.0975	\$2,348.97
265-0293-029-0000	34	1	21750.00	0.0975	\$2,120.63
265-0293-030-0000	26	1	18526.00	0.0975	\$1,806.29
265-0293-031-0000	32	1	288.00	0.0975	\$28.08
265-0321-015-0000	37	1	19026.00	0.0975	\$1,855.04
265-0321-025-0000	40	1	26950.00	0.0975	\$2,627.63
265-0322-016-0000	290	1	64468.80	0.0975	\$6,285.71
265-0322-017-0000	291	1	14810.00	0.0975	\$1,443.98
275-0035-010-0000	80	1	7500.00	0.0975	\$731.25
275-0035-011-0000	83	1	7500.00	0.0975	\$731.25
275-0035-012-0000	85	1	7841.00	0.0975	\$764.50
275-0035-013-0000	87	1	7841.00	0.0975	\$764.50
275-0035-014-0000	88	1	3920.00	0.0975	\$382.20
275-0035-021-0000	89	1	11250.00	0.0975	\$1,096.88
275-0035-024-0000	90	1	15000.00	0.0975	\$1,462.50
275-0042-005-0000	72	1	14810.00	0.0975	\$1,443.98
275-0042-006-0000	75	1	7500.00	0.0975	\$731.25
275-0042-007-0000	76	1	7500.00	0.0975	\$731.25
275-0042-008-0000	78	1	7500.00	0.0975	\$731.25
275-0043-011-0000	65	1	7500.00	0.0975	\$731.25
275-0043-012-0000	67	1	3750.00	0.0975	\$365.63
275-0043-013-0000	68	1	3750.00	0.0975	\$365.63
275-0043-014-0000	69	1	3750.00	0.0975	\$365.63
275-0043-015-0000	70	1	7500.00	0.0975	\$731.25
275-0043-017-0000	61	1	21712.00	0.0975	\$2,116.92
275-0044-001-0000	52	1	5219.00	0.0975	\$508.85
275-0044-002-0000	51	1	2349.00	0.0975	\$229.03
275-0044-003-0000	50	1	2175.00	0.0975	\$212.06
275-0044-004-0000	49	1	1996.00	0.0975	\$194.61
275-0044-005-0000	48	1	1823.00	0.0975	\$177.74
275-0044-006-0000	47	1	1649.00	0.0975	\$160.78
275-0044-007-0000	46	1	2076.00	0.0975	\$202.41
275-0044-008-0000	45	1	1726.00	0.0975	\$168.29
275-0044-015-0000	57	1	2059.00	0.0975	\$200.75
275-0044-016-0000	58	1	4667.00	0.0975	\$455.03
275-0044-018-0000	55	1	8767.00	0.0975	\$854.78
275-0044-022-0000	44	1	2614.00	0.0975	\$254.87
275-0044-023-0000	54	1	5905.00	0.0975	\$575.74

**Del Paso Boulevard Property and Business Improvement District
Assessment Calculation Table
(Reference Map included in Appendix 2)**

APN	Map ID	ZONE	LSF	Assessment Rate	Annual Assessment	
275-0044-024-0000	59	1	2601.00	0.0975	\$253.60	
275-0044-025-0000	60	1	2780.00	0.0975	\$271.05	
275-0051-001-0000	77	1	4494.00	0.0975	\$438.17	
275-0051-002-0000	79	1	10890.00	0.0975	\$1,061.78	
275-0051-003-0000	81	1	2178.00	0.0975	\$212.36	
275-0051-004-0000	82	1	5354.00	0.0975	\$522.02	
275-0051-007-0000	86	1	2800.00	0.0975	\$273.00	
275-0051-008-0000	84	1	3739.00	0.0975	\$364.55	
275-0052-001-0000	56	1	4633.00	0.0975	\$451.72	
275-0052-002-0000	53	1	5836.00	0.0975	\$569.01	
275-0052-005-0000	62	1	11230.00	0.0975	\$1,094.93	
275-0052-006-0000	63	1	11889.00	0.0975	\$1,159.18	
275-0052-007-0000	64	1	3648.00	0.0975	\$355.68	
275-0052-008-0000	66	1	2714.00	0.0975	\$264.62	
275-0053-001-0000	74	1	6570.00	0.0975	\$640.58	
275-0053-002-0000	73	1	6709.00	0.0975	\$654.13	
275-0053-003-0000	71	1	9940.00	0.0975	\$969.15	
275-0054-029-0000	247	1	11021.00	0.0975	\$1,074.55	
275-0054-030-0000	281	1	41251.00	0.0975	\$4,021.97	
275-0082-001-0000	292	1	873.00	0.0975	\$85.12	
275-0084-007-0000	143	1	4552.00	0.0975	\$443.82	
275-0084-008-0000	139	1	14532.00	0.0975	\$1,416.87	
275-0084-014-0000	138	1	6690.00	0.0975	\$652.28	
275-0084-015-0000	142	1	5238.00	0.0975	\$510.71	
275-0084-016-0000	145	1	3485.00	0.0975	\$339.79	
275-0084-017-0000	147	1	3783.00	0.0975	\$368.84	
275-0084-020-0000	146	1	9583.00	0	\$0.00	**
275-0086-012-0000	126	1	7500.00	0.0975	\$731.25	
275-0086-013-0000	127	1	15000.00	0.0975	\$1,462.50	
275-0086-014-0000	136	1	7500.00	0.0975	\$731.25	
275-0086-015-0000	124	1	22500.00	0.0975	\$2,193.75	
275-0088-003-0000	114	1	7500.00	0.0975	\$731.25	
275-0088-004-0000	116	1	3750.00	0.0975	\$365.63	
275-0088-011-0000	118	1	15000.00	0.0975	\$1,462.50	
275-0088-012-0000	120	1	26250.00	0.0975	\$2,559.38	
275-0089-001-0000	148	1	36050.00	0.0975	\$3,514.88	
275-0091-009-0000	103	1	7500.00	0.0975	\$731.25	
275-0091-010-0000	104	1	7500.00	0.0975	\$731.25	

**Del Paso Boulevard Property and Business Improvement District
Assessment Calculation Table
(Reference Map included in Appendix 2)**

APN	Map ID	ZONE	LSF	Assessment Rate	Annual Assessment
275-0091-011-0000	105	1	7405.00	0.0975	\$721.99
275-0091-012-0000	107	1	7500.00	0.0975	\$731.25
275-0091-013-0000	108	1	7500.00	0.0975	\$731.25
275-0091-014-0000	110	1	7500.00	0.0975	\$731.25
275-0091-017-0000	112	1	15000.00	0.0975	\$1,462.50
275-0092-001-0000	119	1	1244.00	0.0975	\$121.29
275-0093-004-0000	94	1	7500.00	0.0975	\$731.25
275-0093-005-0000	96	1	7500.00	0.0975	\$731.25
275-0093-006-0000	98	1	7500.00	0.0975	\$731.25
275-0093-007-0000	99	1	7500.00	0.0975	\$731.25
275-0093-008-0000	101	1	7500.00	0.0975	\$731.25
275-0093-009-0000	102	1	7405.00	0.0975	\$721.99
275-0095-001-0000	113	1	2858.00	0.0975	\$278.66
275-0095-002-0000	111	1	3648.00	0.0975	\$355.68
275-0095-003-0000	109	1	5179.00	0.0975	\$504.95
275-0095-004-0000	106	1	34420.00	0.0975	\$3,355.95
275-0095-014-0000	289	1	9,755.00	0.0975	\$951.11
275-0095-015-0000	115	1	6710.00	0.0975	\$654.23
275-0095-016-0000	117	1	6813.00	0.0975	\$664.27
275-0095-017-0000	100	1	15755.00	0.0975	\$1,536.11
275-0096-001-0000	93	1	2122.00	0.0975	\$206.90
275-0096-002-0000	95	1	5663.00	0.0975	\$552.14
275-0096-003-0000	97	1	7350.00	0.0975	\$716.63
275-0101-001-0000	92	1	5654.00	0.0975	\$551.27
275-0101-002-0000	91	1	6375.00	0.0975	\$621.56
275-0122-007-0000	190	1	7500.00	0.0975	\$731.25
275-0122-008-0000	193	1	7500.00	0.0975	\$731.25
275-0122-009-0000	197	1	7500.00	0.0975	\$731.25
275-0122-010-0000	199	1	7500.00	0.0975	\$731.25
275-0122-011-0000	201	1	7500.00	0.0975	\$731.25
275-0122-014-0000	204	1	15000.00	0.0975	\$1,462.50
275-0123-003-0000	217	1	7500.00	0.0975	\$731.25
275-0123-006-0000	214	1	7500.00	0.0975	\$731.25
275-0123-007-0000	212	1	7500.00	0.0975	\$731.25
275-0123-008-0000	211	1	7500.00	0.0975	\$731.25
275-0123-009-0000	210	1	7500.00	0.0975	\$731.25
275-0123-010-0000	207	1	15000.00	0.0975	\$1,462.50
275-0123-023-0000	215	1	10228.00	0.0975	\$997.23

**Del Paso Boulevard Property and Business Improvement District
Assessment Calculation Table
(Reference Map included in Appendix 2)**

