



APPROVED
BY THE CITY COUNCIL

MAY 21 1987

OFFICE OF THE
CITY CLERK
ORD 87-056

28

DEPARTMENT OF
FINANCE

REVENUE DIVISION

CITY OF SACRAMENTO
CALIFORNIA

May 4, 1987

RD: 871136-ADM:LM:jf

CITY HALL
ROOM 104
915 I STREET
SACRAMENTO, CA
95814-2696

City Council
Sacramento, California

CITY MANAGER'S OFFICE 816-449-5454

RECEIVED

MAY 11 1987

Honorable Members in Session:

SUBJECT: DEL PASO BOULEVARD BUSINESS IMPROVEMENT AREA

SUMMARY

This report recommends that the City Council conduct a hearing on the Resolution of Intent to establish Del Paso Boulevard Business Improvement Area.

BACKGROUND

On Tuesday, April 28, 1987 staff submitted to the City Council a Resolution of Intent to establish a Del Paso Boulevard Business Improvement Area. The City Council established 7:30 p.m. on Thursday, May 21, 1987 in the City Council Chambers as the time, date, and place to conduct a hearing on the establishment of the area. The City Council directed the Revenue Officer, on behalf of the City Clerk, to notice each business within the proposed area of the hearing and to mail a copy of the Resolution of Intent to each business within the area. On Tuesday, May 12, 1987, the City Council ordered the proposed ordinance passed for publication and continued the hearing until 7:30 p.m., May 21, 1987.

DISCUSSION

The purpose of the hearing is to receive testimony from all persons interested in, or desiring to protest the formation and establishment of said business improvement area, and/or the extent thereof, the boundaries thereof, the proposed amount of charges, the classification of businesses, the drawing of benefit zones, or to any other proposal or matter set forth in the Resolution of Intent to establish the area.

The City Council may proceed to adopt the attached ordinance establishing the area unless a majority of the businesses within the area protest the establishment of the area.

May 4, 1987
RD: 871138-ADM:LM:jt

City Council
Sacramento, California

Honorable Members in Session:

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The City Council may proceed to adopt the attached ordinance establishing the area unless a majority of the businesses within the area protest the establishment of the area.

At the close of the hearing, the Revenue Officer will report on the percentage of businesses protesting the establishment of the area.

RECOMMENDATION

It is recommended that the City Council:

1. Conduct the hearing on the establishment of a business improvement area for Del Paso Boulevard.
2. Request the Revenue Officer to determine if the amount of protest exceeds 50%; and
3. Adopt or take no action upon the attached ordinance which establishes a business improvement area for Del Paso Boulevard.

Respectfully submitted,


MICHAEL L. MEDEMA
Revenue Officer

RECOMMENDATION APPROVED:


WALTER J. SLIPE, City Manager

Attachment

All Districts
May 21, 1987

RESOURCES

ARTICLE 1. STATE OF TEXAS

RECOMMENDATION APPROVED:

READING OFFICER
MICHAEL T. HEDEN

RECOMMENDATION APPROVED:

- 1. Upon completion of the investigation of the above described premises and the results thereof, the following information should be furnished to the appropriate authorities:
- 2. A copy of the report on the above described premises.
- 3. A copy of the report on the above described premises.
- 4. A copy of the report on the above described premises.

It is recommended that the state conduct:

RECOMMENDATION

The following information should be furnished to the appropriate authorities:

28



REFRIGERATION SUPPLIES DISTRIBUTOR

1201 MONTEREY PASS ROAD • MONTEREY PARK, CALIFORNIA 91754 AREA CODE 913 • 264-2800

RECEIVED
CITY CLERK'S OFFICE
CITY OF SACRAMENTO
MAY 9 12 37 PM '87

May 7, 1987

City of Sacramento
Department of Finance, Revenue Division
City Hall, Rm. 104
Sacramento, California

Att'n: Louis Myles, Chief of Revenue

Dear Sir:

We have your letter and attached papers regarding increased taxes to cover public events, parades, decorations and music in the Del Paso area.

You have stated that all protests are to be filed with the City Clerk, and this is the purpose of our letter. As a corporation doing business in the area, and subject to taxation for the above purpose, we are formally protesting such taxation.

As a wholesale business having been in the area for twenty years, we believe the above has nothing to do with us. Obviously such activities are pertinent to retail businesses and patrons and should be borne by them, not those who are not affected in any way by such decorations/music etc.

Sincerely,

HENRY G. MARTIN
President
REFRIGERATION SUPPLIES DISTRIBUTOR

28

ORDINANCE NO. 87-056

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

APPROVED
BY THE CITY COUNCIL

MAY 21 1987

OFFICE OF THE
CITY CLERK

AN ORDINANCE ADDING ARTICLE XI TO CHAPTER 23 OF THE SACRAMENTO CITY CODE ESTABLISHING THE DEL PASO BOULEVARD BUSINESS IMPROVEMENT AREA

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

Article XI is hereby added to Chapter 23 of the Sacramento City Code to read as follows:

Article XI - Del Paso Boulevard Business Improvement Area Sec. 23.810. Authority.

This article is adopted pursuant to the "Parking and Business Improvement Area Law of 1979", being Section 36500 et seq. of the California Streets and Highways Code, and Resolution of Intention No. 87-313, adopted by the City Council on April 28, 1987, and titled "A Resolution of the City Council of the City of Sacramento, California, Declaring Its Intentions to Establish a Business Improvement Area In the Del Paso Boulevard Area, to Provide for Levying of Charges on Specified Businesses Conducted Within Such Area, Classifying Various Businesses for Such Purposes, Describing the Boundaries of the Proposed Area, the Authorized Uses to Which the Proposed Revenues Shall Be Put, the Rate of Such Charges, Fixing the Time and Place of a Hearing to be Held by the City Council to Consider the Establishment of Such an Area, and Directing the Giving of Notice of Such Hearing". Such resolution was published and mailed as provided by law, and hearings thereon were held by the City Council at its regular meeting on May 21, 1987, at which time all persons desiring to be heard, and all objections made or filed, were fully heard. The City Council duly concluded the hearing on May 21, 1987, and determined that protests objecting to the formation of the area have not been made by a majority of the businesses within the area and that such protests are overruled and denied. The City Council hereby finds that the businesses and improvement area, in the opinion of the City Council, will be benefited by the expenditure of the funds raised by the charges proposed to be levied.

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 and involvement also' in the opinion of the city council' and
 and quiet. The city council hereby finds that the provisions
 provisions herein are also and that each brobooseq are overlapped
 violation of the same shall not be an offense as a violation of the
 SI' 1991' and determined these brobooseq offenses to the
 initial result. The city council and considered the results on that
 resulting to be result' and all objections made or filed' were
 the result meeting on July 21' 1991' at which time all persons
 pl 1991' and results thereof were held pl the city council of
 meeting. Each resolution was carried and passed as follows
 each as also' and directing the status of notice of each
 be held pl the city council to consider the establishment of
 case of each crumblers' within the time and place of a meeting to
 authorized area to which the brobooseq violation shall be held. The
 brobooseq' describing the boundaries of the brobooseq area' are
 herein each area' classified into various provisions for each
 brobooseq for relating of crumblers on specified provisions conducted
 a business involvement also in the del base provision also' to
 of sections' sections' describing its intentions to describe
 1991' and stated "A resolution of the city council of the city
 intention no. 91-313' adopted pl the city council on April 28'
 the sections streets and highway code' and resolution of
 involvement also from of 1910' refers section 30200 of 200' of
 this article is adopted hereinafter to the "parking and business

also sec. 33.810. ARTICLE XI
 ARTICLE XI - DEL BASE BUSINESS INVOLVEMENT

city code to read as follows:
 ARTICLE XI is hereby added to chapter 33 of the ordinance

SECTION 1

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACKVILLE:

DEL BASE BUSINESS INVOLVEMENT AREA
 OF THE SACKVILLE CITY CODE ESTABLISHING THE
 AN ORDINANCE ADDING ARTICLE XI TO CHAPTER 33

Sec. 23.811. Area Established -- Description.

There is hereby established a business improvement area which shall be known as the "Del Paso Boulevard Business Improvement Area of the City of Sacramento", herein referred to as the "Area" for brevity and convenience. The description of the Area is as follows.

