

## RESOLUTION NO. 2007-426

Adopted by the Sacramento City Council

June 21, 2007

### TO ESTABLISH THE MIDTOWN SACRAMENTO PROPERTY AND BUSINESS IMPROVEMENT DISTRICT

#### BACKGROUND:

- A. The property owners within the Midtown Sacramento PBID have submitted petitions asking that the City Council establish the PBID. Included with each petition was a Plan summary and a map showing the boundaries of the PBID. The map is entitled "PBID Boundary Map." The petitions, the boundary map, and the Management District Plan are on file with the City Clerk.
- B. The City owns the following 5 properties within the proposed Midtown Sacramento PBID:
- 007-0042-001-0000, Park = \$11,434.50
  - 007-0106-001-0000, Sutter's Fort = \$13,904.35
  - 007-0112-001-0000, Sutter's Fort = \$13,904.35
  - 007-0174-003-0000, City Property (RT Lease) = \$6,476.50
  - 007-0273-004-0000, City Utility = \$823.28
- C. The District Management Plan provides for the following improvements and activities within the PBID, all of which are intended to continue to improve the Midtown commercial corridor: (1) Clean and Safe Programs, (2) Parking Services, and (3) Marketing. The District Management Plan proposes to fund these improvements and activities through the levy of a benefit assessment on real property within the PBID.
- D. The City Council finds that the City has received petitions signed by property owners representing over 50 percent of the total proposed assessment amounts, signed the petitions requesting the formation process be undertaken. The City Council thus accepts the petitions and intends to establish the PBID and to levy an assessment on real property within the PBID Boundaries in accordance with the Property and Business Improvement District Law of 1994 and Sacramento City Code section 3.92.050.
- E. At the direction of the City Council and the Fiscal Manager of the Public Improvement Financing Division (for the proceedings for the formation of this PBID) has filed the Management Plan with the City Clerk, which was prepared in accordance with the provisions of Streets and Highways Code Section 36622.

F. The City Council finds that the Management Plan satisfies all of the requirements of Streets and Highways Code Section 36622. The Plan provides for the following improvements and services within the PBID, all of which are intended to make the PBID safer, cleaner, and increase the commercial activity: (1) clean and safe programs to provide security patrol and a safety committee working with local law enforcement on specific crime issues in the area, (2) Parking Services, and (3) Marketing to promote business interests and allow the business community to speak with one voice. The Plan proposes to fund these improvements and services through the levy of a benefit assessment on real property within the PBID.

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

- Section 1. The City Council finds and determines that the recitals set forth above are true.
- Section 2. The City Council finds that property owners who will collectively pay more than 50% of the assessment proposed in the Plan have signed the petitions. The City Council thus accepts the petitions and intends to establish the PBID and to levy an assessment on real property within the PBID boundaries in accordance with the Property and Business Improvement District Law of 1994 and Sacramento City Code section 3.92.050. In the first year of the 5-year term, the proposed assessment budget is approximately \$575,000., as shown on Exhibit B to this resolution.
- Section 3. The City Council finds that the Plan satisfies all requirements of Streets and Highway Code sections 36622 and 36660.
- Section 4. The exterior boundaries of the PBID are shown on the "PBID Boundary Map" attached to this resolution as Exhibit A.
- Section 5. No bonds will be issued for the PBID.
- Section 6. The time and place for the public hearing on the establishment of the PBID and the proposed assessment is set for August 9, 2007, at 2:00 p.m. in the City Council's chambers, New City Hall, 915 "I" Street (first floor), Sacramento, California. The City Council may continue the public hearing from time to time.
- Section 7. The City Clerk is directed to give notice of the time and place of the public hearing in accordance with Streets and Highways Code section 36623. The City Clerk is to give notice this by mailing (or causing to be mailed) written notices and assessment ballots in the time, form, and manner provided by Government Code section 53753 to all persons who own real property that is within the PBID and will be subject to the proposed

assessment. The forms of the notices and ballots must be approved by the City Attorney. The City Clerk is further directed to file an affidavit with the City Council when all notices and ballots have been mailed, setting forth the time and manner of her compliance with the requirements of law for mailing the notices and ballots.

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

**Table of Contents:**

Exhibit A: PBID Boundary Map -1 Page

Exhibit B: District Budget and Parcel Assessment – 1 Page

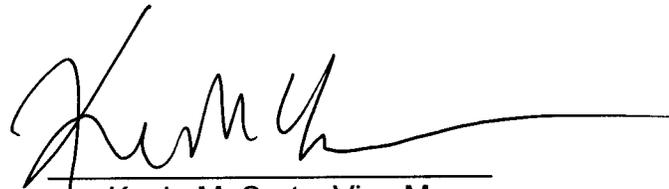
Adopted by the City of Sacramento City Council on June 21, 2007 by the following vote:

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

Noes: None.

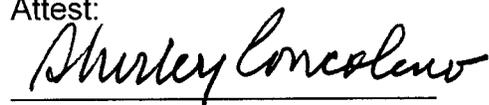
Abstain: None.

Absent: Mayor Fargo.