APN	Map ID	ZONE	LSF	Assessment Rate	Annual Assessment	
275-0123-024-0000	287	1	3920.00	0.0975	\$382.20	
275-0123-026-0000	221	1	10936.00	0.0975	\$1,066.26	
275-0123-027-0000	219	1	9750.00	0.0975	\$950.63	
275-0124-006-0000	169	1	8910.00	0.0975	\$868.73	
275-0124-007-0000	175	1	7323.00	0.0975	\$713.99	
275-0124-008-0000	178	1	7134.00	0.0975	\$695.57	
275-0124-009-0000	182	1	7286.00	0.0975	\$710.39	
275-0124-010-0000	186	1	7438.00	0.0975	\$725.21	
275-0124-016-0000	170	1	13245.00	0.0975	\$1,291.39	
275-0124-017-0000	172,173 & 174	1	8442.00	0.0975	\$823.10	
275-0125-001-0000	205	1	7500.00	0.0975	\$731.25	
275-0125-004-0000	200	1	7500.00	0.0975	\$731.25	
275-0125-005-0000	198	1	7500.00	0.0975	\$731.25	
275-0125-006-0000	194	1	6750.00	0.0975	\$658.13	
275-0125-007-0000	191	1	8276.00	0.0975	\$806.91	
275-0125-008-0000	187	1	15000.00	0.0975	\$1,462.50	
275-0125-009-0000	183	1	7500.00	0.0975	\$731.25	
275-0125-010-0000	179	1	7500.00	0.0975	\$731.25	
275-0125-028-0000	202	1	15000.00	0.0975	\$1,462.50	
275-0125-029-0000	171	1	28314.00	0.0975	\$2,760.62	
275-0131-001-0000	125	1	6530.00	0.0975	\$636.68	
275-0131-007-0000	128	1	7841.00	0	\$0.00	**
275-0131-008-0000	129	1	1742.00	0	\$0.00	**
275-0131-009-0000	141	1	6098.00	0	\$0.00	**
275-0131-010-0000	130	1	7841.00	0	\$0.00	**
275-0131-011-0000	131	1	7841.00	0	\$0.00	**
275-0131-012-0000	132	1	7841.00	0	\$0.00	**
275-0131-013-0000	133	1	7730.00	0.0975	\$753.68	
275-0131-014-0000	134	1	6184.00	0.0975	\$602.94	
275-0131-015-0000	135	1	8633.00	0.0975	\$841.72	
275-0131-016-0000	137	1	8299.00	0.0975	\$809.15	
275-0131-017-0000	140	1	6970.00	0.0975	\$679.58	
275-0131-020-0000	144	1	11770.00	0.0975	\$1,147.58	
275-0131-021-0000	123	1	20304.00	0.0975	\$1,979.64	
275-0131-022-0000	122	1	6970.00	0.0975	\$679.58	
275-0131-023-0000	121	1	10759.00	0.0975	\$1,049.00	
275-0132-002-0000	159	1	32550.00	0.0975	\$3,173.63	
275-0132-003-0000	157	1	23522.00	0.0975	\$2,293.40	

**Del Paso Boulevard Property and Business Improvement District
Assessment Calculation Table
(Reference Map included in Appendix 2)**

APN	Map ID	ZONE	LSF	Assessment		
				Rate	Annual Assessment	
275-0134-003-0000	168	1	17860.00	0.0975	\$1,741.35	
275-0134-004-0000	164	1	1742.00	0.0975	\$169.85	
275-0134-005-0000	163	1	4356.00	0.0975	\$424.71	
275-0134-006-0000	181	1	436.00	0.0975	\$42.51	
275-0134-007-0000	180	1	436.00	0.0975	\$42.51	
275-0134-008-0000	165	1	46609.20	0.0975	\$4,544.40	
275-0134-010-0000	166	1	25350.00	0.0975	\$2,471.63	
275-0134-011-0000	167	1	3319.00	0.0975	\$323.60	
275-0134-012-0000	177	1	48351.60	0.0975	\$4,714.28	
275-0134-013-0000	196	1	63597.60	0.0975	\$6,200.77	
275-0141-009-0000	252	1	12719.00	0.0975	\$1,240.10	
275-0141-010-0000	253	1	29969.00	0.0975	\$2,921.98	
275-0142-001-0000	162	1	156816.00	0.0975	\$15,289.56	
275-0143-007-0000	269	1	6875.00	0	\$0.00	**
275-0143-008-0000	250	1	8658.00	0	\$0.00	**
275-0143-009-0000	251	1	4356.00	0	\$0.00	**
275-0143-010-0000	261	1	4356.00	0	\$0.00	**
275-0145-006-0000	268	1	6970.00	0	\$0.00	**
275-0145-007-0000	258	1	6098.00	0	\$0.00	**
275-0145-008-0000	259	1	6534.00	0	\$0.00	**
275-0147-005-0000	255	1	6098.00	0	\$0.00	**
275-0147-006-0000	256	1	6098.00	0	\$0.00	**
275-0147-007-0000	260	1	4356.00	0	\$0.00	**
275-0147-017-0000	257	1	7841.00	0	\$0.00	**
275-0149-004-0000	280	1	11326.00	0.0975	\$1,104.29	
275-0149-005-0000	279	1	23100.00	0.0975	\$2,252.25	
275-0149-006-0000	278	1	11326.00	0.0975	\$1,104.29	
275-0149-007-0000	274	1	9583.00	0.0975	\$934.34	
275-0149-008-0000	275	1	16550.00	0.0975	\$1,613.63	
275-0149-009-0000	276	1	9583.00	0.0975	\$934.34	
275-0151-007-0000	267	1	6534.00	0.0975	\$637.07	
275-0151-014-0000	249	1	19712.00	0.0975	\$1,921.92	
275-0153-008-0000	248	1	6534.00	0	\$0.00	**
275-0153-009-0000	266	1	4356.00	0	\$0.00	**
275-0153-018-0000	254	1	12750.00	0.0975	\$1,243.13	
275-0155-006-0000	264	1	6375.00	0.0975	\$621.56	
275-0155-007-0000	263	1	6534.00	0.0975	\$637.07	
275-0156-003-0000	273	1	14810.00	0.0975	\$1,443.98	

**Del Paso Boulevard Property and Business Improvement District
Assessment Calculation Table
(Reference Map included in Appendix 2)**

APN	Map ID	ZONE	LSF	Assessment Rate	Annual Assessment	
275-0156-004-0000	277	1	27500.00	0.0975	\$2,681.25	
275-0156-005-0000	272	1	6970.00	0.0975	\$679.58	
275-0161-007-0000	225	1	11250.00	0.0975	\$1,096.88	
275-0161-008-0000	226	1	3750.00	0.0975	\$365.63	
275-0161-009-0000	227	1	7500.00	0.0975	\$731.25	
275-0161-010-0000	228	1	7500.00	0.0975	\$731.25	
275-0161-011-0000	230	1	7500.00	0.0975	\$731.25	
275-0161-012-0000	231	1	6750.00	0.0975	\$658.13	
275-0161-013-0000	232	1	6750.00	0.0975	\$658.13	
275-0161-014-0000	233	1	12710.00	0.0975	\$1,239.23	
275-0162-001-0000	240	1	8276.00	0.0975	\$806.91	
275-0162-004-0000	241	1	15000.00	0.0975	\$1,462.50	
275-0163-001-0000	239	1	10000.00	0.0975	\$975.00	
275-0163-002-0000	288	1	4792.00	0.0975	\$467.22	
275-0163-003-0000	238	1	15000.00	0.0975	\$1,462.50	
275-0163-004-0000	237	1	7500.00	0.0975	\$731.25	
275-0163-005-0000	235	1	7500.00	0.0975	\$731.25	
275-0163-006-0000	234	1	15000.00	0.0975	\$1,462.50	
275-0164-008-0000	216	1	7500.00	0.0975	\$731.25	
275-0164-009-0000	218	1	7500.00	0.0975	\$731.25	
275-0164-013-0000	222	1	7500.00	0.02925	\$219.38	***
275-0164-014-0000	224	1	7500.00	0.02925	\$219.38	***
275-0164-019-0000	220	1	22487.00	0.0975	\$2,192.48	
275-0165-019-0000	229	1	18000.00	0.0975	\$1,755.00	
275-0165-021-0000	223	1	48351.60	0.0975	\$4,714.28	
275-0166-012-0000	213	1	15000.00	0.0975	\$1,462.50	
275-0166-013-0000	206	1	37500.00	0.0975	\$3,656.25	
275-0240-065-0000	208	1	1800.00	0.0975	\$175.50	
275-0240-074-0000	192	1	75358.80	0.0975	\$7,347.48	
275-0240-089-0000	209	1	42253.00	0.0975	\$4,119.67	
275-0240-091-0000	189	1	10890.00	0.0975	\$1,061.78	
275-0260-008-0000	243	1	26609.00	0.0975	\$2,594.38	
277-0011-003-0000	285	1	2980.00	0.0975	\$290.55	
277-0011-006-0000	283	1	5499.00	0.0975	\$536.15	
277-0011-007-0000	282	1	5500.00	0.0975	\$536.25	
277-0011-026-0000	284	1	8479.00	0.0975	\$826.70	
277-0011-027-0000	286	1	10944.00	0.0975	\$1,067.04	
277-0131-007-0000	262	1	6375.00	0.0975	\$621.56	

**Del Paso Boulevard Property and Business Improvement District
Assessment Calculation Table
(Reference Map included in Appendix 2)**

APN	Map ID	ZONE	LSF	Assessment Rate	Annual Assessment	
277-0131-008-0000	265	1	6375.00	0.0975	\$621.56	
277-0134-003-0000	154	1	51400.80	0.0975	\$5,011.58	
277-0134-004-0000	153	1	27960.00	0.0975	\$2,726.10	
277-0134-005-0000	152	1	37961.00	0.0975	\$3,701.20	
277-0134-008-0000	149	1	27135.00	0.0975	\$2,645.66	
277-0134-009-0000	184	1	15706.00	0.0975	\$1,531.34	
277-0134-013-0000	185	1	15339.00	0.0975	\$1,495.55	
277-0134-014-0000	151	1	15651.00	0.0975	\$1,525.97	
277-0134-015-0000	176	1	9635.00	0.0975	\$939.41	
277-0134-016-0000	150	1	2780.00	0.0975	\$271.05	
277-0134-018-0000	158	1	28200.00	0.0975	\$2,749.50	
277-0134-020-0000	156	1	7500.00	0.0975	\$731.25	
277-0134-021-0000	155	1	28800.00	0.0975	\$2,808.00	
277-0134-022-0000	160	1	35537.00	0.0975	\$3,464.86	
277-0134-023-0000	188	1	33033.00	0.0975	\$3,220.72	
277-0134-024-0000	195	1	35886.00	0.0975	\$3,498.89	
277-0143-006-0000	271	1	28314.00	0.0975	\$2,760.62	
277-0143-007-0000	270	1	92347.20	0.0975	\$9,003.85	
277-0144-010-0000	203	1	13504.00	0.0975	\$1,316.64	
277-0144-021-0000	161	1	60112.80	0.0975	\$5,861.00	
275-0200-007-0000	246	2	63597.60	0.01023	\$650.60	***
275-0200-009-0000	245	2	85.00	0	\$0.00	**
275-0200-010-0000	244	2	78408.00	0.01023	\$802.11	***
275-0200-011-0000	236	2	189486.00	0.0341	\$6,461.47	
275-0200-012-0000	242	2	436.00	0	\$0.00	**
			4,144,941.40		\$366,179.09	

* Tax-exempt and religious owned parcels throughout the PBID will pay at a rate which is 50% of the full assessment.