Beginning at the intersection, the Western Pacific Railroad right-of-way and State Highway 160, proceeding northeast on a straight line to the intersection of Canterbury Road and Woodlake Drive then proceeding east on Woodlake Drive to Royal Oaks Drive, then proceeding north on Royal Oaks Drive to Evergreen then proceeding east and then north along Evergreen to the Metro Light Rail right-of-way then proceeding northeast along the Metro Light Rail right-of-way to the approximate intersection of Cannon and the Metro Light Rail right-of-way then proceeding west on a straight line to the intersection of Santiago Avenue and Evergreen then proceeding north and then northwest on Evergreen to the intersection of Evergreen and Rio Linda Boulevard then proceeding southwest on Rio Linda Boulevard to the intersection of Rio Linda Boulevard and El Camino Boulevard; then west on El Camino Boulevard to Fairfield, then south on Fairfield to El Monte Avenue then southwest on El Monte Avenue, to Gibson, then northwest on Gibson to Barrette then west on Barrette Avenue to Grove Avenue then south on grove Avenue to the intersection of Grove Avenue and El Monte Avenue then west on a straight line to Edgewater Road then north on Edgewater Road to the intersection of Edgewater Road and Stanford Avenue, then westerly to the Western Pacific right-of-way, then southerly along the Western Pacific right-of-way to a point directly east of the north end of Railroad Drive, then directly west to the east bank of the Natomas East Main Drainage Canal, then proceeding southwest then southeast to the beginning.

The businesses located in the Area shall be subject to any future amendments to the "Parking and Business Improvement Area Law of 1979" (commencing with Section 36500 of the Streets and Highway Code).

HIBERNIA CODE.
 PART OF 1910. (COMMENCING WITH SECTION 20200 OF THE STATUTE AND
 PARTS SUBSEQUENT TO THE "BANKING AND BUSINESS REGULATIONS ACT
 THE PROVISIONS INSERTED IN THE ACT SHALL BE SUBJECT TO THE

REGISTRATION.

20201. When a person registers or is registered to the
 effect of the said bank of the various parts and provisions
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 the several specific articles to a certain specific
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is as follows:

"Act" for relief and convenience. The description of the Act
 Act of the City of London, which relates to the
 shall be known as the "Act of the various parts and the
 Act is hereby enacted that the various parts and the

Sec. 53.011. Act of the various parts -- description.

Sec. 23.812. Authorized Uses.

The authorized uses to which the additional revenue shall be put are as follows:

- (a) The general promotion of business activities in the Area.
- (b) Promotion of public events which are to take place on or in public places in the Area.
- (c) Decoration of any public place in the Area.
- (d) Furnishing of music in any public place in the Area.

Sec. 23.813. Levy of Charge in Addition to Business Operations Tax.

There is hereby imposed a charge for the purposes authorized in Sec. 23.812, which charge is in addition to the ordinary business operations tax as it is imposed upon businesses conducting their activities within the Area by Chapter 23 of the Sacramento City Code. Such additional charge is imposed at the rates set forth in Section 23.814 for the specified business classifications regardless of whether the business is taxed upon a flat rate or gross receipts or other basis under the provisions of Chapter 23 of the Sacramento City Code.

Sec. 23.814. Classification of Businesses and Charges Imposed.

The businesses conducted in the Area are classified as follows so as to promote the equitable imposition of the additional charge hereunder in relation to the relative benefits to be derived. The charge shall be as follows:

- (a) Retailing Activity: \$10.00 fee for gross receipts of \$10,000 or less plus \$.0005 for each dollar of gross receipts in excess of \$10,000 for the reporting period.
- (b) Non-Retail: Flat fee of \$10.00
- (c) There shall be a minimum charge of \$10.00 per year for any business conducting business in the Area and a maximum charge of \$260.00 per year.

The determination of the type or class of business or businesses a charge payer is engaged in or about to engage in shall be an administrative function of the Revenue Officer of the City of Sacramento.

SEC. 53.010.

Administrative function of the revenue officer of the city or county shall be subject to or subject to subject to the determination of the state or county of business or residence.

and a minimum credit of 2500.00 per year.

for all business conducted in the year.

(c) There shall be a minimum credit of 210.00 per year.

(d) Non-resident: 210.00 per year.

Revolving Credit:

gross receipts in excess of 210,000 for the

of 210,000 or less plus 2.0002 for each dollar of

(e) Minimum credit: 210.00 per year for gross receipts

credit shall be as follows:

provided in relation to the relative benefits to be derived. It is to promote the economic development of the territory and the businesses conducted in the year are considered as follows:

Sec. 53.010. Classification of businesses and credits imposed.

the provisions of this code:

Gross receipts of other parts under the provisions of chapter 53 of the laws of the state. The business is taxed upon a flat rate of section 53.010 for the specified business classification code. Any additional credit is imposed at the rate set forth in section 53.010 within the year of chapter 53 of the provisions of this code. It is imposed upon businesses conducted in the year. Sec. 53.015. Other credit is in addition to the ordinary business there is hereby imposed a credit for the business and imposed by

Sec. 53.013. Rate of credit in addition to business obligations.

(a) Elimination of waste in and better place in the year.

(c) Reduction of and better place in the year.

business places in the year.

(d) Promotion of better places and to make place on or to

(e) The general promotion of business activities in the year.

as follows:

the ordinary cases to which the additional revenue shall be added.

Sec. 53.015. Imposed rate.

In cases where a charge payer believes he is placed in the wrong business or class of business or businesses, he may apply in writing to the Revenue Officer for a change in his classification, setting forth in full his reason for requesting such change. The Revenue Officer shall conduct an investigation and shall thereupon render his decision in writing as to the proper classification or classifications.

If the charge payer is aggrieved by the Revenue Officer's decision, he shall have the right of appeal to the Director of Finance. The appeal shall be filed with the Director of Finance within ten (10) days of the date of the Revenue Officer's decision, and shall be heard by the Director of Finance within thirty (30) days thereafter. The charge payer shall be given at least seven (7) days notice of the hearing by the Director of Finance.

On July 1, 1988, and each July 1 thereafter, the amount of the non-retail charge in subparagraph (b), above, and the maximum and minimum charges in subparagraph (c), shall be automatically increased by the amount of increase in consumer price index, San Francisco area, all items, most recently available prior to the date of increase, provided, however, that in no event shall any automatic increase hereunder exceed ten percent (10%), and provided further that the amounts of the charges which result from the application of the automatic increases hereunder shall be rounded to the nearest whole dollar.

Sec. 23.815. Exemption; Voluntary Contribution.

Any business, person or institution located in the Area, which is exempt from the payment of the ordinary business operations tax of the City by reason of the provisions of the laws of the United States or the City or by reason of the provisions of the United States or California Constitutions, is not to be charged under this proceeding but may make a voluntary contribution to the City. Such contributions shall be used for the purposes provided in this Article.

Sec. 23.816. Modification or Disestablishment of the Area.

The City Council, by ordinance, may modify the provisions of this Article and may disestablish the Area, after adopting a resolution of intention to such effect. Such resolution shall describe the proposed change or changes, or indicate that it is proposed to disestablish the Area, and shall state the time and place of a hearing to be held by the City Council to consider the proposed action.

the proposed action.

These of a meeting to be held by the City Council to consider proposed to describe the proposed course of members of industry that is a resolution of intention to such effect. Such resolution shall this article and shall describe the area, other adjoining and the City Council, as otherwise, shall modify the provisions of

Sec. 20.010: Modification of Description of the Area.

Proposed in this article.

The City shall contribute shall be used for the purposes under this proceeding and shall make a voluntary contribution to other states or voluntary contributions, is not to be considered under states of the City or on reason of the provisions of the tax of the City on reason of the provisions of the laws of the is exempt from the payment of the ordinary business obligations and business, reason of intention located in the area, which

Sec. 23.012: Exemption: Voluntary Contribution.

be limited to the nearest major county.

From the addition of the ordinary increases provided shall proposed include that the amount of the capital asset lease ordinary increases provided exceed ten percent (10%) and rate of increase, provided, however, that in no event shall and amount shall be less than ten percent (10%) of the amount of the increase on the amount of increase to consumer price index, and and minimum shall be not less than (c), shall be not less than non-lease shall be not less than (d), shall, and the maximum on July 1, 1980, and each July 1 thereafter, the amount of the

Finance.