Kevin McCarty, Vice Mayor

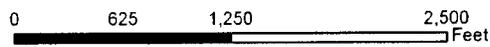
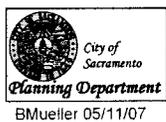
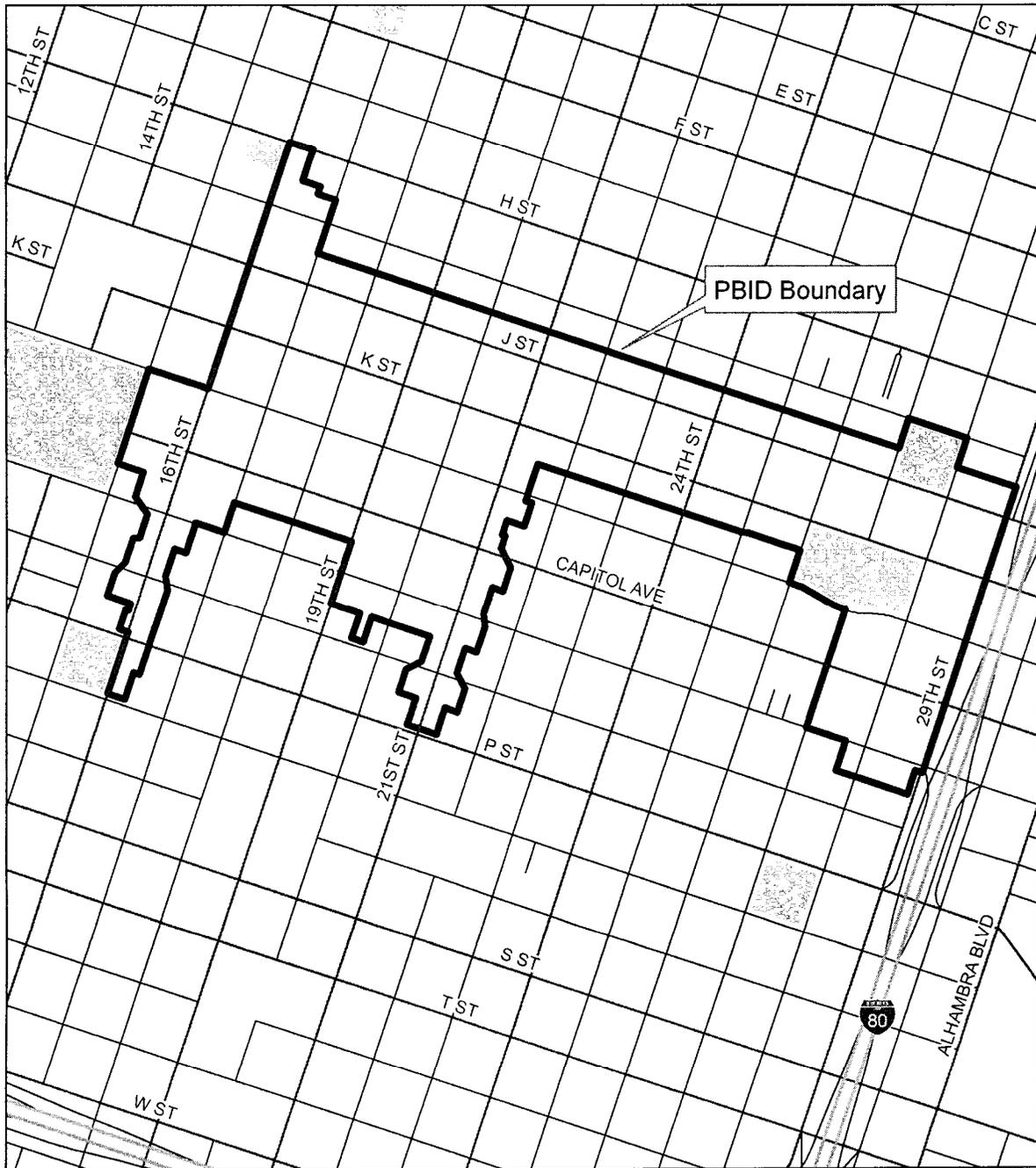
Attest:



Shirley Concolino, City Clerk

**EXHIBIT A**

**Midtown Sacramento  
Property and Business Improvement District**



**EXHIBIT B**

PBID assessment budget for FY 2007/08 is \$575,000. The Midtown Sacramento PBID will receive an approximate total of \$567,500. The remaining \$7,500 will be retained by the City to cover City administration cost.

<b>Program</b>	<b>Budget</b>
Clean & Safe	\$307,500
Marketing	\$107,500
Parking Service	\$85,000
Administrative Fees	\$67,500
City Administrative Fees	\$7,500
<b>Total</b>	<b>\$575,000</b>

Annual assessment rates are based on special benefit received. These special benefits have been calculated based on an allocation of program costs and a calculation of parcel square foot. Assessment rates vary based on property classification (see chart below). Assessment rates may be subject to an increase by no more than 5% per year.

<b>Property Classification</b>	<b>Annual Rate per Lot Square Foot Zone 1</b>	<b>Annual Rate per Lot Square Foot Zone 2</b>	<b>Parking Service Charge</b>
Standard Full Service Area (ZONE 1)	\$.126	NA	Yes, \$.021 included into annual rate
Standard Reduced Service Area (ZONE 2)	NA	\$.091	Yes, \$.021 included into annual rate
Religious, Educational or Other Charitable Tax-Exempt Parcels	\$.105	\$.07	No Parking Charge
Healthcare Tax Exempt Rate	\$.105	\$.07	No Parking Charge
Publicly-owned Parks	\$.105	\$.07	No Parking Charge