** Residential parcels with 4 units or less will not be assessed

*** Auto wrecking parcels throughout the PBID will pay a rate which is 30% of the full assessment.

VIII. PBID GOVERNANCE

A. Del Paso Boulevard PBID Corporation Governance

The Del Paso Boulevard Partnership will continue to manage the day-to-day operations of the Del Paso Boulevard PBID. A majority of the members of the Board of Directors of the corporation will be private commercial property owners who are paying assessments into the PBID. The initial PBID Board of Directors will have 11 Directors. These initial Directors will include 6 private property owners and 2 business owners. The Directors will include some representation from the public sector: 1 representative from Sacramento Regional Transit, 1 representative from City Council District 2, and 1 representative from the Sacramento Housing and Redevelopment Agency. The Board of Directors will have its own established Bylaws.

APPENDIX 1 – THE PROPERTY AND BUSINESS IMPROVEMENT DISTRICT LAW OF 1994

PROPERTY AND BUSINESS IMPROVEMENT DISTRICT LAW OF 1994 STREETS AND HIGHWAYS CODE Division 18. Parking

*** THIS DOCUMENT IS CURRENT THROUGH 2009-2010 EXTRAORDINARY SESSIONS 1-5, ***
AND 7, AND URGENCY LEGISLATION THROUGH CH 4 OF THE 2010 REGULAR SESSION

§ 36600. Citation of part

This part shall be known and may be cited as the "Property and Business Improvement District Law of 1994."

§ 36601. Legislative findings and declarations

The Legislature finds and declares all of the following:

(a) Businesses located and operating within the business districts of this state's communities are economically disadvantaged, are underutilized, and are unable to attract customers due to inadequate facilities, services, and activities in the business districts.

(b) It is in the public interest to promote the economic revitalization and physical maintenance of the business districts of its cities in order to create jobs, attract new businesses, and prevent the erosion of the business districts.

(c) It is of particular local benefit to allow cities to fund business related improvements, maintenance, and activities through the levy of assessments upon the businesses or real property that benefits from those improvements.

(d) Assessments levied for the purpose of providing improvements and promoting activities that benefit real property or businesses are not taxes for the general benefit of a city, but are assessments for the improvements and activities which confer special benefits upon the real property or businesses for which the improvements and activities are provided.

§ 36602. Purpose of part

The purpose of this part is to supplement previously enacted provisions of law that authorize cities to levy assessments within a business improvement area. This part does not affect or limit any other provisions of law authorizing or providing for the furnishing of improvements or activities or the raising of revenue for these purposes.

§ 36603. Preemption of authority or charter city to adopt ordinances levying assessments

Nothing in this part is intended to preempt the authority of a charter city to adopt ordinances providing for a different method of levying assessments for similar or additional purposes from those set forth in this part. A property and business improvement district created pursuant to this part is expressly exempt from the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 (Division 4 (commencing with Section 2800)).

§ 36603.5. Part prevails over conflicting provisions

Any provision in this part that conflicts with any other provision of law shall prevail over the other provision of law.

§ 36604. Severability

This part is intended to be construed liberally and, if any provision is held invalid, the remaining provisions shall remain in full force and effect. Assessments levied under this part are not special taxes.

§ 36605. [Section repealed 2001.]

§ 36606. "Assessment"

"Assessment" means a levy for the purpose of acquiring, constructing, installing, or maintaining improvements and promoting activities which will benefit the properties or businesses located within a property and business improvement district.

§ 36607. "Business"

"Business" means all types of businesses and includes financial institutions and professions.

§ 36608. "City"

"City" means a city, county, city and county, or an agency or entity created pursuant to Article 1 (commencing with *Section 6500*) of Chapter 5 of Division 7 of Title 1 of the *Government Code*, the public member agencies of which includes only cities, counties, or a city and county.

§ 36609. "City council"

"City council" means the city council of a city or the board of supervisors of a county, or the agency, commission, or board created pursuant to a joint powers agreement and which is a city within the meaning of this part.

§ 36610. 'Improvement'

"Improvement" means the acquisition, construction, installation, or maintenance of any tangible property with an estimated useful life of five years or more including, but not limited to, the following:

- (a) Parking facilities.
- (b) Benches, booths, kiosks, display cases, pedestrian shelters and signs.
- (c) Trash receptacles and public restrooms.
- (d) Lighting and heating facilities.
- (e) Decorations.
- (f) Parks.
- (g) Fountains.
- (h) Planting areas.
- (i) Closing, opening, widening, or narrowing of existing streets.
- (j) Facilities or equipment, or both, to enhance security of persons and property within the area.
- (k) Ramps, sidewalks, plazas, and pedestrian malls.
- (l) Rehabilitation or removal of existing structures.

§ 36611. "Property and business improvement district"; "District"

"Property and business improvement district," or "district," means a property and business improvement district established pursuant to this part.

§ 36612. "Property"

"Property" means real property situated within a district.

§ 36613. "Activities"

"Activities" means, but is not limited to, all of the following:

- (a) Promotion of public events which benefit businesses or real property in the district.
- (b) Furnishing of music in any public place within the district.
- (c) Promotion of tourism within the district.
- (d) Marketing and economic development, including retail retention and recruitment.
- (e) Providing security, sanitation, graffiti removal, street and sidewalk cleaning, and other municipal services supplemental to those normally provided by the municipality.
- (f) Activities which benefit businesses and real property located in the district.

§ 36614. "Management district plan"; "Plan"

"Management district plan" or "plan" means a proposal as defined in Section 36622.

§ 36614.5. "Owners' association"

"Owners' association" means a private nonprofit entity that is under contract with a city to administer or implement activities and improvements specified in the management district plan. An owners' association may be an existing nonprofit entity or a newly formed nonprofit entity. An owners' association is a private entity and may not be considered a public entity for any purpose, nor may its board members or staff be considered to be public officials for any purpose. Notwithstanding this section, an owners' association shall comply with the Ralph M. Brown Act (Chapter 9 (commencing with *Section 54950*) of *Part 1 of Division 2 of Title 5 of the Government Code*), at all times when matters within the subject matter of the district are heard, discussed, or deliberated, and with the California Public Records Act (Chapter 3.5 (commencing with *Section 6250*) of *Division 7 of Title 1 of the Government Code*), for all documents relating to activities of the district.

§ 36615. "Property owner"; "Owner"

"Property owner" or "owner" means any person shown as the owner of land on the last equalized assessment roll or otherwise known to be the owner of land by the city council. The city council has no obligation to obtain other information as to the ownership of land, and its determination of ownership shall be final and conclusive for the purposes of this part. Wherever this subdivision requires the signature of the property owner, the signature of the authorized agent of the property owner shall be sufficient.

§ 36616. "Tenant"

"Tenant" means an occupant pursuant to a lease of commercial space or a dwelling unit, other than an owner.

§ 36617. Alternate method of financing certain improvements and activities; Effect on other provisions

This part provides an alternative method of financing certain improvements and activities. The provisions of this part shall not affect or limit any other provisions of law authorizing or providing for the furnishing of improvements or activities or the raising of revenue for these purposes. Every improvement area established pursuant to the Parking and Business Improvement Area Law of 1989 (Part 6 (commencing with Section 36500) of this division) is valid and effective and is unaffected by this part.

§ 36620. Establishment of property and business improvement district

A property and business improvement district may be established as provided in this chapter.

§ 36620.5. Requirement of consent of city council

A county may not form a district within the territorial jurisdiction of a city without the consent of the city council of that city. A city may not form a district within the unincorporated territory of a county without the consent of the board of supervisors of that county. A city may not form a district within the territorial jurisdiction of another city without the consent of the city council of the other city.

§ 36621. Initiation of proceedings; Petition of property or business owners in proposed district

(a) Upon the submission of a written petition, signed by the property or business owners in the proposed district who will pay more than 50 percent of the assessments proposed to be levied, the city council may initiate proceedings to form a district by the adoption of a resolution expressing its intention to form a district. The amount of assessment attributable to property or a business owned by the same property or business owner that is in excess of 40 percent of the amount of all assessments proposed to be levied, shall not be included in determining whether the petition is signed by property or business owners who will pay more than 50 percent of the total amount of assessments proposed to be levied.

(b) The petition of property or business owners required under subdivision (a) shall include a summary of the management district plan. That summary shall include all of the following:

- (1) A map showing the boundaries of the district.
- (2) Information specifying where the complete management district plan can be obtained.
- (3) Information specifying that the complete management district plan shall be furnished upon request.

(c) The resolution of intention described in subdivision (a) shall contain all of the following:

(1) A brief description of the proposed activities and improvements, the amount of the proposed assessment, a statement as to whether the assessment will be levied on property or businesses within the district, a statement as to whether bonds will be issued, and a description of the exterior boundaries of the proposed district. The descriptions and statements do not need to be detailed and shall be sufficient if they enable an owner to generally identify the nature and extent of the improvements and activities and the location and extent of the proposed district.

(2) A time and place for a public hearing on the establishment of the property and business improvement district and the levy of assessments, which shall be consistent with the requirements of Section 36623.

§ 36622. Contents of management district plan

The management district plan shall contain all of the following:

(a) A map of the district in sufficient detail to locate each parcel of property and, if businesses are to be assessed, each business within the district.

(b) The name of the proposed district.

(c) A description of the boundaries of the district, including the boundaries of benefit zones, proposed for establishment or extension in a manner sufficient to identify the affected lands and businesses included. The boundaries of a proposed property assessment district shall not overlap with the boundaries of another existing property assessment district created pursuant to this part. This part does not prohibit the boundaries of a district created pursuant to this part to overlap with other assessment districts established pursuant to other provisions of law, including, but not limited to, the Parking and Business Improvement Area Law of 1989 (Part 6 (commencing with Section 36500)). This part does not prohibit the boundaries of a business assessment district created pursuant to this part to overlap with another business assessment district created pursuant to this part. This part does not prohibit the boundaries of a business assessment district created pursuant to this part to overlap with a property assessment district created pursuant to this part.