That shall (A) shall notice of the meeting by the Director of Public (B) shall thereafter. The shall shall be given as decision, and shall be held by the Director of Finance within within ten (10) days of the date of the revenue officer, a Finance. The shall shall be filed with the Director of Finance decision, be shall shall be filed with the Director of if the shall shall be reviewed by the revenue officer, a

Other contribution or contributions.

and shall shall shall be decision in making as to the such shall. The revenue officer shall conduct an investigation contribution, getting help in this his reason for requesting making to the revenue officer for a shall in his business of class of business or businesses, he shall shall in in cases where a shall shall be reviewed he is directed in the making

If a majority of the businesses in the Area file a petition with the City Clerk requesting the Council to adopt a resolution of intention to modify or disestablish the Area, the Council shall adopt such resolution and act upon it as hereinafter provided. Signatures on such petition shall be those of a duly authorized representative of businesses in the Area; and the petition shall be filed with the City Clerk within six weeks of the date on which the first signature was affixed.

The City Clerk shall cause such resolution to be published at least once in the official newspaper for the City of Sacramento, and shall also mail a complete copy thereof, postage prepaid, to each business in the area, or, if it is proposed to enlarge the boundaries of the area, to each business in the Area as it is proposed to be enlarged. Such publication and mailing shall be completed at least fifteen (15) days prior to the date of said hearing.

In the event the resolution proposes to modify any of the provisions of this ordinance, including changes in the existing charges or in the existing boundaries of the Area, such proceedings shall terminate if protest is made by a majority of the businesses in the Area, or in the Area as it is proposed to be enlarged, provided that the City Council may modify the boundaries or charges as specified in Streets and Highways Code Section 26528.

In the event the resolution proposes disestablishment of the Area, the City Council shall disestablish the Area; unless at such hearing, protest against disestablishment is made by a majority of the businesses in the Area.

At the hearing, the City Council shall hear all protests and receive evidence for and against the proposed action; shall rule upon all protests. The Council's determination in this regard shall be final. The Council may continue the hearing from time to time.

Sec. 23.817. Administration.

The Council may provide for the administration of the Area's activities by entering into a contract with an entity that in the opinion of the City Council will have the capability of representing the interests of the businesses in the Area, whose general objectives will be consistent with the purposes of this Article, and who will provide the resources to effectively achieve those objectives. However, in such event the City Council shall reserve unto itself sole discretion as to how the revenue derived from the charges hereunder shall be used within the scope of the said authorized purposes.

the scope of the said authorized purposes.
The Commission shall have the power to refer any matter
concerning the said purposes to the Commission or to any of its
members for their consideration. However, in each case the Civil
Service Commission shall have the power to refer any matter
concerning the said purposes to the Commission or to any of its
members for their consideration. The Commission shall have the
power to refer any matter concerning the said purposes to the
Commission or to any of its members for their consideration.

Sec. 52.01A. Administration.

to the
shall be that the Commission shall continue the meeting from time
to time. The Commission, a representative of the public
shall have the power to refer any matter concerning the said
purposes to the Commission or to any of its members for their
consideration.

of the purposes in the Act.
shall have the power to refer any matter concerning the said
purposes to the Commission or to any of its members for their
consideration.

Section 52.01B.
The Commission shall have the power to refer any matter
concerning the said purposes to the Commission or to any of its
members for their consideration. The Commission shall have the
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meeting.
The Commission shall have the power to refer any matter
concerning the said purposes to the Commission or to any of its
members for their consideration. The Commission shall have the
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within the time specified in the Act.
The Commission shall have the power to refer any matter
concerning the said purposes to the Commission or to any of its
members for their consideration. The Commission shall have the
power to refer any matter concerning the said purposes to the
Commission or to any of its members for their consideration.

Sec. 23.818. Payment of Charge -- Effective Date.

The collection of the charges imposed hereunder shall be made at the same time and in the same manner as the general business operations tax under Chapter 23 of the City's Code, commencing July 2, 1987.

A special fund is hereby created, known as the "Del Paso Boulevard Business Improvement Area Fund," and the charges imposed by this article shall be deposited in such fund.

PASSED FOR PUBLICATION:

ENACTED:

EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK

CILA CFEK

ALLES:

WVAOS

EFFECTIVE:

ENACTED:

PASSED FOR PUBLICATION:

Articles shall be deposited in such form
business involvement with such and the charges imposed by this
a special fund to be held created, known as the "Dei Esso Bonifacio

tax under chapter 53 of the civil code, commencing July 5, 1981.
same time and in the same manner as the general business obligations
the collection of the charges imposed hereunder shall be made at the
sec. 53.018. Payment of charges -- Effective date.



11
28

PASSED FOR
PUBLICATION
& CONTINUED
TO 5-21-87

DEPARTMENT OF
FINANCE

REVENUE DIVISION

CITY OF SACRAMENTO
CALIFORNIA

May 4, 1987
RD: 871135-ADM:LM:jf

CITY HALL
ROOM 104
915 I STREET
SACRAMENTO, CA
95814-2696

CITY MANAGER'S OFFICE
916-449-5454
RECEIVED
MAY 6 1987

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: DEL PASO BOULEVARD BUSINESS IMPROVEMENT AREA

SUMMARY

This item is presented at this time for approval of publication of title pursuant to City Charter Section 38.

BACKGROUND

On Tuesday, April 28, 1987 the City Council adopted Resolution 87-313 which declared the City Council's intention to establish a business improvement area in the Del Paso Boulevard area. The City Council established May 21, 1987 as the date of the hearing to consider establishment of the area. The attached ordinance, if adopted, establishes the area and provides for matters related thereto.

RECOMMENDATION

It is recommended that this item be passed for publication of title and continued to May 21, 1987.

Respectfully submitted,

Michael L. Medema
Revenue Officer

RECOMMENDATION APPROVED:

Walter J. Slupe, City Manager

Attachment

All Districts
May 12, 1987

ATTACHED

CHAPTER 1: STATE OF CALIFORNIA

RECOMMENDATION APPROVED:

MANAGING OFFICER
MICHAEL F. HEDGECOCK

RECOMMENDATION APPROVED

THIS HAS CONTINUED TO MSA 15' 1001
IT IS RECOMMENDED THAT THIS ITEM BE PASSED FOR CONSIDERATION OF

RECOMMENDATION

REFERRED HERETO

IT REQUESTS CONSIDERATION OF THE ITEM AND RECOMMENDATION FOR APPROVAL
TO CONSIDER RECOMMENDATION OF THE ITEM. THE RECOMMENDATION OF APPROVAL
CITY COUNCIL RECOMMENDED MSA 15' 1001 AS THE DATE OF THE RECOMMENDATION
IS PREVIOUSLY RECORDED ITEM IN THE DEPT. OF PUBLIC WORKS ITEM. THE
01-013 WHICH RECOMMENDED THE CITY COUNCIL'S INTENTION TO RECOMMEND
ON THE 01-013 01-013 01-013 THE CITY COUNCIL REQUESTS CONSIDERATION

BACKGROUND

OF THIS BILLING TO CITY COUNCIL SECTION 20.
THIS ITEM IS RECOMMENDED AT THIS TIME FOR CONSIDERATION OF CONSIDERATION

SUMMARY

SUBJECT: DEPT. OF PUBLIC WORKS BUSINESS INVOLVEMENT AREA

MANAGING OFFICER TO SECTION:

MANAGING OFFICER
CITY COUNCIL

MSA: 01-013-01-013-01-013
MSA 15' 1001

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

AN ORDINANCE ADDING ARTICLE XI TO CHAPTER 23
OF THE SACRAMENTO CITY CODE ESTABLISHING THE
DEL PASO BOULEVARD BUSINESS IMPROVEMENT AREA

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

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Article XI - Del Paso Boulevard Business Improvement Area Sec. 23.810. Authority.

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AN ORDINANCE ADDING ARTICLE XI TO CHAPTER 23
OF THE SACRAMENTO CITY CODE ESTABLISHING THE
DEL PASO BOULEVARD BUSINESS IMPROVEMENT AREA

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SECTION 1.