(d) The improvements and activities proposed for each year of operation of the district and the maximum cost thereof.

(e) The total annual amount proposed to be expended for improvements, maintenance and operations, and debt service in each year of operation of the district.

(f) The proposed source or sources of financing, including the proposed method and basis of levying the assessment in sufficient detail to allow each property or business owner to calculate the amount of the assessment to be levied against his or her property or business. The plan also shall state whether bonds will be issued to finance improvements.

(g) The time and manner of collecting the assessments.

(h) The specific number of years in which assessments will be levied. In a new district, the maximum number of years shall be five. Upon renewal, a district shall have a term not to exceed 10 years. Notwithstanding these limitations, a district created pursuant to this part to finance capital improvements with bonds may levy assessments until the maximum maturity of the bonds. The management district plan may set forth specific increases in assessments for each year of operation of the district.

(i) The proposed time for implementation and completion of the management district plan.

(j) Any proposed rules and regulations to be applicable to the district.

(k) A list of the properties or businesses to be assessed, including the assessor's parcel numbers for properties to be assessed, and a statement of the method or methods by which the expenses of a district will be imposed upon benefited real property or businesses, in proportion to the benefit received by the property or business, to defray the cost thereof, including operation and maintenance. The plan may provide that all or any class or category of real property which is exempt by law from real property taxation may nevertheless be included within the boundaries of the district but shall not be subject to assessment on real property.

(l) Any other item or matter required to be incorporated therein by the city council.

§ 36623. Procedure to levy assessment

(a) If a city council proposes to levy a new or increased property assessment, the notice and protest and hearing procedure shall comply with *Section 53753 of the Government Code*.

(b) If a city council proposes to levy a new or increased business assessment, the notice and protest and hearing procedure shall comply with *Section 54954.6 of the Government Code*, except that notice shall be mailed to the owners of the businesses proposed to be assessed. A protest may be made orally or in writing by any interested person. Every written protest shall be filed with the clerk at or before the time fixed for the public hearing. The city council may waive any irregularity in the form or content of any written protest. A written protest may be withdrawn in writing at any time before the conclusion of the public hearing. Each written protest shall contain a description of the business in which the person subscribing the protest is interested sufficient to identify the business and, if a person subscribing is not shown on the official records of the city as the owner of the business, the protest shall contain or be accompanied by written evidence that the person subscribing is the owner of the business. A written protest which does not comply with this section shall not be counted in determining a majority protest. If written protests are received from the owners of businesses in the proposed district which will pay 50 percent or more of the assessments proposed to be levied and protests are not withdrawn so as to reduce the protests to less than 50 percent, no further proceedings to levy the proposed assessment against such businesses, as contained in the resolution of intention, shall be taken for a period of one year from the date of the finding of a majority protest by the city council.

§ 36624. Changes to proposed assessments

At the conclusion of the public hearing to establish the district, the city council may adopt, revise, change, reduce, or modify the proposed assessment or the type or types of improvements and activities to be funded with the revenues from the assessments. Proposed assessments may only be revised by reducing any or all of them. At the public hearing, the city council may only make changes in, to, or from the boundaries of the proposed property and business improvement district that will exclude territory that will not benefit from the proposed improvements or activities. Any modifications, revisions, reductions, or changes to the proposed assessment district shall be reflected in the notice and map recorded pursuant to Section 36627.

§ 36625. Resolution of formation

(a) If the city council, following the public hearing, decides to establish the proposed property and business improvement district, the city council shall adopt a resolution of formation that shall contain all of the following:

(1) A brief description of the proposed activities and improvements, the amount of the proposed assessment, a statement as to whether the assessment will be levied on property or businesses within the district, a statement about whether bonds will be issued, and a description of the exterior boundaries of the proposed district. The descriptions and statements do not need to be detailed and shall be sufficient if they enable an owner to generally identify the nature and extent of the improvements and activities and the location and extent of the proposed district.

(2) The number, date of adoption, and title of the resolution of intention.

(3) The time and place where the public hearing was held concerning the establishment of the district.

(4) A determination regarding any protests received. The city shall not establish the district or levy assessments if a majority protest was received.

(5) A statement that the properties or businesses in the district established by the resolution shall be subject to any amendments to this part.

(6) A statement that the improvements and activities to be provided in the district will be funded by the levy of the assessments. The revenue from the levy of assessments within a district shall not be used to provide improvements or activities outside the district or for any purpose other than the purposes specified in the resolution of intention, as modified by the city council at the hearing concerning establishment of the district.

(7) A finding that the property or businesses within the area of the property and business improvement district will be benefited by the improvements and activities funded by the assessments proposed to be levied.

(b) The adoption of the resolution of formation and recordation of the notice and map pursuant to Section 36627 shall constitute the levy of an assessment in each of the fiscal years referred to in the management district plan.

§ 36626. Resolution establishing district

If the city council, following the public hearing, desires to establish the proposed property and business improvement district, and the city council has not made changes pursuant to Section 36624, or has made changes that do not substantially change the proposed assessment, the city council shall adopt a resolution establishing the district. The resolution shall contain all of the information specified in paragraphs (1) to (8), inclusive, of subdivision (b) of Section 36625, but need not contain information about the preliminary resolution if none has been adopted.

§ 36626.5. [Section repealed 1999.]

§ 36626.6. [Section repealed 1999.]

§ 36626.7. [Section repealed 1999.]

§ 36627. Notice and assessment diagram

Following adoption of the resolution establishing the district pursuant to Section 36625 or 36626, the clerk of the city shall record a notice and an assessment diagram pursuant to Section 3114. If the assessment is levied on businesses, the text of the recorded notice shall be modified to reflect that the assessment will be levied on businesses, or specified categories of businesses, within the area of the district. No other provision of Division 4.5 (commencing with Section 3100) applies to an assessment district created pursuant to this part.

§ 36628. Establishment of separate benefit zones within district; Categories of businesses

The city council may establish one or more separate benefit zones within the district based upon the degree of benefit derived from the improvements or activities to be provided within the benefit zone and may impose a different assessment within each benefit zone. If the assessment is to be levied on businesses, the city council may also define categories of businesses based upon the degree of benefit that each will derive from the improvements or activities to be provided within the district and may impose a different assessment or rate of assessment on each category of business, or on each category of business within each zone.

§ 36628.5. Assessments on businesses or property owners

The city council may levy assessments on businesses or on property owners, or a combination of the two, pursuant to this part. The city council shall structure the assessments in whatever manner it determines corresponds with the distribution of benefits from the proposed improvements and activities.

§ 36629. Provisions and procedures applicable to benefit zones and business categories

All provisions of this part applicable to the establishment, modification, or disestablishment of a property and business improvement district apply to the establishment, modification, or disestablishment of benefit zones or categories of business. The city council shall, to establish, modify, or disestablish a benefit zone or category of business, follow the procedure to establish, modify, or disestablish a parking and business improvement area.

§ 36630. Expiration of district; Creation of new district

If a property and business improvement district expires due to the time limit set pursuant to subdivision (h) of Section 36622, a new management district plan may be created and a new district established pursuant to this part.

§ 36631. Time and manner of collection of assessments; Delinquent payments

The collection of the assessments levied pursuant to this part shall be made at the time and in the manner set forth by the city council in the resolution establishing the management district plan described in Section 36622. Assessments levied on real property may be collected at the same time and in the same manner as for the ad valorem property tax, and may provide for the same lien priority and penalties for delinquent payment. All delinquent payments for assessments levied pursuant to this part shall be charged interest and penalties.

§ 36632. Assessments to be based on estimated benefit; Classification of real property and businesses; Exclusion of residential and agricultural property

(a) The assessments levied on real property pursuant to this part shall be levied on the basis of the estimated benefit to the real property within the property and business improvement

district. The city council may classify properties for purposes of determining the benefit to property of the improvements and activities provided pursuant to this part.

(b) Assessments levied on businesses pursuant to this part shall be levied on the basis of the estimated benefit to the businesses within the property and business improvement district. The city council may classify businesses for purposes of determining the benefit to the businesses of the improvements and activities provided pursuant to this part.

(c) Properties zoned solely for residential use, or that are zoned for agricultural use, are conclusively presumed not to benefit from the improvements and service funded through these assessments, and shall not be subject to any assessment pursuant to this part.

§ 36633. Time for contesting validity of assessment

The validity of an assessment levied under this part shall not be contested in any action or proceeding unless the action or proceeding is commenced within 30 days after the resolution levying the assessment is adopted pursuant to Section 36626. Any appeal from a final judgment in an action or proceeding shall be perfected within 30 days after the entry of judgment.

§ 36634. Service contracts authorized to establish levels of city services

The city council may execute baseline service contracts that would establish levels of city services that would continue after a property and business improvement district has been formed.

§ 36635. Request to modify management district plan

The owners' association may, at any time, request that the city council modify the management district plan. Any modification of the management district plan shall be made pursuant to this chapter.

§ 36636. Modification of plan by resolution after public hearing; Adoption of resolution of intention; Modification of improvements and activities by adoption of resolution after public hearing

(a) Upon the written request of the owners' association, the city council may modify the management district plan after conducting one public hearing on the proposed modifications. The city council may modify the improvements and activities to be funded with the revenue derived from the levy of the assessments by adopting a resolution determining to make the modifications after holding a public hearing on the proposed modifications. If the modification includes the levy of a new or increased assessment, the city council shall comply with Section 36623 . Notice of all other public meetings and public hearings pursuant to this section shall comply with both of the following:

(1) The resolution of intention shall be published in a newspaper of general circulation in the city once at least seven days before the public meeting.

(2) A complete copy of the resolution of intention shall be mailed by first class mail, at least 10 days before the public meeting, to each business owner or property owner affected by the proposed modification.

(b) The city council shall adopt a resolution of intention which states the proposed modification prior to the public hearing required by this section. The public hearing shall be held not more than 90 days after the adoption of the resolution of intention.

§ 36637. Reflection of modification in notices recorded and maps

Any subsequent modification of the resolution shall be reflected in subsequent notices and maps recorded pursuant to Division 4.5 (commencing with Section 3100), in a manner consistent with the provisions of Section 36627.

§ 36640. Bonds authorized; Procedure; Restriction on reduction or termination of assessments

(a) The city council may, by resolution, determine and declare that bonds shall be issued to finance the estimated cost of some or all of the proposed improvements described in the resolution of formation adopted pursuant to Section 36625, if the resolution of formation adopted pursuant to that section provides for the issuance of bonds, under the Improvement Bond Act of 1915 (Division 10 (commencing with Section 8500)) or in conjunction with Marks-Roos Local Bond Pooling Act of 1985 (Article 4 (commencing with *Section 6584*) of Chapter 5 of Division 7 of Title 1 of the Government Code). Either act, as the case may be, shall govern the proceedings relating to the issuance of bonds, although proceedings under the Bond Act of 1915 may be modified by the city council as necessary to accommodate assessments levied upon business pursuant to this part.

(b) The resolution adopted pursuant to subdivision (a) shall generally describe the proposed improvements specified in the resolution of formation adopted pursuant to Section 36625, set forth the estimated cost of those improvements, specify the number of annual installments and the fiscal years during which they are to be collected. The amount of debt service to retire the bonds shall not exceed the amount of revenue estimated to be raised from assessments over 30 years.

(c) Notwithstanding any other provision of this part, assessments levied to pay the principal and interest on any bond issued pursuant to this section shall not be reduced or terminated if doing so would interfere with the timely retirement of the debt.

§ 36641. [Section repealed 2001.]

§ 36642. [Section repealed 2001.]

§ 36643. [Section repealed 2001.]

§ 36650. Report by owners' association; Approval or modification by city council

(a) The owners' association shall cause to be prepared a report for each fiscal year, except the first year, for which assessments are to be levied and collected to pay the costs of the improvements and activities described in the report. The owners' association's first report shall be due after the first year of operation of the district. The report may propose changes, including, but not limited to, the boundaries of the property and business improvement district or any benefit zones within the district, the basis and method of levying the assessments, and any changes in the classification of property, including any categories of business, if a classification is used.

(b) The report shall be filed with the clerk and shall refer to the property and business improvement district by name, specify the fiscal year to which the report applies, and, with respect to that fiscal year, shall contain all of the following information:

(1) Any proposed changes in the boundaries of the property and business improvement district or in any benefit zones or classification of property or businesses within the district.

(2) The improvements and activities to be provided for that fiscal year.

(3) An estimate of the cost of providing the improvements and the activities for that fiscal year.

(4) The method and basis of levying the assessment in sufficient detail to allow each real property or business owner, as appropriate, to estimate the amount of the assessment to be levied against his or her property or business for that fiscal year.

(5) The amount of any surplus or deficit revenues to be carried over from a previous fiscal year.

(6) The amount of any contributions to be made from sources other than assessments levied pursuant to this part.

(c) The city council may approve the report as filed by the owners' association or may modify any particular contained in the report and approve it as modified. Any modification shall be made pursuant to Sections 36635 and 36636.

The city council shall not approve a change in the basis and method of levying assessments that would impair an authorized or executed contract to be paid from the revenues derived from the levy of assessments, including any commitment to pay principal and interest on any bonds issued on behalf of the district.

§ 36651. Designation of owners' association to provide improvements and activities

The management district plan may, but is not required to, state that an owners' association will provide the improvements or activities described in the management district plan. If the management district plan designates an owners' association, the city shall contract with the designated nonprofit corporation to provide services.

§ 36660. Renewal of district; Transfer or refund of remaining revenues; District term limit

(a) Any district previously established whose term has expired, may be renewed by following the procedures for establishment as provided in this chapter.

(b) Upon renewal, any remaining revenues derived from the levy of assessments, or any revenues derived from the sale of assets acquired with the revenues, shall be transferred to the renewed district. If the renewed district includes additional parcels or businesses not included in the prior district, the remaining revenues shall be spent to benefit only the parcels or businesses in the prior district. If the renewed district does not include parcels or businesses included in the prior district, the remaining revenues attributable to these parcels shall be refunded to the owners of these parcels or businesses.

(c) Upon renewal, a district shall have a term not to exceed 10 years, or, if the district is authorized to issue bonds, until the maximum maturity of those bonds. There is no requirement that the boundaries, assessments, improvements, or activities of a renewed district be the same as the original or prior district.

§ 36670. Circumstances permitting disestablishment of district; Procedure

(a) Any district established or extended pursuant to the provisions of this part, where there is no indebtedness, outstanding and unpaid, incurred to accomplish any of the purposes of the district, may be disestablished by resolution by the city council in either of the following circumstances:

(1) If the city council finds there has been misappropriation of funds, malfeasance, or a violation of law in connection with the management of the district, it shall notice a hearing on disestablishment.

(2) During the operation of the district, there shall be a 30-day period each year in which assessees may request disestablishment of the district. The first such period shall begin one year after the date of establishment of the district and shall continue for 30 days. The next such 30-day period shall begin two years after the date of the establishment of the district. Each successive year of operation of the district shall have such a 30-day period. Upon the written petition of the owners of real property or of businesses in the area who pay 50 percent or more of the assessments levied, the city council shall pass a resolution of intention to disestablish the district. The city council shall notice a hearing on disestablishment.

(b) The city council shall adopt a resolution of intention to disestablish the district prior to the public hearing required by this section. The resolution shall state the reason for the disestablishment, shall state the time and place of the public hearing, and shall contain a proposal

to dispose of any assets acquired with the revenues of the assessments levied within the property and business improvement district. The notice of the hearing on disestablishment required by this section shall be given by mail to the property owner of each parcel or to the owner of each business subject to assessment in the district, as appropriate. The city shall conduct the public hearing not less than 30 days after mailing the notice to the property or business owners. The public hearing shall be held not more than 60 days after the adoption of the resolution of intention.

§ 36671. Refund of remaining revenues upon disestablishment of district; Calculation of refund; Use of outstanding revenue collected after disestablishment of district

(a) Upon the disestablishment of a district, any remaining revenues, after all outstanding debts are paid, derived from the levy of assessments, or derived from the sale of assets acquired with the revenues, or from bond reserve or construction funds, shall be refunded to the owners of the property or businesses then located and operating within the district in which assessments were levied by applying the same method and basis that was used to calculate the assessments levied in the fiscal year in which the district is disestablished. All outstanding assessment revenue collected after disestablishment shall be spent on improvements and activities specified in the management district plan.

(b) If the disestablishment occurs before an assessment is levied for the fiscal year, the method and basis that was used to calculate the assessments levied in the immediate prior fiscal year shall be used to calculate the amount of any refund.

APPENDIX 2 – PARCELS WITHIN THE PROPOSED DEL PASO BOULEVARD PBID:

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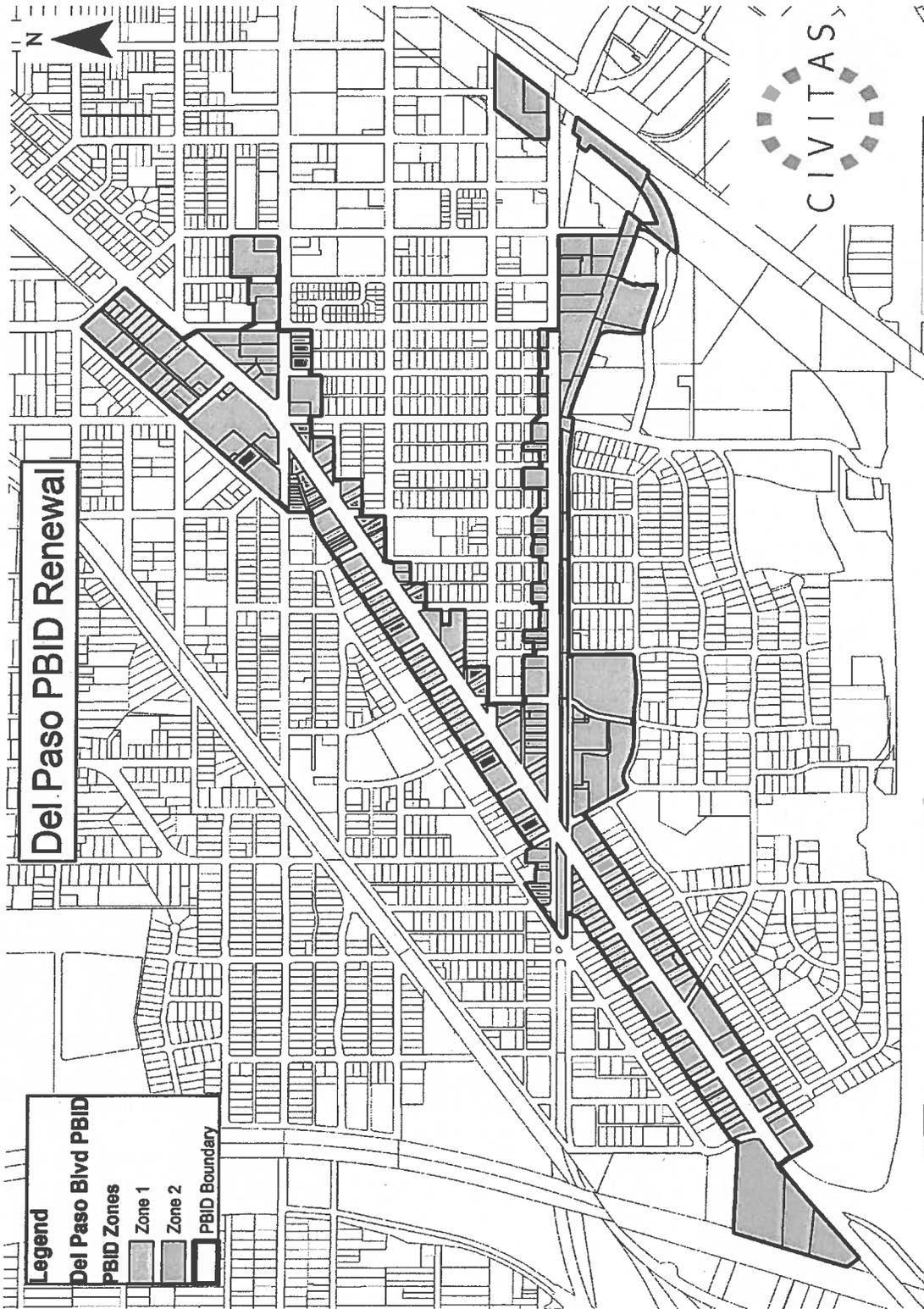
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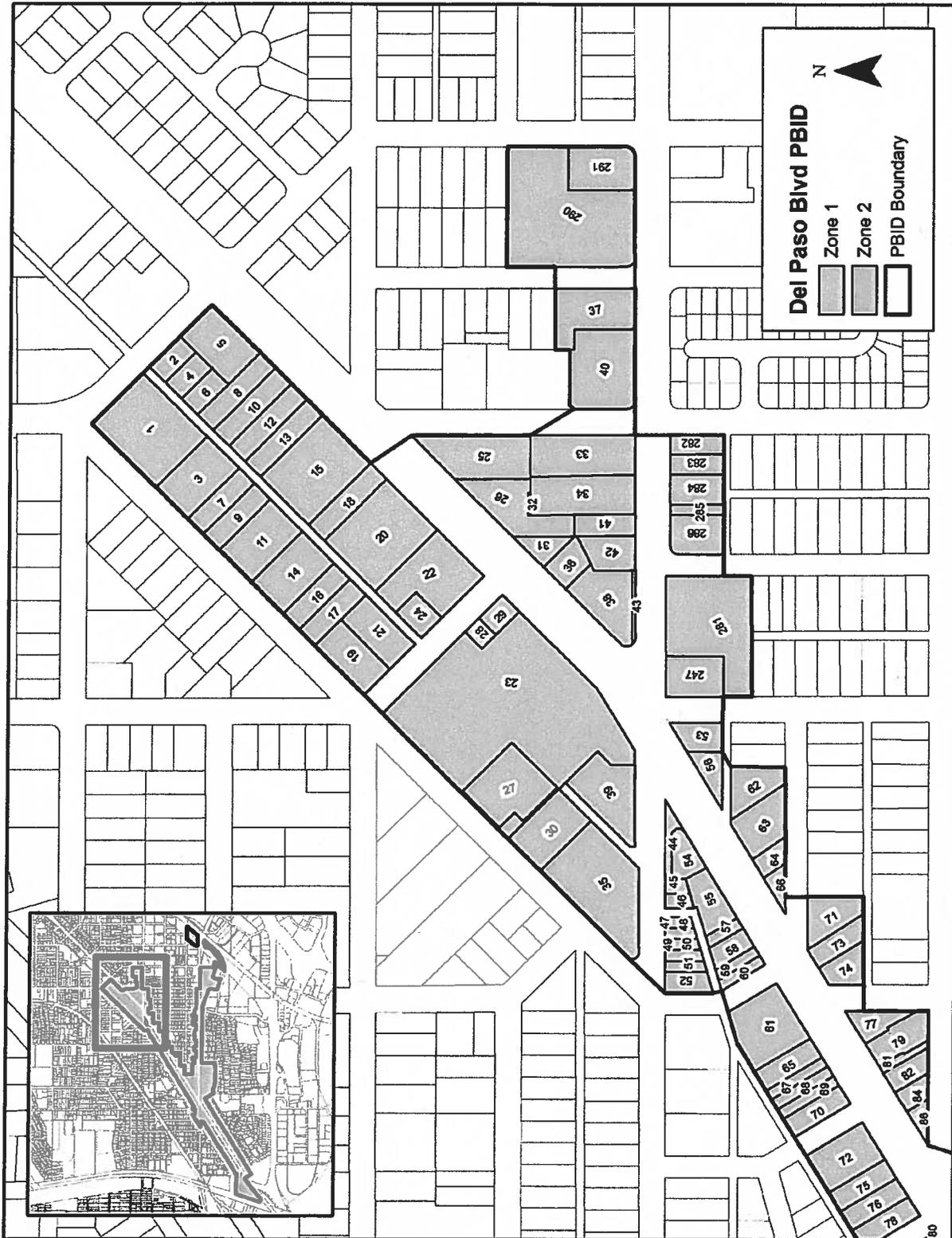
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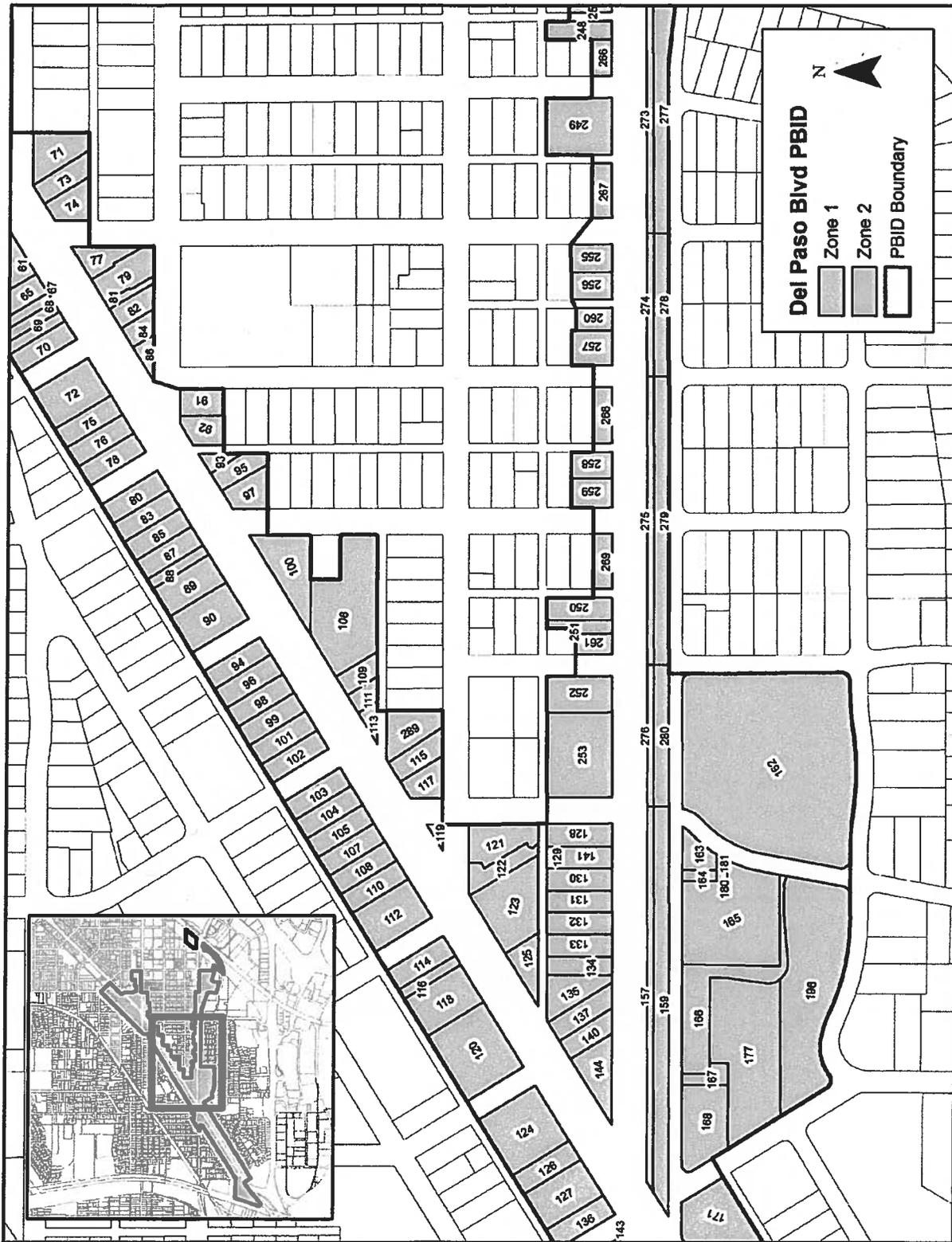
Del Paso Boulevard PBID Renewal Map



Del Paso Boulevard PBID Renewal Map



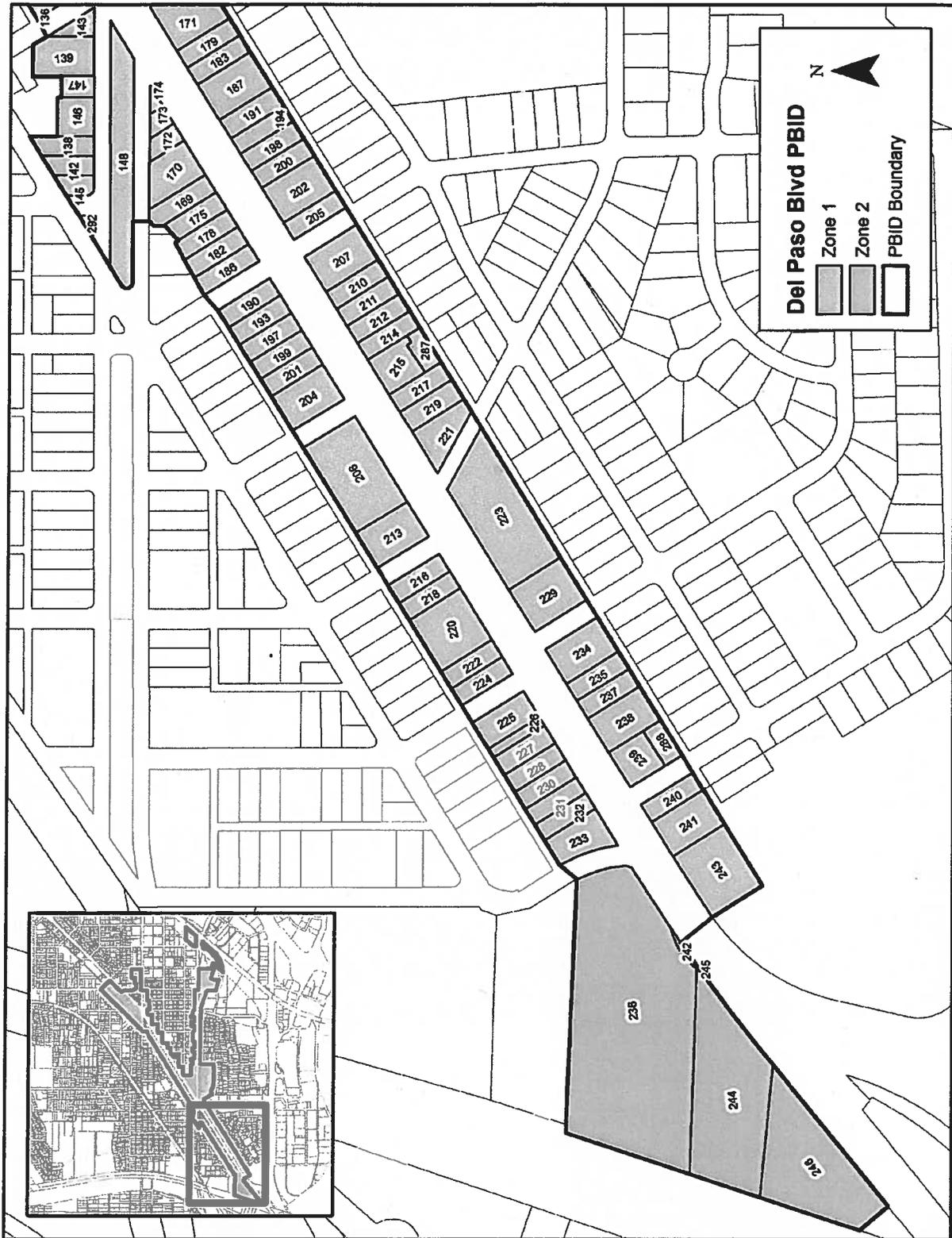
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Del Paso Boulevard PBID Renewal Map