Article XI is hereby added to Chapter 23 of the Sacramento City Code to read as follows:

Article XI - Del Paso Boulevard Business Improvement Area Sec. 23.010. Authority.

This article is adopted pursuant to the "Parking and Business Improvement Area Law of 1970", being Section 30500 et seq. of the California Streets and Highways Code, and Resolution of Intention No. 87-212, adopted by the City Council on April 20, 1987, and titled "A Resolution of the City Council of the City of Sacramento, California, Declaring Its Intentions to Establish a Business Improvement Area in the Del Paso Boulevard Area, to Provide for Levying of Charges on Specified Businesses Conducted Within Such Area, Classifying Various Businesses for Such Purposes, Describing the Boundaries of the Proposed Area, the Authorized Uses to Which the Proposed Revenues Shall Be Put, the Rate of Such Charges, Fixing the Time and Place of a Hearing to be Held by the City Council to Consider the Establishment of Such an Area, and Directing the Giving of Notice of Such Hearing". Such resolution was published and called as provided by law, and hearings thereon were held by the City Council at its regular meeting on _____ at which time all persons desiring to be heard, and all objections made or filed, were fully heard. The City Council duly concluded the hearing on _____ and determined that protests objecting to the formation of the area have not been made by a majority of the businesses within the area and that such protests are overruled and denied. The City Council hereby finds that the businesses and improvement area, in the opinion of the City Council, will be benefited by the expenditure of the funds raised by the charges proposed to be levied.

Sec. 23.811. Area Established -- Description.

There is hereby established a business improvement area which shall be known as the "Del Paso Boulevard Business Improvement area of the City of Sacramento", herein referred to as the "Area" for brevity and convenience. The description of the Area is as follows:

Beginning at the intersection, the Western Pacific Railroad right-of-way and State Highway 160, proceeding northeast on a straight line to the intersection of Canterbury Road and Woodlake Drive then proceeding east on Woodlake Drive to Royal Oaks Drive, then proceeding north on Royal Oaks Drive to Evergreen then proceeding east and then north along Evergreen to the Metro Light Rail right-of-way then proceeding northeast along the Metro Light Rail right-of-way to the approximate intersection of Cannon and the Metro Light Rail right-of-way then proceeding west on a straight line to the intersection of Santiago Avenue and Evergreen then proceeding north and then northwest on Evergreen to the intersection of Evergreen and Rio Linda Boulevard then proceeding southwest on Rio Linda Boulevard to the intersection of Rio Linda Boulevard and El Camino Boulevard; then west on El Camino Boulevard to Fairfield, then south on Fairfield to El Monte Avenue then southwest on El Monte Avenue, to Gibson, then northwest on Gibson to Barrette then west on Barrette Avenue to Grove Avenue then south on Grove Avenue to the intersection of Grove Avenue and El Monte Avenue then west on a straight line to Edgewater Road then north on Edgewater Road to the intersection of Edgewater Road and Stanford Avenue, then westerly to the Western Pacific right-of-way, then southerly along the Western Pacific right-of-way to a point directly east of the north end of Railroad Drive, then directly west to the east bank of the Natomas East Main Drainage Canal, then proceeding southwest then southeast to the beginning.

The businesses located in the Area shall be subject to any future amendments to the "Parking and Business Improvement Area Law of 1979" (commencing with Section 36500 of the Streets and Highway Code).

Sec. 23.811. Area Established -- Description.

There is hereby established a business improvement area which shall be known as the "Del Paso Boulevard Business Improvement Area of the City of Sacramento". herein referred to as the "Area" for brevity and convenience. The description of the Area is as follows:

Beginning at the intersection of the Western Pacific Railroad right-of-way and State Highway 160, proceeding northeast on a straight line to the intersection of Canterbury Road and Woodlake Drive then proceeding east on Woodlake Drive to Royal Oaks Drive, then proceeding north on Royal Oaks Drive to Evergreen then proceeding east and then north along Evergreen to the Metro Light Rail right-of-way then proceeding northeast along the Metro Light Rail right-of-way to the approximate intersection of Cannon and the Metro Light Rail right-of-way then proceeding west on a straight line to the intersection of Santiago Avenue and Evergreen then proceeding north and then northwest on Evergreen to the intersection of Evergreen and Rio Linda Boulevard then proceeding southwest on Rio Linda Boulevard to the intersection of Rio Linda Boulevard and El Camino Boulevard; then west on El Camino Boulevard to Fairfield, then south on Fairfield to El Monte Avenue then southwest on El Monte Avenue, to Gibson, then northwest on Gibson to Bartette then west on Bartette Avenue to Grove Avenue then south on Grove Avenue to the intersection of Grove Avenue and El Monte Avenue then west on a straight line to Edgewater Road then north on Edgewater Road to the intersection of Edgewater Road and Stanford Avenue, then westerly along the Western Pacific right-of-way, then southerly along the Western Pacific right-of-way to a point directly east of the north end of Railroad Drive, then directly west to the east bank of the National East Main Drainage Canal, then proceeding southwest then southeast to the beginning.

The businesses located in the Area shall be subject to any future amendments to the "Parking and Business Improvement Area Law of 1979" (commencing with Section 36500 of the Streets and Highway Code).

Sec. 23.812 Authorized Uses.

The authorized uses to which the additional revenue shall be put are as follows:

- (a) The general promotion of business activities in the Area.
- (b) Promotion of public events which are to take place on or in public places in the Area.
- (c) Decoration of any public place in the Area.
- (d) Furnishing of music in any public place in the Area.

Sec. 23.813. Levy of Charge in Addition to Business Operations Tax.

There is hereby imposed a charge for the purposes authorized in Sec. 23.812, which charge is in addition to the ordinary business operations tax as it is imposed upon businesses conducting their activities within the Area by Chapter 23 of the Sacramento City Code. Such additional charge is imposed at the rates set forth in Section 23.814 for the specified business classifications regardless of whether the business is taxed upon a flat rate or gross receipts or other basis under the provisions of Chapter 23 of the Sacramento City Code.

Sec. 23.814. Classification of Businesses and Charges Imposed.

The businesses conducted in the Area are classified as follows so as to promote the equitable imposition of the additional charge hereunder in relation to the relative benefits to be derived. The charge shall be as follows:

- (a) Retailing Activity: \$10.00 fee for gross receipts of \$10,000 or less plus \$.0005 for each dollar of gross receipts in excess of \$10,000 for the reporting period.
- (b) Non-Retail: Flat fee of \$10.00
- (c) There shall be a minimum charge of \$10.00 per year for any business conducting business in the Area and a maximum charge of \$260.00 per year.

The determination of the type or class of business or businesses a charge payer is engaged in or about to engage in shall be an administrative function of the Revenue Officer of the City of Sacramento.

29.12.1960

Administrative function of the Revenue Officer of the City of ...

- (c) ...
(d) ...

abolition ...
Gross receipts in excess of ...

shall be as follows:
relating to the relative benefits to be derived...

sec. 33.812 Classification of businesses and turnover tax

of the 29.12.1960 Act.
Gross receipts of other parts under the provisions of chapter 33...

sec. 33.813 Tax of turnover in addition to business operations tax

- (a) ...
(b) ...
(c) ...
(d) ...
(e) ...

as follows:
The authorized uses for which the additional revenue shall be put are

sec. 33.815 Authorized uses

In cases where a charge payer believes he is placed in the wrong business or class of business or businesses, he may apply in writing to the Revenue Officer for a change in his classification, setting forth in full his reason for requesting such change. The Revenue Officer shall conduct an investigation and shall thereupon render his decision in writing as to the proper classification or classifications.

If the charge payer is aggrieved by the Revenue Officer's decision, he shall have the right of appeal to the Director of Finance. The appeal shall be filed with the Director of Finance within ten (10) days of the date of the Revenue Officer's decision, and shall be heard by the Director of Finance within thirty (30) days thereafter. The charge payer shall be given at least seven (7) days notice of the hearing by the Director of Finance.