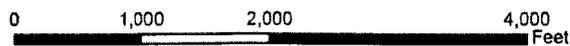
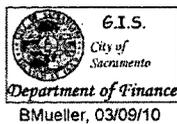
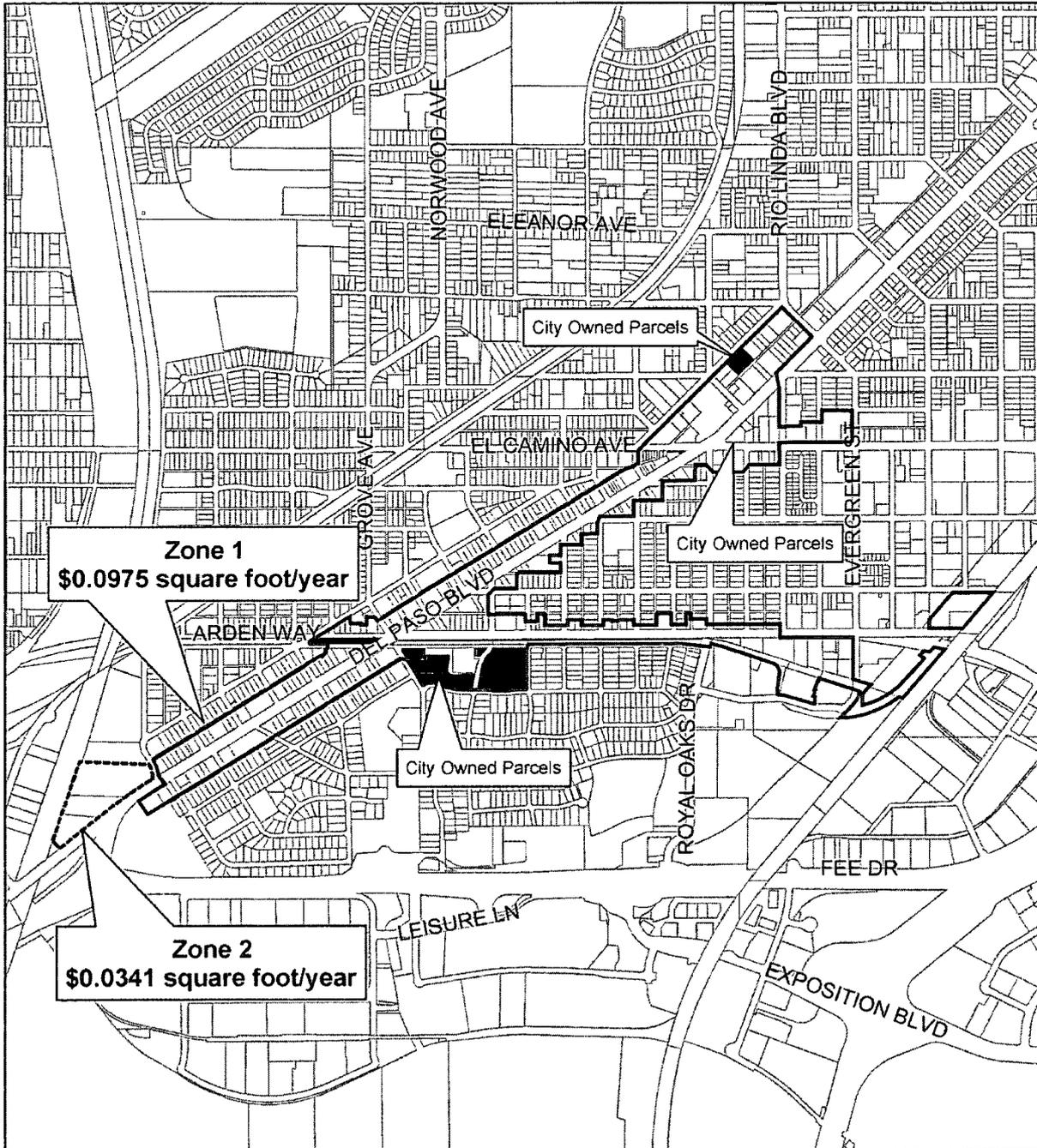
Del Paso Boulevard PBID Renewal Map



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EXHIBIT B

**Del Paso Boulevard
Property and Business Improvement District No. 2010-01**



RESOLUTION NO.

Adopted by the Sacramento City Council

ADOPTING THE ANNUAL DEL PASO BOULEVARD PROPERTY AND BUSINESS IMPROVEMENT DISTRICT BUDGET AND LEVYING ASSESSMENT FOR FY2010/11

BACKGROUND

- A.** The Del Paso Boulevard PBID No. 2010-01 (District), boundaries of which are depicted in Exhibit A, was established by the City Council and approved by the property owners on July 20, 2010.
- B.** The City Council established the District under the Property and Business Law of 1994 (California Streets and Highway Code, Sections 36600 to 36671) (PBID Law) and has previously levied assessments on property in the District to pay for improvements and services to be provided within the District, all in accordance with the PBID Law.
- C.** The District provides for economic development, image enhancement, security and maintenance services and advocacy/administration with the intent of continuing to create a positive atmosphere in the Del Paso Boulevard commercial corridor. All services are as defined within the Management District Plan (Plan). The Plan is on file with the Public Improvement Financing Division, which has been designated by the City Clerk as the custodian of such records.
- D.** The City Council is fully advised in this matter.

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

- Section 1.** That the background statements in paragraphs A through D above are true.
- Section 2.** The City Council hereby:
 - (a) Adopts the annual budget set forth in the FY2010/11 Plan; and
 - (b) Levies on property within the District the assessment set forth in the FY 2010/11 Plan.
- Section 3.** Exhibits A and B are part of this resolution.

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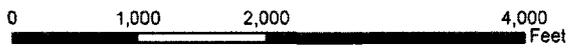
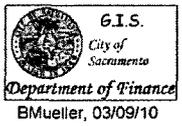
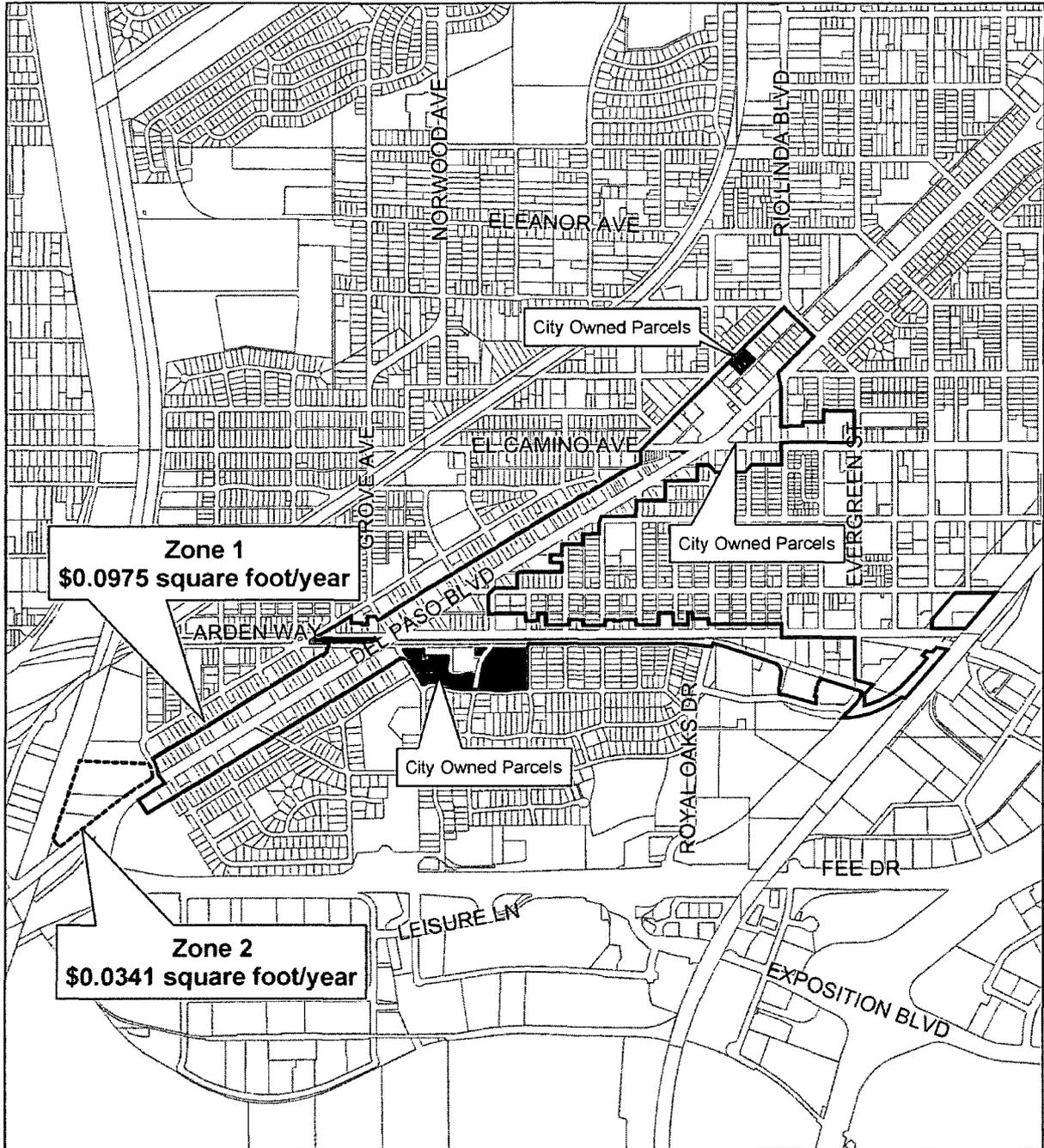
Exhibit A: District Map – 1 Page