On July 1, 1988, and each July 1 thereafter, the amount of the non-retail charge in subparagraph (b), above, and the maximum and minimum charges in subparagraph (c), shall be automatically increased by the amount of increase in consumer price index, San Francisco area, all items, most recently available prior to the date of increase, provided, however, that in no event shall any automatic increase hereunder exceed ten percent (10%), and provided further that the amounts of the charges which result from the application of the automatic increases hereunder shall be rounded to the nearest whole dollar.

Sec. 23.815. Exemption; Voluntary Contribution.

Any business, person or institution located in the Area, which is exempt from the payment of the ordinary business operations tax of the City by reason of the provisions of the laws of the United States or the City or by reason of the provisions of the United States or California Constitutions, is not to be charged under this proceeding but may make a voluntary contribution to the City. Such contributions shall be used for the purposes provided in this Article.

Sec. 23.816. Modification or Disestablishment of the Area.

The City Council, by ordinance, may modify the provisions of this Article and may disestablish the Area, after adopting a resolution of intention to such effect. Such resolution shall describe the proposed change or changes, or indicate that it is proposed to disestablish the Area, and shall state the time and place of a hearing to be held by the City Council to consider the proposed action.

section.
resulting to be held by the said Council to consider the proposed
dissolution of the club, and shall state the time and place of a
dissolution of the club, or indicate that it is proposed to
intention to such effect. Such resolution shall describe the
articles and shall dissolve the club, after adopting a resolution of
the said Council, by ordinance, shall modify the provisions of the

Sec. 53.01e. Modification of Dissolution of the Club.

articles.
contributions shall be used for the purposes provided in this
and shall make a voluntary contribution to the club. Such
voluntary contributions, is not to be credited under this proceeding
of the club or any person of the provisions of the United States or
the club or person of the provisions of the laws of the United States
except from the payment of the original business obligations of
any person, person or institution located in the club, which is

Sec. 53.01f. Exemption: Voluntary Contribution.

articles.
the appropriate increases provided shall be limited to the extent
that the amount of the increase may result from the addition of
increase provided exceed ten percent (10%) and provided further
increases. Provided, however, that in no event shall any amount
shall be in excess of the amount of the increase to the date of
the amount of increase in covered by the club, and provided
that the increase in amount shall be (c) shall be appropriate
non-voluntary increase in amount (p) shall be the maximum and
on July 1, 1988, and each July 1 thereafter, the amount of the

resulting by the Director of Finance.
The club shall be given at least seven (7) days notice of the
held by the Director of Finance within thirty (30) days thereafter.
Days of the date of the hearing officer's decision, and shall be
advised shall be filed with the Director of Finance within (10)
be shall have the right of appeal to the Director of Finance. The
if the club shall be satisfied by the hearing officer's decision.

contributions.
decision in writing as to the proper contribution of
officer shall conduct an investigation and shall present under his
order in this regard for consideration and approval. The hearing
to the hearing officer for a hearing in the contribution section
business of cases of business or professions, he shall comply in writing
in cases where a club shall be held by is discussed in the above

If a majority of the businesses in the Area file a petition with the City Clerk requesting the Council to adopt a resolution of intention to modify or disestablish the Area, the Council shall adopt such resolution and act upon it as hereinafter provided. Signatures on such petition shall be those of a duly authorized representative of businesses in the Area; and the petition shall be filed with the City Clerk within six weeks of the date on which the first signature was affixed.

The City Clerk shall cause such resolution to be published at least once in the official newspaper for the City of Sacramento, and shall also mail a complete copy thereof, postage prepaid, to each business in the area, or, if it is proposed to enlarge the boundaries of the area, to each business in the Area as it is proposed to be enlarged. Such publication and mailing shall be completed at least fifteen (15) days prior to the date of said hearing.

In the event the resolution proposes to modify any of the provisions of this ordinance, including changes in the existing charges or in the existing boundaries of the Area, such proceedings shall terminate if protest is made by a majority of the businesses in the Area, or in the Area as it is proposed to be enlarged, provided that the City Council may modify the boundaries or charges as specified in Streets and Highways Code Section 26528.

In the event the resolution proposes disestablishment of the Area, the City Council shall disestablish the Area; unless at such hearing, protest against disestablishment is made by a majority of the businesses in the Area.

At the hearing, the City Council shall hear all protests and receive evidence for and against the proposed action; shall rule upon all protests. The Council's determination in this regard shall be final. The Council may continue the hearing from time to time.

Sec. 23.817. Administration.

The Council may provide for the administration of the Area's activities by entering into a contract with an entity that in the opinion of the City Council will have the capability of representing the interests of the businesses in the Area, whose general objectives will be consistent with the purposes of this Article, and who will provide the resources to effectively achieve those objectives. However, in such event the City Council shall reserve unto itself sole discretion as to how the revenue derived from the charges hereunder shall be used within the scope of the said authorized purposes.

purpose.

purpose shall be used within the scope of the said authorized
state discretion as to how the revenue derived from the said
homestead in each case the said council shall be used and shall
be used for the purposes to which the said council shall determine.
shall be consistent with the purposes of this article and may
the interests of the taxpayers in the area whose benefit or
objection of the said council may make the continuation of
activities as existing into a contract with an entity that in the
the council may be used for the administration of the area.

SEC. 53.01A. ADMINISTRATION.

shall be used for the purposes of the revenue from time to time.
purpose. The council's determination in this regard shall be
evidence for and against the proposed action; shall not be
of the results. The said council shall have all powers and
privileges in the area.

purpose shall be used for the purposes of the revenue from time to time.
purpose shall be used for the purposes of the revenue from time to time.
purpose shall be used for the purposes of the revenue from time to time.
purpose shall be used for the purposes of the revenue from time to time.

and the same code section 5025A.

council may modify the provisions of the area as provided in
the area as it is proposed to be entered. Proposed that the
it is proposed to be used as a political of the purposes in the area, or in
the existing provisions of the area, such provisions shall be
of this ordinance, including provisions in the existing area or in
in the area the resolution proposed to modify any of the provisions

shall be used for the purpose of said revenue.
such participation and nothing shall be combined or used
area, to each purpose in the area as it is proposed to be entered.
in the area, or it is proposed to be entered the provisions of the
area shall be combined with the provisions of the area, to each purpose
once in the official records for the area of the area, and shall
the said area shall have such resolution to be entered of the

article.

shall be used for the purpose of said revenue.
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in the area, or it is proposed to be entered the provisions of the
area shall be combined with the provisions of the area, to each purpose
once in the official records for the area of the area, and shall
the said area shall have such resolution to be entered of the

Sec. 23.818. Payment of Charge -- Effective Date.

The collection of the charges imposed hereunder shall be made at the same time and in the same manner as the general business operations tax under Chapter 23 of the City's Code, commencing July 2, 1987.

A special fund is hereby created, known as the "Del Paso Boulevard Business Improvement Area Fund," and the charges imposed by this article shall be deposited in such fund.

PASSED FOR PUBLICATION:

ENACTED:

EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK

CITY CLERK

ALLEGED:

NOVAM

RECEIVED:

ENACTED:

PASSED FOR PUBLICATION:

Articles shall be deposited in each fund.
Business involvement also fund, and the charges imposed by this
A special fund is hereby created, known as the "DEI 1920 BONIFANTQ

tax under chapter 53 of the city's code commencing July 1, 1991.
same time and in the same manner as the General business obligations
The collection of the charges imposed hereunder shall be made at the

Sec. 53.818. Payment of charges -- effective date.

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

AN ORDINANCE ADDING ARTICLE XI TO CHAPTER 23
OF THE SACRAMENTO CITY CODE ESTABLISHING THE
DEL PASO BOULEVARD BUSINESS IMPROVEMENT AREA

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

Article XI is hereby added to Chapter 23 of the Sacramento City Code to read as follows:

Article XI - Del Paso Boulevard Business Improvement Area Sec. 23.810. Authority.

This article is adopted pursuant to the "Parking and Business Improvement Area Law of 1979", being Section 36500 et seq. of the California Streets and Highways Code, and Resolution of Intention No. 87-313, adopted by the City Council on April 28, 1987, and titled "A Resolution of the City Council of the City of Sacramento, California, Declaring Its Intentions to Establish a Business Improvement Area In the Del Paso Boulevard Area, to Provide for Levying of Charges on Specified Businesses Conducted Within Such Area, Classifying Various Businesses for Such Purposes, Describing the Boundaries of the Proposed Area, the Authorized Uses to Which the Proposed Revenues Shall Be Put, the Rate of Such Charges, Fixing the Time and Place of a Hearing to be Held by the City Council to Consider the Establishment of Such an Area, and Directing the Giving of Notice of Such Hearing". Such resolution was published and mailed as provided by law, and hearings thereon were held by the City Council at its regular meeting on _____, at which time all persons desiring to be heard, and all objections made or filed, were fully heard. The City Council duly concluded the hearing on _____, and determined that protests objecting to the formation of the area have not been made by a majority of the businesses within the area and that such protests are overruled and denied. The City Council hereby finds that the businesses and improvement area, in the opinion of the City Council, will be benefited by the expenditure of the funds raised by the charges proposed to be levied.

Sec. 23.811. Area Established -- Description.

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Beginning at the intersection, the Western Pacific Railroad right-of-way and State Highway 160, proceeding northeast on a straight line to the intersection of Canterbury Road and Woodlake Drive then proceeding east on Woodlake Drive to Royal Oaks Drive, then proceeding north on Royal Oaks Drive to Evergreen then proceeding east and then north along Evergreen to the Metro Light Rail right-of-way then proceeding northeast along the Metro Light Rail right-of-way to the approximate intersection of Cannon and the Metro Light Rail right-of-way then proceeding west on a straight line to the intersection of Santiago Avenue and Evergreen then proceeding north and then northwest on Evergreen to the intersection of Evergreen and Rio Linda Boulevard then proceeding southwest on Rio Linda Boulevard to the intersection of Rio Linda Boulevard and El Camino Boulevard; then west on El Camino Boulevard to Fairfield, then south on Fairfield to El Monte Avenue then southwest on El Monte Avenue, to Gibson, then northwest on Gibson to Barrette then west on Barrette Avenue to Grove Avenue then south on Grove Avenue to the intersection of Grove Avenue and El Monte Avenue then west on a straight line to Edgewater Road then north on Edgewater Road to the intersection of Edgewater Road and Stanford Avenue, then westerly to the Western Pacific right-of-way, then southerly along the Western Pacific right-of-way to a point directly east of the north end of Railroad Drive, then directly west to the east bank of the Natomas East Main Drainage Canal, then proceeding southwest then southeast to the beginning.

The businesses located in the Area shall be subject to any future amendments to the "Parking and Business Improvement Area Law of 1979" (commencing with Section 36500 of the Streets and Highway Code).

Sec. 23.812 Authorized Uses.

The authorized uses to which the additional revenue shall be put are as follows:

- (a) The general promotion of business activities in the Area.
- (b) Promotion of public events which are to take place on or in public places in the Area.
- (c) Decoration of any public place in the Area.
- (d) Furnishing of music in any public place in the Area.

Sec. 23.813. Levy of Charge in Addition to Business Operations Tax.

There is hereby imposed a charge for the purposes authorized in Sec. 23.812, which charge is in addition to the ordinary business operations tax as it is imposed upon businesses conducting their activities within the Area by Chapter 23 of the Sacramento City Code. Such additional charge is imposed at the rates set forth in Section 23.814 for the specified business classifications regardless of whether the business is taxed upon a flat rate or gross receipts or other basis under the provisions of Chapter 23 of the Sacramento City Code.

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- (a) Retailing Activity: \$10.00 fee for gross receipts of \$10,000 or less plus \$.0005 for each dollar of gross receipts in excess of \$10,000 for the reporting period.
- (b) Non-Retail: Flat fee of \$10.00
- (c) There shall be a minimum charge of \$10.00 per year for any business conducting business in the Area and a maximum charge of \$260.00 per year.

The determination of the type or class of business or businesses a charge payer is engaged in or about to engage in shall be an administrative function of the Revenue Officer of the City of Sacramento.

If a majority of the businesses in the Area file a petition with the City Clerk requesting the Council to adopt a resolution of intention to modify or disestablish the Area, the Council shall adopt such resolution and act upon it as hereinafter provided. Signatures on such petition shall be those of a duly authorized representative of businesses in the Area; and the petition shall be filed with the City Clerk within six weeks of the date on which the first signature was affixed.

The City Clerk shall cause such resolution to be published at least once in the official newspaper for the City of Sacramento, and shall also mail a complete copy thereof, postage prepaid, to each business in the area, or, if it is proposed to enlarge the boundaries of the area, to each business in the Area as it is proposed to be enlarged. Such publication and mailing shall be completed at least fifteen (15) days prior to the date of said hearing.

In the event the resolution proposes to modify any of the provisions of this ordinance, including changes in the existing charges or in the existing boundaries of the Area, such proceedings shall terminate if protest is made by a majority of the businesses in the Area, or in the Area as it is proposed to be enlarged, provided that the City Council may modify the boundaries or charges as specified in Streets and Highways Code Section 26528.

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At the hearing, the City Council shall hear all protests and receive evidence for and against the proposed action; shall rule upon all protests. The Council's determination in this regard shall be final. The Council may continue the hearing from time to time.

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The Council may provide for the administration of the Area's activities by entering into a contract with an entity that in the opinion of the City Council will have the capability of representing the interests of the businesses in the Area, whose general objectives will be consistent with the purposes of this Article, and who will provide the resources to effectively achieve those objectives. However, in such event the City Council shall reserve onto itself sole discretion as to how the revenue derived from the charges hereunder shall be used within the scope of the said authorized purposes.

Sec. 23.818. Payment of Charge -- Effective Date.

The collection of the charges imposed hereunder shall be made at the same time and in the same manner as the general business operations tax under Chapter 23 of the City's Code, commencing July 2, 1987.

A special fund is hereby created, known as the "Del Paso Boulevard Business Improvement Area Fund," and the charges imposed by this article shall be deposited in such fund.

PASSED FOR PUBLICATION:

ENACTED:

EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

AN ORDINANCE ADDING ARTICLE XI TO CHAPTER 23
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The City Clerk shall cause such resolution to be published at least once in the official newspaper for the City of Sacramento, and shall also mail a complete copy thereof, postage prepaid, to each business in the area, or, if it is proposed to enlarge the boundaries of the area, to each business in the Area as it is proposed to be enlarged. Such publication and mailing shall be completed at least fifteen (15) days prior to the date of said hearing.

In the event the resolution proposes to modify any of the provisions of this ordinance, including changes in the existing charges or in the existing boundaries of the Area, such proceedings shall terminate if protest is made by a majority of the businesses in the Area, or in the Area as it is proposed to be enlarged, provided that the City Council may modify the boundaries or charges as specified in Streets and Highways Code Section 26528.

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PASSED FOR PUBLICATION:

ENACTED:

EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK



RECEIVED
CITY CLERKS OFFICE
CITY OF SACRAMENTO

MAY 1 3 21 PM '87

DEPARTMENT OF
FINANCE

REVENUE DIVISION

CITY OF SACRAMENTO
CALIFORNIA

CITY HALL
ROOM 104
915 I STREET
SACRAMENTO, CA
95814-2696


April 30, 1987
RD:871132-ADM:LM:lv

916-449-5454

MEMORANDUM

TO: Lorraine Magana, City Clerk
FROM: Louis Myles, Chief of Revenue
SUBJECT: NOTICE TO BUSINESSES IN OLD SACRAMENTO

I hereby certify that I mailed the attached notice to all businesses of record in the proposed Del Paso Business Improvement Area on Thursday, April 30, 1987, as directed by the City Council. Also attached is the listing of the businesses so notified.


Louis Myles
Chief of Revenue

Attachment



DEPARTMENT OF
FINANCE

REVENUE DIVISION

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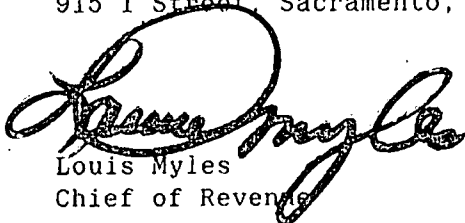
916-449-5454

Business Owner:

You are hereby noticed of a hearing to be held by the City Council regarding the establishment of a business improvement area for the Del Paso Boulevard area. The hearing will be held on Thursday, May 21, 1987 at 7:30 p.m. in the City Council Chambers, 915 I Street, Sacramento, California 95814.