Exhibit B: FY2010/11 District & Parcel Assessment – 1 Page

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EXHIBIT A

**Del Paso Boulevard
Property and Business Improvement District No. 2010-01**



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EXHIBIT B

**Del Paso Boulevard
Property and Business Improvement District No. 2010-01
FY2010/11 Budget**

The Del Paso Boulevard PBID assessment budget for FY2010/11 is \$366,179.

Program	Budget	% of Total
Security and Maintenance Enhancement (Clean and Safe)	\$201,398	55.00
Image Enhancement	84,221	23.00
Advocacy / Administration	\$54,927	15.00
Contingency / PBID Renewal	\$25,633	7.00
Total	\$366,179	100.00

Parcel Assessment

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 of no more than 3% per year.

FY2010/11 Benefit Zone	FY2010/11 Benefit Zone	FY2010/11 Benefit Zone
	Rate per Parcel Square Foot ZONE 1	Rate per Parcel Square Foot ZONE 2
Commercial Property	\$0.0975	\$0.0341
Religious and Tax- Exempt Property	\$0.04875 (50% rate)	\$0.0170 (50% Rate)
Auto Wrecking Property	\$0.02925 (30% Rate)	\$0.0102 (30% Rate)
Residential (4 units or less)	Not Assessed	Not Assessed

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Attachment 4

RESOLUTION NO.

Adopted by the Sacramento City Council

AMENDING THE PROPOSED FISCAL YEAR 2010/11 CITY BUDGET FOR THE DEL PASO BOULEVARD PROPERTY AND BUSINESS IMPROVEMENT DISTRICT, FUND 2218

BACKGROUND

- A. The Del Paso Boulevard Property and Business Improvement District No. 2010-01 (District), the boundaries of which are depicted in Exhibit A, was established by the City Council and approved by the property owners on July 20, 2010.
- B. The City Council established the District under the Property and Business Law of 1994 (California Streets and Highway Code – Sections 36600 to 36671) (PBID Law) and has previously levied assessments on property in the District to pay for improvements and services to be provided within the District, all in accordance with the PBID Law.
- C. The City Council is fully advised in this matter.

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

- Section 1.** That the background statements in paragraphs A through C above are true.
- Section 2.** The District's FY2010/11 assessment budget of \$366,179 (\$390,599 - \$24,420 available fund balance) and expenditure budget of \$390,599 are hereby amended as set forth in Exhibit B.
- Section 3.** The Finance Director is hereby authorized to expend \$8,034 of the budgeted funds for the Department of Finance to provide services for the District, as set forth in Exhibit B, which will be reimbursed by the District.
- Section 4.** Exhibits A and B are part of this resolution.

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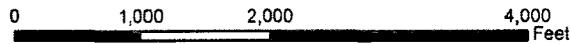
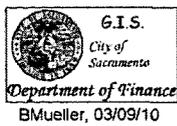
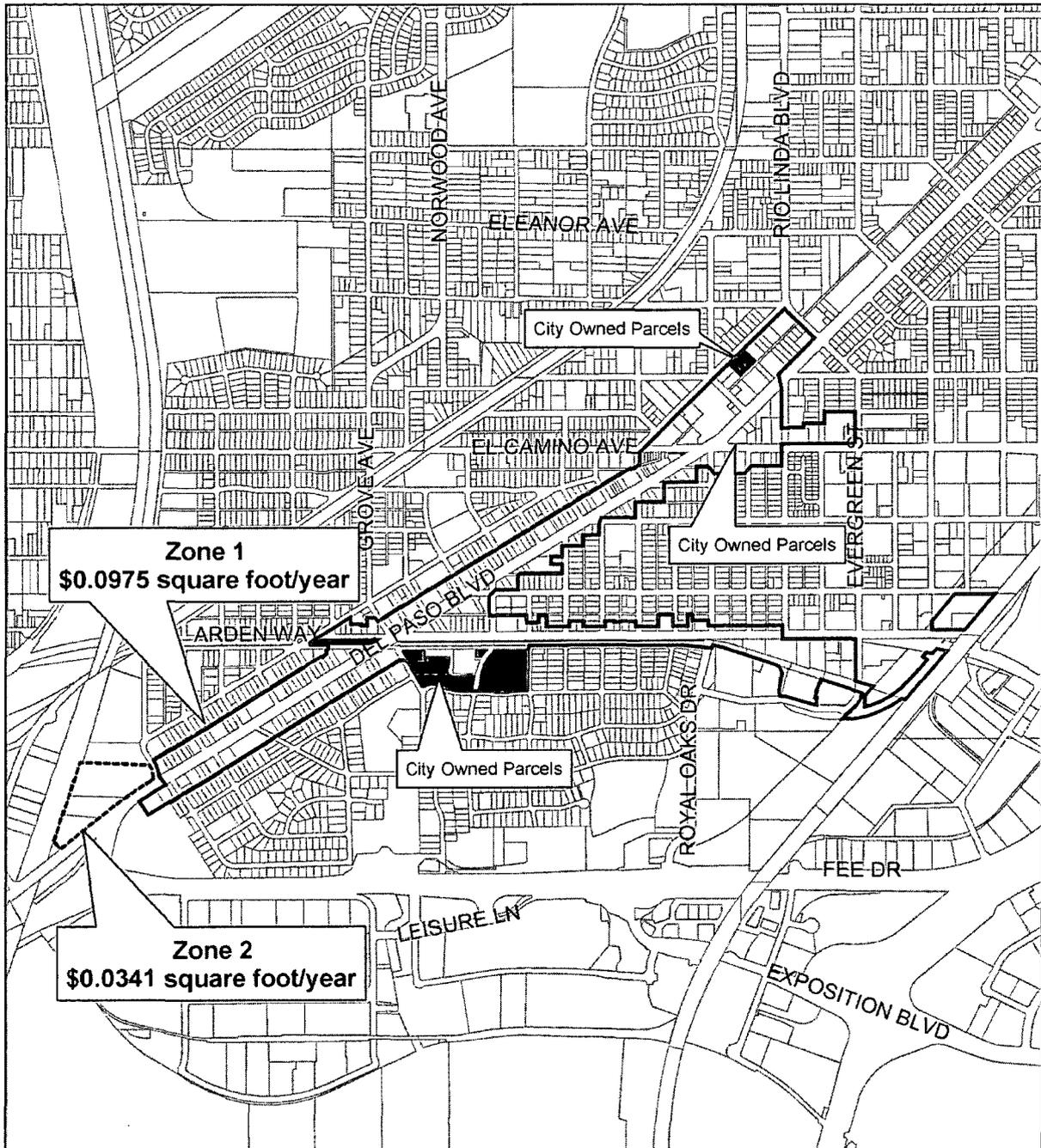
Exhibit A: District Map – 1 Page

Exhibit B: FY2010/11 District Budget & Parcel Assessment – 1 Page

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EXHIBIT A

**Del Paso Boulevard
Property and Business Improvement District No. 2010-01**



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EXHIBIT B

**DEL PASO BOULEVARD
PROPERTY AND BUSINESS IMPROVEMENT DISTRICT NO. 2010-01
FY2010/11 DISTRICT BUDGET & PARCEL ASSESSMENT**

Total Assessment Budget		\$366,179
Available Fund Balance		<u>24,420</u>
Total Revenue		<u>\$390,599</u>
Special Districts Administration	\$6,298	
Consultant (NBS) Reporting	250	
Finance Administration	1,276	
County Billing Cost	<u>210</u>	
Less: Total Administration Expense		<u>\$8,034</u>
 Estimated Total PBID Disbursement		 <u>\$382,565</u>

Parcel Assessment

FY2010/11 Benefit Zone	FY2010/11 Benefit Zone	FY2010/11 Benefit Zone
	Rate per Parcel Square Footage ZONE 1	Rate per Parcel Square Footage ZONE 2
Commercial Property	\$0.09750	\$0.03410
Religious and Tax- Exempt Property	\$0.04875 (50% rate)	\$0.01700 (50% rate)
Auto Wrecking Property	\$0.02925 (30% rate)	\$0.01020 (30% rate)
Residential (4 units or less)	Not Assessed	Not Assessed

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 of no more than 3% per year based on the discretion of the Del Paso Boulevard Board of Directors.

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Attachment 5

**SCHEDULE OF PROCEEDINGS
DEL PASO BOULEVARD
PROPERTY AND BUSINESS IMPROVEMENT DISTRICT NO. 2010-01**

December 1, 2009	Petition Drive Kick-off
May 10, 2009	Receive Signed Petitions
May 18, 2010	Resolution of Intention to Renew – City Council
May 20, 2010	Record Boundary Map
May 25, 2010	Mail Assessment Ballots and Notices of Public Hearing
July 13, 2010	Public Hearing and Tabulation of Ballots – City Council
July 20, 2010	Ballot Results – City Council
July 22, 2010	Record Notice of Assessment and Assessment Diagram
August 2010	Assessment Roll to County