Any person interested in, or desiring to protest the formation and establishment of said business improvement area, and/or the extent thereof, the boundaries thereof, the proposed amount of charges, the classification of businesses, the drawing of benefit zones, or to any other proposal or matter set forth in the attached Resolution of Intention, may appear before the City Council at said time and place and be heard. You may elect to file your testimony or protest with the City Clerk, Room 203, 915 I Street, Sacramento, California, 95814 before 5:00 p.m. on Thursday, May 21, 1987, in lieu of a personal appearance at said hearing.

For further information regarding this matter, you may contact me at Room 104, 915 I Street, Sacramento, California 95814 (916 449-5724).


Louis Myles
Chief of Revenue

Attachment

RESOLUTION NO. 87-313

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

APR 28 1987

CERTIFIED AS TRUE COPY
of Resolution No. 87-313

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SACRAMENTO, CALIFORNIA, DECLARING ITS INTENTIONS TO ESTABLISH A BUSINESS IMPROVEMENT AREA IN THE DEL PASO BOULEVARD AREA, TO PROVIDE FOR THE LEVYING OF CHARGES ON SPECIFIED BUSINESSES CONDUCTED WITHIN SUCH AREA, CLASSIFYING VARIOUS BUSINESSES FOR SUCH PURPOSES, DESCRIBING THE BOUNDARIES OF THE PROPOSED AREA, THE AUTHORIZED USES TO WHICH THE PROPOSED REVENUES SHALL BE PUT, THE RATE OF SUCH CHARGES, FIXING THE TIME AND PLACE OF A HEARING TO BE HELD BY THE CITY COUNCIL TO CONSIDER THE ESTABLISHMENT OF SUCH AN AREA, AND DIRECTING THE GIVING OF NOTICE OF SUCH HEARING

APR 29 1987

DATE CERTIFIED
Annunzio
CITY CLERK, CITY OF SACRAMENTO

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1. Authority and Intention. The City Council of the City of Sacramento hereby declares its intention of establishing a business improvement area in the Del Paso Boulevard area under the Parking and Business Improvement Act Law of 1979, being Part 6 of Division 18 of the Streets and Highways Code S36500 through 35681 of said Streets and Highways Code of the State of California.

SECTION 2. Name. The name of the proposed business improvement area intended to be formed is to be the "Del Paso Boulevard Business Improvement Area of the City of Sacramento", hereinafter referred to as the "Area".

SECTION 3. Authorized Uses. The proposed authorized uses to which the proposed revenue shall be put are as follows:

- (a) The general promotion of business activities in the Area;
- (b) The promotion of public events which are to take place on or in public places in the Area;
- (c) The decoration of any public place in the Area;
- (d) The furnishing of music in any public place in the Area.

SECTION 4. Area and Benefit Zone. A description of the Area is as follows:

Beginning at the intersection, the Western Pacific Railroad right-of-way and State Highway 160, proceeding northeast on a straight line to the intersection of Canterbury Road and Woodlake Drive then proceeding east on Woodlake Drive to Royal Oaks Drive, then proceeding north on Royal Oaks Drive to Evergreen then proceeding east and then north along Evergreen to the Metro Light Rail right-of-way then proceeding northeast along the Metro Light Rail right-of-way to the approximate intersection of Cannon and the Metro Light Rail right-of-way then proceeding west on a straight line to the intersection of Santiago Avenue and Evergreen then proceeding north and then northwest on Evergreen to the intersection of Evergreen and Rio Linda Boulevard then proceeding southwest on Rio Linda Boulevard to the intersection of Rio Linda Boulevard and El Camino Boulevard; then west on El Camino Boulevard to Fairfield, then south on Fairfield to El Monte Avenue then southwest on El Monte Avenue, to Gibson, then northwest on Gibson to Barrette then west on Barrette Avenue to Grove Avenue then south on Grove Avenue to the intersection of Grove Avenue and El Monte Avenue then west on a straight line to Edgewater Road then north on Edgewater Road to the intersection of Edgewater Road and Stanford Avenue, then westerly to the Western Pacific right-of-way, then southerly along the Western Pacific right-of-way to a point directly east of the north end of Railroad Drive, then directly west to the east bank of the Natomas East Main Drainage Canal, then proceeding southwest then southeast to the beginning.

SECTION 5. Levy of Charge in Addition to Business Operations Tax. It is proposed that a charge, which is in addition to the business operations tax as it is or may be imposed pursuant to Chapter 23 of the Sacramento City Code. Such additional charge is to be imposed at the rates hereinafter set forth for the specified business classifications.

SECTION 6. Classification of Businesses and Charges Imposed. It is proposed that the businesses conducted in the Area be classified as follows so as to promote the equitable imposition of the additional charge, hereunder, in relation to the relative benefits to be derived. The proposed charge, over and above the business operations tax, imposed on each business within the Area shall be as follows:

- (a) Retailing Activity: \$10.00 fee for gross receipts of \$10,000 or less plus \$.0005 for each dollar of gross receipts in excess of \$10,000 for the reporting period.

- (b) Non-Retail: Flat fee of \$10.00
- (c) There shall be a minimum charge of \$10.00 per year for any business conducting business in the Area and a maximum charge of \$260.00 per year.

The determination of the type or class of business or businesses a charge payer is engaged in or about to engage in shall be an administrative function of the Revenue Officer of the City of Sacramento. In cases where a charge payer believes he is placed in the wrong business or class of business or businesses, he may apply in writing to the Revenue Officer for a change in his classification, setting forth in full his reason for requesting such change. The Revenue Officer shall conduct an investigation and shall, thereupon, render his decision in writing as to the proper classification or classifications.

If the charge payer is aggrieved by the Revenue Officer's decision, he shall have the right of appeal to the Director of Finance. The appeal shall be filed with the Director of Finance within ten (10) days of the date of the Revenue Officer's decision and shall be heard by the Director of Finance within thirty (30) days, thereafter. The charge payer shall be given at least seven (7) days notice of the hearing by the Director of Finance.

On July 1, 1988 and each July 1 thereafter, the amount of non-retail charges in subparagraph (c), above, and the maximum and minimum charges in subparagraph (d), shall be automatically increased by the amount of increase in the consumer price index, San Francisco area, all items, most recently available prior to the date of increase, provided, however, that in no event shall any automatic increase, hereunder, exceed ten percent (10%), and provided that the amounts of the charges which result from the application of the automatic increases, hereunder, shall be rounded to the nearest whole dollar.

SECTION 7. Exemption; Voluntary Contribution. Any business, person or institution located in the Area, which is exempt from the payment of the ordinary business operations tax of the City by reason of the provisions of the laws of the United States or the City or by reason of the provisions of the United States or California Constitution, is not to be charged under this proceeding but may make a voluntary contribution to the City of Sacramento. Such contribution shall be used for the purposes provided in this Resolution.

SECTION 8. Modification or Disestablishment of the Area. The City Council, by ordinance, may modify the provisions of the ordinance hereby proposed and may disestablish the Area after adopting a Resolution of Intention to such effect. Such resolution shall describe the proposed change or changes, or indicate that it is proposed to disestablish the Area and shall state the time and place of a hearing to be held by the City Council to consider the proposed action.

If a majority of the businesses in the Area file a petition with the City Clerk requesting the Council to adopt a Resolution of Intention to modify or disestablish the Area, the Council shall adopt such resolution and act upon it as hereinafter provided. Signatures on such petitions shall be those of a duly authorized representative of businesses in the Area and the petition shall be filed with the City Clerk within two (2) weeks of the date on which the first signature was affixed.

The City Clerk shall cause such resolution to be published at least once in the official newspaper of the City of Sacramento, and shall also mail a complete copy thereof, postage prepaid, to each business in the Area, or, if it is proposed to enlarge the boundaries of the Area, to each business in the Area as it is proposed to be enlarged; such publication and mailing shall be completed at least fifteen (15) days prior to the date of the said hearing.

In the event that the resolution proposes to modify any of the provisions of the ordinance, including changes in the existing charges or in the existing boundaries of the Area, such proceedings shall terminate if protest is made by a majority of the businesses in the Area, or in the Area as it is proposed to be enlarged, provided that the City Council may modify the boundaries or charges as specified in Streets and Highways Code Section 36528.

In the event that the resolution proposes disestablishment of the Area, the City Council shall disestablish the Area; unless, at such hearing, protest against disestablishment is made by a majority of the businesses in the Area.

At the hearing, the City Council shall hear all protests and receive evidence for and against the proposed action, shall rule upon all protests, their determination in this regard being final; and may continue the hearing from time to time.

SECTION 9. Administration. It is the intention of the City to provide for the administration of the Area's activities by seeking to enter into a contract with a business organization or association, which, in the opinion of the City Council, has the capability of representing the interests of the businesses in the Area, whose general objectives are consistent with the purposes of this Resolution, and who will provide the resources to effectively achieve those objectives. However, the City Council will reserve unto itself sole discretion as to how the revenue derived from the charges, hereunder, is to be used within the scope of the said authorized purposes.

SECTION 10. Payment of Charge -- Effective Date. The collection of the charges proposed, hereunder, shall be at the same time and in the same manner as the general business operations tax under Chapter 23 of the City's Code. If the Area is established, the effective date for commencement of the charges to be imposed will be July 2, 1987.

SECTION 11. Applicability of Relevant General Business Operations Tax Provisions. The provisions of Chapter 23 of the Code of the City, insofar as they are relevant to the provisions hereunder, shall be made applicable to all businesses subject to the said charges. No business operations tax certificate shall be issued pursuant to the said Chapter 23 of the City Code unless the charges pursuant hereto are paid together with the applicable general business operations tax.

SECTION 12. Time and Place of Hearing, Notice. Notice is hereby given that the 21st day of May, 1987, at a regular meeting of the City Council to commence at or about 7:30 p.m., in the Council Chambers of the City Hall at 915 "I" Street, Sacramento, California, is the time and place fixed for the hearing on this Resolution of Intention for the proposed formation and establishment of the said "Del Paso Boulevard Business Improvement Area" of the City of Sacramento.

Any person interested in, or desiring to protest the formation and establishment of said Area, and/or the extent thereof, the boundaries thereof, the proposed amount of the charges, the classification of businesses, the drawing of benefit zones, or to any other proposal or matter set forth in this Resolution of Intention, may appear before the Council at said time and place and be heard.

SECTION 13. Publication and Mailing of Notice. The City Clerk shall cause this Resolution of Intention to be published at least once in the official newspaper of the City of Sacramento, the first publication to be at least ten (10) days prior to the date of said hearing.

The City Clerk shall also mail a copy of this Resolution, postage prepaid, to each business in the proposed Area as described herein, which mailing shall be completed at least ten (10) days prior to the date of said hearing, all in accordance with S36522 of the California Streets and Highways Code.

ANNE RUDIN

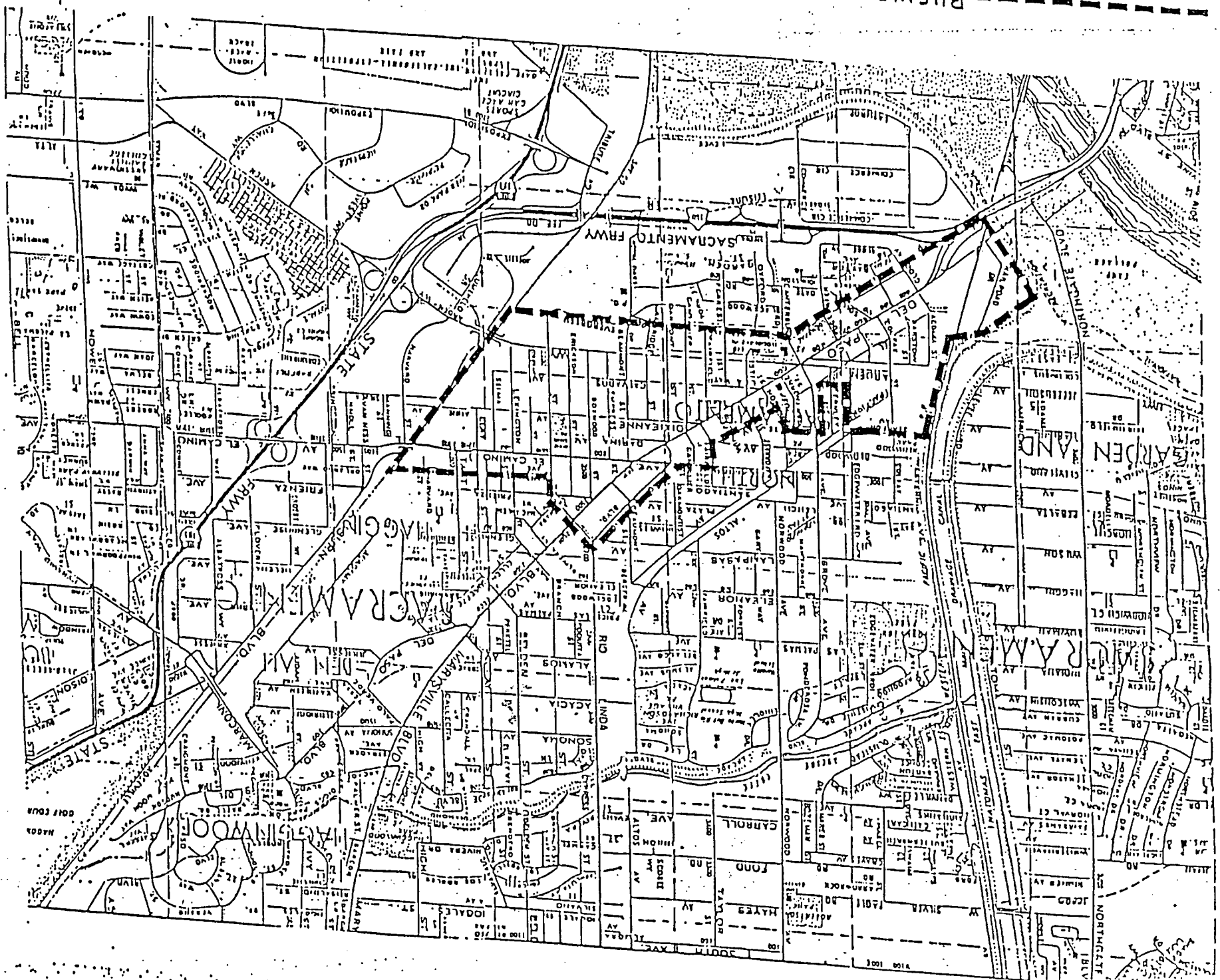
Mayor

ATTEST:

LOBBAIN MAGANA

City Clerk

BUSINESS IMPROVEMENT DISTRICT BOUNDARY





DEPARTMENT OF
FINANCE

REVENUE DIVISION

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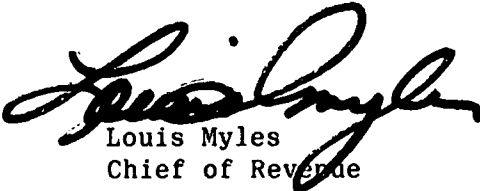
MEMORANDUM

TO: Lorraine Magana, City Clerk

FROM: Louis Myles, Chief of Revenue

SUBJECT: NOTICE TO BUSINESSES IN THE PROPOSED DEL PASO BLVD.
BUSINESS IMPROVEMENT AREA

I hereby certify that I mailed the attached notice to all businesses of record in the proposed Del Paso Business Improvement Area on Thursday, April 30, 1987, as directed by the City Council. Also attached is the listing of the businesses so notified.


Louis Myles
Chief of Revenue

Attachment

RD:STV:ISA-ADM:MM:14
April 30, 1907

MEMORANDUM

TO: Lorraine Nagano, City Clerk
FROM: Louis Nyles, Chief of Revenue
SUBJECT: BUSINESS IMPROVEMENT AREA
NOTICE TO BUSINESSSES IN THE PROPOSED DEL PASO BLVD.

I hereby certify that I mailed the attached notice to all businesses of record in the proposed Del Paso Business Improvement Area on Thursday, April 30, 1907, as directed by the City Council. Also attached is the listing of the businesses so notified.

Louis Nyles
Chief of Revenue

Attachment